

National Access Forum Written Contributions

NAFW 71: 15 March 2022

Introduction

This note is collated and edited by NRW from submissions from Forum members and NRW staff prior to National Access Forum Meetings to facilitate the sharing of information.

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The British Horse Society

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General interest

Horse Accident Statistics

The BHS collates statistics each year to understand the rate of incidents involving horses and riders on UK roads. In the last year alone there were:

1,010 road incidents involving horses have been reported to The British Horse Society

Of these, 46 horses have died and 118 have been injured

130 people have been injured because of road incidents

45% of riders were victims to road rage or abuse

80% of incidents occurred because a vehicle passed by too closely to the horse

43% of incidents occurred because a vehicle passed by too quickly

Policy and Legislation

The Highway Code

The BHS has been working with the Department for Transport, DVSA, Cycling UK and Living Streets since November 2018 to strengthen the Highway Code for vulnerable road users.

Horse riders, carriage drivers and owners of New Forest, Welsh, Dartmoor and Exmoor ponies can look at the proposed changes and see that the safety of equestrians has been significantly improved.

For equestrians there are three significant changes:

- The introduction of a Hierarchy of Road Users. This states that those in charge of vehicles that can cause the greatest harm in the event of a collision bear the greatest responsibility to take care and reduce the danger they pose to others. Important details include the fact that equestrians are grouped alongside cyclists in this new hierarchy of vulnerable road users.
- Guidance on the safe passing distances when overtaking or approaching horses. The guide is; pass horses and horse drawn vehicles at speeds under 10mph and allow at least 2 metres space.

- Inappropriate speeds are intimidating, deterring people from walking, cycling or riding horses.

In addition, the proposed changes also include semi-feral equines such as New Forest, Welsh, Exmoor and Dartmoor ponies, and the BHS Ride Safe Award is referenced as best practice.

2026 Cut off date – the Society welcomes the Government’s recent announcement to repeal the 2026 cut off date in England, following the Welsh Government’s decision to do the same.

Campaigns and Events

The Society will once again be running its Ride Out campaign from May to November, the aim of which is to get more people out riding and carriage driving to enjoy the great outdoors, raise funds for bridleways and restricted byways creations and improvement and to highlight all of the access work we do.

Staffing

The Society has now appointed an Access Officer for Wales and Helen Donnan will be attending future meetings of the Forum.

British Mountaineering Council:

Elfyn Jones elfyn@thebmc.co.uk

General interest

Staff changes: Elfyn Jones, the current BMC Access & Conservation Officer for Wales will be leaving the BMC at the end of March, after nearly 13 years in the role, taking early retirement from his role but will continue to do some consultancy/freelance work. A replacement has been appointed and this will be announced in due course. The new person is expected to initially start with the BMC at the end of April but due to outstanding commitments will not be taking on the work fully until September. Elfyn Jones will continue to stand in on an ad-hoc basis until that time.

Going forwards, the main BMC contact for the National Access Forum for Wales will be Eben Muse, the recently appointed Policy and Campaigns officer for Wales.
eben.muse@thebmc.co.uk

Policy and Legislation

The BMC through Eben Muse is currently working on developing a Welsh language scheme and policy for the BMC's work in Wales. It's hoped that this will be completed and start to be implemented by autumn 2022, and for the first time, a separate budget has been allocated for Welsh language provision within the BMC.

Funding & Resources

As with many other organisations, the BMC has suffered a substantial drop in income and a slight drop in membership because of the Covid pandemic. This significantly impacted on activities in 2021 however thankfully, so far in 2022, membership is again growing, but remains below the previous high of 84,000 members. Commercial income (mainly through our specialist overseas travel insurance scheme) is now very close to being back on target.

Campaigns and Events

The BMC is organising three climbing and hillwalking festivals in Wales in 2022;

These are "Hongian-Fest" – a combined rock-climbing and hillwalking event based around Blaenau Ffestiniog and involving local youth members to showcase the great hillwalking and rock climbing to found in this area. This will take place on the weekend of May 27/28th.

The second one will be Pembroke Climbing Festival, arranged in conjunction with Pembrokeshire Climbing club, to be held on the bank holiday weekend of June 4/5th

The third will be the Gower climbing Festival to be held on August Bank holiday weekend.

All the festivals will give local climbers the opportunity to showcase their local area to visiting climbers and walkers and will include evening talks, bookable coaching and instructional sessions and socialising.

