

# Meeting note

<b>Title of meeting</b>	National Access Forum for Wales meeting 67	
<b>Date of meeting</b>	3 November 2020	
<b>Time of meeting</b>	<b>10:30 – 13:00</b>	
<b>Present:</b>	Howard Davies (NRW Chair), Mark Weston (BHS), Elfyn Jones (BMC/WEL), David Morgan (Canal and Rivers Trust), Phil Stone (CW), Charles de Winton (CLA), Dr Ken Addison (CPRW), Adrian Walls (CSS Wales – PROW), Rachel Evans (CA), Gwenda Owen (Cycling UK), James Nevitt (Defence Estates), John Cuthbertson (Disabled Ramblers), David Evans (Elan Valley Trust), Bernard Griffiths (FUW), Ruth Rourke (IPROW), Tom Sharp (WSA), Rebecca Brough (Ramblers Cymru), Eni Hansen-Magnusson (Sustrans), Steve Rayner (WATO), Ben Sears (WLGA), Peter Rutherford (Welsh National Parks), Simon Pickering (WG), Helen Lewis (WG), Carys Drew & Jayne Carter (NRW Secretariat), Peter Frost (NRW), Jont Bulbeck (NRW), Dave MacCallum (NRW), Ann Llwyd (Translator),	
<b>Apologies</b>	Chris Mills (Afonydd Cymru), Neil Buffery (British Driving Society), Chris Tomley (LARA), John Morgan (LAFs), Rachel Lewis-Davies (NFU), Steven Morgan (Sports Wales), Kerry Thatcher (Visit Wales),	
<b>Observers</b>	Gerwyn Owen (RYA), Graham Taylor (Powys LAF Chair), Steve Jenkinson (Kennel Club), Anthony Richards (Welsh National Parks), Juliet Michael (NRW), Quentin Grimley (NRW), Rachel Parry (NRW), Sarah Tindal (NRW), Michael Smith (NRW)	
<b>Item number</b>	<b>Item</b>	<b>Action</b>

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## Welcome and Apologies

The Chair welcomed attendees to the 67<sup>th</sup> meeting and the 1st Forum meeting to be held online, and set out arrangements for managing the meeting online. An invitation to observe the meeting had been issued to LAFs and some regular observers.

He noted that it has been a very difficult year for many, including for access management and site managers. It is proposed that the next meeting is centred on the impact of the COVID-19 pandemic reflecting on what has been learnt, how we can do things better and what the opportunities are for encouraging people into the countryside.

1. **Action 67.1** Chair/Secretariat to include COVID- 19 pandemic lessons and opportunities as substantive item on next agenda.

Since the last meeting there had been very sad news that Rowland Pittard who represented YHA for many years, had died on 7<sup>th</sup> April 2020 and Stephen Marsh-Smith who had recently joined to represent Afonydd Cymru had died on 8<sup>th</sup> August 2020. The Forum's condolences go to their families and anybody that knew them.

Chair/CD

The attendance list had been circulated and updated apologies were noted.

The Chair welcomed new representatives and those deputising on the day. Afonydd Cymru will now be represented by Chris Mills who had sent apologies, Ian Doyle (Angling Trust), David Morgan (Canal and Rivers Trust), Gwenda Owen (Cycling UK), Eni Hansen-Magnusson (Sustrans), Adrian Walls CSS Wales - Rights of Way Officers Group, Ben Sears WLGA and Dr Ken Addison (deputising for CPRW).

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## Actions and Matters Arising

The notes of the previous meeting were signed off by email. Actions were completed or considered discharged.

- 2.
- | Action   | Status                                 |
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| <b>Action 66.1: Secretariat to share ARAG presentation slides</b>  | Complete - email 25/05/20              |
| <b>Action 66.2: Secretariat to circulate Option Identification</b> | Complete – circulated by ARAG team and |
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**Action 66.3: Members to read the Area Statements and provide feedback to NRW.**      Discharged

Members had been consulted through email between 30<sup>th</sup> September – 19<sup>th</sup> October 20 on the Terms of Reference Addendum for Access to Water Sub-group. A number of comments had been received and Dave MacCallum had responded directly to those. The Chair confirmed that the Addendum is therefore signed off.

Noted that new [NAFW Access to Water Sub-Group webpage](#) is in place. The main website is in process of update.

**Discussion points**

Peter Rutherford noted National Parks Authorities had not been mentioned in the list of stakeholders contributing to the subgroup but had attended and contributed to some of the meetings.

Dave MacCallum confirmed that NPA attended facilitated meeting and the meeting in March pre COVID. However, the membership organisations stated on the document and webpage are those that are regular contributors on ongoing piece of work and attending consistently all the way through. This was not meant to disadvantage other organisations but rather to recognise regular contributors.

