

**SUBJECT: RE-APPOINTMENT OF MONMOUTHSHIRE LOCAL ACCESS FORUM**

**MEETING: County Council**

**DATE: 22 September 2016**

**DIVISION/WARDS AFFECTED: All Wards**

**1. PURPOSE:**

- 1.1 To secure the appointment of members to the Monmouthshire Local Access Forum (LAF) for its next 3 year period and consider measures to increase the forum's effectiveness.

**2. RECOMMENDATIONS:**

- a) That the following retiring members of the Monmouthshire Local Access Forum be re-appointed: - Mr John Askew, Mrs Pat Benson; Mrs Irene Brooke and Ms Anne Underwood;
- b) That the following individuals be shortlisted for appointment as members of the Monmouthshire Local Access Forum: - Mrs Anthea Fairey, Mrs Sheila Hampshire; Ms Elizabeth Hepburn; Ms Gwyneth Jones; Mr Richard Micklethwait; Mr Philip Mundell; Mr David Smith; Mr David Steere and Mr Mark Storey;
- c) That a selection panel of three appropriate Members be established and delegated authority to select and appoint members from the shortlist and to appoint further members should the Forum after its first meeting ask the County Council to seek additional members to reflect any specific interests felt not to be appropriately represented;
- d) That the County Council nominate its representative to serve on the Local Access Forum;
- e) That the retiring members of the Forum, including the past Chairman, be thanked for their valuable contribution.
- f) Consideration be given to the LAF Chair reporting annually to the appropriate Select Committee and/or Cabinet.

**3. KEY ISSUES:**

- 3.1 The Monmouthshire Local Access Forum is a statutory body set up to provide advice to the local authority and other agencies on the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area. These bodies have a statutory duty to have regard to relevant advice given by the Local Access Forum. The forum is required to meet at least twice a year. The Council, as appointing authority,

is required to establish and maintain membership of the forum, of between 12 and 22 members, in accordance with regulations.

- 3.2 The regulations only allow members to continue until 3 years from the first meeting of each term, i.e. to 11 November 2016 (regardless of when an individual was appointed) and so all members are due for re-appointment.
- 3.3 Following the publication of statutory notices and other publicity applications have been received from 13 individuals. Details of these are appended as Appendix 1. The County Council is required to achieve a well-balanced membership reflecting all relevant interests, made up of individuals who meet the suggested criteria for appointment. The guidance allows for interviews to take place, where deemed necessary, to decide upon the persons to be invited to become members.
- 3.4 Having assessed all of the applications it is recommended that the following former Local Access Forum members be re-appointed: - Mr John Askew, Mrs Pat Benson; Mrs Irene Brooke and Ms Anne Underwood. It is further recommended that the following new applicants be shortlisted for appointment as members of the Local Access Forum: - Mrs Anthea Fairey, Mrs Sheila Hampshire; Ms Elizabeth Hepburn; Ms Gwyneth Jones; Mr Richard Micklethwait; Mr Philip Mundell; Mr David Smith; Mr David Steere and Mr Mark Storey and, as on previous occasions, the final selection be delegated to a nominated panel comprising of three appropriate Members. The selection panel will be guided by the relevant regulations and guidance notes.
- 3.5 Regulation 6(1) states that the appointing authority must appoint one member (but no more than one) who is either a member or officer of the authority. The previous representative was County Councillor A. Webb. It is therefore recommended that the County Council appoint a representative to serve on the forum until May 2017.
- 3.6 The current number of potential members meets the statutory minimum size. Once appointed and after its initial meeting the Forum may wish to ask the County Council, as appointing authority, to advertise for further individuals to serve on the forum reflecting any specific interests felt not to be appropriately represented. This will be a matter for the Forum to consider and decide, but should it do so it is recommended that the selection panel also consider and determine any subsequent applications arising from any further advertisement.
- 3.7 Following a review of the governance of Local Access Forums undertaken with Natural Resources Wales the National LAF Chairs have made a number of representations to Welsh Government to increase the effectiveness of LAFs. These are summarised in Appendix 2. The proposed actions in response were endorsed by the LAF at its meeting in January 2016. Specifically it is recommended that consideration be given to the LAF Chair reporting annually to the appropriate Select Committee and/or Cabinet.

#### **4. REASONS:**

4.1 To meet the requirements of the Countryside Access (Local Access Forums) (Wales) Regulations 2001 and reflect the recommendations of the LAF National Chairs.