National Parks

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Pembrokeshire Coast National Park Authority

General interest

Storm Damage

Storms Dudley, Eunice and Franklin caused unprecedented numbers of trees to fall and obstruct public rights of way in the National Park. The full extent of the damage is only becoming evident with dozens of public paths obstructed by multiple fallen trees in some cases. This has generated a lot of work in terms of clearance of the path network.

Increase in visitor numbers to National Trail

The Pembrokeshire Coast National Park Authority has seven concealed digital path user counters distributed along the Pembrokeshire Coast Path at relatively remote locations. These have been maintained at the same locations since 2006 to provide a sample of the Coast Path footfall and enable trend analysis.

The last “normal” year which was not affected by Covid lockdowns and travel restrictions was 2019. The total annual user count for the seven counters in 2019 was 177, 499 (the highest annual total to date).

The total count for 2021 was 231,535 - this represents a 30% increase on 2019. This is all the more significant when the lockdown travel restrictions from January to April 2021 is taken into consideration. The four summer months - June to September inclusive - actually saw a 51% increase on 2019.

The increased footfall has resulted in more wear and tear being evident to path surfaces and access furniture. Some sections of Coast Path that were normally maintained in their natural state have had to be improved with additional steps on slopes and stoning will be required in certain places to keep them in repair for the higher levels of pedestrian usage.

Wales Adventure Tourism Organisation:

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WATO is a collaboration between the three ‘Outdoor Charter’ organisations representing providers of outdoor activities in Wales (South Wales Outdoor Activity Providers Group - SWOAPG; Pembrokeshire Outdoor Charter Group - POCG; and Snowdonia-Active – SA) supported by ‘Observer Members’ from The Outdoor Partnership (TOP), NRW, Sport Wales and Visit Wales.

General interest

South Wales Outdoor Activity Providers Group has offered to support both Powys County Council and Hay Town Council in setting up and managing Concordat and Code of Conduct arrangements for ‘commercial’ paddlesport operations at Glas-y-Bont common in Glasbury and ‘The Gliss’ in Hay-on-Wye. Canoe launching at Glas-y-Bont common has been suspended since April 2021 pending the completion of a Habitat Regulations Assessment by Powys County Council.

Welsh Water

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General interest

Lisvane & Llanishen reservoirs

Work started in January to construct a new hub for health and wellbeing at Lisvane and Llanishen reservoirs in north Cardiff. The multi-million pound project will create a two-storey visitor centre with a café offering spectacular views across both reservoirs together with showers and changing facilities to support watersports, meeting and training rooms.

To reduce its carbon footprint the building design includes a large solar PV installation on the roof; a heat recovery ventilation system within the changing rooms; and the use of 'green' gas generated from Welsh Water's sewerage treatment. A sustainable drainage system will incorporate rain gardens to attenuate and filter rainwaters and underground drainage space.

Thanks to an ENRAW grant from Welsh Government, works are underway to create a Learning Zone with an outdoor classroom and Welsh roundhouse in the woodland. In May works will start to construct formal paths around the crest of both reservoirs, with an additional lower footpath below Llanishen reservoir embankment. The footpaths will create circular walking routes and connect the visitor hub to three pedestrian access points.

We plan to open Lisvane & Llanishen reservoirs the public in Spring 2023 once construction works have been completed.

Policy

Open Water Swimming

Through Welsh Water's Authorised Access to Water Policy, we are planning to roll out organised open water swimming activities for the public at Llys y Fran in Pembrokeshire, this year. Once again we are working with Swim Wales to programme events at Llys y Fran and Llandegfedd as part of the Open Water Challenge Series 2022.

Welsh Water is part of the [Water Safety Wales Forum](#); a group of organisations working on water safety and drowning prevention in Wales. The company reminds people that *unauthorised* swimming at any of their reservoirs is prohibited and is extremely dangerous. Open Water Swimming sessions are regulated under the close supervision of our fully trained team. They only take place in strictly designated areas of the reservoir away from hidden machinery during organised, pre-booked sessions.

NRW

Eve Nicholson Wales Coast Path (marketing): eve.nicholson@cyfoethnaturiolcymru.gov.uk

Campaigns and Events

Wales Coast Path 10th anniversary of the path in 2022

On the 5th May 2022, the Wales Coast Path (WCP) celebrates it's 10th anniversary.

There is a task and finish group led by Visit Wales to deliver a well rounded and inclusive campaign. Visit Wales are leading on the global and national PR and media through their digital channels.

