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Consultation response Taking Forward Wales' Sustainable Management of Natural Resources (Number: WG31811)

The Cambrian Mountains Society (CMS) welcomes this opportunity to respond to the above document. The Society is, however, rather concerned about the rather scatter-gun nature of the consultation. This consultative exercise covering a range of topics from; “Forestry”, through “Waste and Local Environmental Quality” to “Wildlife” does not, in the Society’s opinion, give due attention to each topic. This is exemplified by, for instance, in Chapter 10 “Wildlife” in which the only matter to be considered is, animal snaring. It seems to CMS that this consultation has been put together to **either**; fill holes in earlier incomplete legislation **or, more worryingly**, to not give respondents the full picture. The working pages of the document pay scant regard for its Ministerial Forward, *“Together the proposals demonstrate Welsh Government’s commitment to systematically identify where we believe reform is necessary.....”*

The Society also sees the melding of The Future Landscapes; Delivering for Wales review, led by Lord Dafydd Elis-Thomas^(DET) into the Sustainable Management of Natural Resources document as ‘jumping the gun’. We are aware that a report from the Future Landscapes review has been published but that it is subject to much criticism, and that a refreshed team, under the continuing chairmanship of DET, continues to work on it.

The trustees of CMS consider that large parts of this consultative document are not applicable to its vision for protecting and promoting the outstanding landscape of the Cambrian Mountains. The Society therefore is only be commenting on a selection of questions, all from Chapters three and four namely “Designated Landscapes” and “Access”.

CMS's membership (of around 320 in total) are passionate in protecting the outstandingly beautiful landscape of the 'Cambrians' and are resolute in achieving the recognition that these hills richly deserve. The Cambrian Mountains would have achieved this recognition in 1973 as Wales' fourth National Park but for the Secretary of State for Wales refusing to confirm the designation order, or even set up a public inquiry into the case. The Society is still convinced that this decision was a 'political' one rather than one based on the acknowledged beauty of these hills. Moving on, Professor Marsden in his 2014-2015 Review of Designated Landscapes in Wales, acknowledged that there remained "unfinished business" as regard designation of areas such as the Cambrians.

CHAPTER 3: Designated Landscapes

Question 11 Should the statutory purposes of AONB and National Parks be aligned with sustainable management of natural resources?

Answer - No. Quite the converse, the management of natural resources should be 'third in line' to the two well established purposes of National Parks. The Society agrees with Prof. Marsden's 6th recommendation that "*there should be three interlocking statutory purposes for both the national parks and aonbs*" and like him we consider that the conservation purpose must have primacy over both the human well-being purpose and the sustainable resource purpose. CMS believes that to maintain the world class status of Wales' NPs and AONBs the Sandford Principle must be upheld! The Society is extremely concerned that Welsh Government (WG) is attempting to downplay this vital Principle which if let go would be a major step backwards for the well-being of our "National Landscapes."

Question 12 Where the special qualities of each designated area are identified, should this be given greater weight in decision making? In considering this, how should it be done in order to most effectively add value to the governance of those areas and the connection to local communities and businesses?

Answer – No. not if this leads to the 'commodification' of these identified special qualities at the expense of the NP's or AONB's natural beauty.

Below are just two examples of 'special qualities' to be found in designated areas which in CMS's opinion should NOT be used "to most effectively add value to the governance of those areas....."

- Because many Designated Landscapes are blessed with steep ground and fast running water courses this should not allow governance bodies carte blanche to permit micro-hydro schemes. Many of these schemes detract from the natural beauty, hydrology and the riparian ecology, of the landscape.
- Because, almost by definition, Designated Landscapes hold the special quality of scenic beauty. This quality attracts tens of thousands of visitors every year to our NPs and AONBs but recent governance decisions towards favouring adrenalin sport infrastructure in such areas (eg zip wires & downhill mountain bike courses) does nothing for that beauty.

Question 13 Should legislation be introduced to recognise a wider range of areas and partnerships involved in driving the sustainable management of natural resources? What approach should be considered?

Answer - No. Since CMS formed in 2005 it has campaigned for the Cambrian Mountains to be recognised as an AONB and it still believes that being brought into the nationally recognised family of Designated Landscapes is the correct direction of travel. The Society does, however, see some, if limited, merit in the idea being put forward in this consultation for *Regional Nature Parks* (PNRs) for areas such as the Cambrians. The Society considers that if this new “designation” is to be adopted in Wales that these areas must have the strength of national legislation and NOT be merely local charters as with the equivalent designation in France. The designation legislation should again have the same three purposes as that being put forward for Welsh NPs and AONBs and of course the Sandford Principle must hold. It is the Society’s opinion that with legislative foundation, including the Sandford Principle, then PNRs might work, **but** surely it would be far more efficient of resources to stick with the well regarded protected landscape designations already in place?

Question 13 also puts its emphasis on sustainable management of natural resources but CMS believes that the emphasis for *Regional Nature Parks*, by virtue of their title, should be on nature, and its conservation.

CMS also does not believe that an accreditation model such as the UNESCO Biosphere based around the Dyfi catchment gives sufficient protection to Wales’ outstanding landscapes that still are without legislative protection.

Question 14 Are there any other aspects of the Future Landscapes: Delivering for Wales report where you believe a legislative provision is necessary?¹ If so, please explain which and why.