Peter Rutherford acknowledged this but confirmed that NPA had made contributions and views known.

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**Urban Green Infrastructure**

3. The Forum considered last July that it would be helpful for someone to come and talk about Green Infrastructure (GI) to talk about the functions of GI value to our wellbeing, this has come into sharp focus over the last months in particular at UK and global level, and the disparity in terms of people’s access to urban and rural green space.

Pete Frost, Senior Urban Advisor, NRW gave an interactive presentation. He noted the impact and loss of life as a result of COVID-19 pandemic and that the presentation was in the context of this.

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Pete explored with Forum members the definition of GI. The term 'Green Infrastructure' was invented to encompass all natural features as a counterpoint to infrastructure like roads, drainpipes and power cables, and that just like things made out of metal and stone GI is absolutely vital to our lives. Pete shared Welsh Government's definition of Green Infrastructure, set out in [Planning Policy Wales Edition 10](#). He emphasised that all green spaces are part of GI but not all GI is part of a green space.

The key difference between GI and grey infrastructure is that it is multifunctional, and the Forum then considered some of these functions.

Pete explored key points from research into how close people need to be to get the benefits from green infrastructure and people's willingness to travel to it. Needing local and different green space is enshrined in planning policy built on years of research (Welsh Government Technical Advice Note 16). Planning Policy together with Fields in Trusts standards for playing field provision together provide non-compulsory standards for accessible green space.

The Future Generations Commissioner recognises local GI is crucial and her [Manifesto](#) for the future asks WG and all politicians standing for 2021 elections to commit to 20% tree canopy cover in every town and city in Wales by 2030 and ensure people can access natural green space within 300m of their home.

Considering quality of green space, Pete noted that a group of experts in UK developed assessment for parks, known as the 'Green flag awards' to assess the condition and help see if the park or green space is fit for purpose. The number of parks being assessed for Green Flag and the associated community award are on the increase but there are lots of places where there is no independent scrutiny of the open space that communities are exposed to.

In relation to COVID-19 there had been a massive demand for open spaces of all kinds during the first lockdown, then when it eased, people fled to beaches and National Parks creating problems of inappropriate and over-use with people unfamiliar with how to behave in those environments.

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During lockdown, people rely on green space within walking distance of their homes. Less than half the population in Wales live within a short walk of a park. Pete referenced [Ramblers report](#) and highlighted the effect of COVID-19 as a stress multiplier. Black and minority ethnic groups are statistically more likely to live in places with low access to a private garden, and less likely to live in short distance within a park, people on low incomes have less access to green space.

COVID 19 is stress multiplier for parks and green spaces too, with budgets cut even deeper since crash of 2008 and the following decade of austerity. Lots of local authorities rely on grants to replace crumbling infrastructure in parks and green spaces and turn to events and concessions to raise money for operations. Demand for parks went up by over 136% whilst revenue went to 0 when cafes closed, and events were banned during lockdown. Over  $\frac{3}{4}$  parks managers in a UK survey said staff had been diverted from their roles in parks and green spaces to cover other services.

UK Government Urban Green Spaces Task Force reported in 2002 how chronic under funding had led to decline of public parks and how many had become 'no-go zones'.

Pete noted that we are facing a crisis in management of local green spaces that are most needed for poor and disadvantaged people and that the effects of COVID-19 have put this into sharp focus. He said that crisis can also be time of opportunity, sharing the work of charity Landlife that is famous for creating wildflower landscapes on derelict land in north West of England that stimulated lots of benefits for affected communities, the current pandemic may create similar opportunities.

Current WG guidance, goes out of its way to recommend outdoor exercise during lockdown, if that continues, there will be a growing demand for access to high quality green space within walking distance from home. However, he noted that in Wales there is a duty to comply with the Wellbeing of Future Generations Act that requires healthier and more equal Wales, we can't do that in this context without improving access to high quality green spaces in areas of high deprivation and especially in areas with high population of black and minority ethnic groups.

## **Discussion**

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- The Chair observed that the time reported by members of distance to nearest green space is within the current standards and this opens up a question for future consideration of representation across the sector and governance.
  - Recent examples of small to medium sized housing developments in deprived areas where land had been used for SuDs and then biodiversity but had failed to included access as part of this and effectively excluded public from the green space.
  - Noted that this is not how this should be working; developers should be able to incorporate SuDS as part of multifunctional design provision.
  - Recognition of the work of the Landscape Institute – getting quality support where needed most.
  - Quality of green space is crucial, with a lot of research showing that if you have poor quality green space people don't want to go there. Also, that in these situations such green space is effectively non-existent in terms of providing wellbeing and recreational benefits.
  - Green space requirements are in Planning Policy Wales which requires planning authorities to carry out GI Assessments, to look at current provision and what is needed, specific WG Guidance is still being developed. WG Technical Advice Note 16 still includes relevant standards for provision.
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## Access Reform Programme update

Jont Bulbeck noted that a lot of work had progressed since the last Forum meeting. He reminded members about the process giving an overview of Access Reform work, detail around the call for evidence stage, the options analysis stage, how cross-cutting themes are being considered and next steps.