The WCP team are working collaboratively with Visit Wales as well as local authority tourism partners, National Trust, Refill Cymru and more to deliver a suite of activity.

Celebrations will be held throughout 2022 and examples of activity include:

Celebrate and Demonstrate – Through sharing latest developments on the path via:

- sharing the latest visitor survey results
- working with Refill Cymru to works towards reducing single use plastics along the path with refill water points
- create more inclusive access to the path

Inspire and Connect – reaching new audiences by:

- promoting 20 new itineraries developed with Cadw
- promoting WCP specific education resources in partnership with NRW education team
- launching education resources developed with Urdd Gobaith Cymru at their two coastal camps, Llangrannog and Cardiff Bay
- Encouraging people to visit the path using the Wales Coast Path app with its new track my walk function
- Promoting the new Welsh language guidebook for the “Llŷn Peninsula” with Gywnedd Council, working with Visit Wales, Ciccerone guidebooks (their updated guidebook to the path is due in May) and an adventure, podcast host and amabassador for women in the outdoors

Connect and Social Movement – to connect and create a movement by:

- Creating official WCP merchandise for the anniversary year for people to commemorate their journeys on the path

- Culture and Arts – make the north and south ends of the path more memorable and special reflecting the journeys people make on the path
- Supporting “grass roots” walking festivals through cross promotion
- Promoting accessibility on the path – by improving our information

Available resources to partners are:

[Media pack](#) – for any media enquiries.

[10th anniversary branding](#) – logos and asset guide are available from the Visit Wales Assets website.

[Updated business toolkit](#) - this will be updated early Spring and available for any coastal businesses to make the most of the pulling power of the Wales Coast Path.

Stay updated via the [10th anniversary page](#) on the WCP website for “what’s new in 2022” as we progress the year with new stories.

NRW

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Policy and Legislation

CRoW Open Access Mapping Reviews

As part of its Access Reform Programme, Welsh Government are in the process of considering legislative reform to the statutory requirement in the CRoW Act for NRW to review the maps of open access (open country and registered common land) every 10 years.

Government’s intention for the reform was to replace the current requirement with a ‘continuous review’ process, thereby making resource and efficiency savings. NRW is developing advice to Welsh Government about reforming the mapping review process. Organisations drawn from statutory consultees have advised NRW in developing the advice which NRW will submit to Government by April 2022.

In the meantime, the clock has been ticking for the next mapping review, which is due to be completed by NRW in September 2024. To avoid NRW expending unnecessary time and resources on a process that may be replaced, or having insufficient time to meet the statutory deadline to review the maps, NRW requested that Welsh Government use the powers it has in CRoW to extend the review deadline to 2029. This is to allow NRW, either sufficient time to initiate and complete the currently required review process, or the

implementation of a revised process. (The last project to review the maps, completed in 2014, took just under 5 years from initiation to completion).

We have now had confirmation from Welsh Government that it has approved an extension to the deadline for NRW to complete the next review of the open access maps required by the CRoW Act 2000, from 2024 to 2029.

This decision has been made on the understanding NRW will review CRoW access mapping as soon as is practicable after the decision is taken by Welsh Government about if and how it intends to reform the review process.

Welsh Government will now carry out the formal requirements required by legislation to change the deadline date.

If a reformed review process is introduced before 2029 NRW will follow the new process. Otherwise the review process will work to the amended deadline.

Access Reform Advice: Briefing Update

This briefing note is to update internal and external stakeholders about NRW's work to provide advice to Welsh Government for their Access Reform Programme (ARP).

Summary

NRW are providing advice to Welsh Government about three Group 1 reform areas within their Access Reform Programme. We are involving internal and external stakeholders to input to our advice through liaison and consultative groups. The final advice is due to be provided to Welsh Government by April 2022.

Background

The Access Reform Programme consists of proposals to revise access legislation. Following its 2017 consultation about the reforms, Government grouped the proposals as follows:

- *Group 1* – reform proposals that were considered uncontroversial by stakeholders
- *Group 2* – reform proposals requiring more detailed consideration and advice
- *Group 3* – reform proposals related to access to inland waters (not considered within this briefing)

For 2021/22, Welsh Government has asked NRW to deliver advice about the following Group 1 legislative reforms:

- *Countryside and Rights of Way Act (CRoW Act) open access mapping reviews*
- *Local access forum (LAF) roles and responsibilities*
- *Enforcement of dogs on leads*

NRW is also providing some supplementary advice this year to Welsh Government about some detailed issues within the Group 2 reform areas.