**5. RESOURCE IMPLICATIONS:**

5.1 Members of the Local Access Forum are able to claim reasonable expenses from the County Council in respect of meetings

**6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

6.1 The County Council is required by Regulations and guidance to achieve a well-balanced membership reflecting all relevant interests, made up of individuals who meet the suggested criteria for appointment. In particular this includes that the membership of the forum achieves a reasonable balance between the interests of users of countryside access and of owners and occupiers of access land or land over which local rights of way exist and must have regard to the need to ensure, so far as is reasonably practicable, a fair balance between persons of different genders, races, ages, disabilities and other characteristics.

6.2 Once in place the forum will be given the opportunity to review its composition and the interests reflected and to identify to the appointing authority if specific interests are under-represented and seek assistance in finding further members to reflect this.

**7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS**

7.1 There are no direct safeguarding and corporate parenting implications.

**8. CONSULTEES:**

Cabinet, SLT; Legal, Democratic Services, Scrutiny Manager

**9. BACKGROUND PAPERS:**

9.1 Local Access Forum Guidance 1: CCW/WAG  
Appendix 1: Individual applications to serve on the Local Access Forum  
Appendix 2: Response to measures to increase the LAFs effectiveness

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## **Appendix 1: Individual applications to serve on the Local Access Forum**

### John Askew:

Continue to assist with motorised vehicle usage issues and protection of green lane network. Assist with volunteer repair projects & knowledge/skills. Build upon existing relationships with Highways and RoW established over the last 3 years.

### Pat Benson

I have been a member of the LAF for many years and have become very aware of demands for access to the countryside. Living on a restricted byway I have lots of interaction with walkers, cyclists and horse riders and the overwhelming feedback I get points to the health and wellbeing benefits of countryside access. As a "commoner" I am interested in commons and also a member of many organisations (RSPB, GWT, Plantlife etc.)

### Irene Brooke

I would like to apply to continue to be a member of Monmouthshire Local Access Forum and I remain committed to the essential functions of the forum.

My family has been working farmers in the Wye Valley AONB for nearly 40 years. It is a mixed farm with dairy and arable enterprises.

There is a concentrated network of public rights of way over the farm and it is surrounded by Natural Resources Wales land much of which has open access.

I am therefore able to offer a balanced insight into the issues surrounding land ownership, land management and public access in Monmouthshire.

I am a regular recreational walker, dog walker and occasional horse rider with a keen interest in the biodiversity of the Wye Valley.

My interest include a desire to maintain and improve public access so that the Monmouthshire countryside can be enjoyed by all.

I have regularly attended the LAF meetings over the last three years and have contributed to a number of consultations particularly to dog walking, Glastir applications, 4WD use of green lanes and the M4 relief road proposal. I look forward to the challenges ahead with the renewal of the Monmouthshire's ROWIP plan.

As a member of the CLA and NFU I am ideally placed to liaise with these organisations as well as other groups such as parish councils with regard to LAF matters.

### Anthea Fairey

I offer the following in support of my application to the Local Access Forum:

- Chair elect of Friends of Castle Meadows, Abergavenny which works together with Monmouthshire County Council (MCC) to encourage access for all into the Meadows and to encourage various groups and individuals to participate in the enhancement and conservation of this unique habitat.
- As a member of Llais y Goedwig I represented Friends of Castle Meadows and the former organisation at the Royal Foresters Conference 2016 and then prepared a blog, available to all, highlighting issues concerning forests and woodlands.
- Have led workshops at the Llais Y Goedwig annual gathering in Abergavenny in 2015 and Bangor 2016.

- Represented Friends of Castle Meadows at the Royal Welsh Show 2015/2016 promoting Castle Meadows as an area which can be enjoyed by all and highlighting the achievements of the “Friends” and MCC.
- Currently engaged on a project to improve access for all in a neglected copse adjacent to Castle Meadows.
- Developing a project which will encourage 0-11 year olds and their parents/guardians to visit and enjoy the Meadows.
- Experience of working with schools and voluntary groups to visit and discover the various habitats within Castle Meadows.
- Completion of Level 3 RHS in Horticulture (2016), part of which included the study of how open spaces can be made accessible to disabled individuals. I have worked with individuals with disabilities to see how the Meadows to see how this might be achieved.
- A background in teaching Environmental Science and Biology which has given me a sound basis for involvement in conservation and encouraging others to be involved.
- Experience of working with international groups to develop environmental programmes within the European Community.
- The preparation of applications for grants has resulted in my liaison with a number of groups. To date these have included: Green Valleys CiC, GAVO, Keep Wales Tidy, University of South Wales, Glyndwr University, University of Aberystwyth, Wye and Usk Foundation, National Flood plain Meadows Partnership, Friends groups within the Gwent, Torfaen and Blaenau Gwent with similar habitats, Imperial College Open Laboratories, Black Poplar steering group for SE Wales, Farming and Wildlife Advisory group.