Welsh Government established the Access Reform Advisory Group and tasked them with developing advice for legislative options to provide for wider recreational access to the countryside. Jont set out the six policy intents under three reform areas that are being considered.

Since March a number of different stages in the process have been undertaken. Following on from the last NAFW meeting number of Expert Group meetings had been held to talk about each of the reform areas in more detail and set out different options for how they could be developed. Each reform area has three options within them, some around legislative change, some support elements, together with cross-cutting themes. These were put into 'Option Identification Papers'.

4.

There was then a call for evidence stage that was sent to NAFW and LAFs, internally within NRW and Expert Group members. Jont noted that this was a call for evidence to help inform, improve and analyse the options rather than a consultation. This information was gathered into 'Analysis Reports'.

The Analysis Reports were taken to the Expert Groups and these are being revised into 'Draft Analysis Report' and Cross-Cutting Themes report that arise across all of the options.

Jont talked in more detail about the call for evidence stage followed by Expert Group meetings during September to help refine the Options. These have been worked through in October into Revised Analysis Reports including with external copy editors. They are technical and legalistic.

Some themes come up in all the reforms, so these have been grouped into a separate Cross-Cutting themes report covering:

- Equality of public access
- Ensuring responsible recreation
- The status of commercial recreational activities

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- The role of Local Access Forum (within reform options)

Jont noted that these are in the context of the reforms themselves, so not intended to look at these issues as whole or in general terms but rather how they are relevant in the reforms that are arising and how they link between the reforms.

There is a need to ensure that reform areas interact with each other and the ARAG Steering Group has role to ensure connections between reform areas.

The intention is to consider the Cross-Cutting report with a separate group of volunteers drawn from the existing Expert Groups.

Jont outlined the next steps as follows:

- Currently revising Analysis Report with one per reform, looking at each of the options and provide summary analysis and summarise how options could be improved.
- These reports will be taken to WG initially as interim programme review.
- Once finalised, reports will go to Expert Groups,
- Expert Group meetings will be held in January to look at preferences and selection of the option where weight of opinion is for how to take forward the reform and implement the policy intent set by Welsh Government at start of process.

It is hoped that there would be some consensus around that but the report will take on concerns and considerations raised too. There will be a final report produced but this will not be the end of the process. It will be for WG to decide on what they take forward based on the recommendations and any legislation if it does emerge will be subject to usual processes of consultation and considered in detail if it reaches drafting stages.

Access Reform Final report will be produced by April 2021, Jont will come back to the Forum to present this in due course.

## **Discussion**

- Noted that the presentation had focussed on the process being followed but that there is significant level of detailed consideration to the content of each of the options in the reform areas captured in the

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ARAG reports (each report is approx. 25 pages long).

- Noted that the Expert Group process is the mechanism for considering the detail reports, with the addition of the wider call for evidence as part of that process. There isn't an intention to come back to NAFW for further comment but have said throughout that members on Expert Groups have been asked to act as a conduit for comment and consideration.
- Other reforms that were not being taken forward through ARAG but were in 'Group 1 reforms' including technical changes, 2026 and LAFs. Simon Pickering noted that these are still being taken forward by WG but have been delayed as they are dependent on legal resources being available and with combination of Brexit and Covid this has been in short supply, have been progressed but slower than would have wanted. Have had some discussion with LAFs.

**Action 67.2** Agreed that due to limited time, questions not answered during the meeting would be responded to after the event and responses circulated. Carys to action.

CD

- Noted that a number of WSA members would be interested in reviewing the results and to comment where possible how can this be addressed?

**Response provided by email after the meeting:** Jont advised that there is no intention for further wider stakeholder stage as part of the ARAG process. The best way would be for groups, to contact members of the Expert Groups from their sector to get them to consider views. The name of Expert Group members and also the outputs from the ARAG work to date are on Welsh Government's website: <https://gov.wales/access-reform-advisory-group>

Following on from two WG public consultations on the issues, the ARAG process is an expert stakeholder working group process rather than a fully open process. The Expert Groups selected to provide a balance of interests and as such are made up of members with specialist knowledge of access representing 3 main sectors (land managers; recreational users and public sector). There was an open application process. However, places on the Expert Groups were limited. Because not everyone could be on the Expert Groups, members on the Groups have explicitly been asked to represent and be

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open to receiving and putting forward points of view from within their sector.

