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**City and County of Swansea**

## **Minutes of the Swansea Local Access Forum**

##### Committee Room 3A, Guildhall

Wednesday, 6th December 2023 at 7:00 pm

**Present**: Councillor PR Hood-Williams (Chair) presided

**Forum Members:**

 R Beale A Evans D Naylor P Lanfear

C Scott B Parry A Morgan B Stein

R Church S Samuel J Nellist G Ferguson

B Rowlands A Probert C Jones

**Observers:**

H Grey (NRW)

Local Residents

Gower Society

**Officer(s):**

Chris Dale Countryside Access Team Leader (Secretary)

Hayley Chappell Commons Registration Officer (minutes)

**Apologies:**

J Nellist G Ferguson B Stein H Grey

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1. **Declarations of Interest**

In accordance with the Code of Conduct adopted by the City and County of

Swansea, no interests were declared.

1. **Approve</AI2>**

**<AI3>**

 **& sign the Minutes of the previous meeting(s) as a correct record**

**Resolved** that the Minutes of the Swansea Local Access Forum Meeting held

on 28 June 2023 be approved and signed as a correct record.</AI3><AI4>

**Matters** **Arising**

None

1. **Access on Kilvey Hill dedicating PROW on Council owned land**

The Chair outlined the purpose of the meeting would be to discuss the planning consultation and how members wish to respond to the matter.

C Dale advised that there is a short deadline for comments which is the upcoming weekend and is the latest Monday 11th December 2023. Responses must be made on the Council Planning Portal website. The link has been circulated to all members prior to the meeting.

C Dale described the details of the existing recorded and unrecorded public paths within the site of the planning application at Kilvey Hill. He further clarified that there will be no official diversions for the recorded paths but at least three unrecorded paths will be affected and moved to the edge of the development. Documents relating to this matter were circulated to members. CD also confirmed that two bridges would be erected for cyclists and pedestrians on the middle of the three paths but it was unclear if they would accommodate horses due to weight restrictions.

C Dale confirmed that some of the land is designated access land under the CROW Act. It is not registered common land, but it is heath land. The development would pose a substantial loss of access land. The issue with loss of access land proves to be problematic in the legal sense due to a lack of legislation. C Dale has referred the matter to the Lawyers for consideration. Phil Marshall (Countryside Access Officer) has surveyed the area for bridleway routes, and the cost of recording and improving these would be incurred by the developers. C Dale circulated a plan showing the registered public footpaths and proposed bridleways. J Nellist was unable to attend the meeting, but C Dale read out her response, which is as follows:

“I have already commented verbally and in writing to Asbri planning during the pre-planning consultation period. The comments were statements of facts that Kilvey Hill is surrounded by small holdings and paddocks where horses are kept for the purpose of riding and driving on and in the vicinity of Kilvey Hill. This includes St Thomas, Port Tennant, and Bonymaen. As this is a fact, additionally recognised by the previous NRW report Eastside Connections, Skyline needs to include horse riding and driving in it's development plans as these activities will continue to take place in the areas that Skyline intends to occupy.

I have reviewed the planning documents for the proposed Skyline development on Kilvey Hill and I note that horse riding and driving is not mentioned anywhere in any of the planning documents. This falls short of my request to Asbri on behalf of the British Horse Society. Given they have received the information that horse riding and driving does and will continue to take place all over Kilvey Hill where it's possible to access in this manner, they are negligent in their lack of acknowledgement of these activities and lack of incorporation or inclusion in their plans.

However I am very appreciative of Phil Marshall's considerable time and effort identifying suitable bridleway routes on the site proposed to be occupied by Skyline. These were presented to me in the context of, if Skyline goes ahead, the local authority as land owner, will dedicate these bridleway rights, but it will not if Skyline doesn't go ahead. In this context I would like to see Phil's proposed routes written into the planning application documents. Currently they are not. On this basis can the LAF consider this and agree to request that these higher rights are included in the final planning documents should Skyline otherwise have the planning accepted?”

A Morgan agreed with J Nellist’s comment and reinforced that all users including horse riders should have equal access rights, therefore the weight capacity of the bridges should be sufficient to carry not only a horse but also a horse and carriage. C Jones also raised the issue of paths being wide enough to accommodate wheelchair access.

