



**Dinas a Sir Abertawe**

**Hysbysiad o Gyfarfod**

Fe'ch gwahoddir i gyfarfod

## **Grŵp Cyngori ar AoHNE Gŵyr**

**Lleoliad:** Cyfarfod Aml-Leoliad - Ystafell Gloucester, Neuadd y Ddinas / MS Teams

**Dyddiad:** Dydd Mawrth, 31 Ionawr 2023

**Amser:** 10.00 am

**Cadeirydd:** Y Cyngorydd Paul Lloyd

**Aelodaeth:**

Cynghorwyr: P R Hood-Williams, L James, S E Keeton, N L Matthews a/ac  
A H Stevens

Aelodau o'r Grŵp Llywio: H Osborn

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### **Agenda**

**Rhif y Dudalen.**

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|----------|--|----------------|
| <b>1</b> | <b>Ymddiheuriadau am absenoldeb.</b>   |                |
| <b>2</b> | <b>Datganiadau o fuddiannau.</b><br><a href="http://www.abertawe.gov.uk/DatgeluCysylltiadau">www.abertawe.gov.uk/DatgeluCysylltiadau</a> |                |
| <b>3</b> | <b>Cofnodion.</b><br>Cymeradwyo a llofnodi, fel cofnod cywir, gofnodion y cyfarfod(ydd) blaenorol.                                       | <b>1 - 7</b>   |
| <b>4</b> | <b>Gwahardd y cyhoedd.</b>   | <b>8 - 11</b>  |
| <b>5</b> | <b>Penodi Rhanddeiliaid i Grwp Cyngori AHNE Gwyr.</b>  | <b>12 - 42</b> |

**Cyfarfod nesaf:** Dydd Mercher, 15 Chwefror 2023 am 6.15 pm

**Huw Evans**  
**Pennaeth y Gwasanaethau Democraidd**  
**25 Ionawr 2023**

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**Cyswllt: Contact: - Democratic Services - 01792 636923**

# Agenda Item 3



City and County of Swansea

## Minutes of the **Gower AONB Partnership Steering Group**

Remotely via Microsoft Teams

Monday, 14 March 2022 at 2.00 pm

**Present:** Councillor P Lloyd (Chair) Presided

### **Councillors**

P R Hood-Williams  
M Thomas

L James

A H Stevens

### **Steering Group Members**

R Button  
P Jenkins

J France  
H Osborn

G Howe  
B Parry

### **Officer(s)**

Chris Lindley                      Gower AONB Team Leader  
Mike Scott                         Gower AONB Officer  
Jeremy Parkhouse                Democratic Services Officer

### **Apologies for Absence**

Councillors: M C Child

Steering Group Members: S Heard and D P Tucker

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## **27 Disclosures of Personal and Prejudicial Interests.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

## **28 Minutes.**

**Resolved** that the Minutes of the Steering Group Meeting held on 6 December 2021 be approved as a correct record.

## **29 Discussion - Gower Commons, Livestock Road Casualties.**

Roger Button highlighted for discussion the number of livestock casualties on Gower Commons.

The Steering Group discussed the following: -

- The large amount of road kill on the commons and the need to possibly introduce fencing and reduce traffic speed;
- The speed signs erected by volunteers being damaged by recent storms;

- Introduction of physical and electronic fencing to prevent livestock roaming onto roads;
- Cross-Party Group which discusses issues on the commons which is also attended by the Police, Commoners, Gower Commons Safety Group and how the traffic speed had been reduced from 60 mph to 40 mph;
- Whether it was legal to fence off sections of common land, how locals would respond and the difficulty is siting Go Safe speed cameras at appropriate places on the commons;
- Recognising that speed of traffic was the common factor and was a safety issue which needed addressing;
- Collection of relevant statistics regarding accidents involving livestock, over 100 animals being killed in the last year and how many accidents were not being reported to the Police;
- The need for livestock to remain on the commons in order to manage the land;
- The various solutions that had been considered and how other areas were experiencing similar situations;
- The difficulties in getting the Go Safe Speed Van to attend areas on Gower, e.g. outside schools;
- The loss of livestock and the costs to farmers / owners;
- How the commons roads encouraged fast driving and the potential need to look at radical solutions;
- How much of the speeding traffic was driven by Gower residents.

Hamish Osborn offered his services to assist with finding future solutions.

**Resolved** that the contents of the discussions be noted.

### **30 Dark Sky Community Award Application - Update.**

Chris Lindley, Gower AONB Team Leader provided an update report on the Dark Sky Community Award Application.