There will be public consultations about any reforms if WG does decide to take any forward. That will be a matter for the next Government, after the Senedd elections in 2021.

**Further information: Welsh Government [Access Reform Advisory Group](#)**

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## Access to Water Sub-Group update

Dave MacCallum Chair of the Access to Water sub-group gave an overview of progress.

Dave started by sharing the Deputy Ministers [Written Statement](#) as a reminder of why the sub-group came into being and why stakeholders have come together with a vested interest in demonstrating reasonable progress.

He set out the member organisations, comprising a balanced and effective representation of angling, land and riparian owners, paddlesport (both recreational and commercial), Afonydd Cymru and Dŵr Cymru.

The initial focus for sub-group is angling and paddle sport and how we can have both those recreational activities enjoying and having access and use of inland waters.

5.

Collectively the Sub-group has agreed guiding principles:

- Approach will be equitable and fair to all vested interests as well as sustainable (economically, socially, environmentally)
- Provide rights to both anglers and canoeists, avoiding conflicting use wherever possible
- All users should pay and those funds derived should be use to maintain, improve and develop resource
- Access is regulated to control use, manage access and protect the environment
- Land and riparian owners should receive financial recognition of use of their asset
- Land and riparian liability limited wherever possible

Key next steps for the sub-group were stated as:

- Develop an equitable and fair, pragmatic and sustainable model for access and use
  - Identify a pilot river
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- Pre-pilot feasibility (body of this work would comprise report) which would be circulated and consulted on with National Access Forum before being finalised.
  - Present to Minister in March 2021 report
  - Consultative pilot 2021-22

Dave shared a diagram of the model that the sub-group wish to explore and pilot, highlighting that the elements within the diagram unprioritised. Dave then set out the steps envisaged as part of pre-feasibility work and key principles as part of developing the consultative pilot approach.

As an aside to the work of the Sub-Group Dave also been able to promote projects to Welsh Government which had been approved and would be delivered current financial year. Projects included Dŵr Cymru looking to open up two flat water reservoirs for paddle sport which would benefit from disabled paddle sport access and biosecurity 'check, clean, dry' stations, Canoe Wales are running series of projects to increase disabled access and biosecurity stations at a further four sites. £337,000 funding has been made available during a very challenging year, Dave gave recognition to Dŵr Cymru, Canoe Wales and provision of funding through WG.

### **Discussion**

Chair noted that Sub-Group has done an amazing job getting to this stage and Dave has been central to that and thanked them for their hard work.

- Question about whether other sports being considered outside canoeing angling.

### ***Response provided after the meeting:***

- The subgroup is led by the stakeholder members who have agreed that the sub-group's initial focus will be on finding a pragmatic way forward with the historic angler and canoeist debate on rivers.

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## **Application to join Forum for the Royal Yachting Association Cymru/Wales**

6.

Gerwyn Owen, Chief Executive Officer, gave a short presentation highlighting the alignment with the work of the Forum and RYA Cymru/Wales. He noted that their

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purpose is participation, development and performance opportunities for boating in Wales, and that RYA Cymru/Wales is governed and supported by the UK RYA.

Gerwyn provided information about RYA background noting that they are the recognised governing body for boating and recognised voice of recreational boaters, and went on to share their vision, guiding principles and examples of their work and involvement.

### **Discussion**

No questions were asked. Members were reminded of the criteria for membership set out in the Terms of Reference.

Following discussion non-members asked to leave the meeting.

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### **Membership application**

7. There was support and agreement for RYA Cymru/Wales to join the Forum membership.

**Action 67.3** Carys Drew to advise RYA of successful application and update membership list.

CD

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### **Written Contributions**

Some written contributions had been circulated in advance, further updates from BHS and Sport Wales would be circulated after the meeting.

8. The Chair reminded members that written contributions are a really valuable mechanism to share information and develop practice. In advance of the next meeting, reflect on the way we have managed access during COVID-19, the impact it's had and opportunities it presents, and how to overcome the missed opportunities.

Written contributions are valued more highly than ever when we can't meet face to face.

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### **Forward Look & dates of next meetings**

9. Meeting dates in early March/July/November 2021 would be circulated.

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Members were invited to give feedback to help guide future meetings. The Chair highlighted the value of the Forum and way that members engage with each other.

Chair thanked everyone involved in arranging and running the meeting, speakers for excellent presentations and useful updates, members for attendance and attention over the meeting.

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