### Sheila Hampshire

As local landowners we have the prestigious Usk Valley Walk crossing our land, and are aware of the many issues arising. I am keen to promote safe and responsible access for walkers, horse riders and where appropriate bikes, with the interests of all parties at heart. I have knowledge of the local area having lived here for 40 years and enjoyed walks and horse riding myself, as well as having a keen interest in the needs of wildlife.

### Elizabeth Hepburn

I have been a resident of Monmouthshire for the past 33 years and am pleased that local people have the opportunity to express their views and opinions about how to improve and develop public access in their surrounding areas.

I realise that an important aspect of the forum is to understand the needs and interests of different groups of people in Monmouthshire and to be sure that these are well represented.

Before I retired I was a Deputy Headteacher in a Monmouthshire Primary School and so have a good understanding of what younger members of our community may need. In my management role I had to work alongside different outside agencies and so understand the importance of good communications skills and the ability to liaise with different groups of people.

Since retiring I have worked with people who have multiple health issues and so have some knowledge of what they may also require to gain good access to their local area.

On a personal level I have always appreciated the opportunities that Monmouthshire provides for outdoor leisure activities and would be interested in helping to further develop these in the future.

### Gwyneth Jones

I have lived in Monmouthshire for most of my adult life, raised my family here, and am involved in a local business in the hospitality sector. I would like to contribute something towards the community, and I

consider access throughout the county to be an important issue; one that is integral to our local enjoyment of the environment, and to the promotion of Monmouthshire as a destination for tourism and leisure.

I think, as yet, I know only small pockets of Monmouthshire really well, and I am always keen to explore further. I walk a lot, with an excitable Lakeland Terrier for company. As an explorer (albeit close to home) I have an interest in signage and information, along with an appreciation of the work that goes into producing it.

My family connections and business interests give me some insight into the pleasures and frustrations of various forms of off-road motorcycling; trials, enduro, motocross, etc. where access is frequently a vexed issue.

I am in the process of expanding my knowledge of the Monmouthshire & Brecon canal. Having enjoyed walking along the towpath for many years, I have recently taken to the water and now have a small boat moored at Goytre Wharf. I am a member of the Inland Waterways Association and the Monmouthshire, Brecon & Abergavenny Canals Trust.

My experience of forums such as this is limited and ancient (e.g. several years as secretary of Goytre Fawr Primary PTA) but yet I believe I have something to offer.

I am independent, resourceful, and articulate. I am analytical, with the ability to weigh up both sides of an argument, and where necessary, to play 'devil's advocate'. Furthermore, I am an all-rounder with a strong entrepreneurial streak, an eye for detail, and (some) time and energy to spare.

### Richard Micklethwaite

I have a clear idea of the conflicts arising between the public and the realities of livestock farming and the problems of the CAP.

My daughter and son in law now own and manage this 400acre farm.

### Philip Mundell

My reason for believing I could be an effective member of this forum is based on my experience of walking and working in the Monmouthshire countryside. I have been able to observe, at first hand, some of the issues that arise from problems associated with rights of way and access.

I have been a volunteer with Monmouthshire County Council Countryside section for the past nine years. During this time I have acted as a volunteer Path Warden with particular responsibility for two routes: Piercefield (Promoted route No. 6) and Devauden/Chepstow Park Wood. In addition I am a regular walk leader of weekend walks organised by Mark Langley. During this period I have received training from the County Council in Path Surveying, Walk Leading, and Emergency First Aid.

I am particularly proud of my involvement with the Fit4Life scheme and was part of the team that initiated both the Abergavenny and Chepstow groups. I am now an active member of the Chepstow team. The scheme has been running for between four and five years and has made a positive contribution to the health and wellbeing of its members. The physical limitations of this group of walkers mean that care has to be taken in the selection of walks including the safety of the terrain and furniture.

I am also a walk leader with the MonDean Walking Festival, the Chepstow Walking Festival and with Secret Hills Walking Company (a holiday company running commercial walks in the Wye Valley and Forest of Dean). I have recently agreed to take on the role of Path Care Officer with Chepstow Walkers are Welcome and although this venture is in its early stages we have already undertaken a number of path care exercises in both Monmouthshire and Gloucestershire.