Answer - Yes. As the DET panel resume their work they should look to Scotland and consider the legislative provision of Wild Land Areas (WLAs). These relatively large areas have been incorporated into Scottish planning law largely to conserve their wild nature. The legislation concentrates on presumption against wind farm development in these areas but perhaps Welsh Government could take this ‘Holyrood’ initiative further, to include planning provision against any inappropriate development in areas it might designate as WLAs.

CHAPTER 4: Access to Outdoors

Questions 15, 16 and 17. CMS finds it easier to respond to all three of these questions by commenting on as many of the proposals from 10 to 25 as it thinks applicable to the Cambrian Mountains. On the whole the Society’s response to all three of the above questions is **Not Sure**. This should not be taken as a neutral, but that it reflects the Society’s concern for future responsible access into Wales’ outstanding countryside.

Firstly - the Cambrian Mountains Society applauds all tiers of Government on the provision of Access land through the CRoW Act and in addition, in Wales at least, for carrying out the decadal review of access maps.

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Although the Cambrian Mountains have no coastline it does support,

- proposal 13, to extend access land to the coast and cliffs.

The Cambrians, however hold many km of water courses and lakes and as such supports,

- proposal 14, to establish access on inland waters but that this must be achieved sensitive to the needs of other recreational users. Perhaps a minor point but we draw your attention to proposal 11 part (b) – “uses a vessel” – this needs clarification – is a jet-ski a “vessel”?

From the Paper we also see that Wales has the greatest length of rights of way/km² in the UK but as the Society sees it, at least in the Cambrian Mountains, many of these rights of way are poorly maintained. Improving their condition should be a priority for the benefit of; users (local & visitor), the natural environment and land owners.

CMS does, have concerns, some of them major, over several of the proposals in the consultation document notably;

Proposal 10. Allowing cycling and horse riding on footpaths is courting danger, this especially true in the case of walkers with less mobility or sight/hearing limitations. Most footpaths would also be unsuitable for horse riders and cyclists as stiles and kissing gates are not horse, or bicycle, friendly. Since at present funds for the maintenance of existing PRowS are limited how are the extensive modifications to footpaths’ infrastructure to be paid for?

The Society also considers that this is an appropriate part of the consultation to remind WG that a major section of the Countryside and Rights of Way Act 2000 was in allowing access within “CRow Land” on foot. The Act says nothing about access within these areas by any other means, ie cycling and horse-riding. If there is to be an amendment to the Act this should remain the case.

Proposal 11. Notably part (s). Whilst ‘wild camping’ in Scotland may be appropriate but in Wales with comparatively little wild land, and a potentially large clientele, this could lead to problems. Moreover wild camping could well have an impact on existing tourism businesses in taking away potential customers - campsites can be a useful diversification option for farmers.

Similarly the allowing of ‘organised games’ may lead to both habitat damage and a straining of relationships with land managers. If attempts are made to widen access rights in CRow land this may persuade land owners that this will conflict with their management of a section of their land and for them to follow a course of action to have the said land removed from designation.

Proposal 12. No – originally bridleways were intended for man and horse, to now potentially deny these users their rights (even if temporarily) for the sake of a cycle race is wrong. Only 21% of the PRow network is available to horse riders. Just shutting down, albeit temporarily, one bridleway for the sake of a cycle race can close down off road horse riding across a wide area. Several Welsh trail riding companies, bringing international tourists into areas such as the Cambrians, supporting multiple businesses, are wholly dependent on access across the bridleway network.

Proposal 17. Placing restrictions on access to PRowS is removing a long established civil right. Similarly long term denial of access to ‘CRow’ land belittles this hard fought for piece of

legislation. CMS believes that already “temporary diversions and exclusions” can be put in place for up to five years, this in the Society’s opinion is already an abuse of the CRoW Act.

Proposal 19. CMS basically agrees but the electronic statutory map must be easily accessible to all. This should not only include domestic ‘on-line’ access but also easy provision in places such as county offices, and local libraries.

Proposal 20. “Reducing procedural measures” may be resource efficient but has potential pitfalls. For instance, the second bullet point in this section uses the important word “include” – diversions, extinguishments and creation of PRoWs should not become just electronic as this would deny a large section of the public access to potentially important changes. Many people only see notification of changes to PRoWs via notices pinned to telegraph poles!

Proposal 23. ROWIPs should not be used as an excuse by LAs and NPAs to reduce the resources needed to maintain their full network of both PRoWs and Access Land provision.

Proposal 24. Walkers and cyclists do not tend to mix well. On health and safety grounds, priority on these proposed ‘cycle paths’ must remain with the walker, as it does on bridleways.

Proposal 25. Whilst CMS welcomes the repeal of the 2026 cut-off date for registering historical routes under the CRoW Act it does see a dangerous precedent being set with WG planning to remove other “unwanted (unspecified*)provisions.” from the Act. (*CMS’s bracket).

Proposal 26. As pointed out in the CMS response to proposal 11 it is concerned that Wales does not move wholesale along the direction of the Scotland Land Reform Act 2003. Whilst the Act has many good points Scotland has large expanses of open country to accommodate multiple responsible users. But even in Scotland we believe there are problems with for instance ‘wild camping’-is it really ‘wild camping’ when you pitch your tent on the few metres of land between the A82 and Loch Lomond? Should the same be allowed to happen between the A470 and the upper stretches of the River Wye?

Yours faithfully



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