

Swansea Countryside Access Plan 2023-2033 Response by the Open Spaces Society

Introduction

- 1 The Open Spaces Society is Britain's oldest national conservation body, founded in 1865. We campaign to create and conserve common land, town and village greens, other open spaces and public paths, in town and country, throughout Wales and England.
- 2 In general we support the policies in the plan but are concerned about how they will be applied and implemented.
- 3 All references to public rights of way must include unrecorded highways, of which we believe there to be many in the Swansea Council area, particularly given the late start with preparing the definitive map and statement. The council itself admits that bridleways are unrecorded and under-recorded.
- 4 While there has understandably been a focus on the beautiful areas of Gower and the Swansea coastline, we believe the council should now concentrate on the countryside close to the city, to ensure people can gain access to it, and to local green spaces, without having to use a car. This is in line with the national well-being goals for a sustainable Wales.

Analysis of achievements of the first countryside plan

- 5 Para 2.21: we note that the council claims that 'the biggest single path creation event involved the creation of 5 miles/8 km on footpaths on Kilvey Hill'. However, this was the first time that the paths on Kilvey Hill had been registered on the definitive map, and the registration of more historically-used paths is still needed. Not only should many of the recorded routes have been recorded at a higher status, but many other routes, which have been used for generations and are still in use, have not been recorded at all. The few that were registered were merely sections of longer paths that link the communities around the hill. Hence, at present the registered path network is fragmented. The council stated at the public inquiry that this was just a starting point, and that the intention was to follow up with registering further paths to increase connectivity, which is an aim of the Countryside Access Plan, and to afford higher rights for horse use.
- 6 Kilvey Hill has an estimated 64,000 visitors a year; more paths should be recorded as set out above, to provide connectivity between communities, and active travel opportunities, in keeping with the goals of the Wales Active Travel Plan.

- 7 Another stated aim of the plan is to increase registered bridleways and byways. A key action point should be to increase registration of paths as above. Relevant additions should be identified by positive engagement with local community groups, and where user evidence is provided the council can use its legal powers to speed up the process of registration by using the legal powers available to it to do so on its own initiative.
- 8 If the promotion of accessibility (G1) is to be achieved on the ground, a proactive approach to increasing the path network is required. This needs to be a stated aim in the plan.

Condition of path network

- 9 Para 3.6: we share the council's concern that the consideration of alternative routes, when the definitive route is obstructed, is unsatisfactory from a legal and statistical point of view. We believe that obstructed routes should be reopened and there should not be reliance on unofficial alternatives.

Why access to the countryside is important

- 10 This chapter is extremely valuable, emphasising the importance of countryside access to the economy, and people's health and well-being. In particular, the health and well-being element points to the importance of access close to people's homes.
- 11 Para 4.44: this notes the uneven distribution of bridleways, and indicates that more should be done to add bridleways to the definitive map, whether by definitive map modification order (DMMO) or creation order or agreement. We agree.

Definitive map and statement

- 12 We note that the rate of processing applications for additions to the definitive map is painfully slow, and hope the council can find additional resources to progress these.
- 13 Para 5.6: the plan refers to the public's ability to apply for DMMOs, but not to the council's duty to do so itself, when it discovers evidence of use (Wildlife and Countryside Act 1981 section 53(3)(c). This provides an opportunity to speed up the process of getting the definitive map up to date and accurate. The council should recognise this in the plan and make it an action point.
- 14 Para 5.9: Welsh government intends to repeal the 2026 cut-off date (Statute Law (Repeals) (Wales) Bill).

Management of the path network

- 15 We are wary of prioritisation for path maintenance because it is likely to result in the lesser-used paths being used even less as they deteriorate further. The council should have a policy which ensures it can maintain all paths within a certain period, say one year.
- 16 This chapter should also refer to the sustainable farming scheme as a means of channelling money into provision of paths and access, beyond the legal requirements. The council should be actively engaged with Welsh government to ensure that money paid to farmers and land managers for access provision is used in the most effective way to secure access where people want and need it.
- 17 MN9: we are pleased to see that where a stile or gate is no longer needed for stock control the council will negotiate removal.
- 18 MN14: we are pleased to see the tough line on enforcement and urge the council to follow this as an effective means of spreading the message that landowners cannot get away with obstructing the highway.

Access land and other access opportunities

- 19 The council should value the access land in the council area, especially that which is on the doorstep of the city. It should promote access to land which is mapped under the Countryside and Rights of Way Act 2000 and ensure there are ample access points and signage.
- 20 There is no mention in this section of town and village greens (TVG), which provide access opportunities for the public, giving local people rights of recreation and protecting the land from development. The council should have a policy of voluntary registration as TVG of land in its ownership, and should encourage developers to provide open space registered as TVG to ensure that it is secure.
- 21 There is no mention of the council's own land where it must demonstrate best practice. It must have a policy, stated in the plan, not to dispose of open space in its area, as this is incredibly valuable to the public. This would be in keeping with the stated aim of the plan to promote public access, and must, as a starting point, include a commitment to protect all existing open space and access land.
- 22 The council should oppose significant developments which threaten access. For instance, the Skyline development on Kilvey Hill is contrary to many of the policies and practices in this access plan. It will fragment the recorded and unrecorded path network, it will prevent people from exercising their freedom to roam on the access land, and it is contrary to the wishes of the community who walk, ride, cycle, and carriage drive here, and who treasure the tranquillity and the access opportunities afforded by the area. Swansea's countryside access forum, which advises the council on all access matters, has objected to the Skyline planning application on grounds of loss of public access.

Statement of actions

- 23 We propose the following.

G1: There should be a focus on access close to people's homes, with the protection of green space and voluntary registration of TVG as part of the action. This will assist with G3. There should also be a proactive approach to recording routes for which there is evidence of long use, at their correct status, using the powers available to the council (see our para 7 above).

D2: This should recognise that there is inadequate provision of bridleways and byways.

P1 'Seek to create new paths where it can be clearly demonstrated that there is a public need and demand for new paths'. An action point must be for the council to initiate DMMOs itself where there is evidence.

The sustainable farming scheme can also help here. The council needs an action to engage with Welsh government to ensure that money paid to farmers and land managers for access provision is used in the most effective way to secure access where people want and need it.

P2: This relates to the coastal path, but there should be a further action point for inland routes, so that the council seeks to create and record new and historic routes in other parts of Swansea, which will benefit communities and contribute to the Wales Active Travel Plan

M7: Evidence needs to be collected to achieve this.

M12: The plan must recognise that there are routes which are not yet recorded as bridleways.

There is no mention of:

- green spaces close to people's home;
- the need to oppose developments which are contrary to this plan;
- how the council will demonstrate best practice on its own land.

Kate Ashbrook
General secretary
30 March 2024