Apart from my interest in countryside matters I have a long standing interest in art history and have recently obtained an MA in Art History through the Open University. I am a past member of Chepstow and District Round Table, serving as both Chairman and President and a current member of Chepstow Offa's Dyke 41 Club, where I am a past Chairman.

### David Smith

I was a senior academic (Professor and Associate Dean) in the University of Wales, Newport (and subsequently University of South Wales) until my retirement, and I was responsible for the management and development of a substantial research portfolio in a major School of Art, Media and Design. This aspect of my work involved direct management and also coordination and negotiation with a range of private and public-sector bodies stakeholders. In addition, I represented the University on bodies such as Cynnal Cymru and Hub Cymru, reflecting my own specific research interest in Sustainable International Development.

Since my retirement, I have been a rights of way volunteer in the Monmouthshire countryside service. This has involved repairing and maintaining public rights of way, as well as undertaking periodic path condition surveys. I lead guided walks in the Monmouthshire walking programme and help with activities such as "Moths and Bats Evenings". I hold a current certificate in Rescue First Aid.

I am also a Trustee and member of the management committee of the Blaenafon World Heritage Environment Group (BWHEG), for whom I also undertake rights of way maintenance work. I have represented BWHEG at various events and discussion fora. I have also undertaken training in the conservation of bats and of reptiles and amphibians.

I am the senior leader of a group of RSPB Wildlife Explorers (for children aged 7 - 12), based at Newport Wetlands. As a condition of this role, I underwent safeguarding training and a full CRB check.

I am a member of Achille Ratti Climbing Club, the Ramblers' Association and Sustrans. However, I do not represent any specific special interest group. Instead, I regard myself as typical of a broad spectrum of people who love the Monmouthshire countryside and who are committed to maintaining its diversity and supporting the broadest possible accessibility to its beautiful and historic places. I have derived enormous personal benefit and pleasure over the years as a result of other people's work in the countryside, and I see my current volunteering activities as a form of "payback".

I believe that it is vitally important to sustain and improve the network of public rights of way. We cannot know what the leisure and agricultural demands of the future will be, and we must consider our legacy with due attention to all current and potential stakeholders, without reverting to unnecessary confrontation.

Wedi dysgi Cymraeg fel oedolyn, rydw i'n siarad, darllen ac ysgrifennu'r iaith.

### David Steere

I am a senior member of Longtown mountain rescue team (LMRT) whose area remit includes Monmouthshire. I am also the team's press officer and have been press spokesman for the South Wales Search & Rescue Association.

I am a keen walker around South Wales and have been involved with footpath clearance and maintenance with the BBNP and RoW survey work with the Ridgeway Trust.

I live on a smallholding in Llanellen, Abergavenny and speak to farmers and graziers on a daily basis. I believe this combination allows me to see access issues from several viewpoints. As a walker I am always keen to increase access but as a mountain rescue member I can also see the importance of balancing this with safety. Then as a landowner I also share in some of the concerns about problems caused by access.

I have an enthusiastic interest in the area's history and environment – I studied for an Msc. in Environmental Conservation Management – and whilst keen to improve access, am very aware of the detrimental effect this can sometimes have on the environment and archaeology.

My work as a writer means I can offer my skills as a communicator to raise awareness of the LAF through articles, press releases and interviews.

It is my duty as a journalist to be able to look at a story from all points of view and present it in a balanced way. I have my own interests and concerns but I know the importance of seeing the bigger picture. I feel advice from the LAF must be balanced and informed so that it is listened to, respected, and acted upon by those receiving it.

I am used to analysing proposals, minutes and strategies and translating them into layman's terms in my writing work. This can enable me to present them to interested parties, listen to their views and then take them to the Forum.

In addition, I have close links to the local flying and cycling communities and as my partner has her own horse I am very aware of access issues affecting riders.

I feel I could make a useful contribution to the LAF and would hope my application is successful.

### Mark Storey

- I have served on management committees (voluntary) in the past, so I'm familiar with procedure (assuming the LAF works in a similar manner).
- Local resident, living in the Wye Valley AONB.
- Walker cyclist and climber (BMC member).
- Some familiarity with local rights of way issues and some understanding of the CROW act.
- I am a reasonable communicator and willing to promote the work of the LAF as required.
- Self-employed, so flexible as regards meeting times etc.