The members discussed headroom under the bridges and sought further clarification on heights and position. C Dale confirmed that the only information available was that in the circulated documents. P Lanfear stated that it is difficult to make a comment without knowing this information and the layout is hard to envisage.

A Morgan further queried whether it was possible to for the proposed bridleways to be included even if the application does not go ahead. C Dale advised of the lack of resources available within the Countryside Access team.

B Rowlands queried the footprint of the site and if the activities areas would be fenced off as with other similar sites. This would result in a greater loss of access land. B Rowlands further queried whose responsibility it would be to maintain these new paths as maintenance would increase the workload of Council staff.

A comparison was made by members, of the site at Mynydd Y Gwair and the land lost. If the Kilvey site is to be fenced, it would need to be determined how much access land will be lost.

B Rowlands confirmed the area as heath land and not grassland and outlined the huge benefits of this type of land, which if destroyed would be very difficult to reintroduce.

C Dale went through the plans contained within the Green Infrastructure Report contained within the planning application and the layout was discussed. The luge is 600 metres in length, but the sizes of the food hall and areas were not apparent. R Church queried emergency access and advised that a planning section 106 agreement was in place to improve the highway near to the site. As there appears to be some confusion over the layout of the site, R Church suggested a meeting with the developers.

P Lanfear suggested that the LAF should object by default to any planning application affecting access land.

The Chair addressed the members of the public in attendance at the meeting and asked if they wished to speak to the members of the Forum.

Guto ap Gwent of the Gower Society relayed the view of the Gower Society to members. He relayed the history of Kilvey Hill and declared the site as an area of outstanding beauty, being one of the last hills of Swansea Bay that has not been developed. He further advised that Cefn Bryn is protected but is concerned that Kilvey Hill is not. Therefore, the Society are unhappy with the proposals which do not meet with the requirements of the Green Policy of Swansea Council. Gower Society will be submitting written representations to the Planning Authority.

Local Resident Richard Williams advised that he has attended consultations regarding the development and deemed the consultations to be unhelpful and felt let down by the developers and the consultation process. The proposals accommodate cyclists and pedestrians but fail to include horse riders. He also advised that he was aware that some local residents had not been consulted and were unaware of the proposals.

**Resolved that: -**

1. Further clarification needs to be sought from the Planning Authority and the developers regarding the issues raised in the meeting. A holding objection could be submitted due to the upcoming deadline.
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**6. Any Other Business**

1. Countryside Access Leaflets

C Dale circulated the leaflets to members. The leaflets used to be circulated by the Countryside Team but due to limited resources, this is no longer practical. R Church and A Probert offered to take some leaflets and they would distribute them.

C Dale clarified the position with promoted routes which are maintained and in better condition. Additional promoted routes could be identified but due to lack of resources it would not be possible to maintain these routes. There is no legal duty to maintain promoted routes. A Morgan offered the assistance of the Ramblers to help check paths.

A Probert queried whether grants are available from other partners as there have been hot spots on Gower and Rhossili where trip hazards have been identified. C Dale confirmed that the team are constantly looking for grants to aid in the running of the section, but most grants cover new paths and do not cover the subsequent maintenance of those paths. S Samuel advised that there is a grant available from the Society that may assist.

**Resolved that: -**

1. Leaflets would be provided to R Church and A Probert shortly.
2. C Dale to speak with Countryside Access Teams to discuss the offer of assistance from the Ramblers.
3. C Dale to look at the Gower Society funding.

b) ROWIP
C Dale advised that the ROWIP consultation would be live next week and the deadline for responses would be twelve weeks. A meeting will be arranged after Christmas to discuss the matter. The draft will be available on the website.

c) Afon Llan footpath Between Gowerton and Fforestfach. D Naylor stated that the footpath that runs through the solar farm is suitable only for pedestrians and not for cyclists. He claimed this path should be a shared path and could be a potential active travel route due to its location. The chair noted these comments.

d) B Rowlands queried who is responsible for maintenance on active travel routes. C Dale confirmed that Highways should maintain new paths and will also take on existing paths incorporated into the active travel route. B Rowlands further queried whether these will be maintained if there is no future funding available once the routes are established. A Morgan suggested the National Access Group could raise this with Welsh Government to include more funds for these routes.

e) Member Application
Andrew Stevens has officially applied to be a member of the LAF. The application was circulated to members for perusal. The chair asked those who were in favour of Mr Stevens application. All members agreed.

The meeting ended at 8.40 pm

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