More about Welsh Government's access reform programme, including the reports produced during 2020/21 by the Access Reform Advisory Group, can be found here:

[Access Reform Programme | GOV.WALES](#)

Open Access Mapping Reviews Advice

NRW has to produce maps of common land and open country to which Countryside and Rights of Way Act (CRoW) rights of open-air recreation apply; reviewing and re-issuing the maps every 10 years.

Welsh Government has asked NRW to advise on achieving their [draft] policy intent for this area of reform, in particular to achieve an improved, more efficient and responsive CRoW mapping review process. Welsh Government has proposed that the current requirement for NRW to review CRoW access maps every 10 years is changed to a continuous review process.

NRW's work since the last update:

- Sharing the 'issues paper' with the liaison group
- Finalising the issues paper in the light of liaison group comments and input
- Development of a reform options and analysis paper – with consultation from the liaison group
- Development of a final advice report (using the input from the liaison group)

The final advice report will be submitted to Welsh Government by April 2022.

Local Access Reform (LAF) Roles and Responsibilities Advice

The role of local access forums (LAFs) is to advise on the improvement of public access to land in their area for the purpose of open-air recreation and the enjoyment of the area.

LAFs are statutory forums which local authority or National Park Authorities are required to set up for their area. There are currently up to 22 LAFs operating in Wales. Membership of a LAF is unpaid and as such, LAF members, including the National Representatives dedicate their time and knowledge on a voluntary basis. Local authorities appoint and manage the work of the forums.

Welsh Government's intent for the LAF reform is to:

- Review [LAF related] regulations and guidance to support the effective working of local access forums and update and clarify their role and membership

Government noted in their policy intent they have no intention to:

- make Statutory changes to the number or to the status of LAFs
- make the national meeting of LAF Chairs and Deputy Chairs an additional statutory body

The NRW work completed since the last update:

- Finalising the 'issues paper' in the light of stakeholder input and sharing this with the liaison group
- A consultation workshop with the liaison group about the findings of the information gathering and the issues arising for the proposed reform in addition to responses on the proposed reform options

- A further workshop with the liaison group about the development of final reform advice and recommendations
- Drafting of the final advice report for Welsh Government by April 2022

The final advice report will be submitted to Welsh Government by April 2022.

Enforcement of Dogs on Leads Advice

Welsh Government's [draft] policy intent for this work is for legislative requirements and supporting actions for:

Dogs to be on a short, fixed length lead in the vicinity of livestock at all times of the year. In all other circumstances they will be subject to "effective control", a legally defined term already used in England under Schedule 2 paragraph 6A of the CRoW Act. Exceptional circumstances relating to safety and the protection of nature conservation will be identified and guidance provided by the access code*.

[*WG will be considering its preferred way forward for an appropriate access code following on from the ARAG advice.]

Government's draft policy intent states that the 'Dogs on Leads' reform is not intended to affect the following:

Wider work on the proposed Animal Welfare (Kept Animals) Bill introduced to the UK Parliament (8th June 2021) containing new measures to deal with livestock worrying across England and Wales. However, the ARP 'Dogs on Leads reform' work will strongly link to the content of the bill and there are opportunities for the reforms to complement each other

- The measures and powers to take enforcement action against those not complying with the requirements to have their dogs on leads in the vicinity of livestock (as reforms affecting such matters are expected to be contained in the UK legislation - see preceding point)
- Assistance dogs or other dogs legitimately working on or otherwise accessing the land and in the vicinity of livestock (with or without the landholder's permission)
- Where access for dogs may be restricted by existing measures, e.g. through byelaws or control orders, that already limit where dogs can go, or limit their access at certain times of year, to protect nature conservation/ ground nesting birds for instance

The NRW work completed since the last update includes:

- Finalising the 'issues paper' in the light of stakeholder input and sharing this with the liaison group
- A consultation workshop with the liaison group about the findings of the information gathering and the issues arising for the proposed reform in addition to responses on the proposed reform options
- A further workshop with the liaison group about the development of final reform advice and recommendations

- Drafting of the final advice report for Welsh Government by April 2022

The final advice report will be submitted to Welsh Government by April 2022.

Contacts

The main contact within NRW for this area of work [up to April 2022] is **Jont Bulbeck**, Lead Specialist Advisor - Access Reform: jont.bulbeck@cyfoethnaturiol.cymru

END.