### Anne Underwood

I have been a member of past Monmouthshire LAFs and also Newport LAF. I have been riding horses and walking in Monmouthshire's countryside for over 40 years. I am the British Horse Society's Access and Bridleways Officer for Newport & Monmouthshire. I am also a member of and a walk leader for Lower Wye Ramblers.

As a former Health Service professional, I have an interest in respecting and providing for the needs of the less able.



## Appendix 2: Response to measures to increase the LAFs effectiveness

Key recommendations from National LAF Chairs Recommendations to Welsh Government (Sept 2014) and National LAF Chairs response to the Green Paper on Countryside Access (Oct 2015)	Actions Proposed
<p>A Forum which can make a real contribution to meeting its remit as set out under the CROW Act needs a close relationship not only with its Appointing Authority but also with the other bodies which have a statutory duty to have regard to advice given by a Local Access Forum. LAFs seem to have been unclear about the way they relate to the bodies other than for the Appointing Authority itself. It appears to be the case that at some levels the bodies themselves are unclear about their connection with LAFs. There is a need to raise the awareness of these bodies or the components of them which are now amalgamated into NRW. Extending the LAF remit or the further development of LAF functions could lead to additional bodies having a statutory requirement to have regard to the advice of a LAF (.. the report goes on to recommend various statutory changes)</p>	<p>In advance of any statutory changes in role the LAF has identified the need to increase engagement across the various NRW functions. NRW have identified a representative and, when appropriate, closer engagement with operational managers / in local decisions.</p> <p>The intention is that once the new LAF is appointed further engagement will also take place with other bodies managing countryside access provision e.g. Woodland Trust, Canal and River Trust.</p>
<p>One role of the LAF should be to continuously monitor the Rights of Way Improvement Plan (ROWIP) to assess the extent to which targets are being met and annually to formally report on the result.</p>	<p>This is already our practice and the new LAF will be closely involved in the forthcoming review of the ROWIP.</p>
<p>We strongly recommend that the formal remit of Local Access forums be extended to include access for the purpose of active travel and for health and wellbeing. Thus in legislation there is a need to:</p> <ol style="list-style-type: none"> <li>Clearly reflect in the broader remit ...</li> <li>Extend the legal remit to cover health and well-being.</li> <li>Extend the legal remit to cover access provision and activity under the Active Travel Wales Act 2013</li> </ol>	<p>In advance of any change in the statutory remit we have already recognised that health and well-being, and the active travel process are legitimate areas for the LAF's involvement (as reflected in the existing ROWIP) and we will continue to involve and report to the LAF.</p>
<p>That a LAF reports to an appropriate Scrutiny Committee of the Appointing Authority on at least an annual basis.</p>	<p>It is recommended that consideration be given to inviting the LAF Chair to report to the appropriate Select Committee and/or Cabinet on an annual basis.</p>
<p>That the LAF Chair and Secretary, and others who may be determined by a Forum, make each year an oral presentation of the LAF Annual Report to the Appointing Authority's Cabinet or a Cabinet Sub Committee (as determined by the Authority)</p>	
<p>Notwithstanding the current Regulations allowing of the appointment of a member of the Appointing Authority (AA) as a LAF member, legislation is required that a local authority's Cabinet Member whose portfolio includes access and related matters be an ex officio member of the LAF.</p>	<p>As currently there can be only one member from the AA it will be recommended to the new LAF Chair that the Cabinet Member be invited to participate as an observer (as previously).</p>
<p>We recommend that the guidelines on the formation and governance of local access forums be revised to overcome some of the difficulties that have been experienced in recent years. Areas of particular concern include:</p> <ol style="list-style-type: none"> <li>The long delays experienced in some areas in the formation of a new forum after the expiry of the term of office of the previous one.</li> <li>The balance of interest and knowledge among forum members has not always been as comprehensive as would be desired to provide informed advice on some issues.</li> <li>The present term of office of three years does not take full advantage of the experience and knowledge that a forum builds over the length of its tenure and could with advantage be lengthened to 4 or 5 years.</li> </ol>	<ol style="list-style-type: none"> <li>We are on target to recruit a new LAF without any significant delay or interregnum</li> <li>We have sought to attract a wide range of applicants and the LAF will be given an early opportunity to identify any further interests that need to be represented.</li> <li>Requires statutory change but as in previous years we are seeking to retain the experience of those existing members who wish to put themselves forward again.</li> </ol>