Reference was made to a previous update provided in March 2021 and it was explained that the 'Placemaking Guidance for the Gower AONB' was now approved as Supplementary Planning Guidance by Swansea Council's Planning Committee. Gower AONB team could now complete the International Dark Sky Community application to the IDA. Relevant activities since New Year 2022 included: -

- Renewed discussions with IDA representatives regarding completion of the application to their revised 2018 Guidelines for International Dark Sky Communities.
- Completion of the annual sky quality monitoring, undertaken at the end of January, with further fieldwork in early March. The monitoring report was still to be completed.
- Participation in the first Welsh Dark Skies Week (19-27 February) with all the Welsh National Parks and AONB's delivering a programme of online and live events.
- An ongoing programme of converting street lighting within Gower AONB to LED Dark Sky friendly units by Swansea Council Highways Lighting team.

Gower AONB Team would complete drafting of the final application with the working group for submission to the IDA as soon as possible. There would be a further update at the Gower AONB Annual Forum.

The Steering Group discussed the following: -

- Concern regarding the potential impact of two proposed large attendance events on Gower, how they were two separate events and details of the discussions which had taken place with the organisers;
- The difficulties with managing lights on private houses / private property and how education was the preferred method of dealing with matters.

**Resolved** that the contents of the presentation be noted.

### **31 AONB Grants 2022/23 Report.**

The Gower AONB Team Leader presented a report which provided a summary of the current principal grants supporting the AONB and a forward look into the next financial year.

Details of the following grants were provided: -

- Sustainable Development Fund (SDF) – The history and background were outlined. It was explained that this grant was provided by Welsh Government and the £100k budget in both 2020/21 and 2021/22 was fully spent/committed.

Subject to finalisation / confirmation of the Welsh Government budget, it was anticipated that the SDF would continue into 2022/23, although no figure had been agreed.

- Natural Resources Wales (NRW) Partnership Grant – The history and background were provided. It was detailed that this grant had been typically in a multi-year offer, although the current grant was a single year offer of around £68k, plus further capital funding (£40k) for specific biodiversity projects through the NRW Biodiversity and Ecosystem Resilience Fund.

Discussions were ongoing with NRW regarding their support for the AONB. Again, any offer would be subject to confirmation of Welsh Government budgets, but it was understood that NRW were considering offering a two-year programme offer.

- Sustainable Landscapes Sustainable Places (SLSP) - The SLSP programme of capital investment across Wales's eight Designated Landscapes ensured that they could contribute to key Welsh Government objectives. The four main programme strands were detailed.

Project proposals, including collaborative projects were brought forward by the designated landscapes and allocated funding from Welsh Government via the

Tirweddau Cymru - Landscapes Wales partnership. The Gower AONB SLSP grant was £185k in 2020/21 and £225k in 2021/22.

Subject to finalisation / confirmation of the Welsh Government budget, we were anticipating that the SLSP would continue into 2022/23 and would potentially be a multi-year allocation, although no budget figure had been agreed.

- Welsh Government Revenue Grant - Welsh Government offered a one-off revenue grant of £75k for Gower AONB for 2021/22. The grant enabled the recruitment of the Gower AONB Communities and Nature Project Officer on a fixed-term basis (to end of March 2022).

It was understood that Welsh Government were proposing to allocate further revenue funding for each AONB in Wales in 2022-23, with indicative allocations for the next two financial years. The allocation was to address capacity issues within AONB teams in ramping up work on biodiversity, decarbonisation, community resilience and sustainable tourism.

**Resolved** that the contents of the report be noted.

### **32 Tourism Sub-Group Update.**

The Gower AONB Team Leader provided a progress update report regarding the Tourism Sub-Group.

It was stated that at the December 2021 meeting it was “noted that the Gower AONB Tourism Pressures Working Group had met for preliminary discussions on 22 November 2021. Officers would be contacting stakeholders to provide examples for an action log and the Working Group would meet to discuss the findings in the New Year.”

It was added that the Sub-group had met on 31 January 2022 and initiated the preparation of the issues log for further development and completion. Key issues noted included:

- Overnight parking
- Management of major events
- Dogs under poor control
- High traffic volumes
- Highway safety

The Gower AONB Team Leader further added that he would continue to work on the issues log with Sub-Group members and would report back to the AONB Partnership in due course.

Hamish Osborn, Natural Resources Wales offered his support to the Sub-Group to assist with the outputs.

**Resolved** that the contents of the report be noted.

### 33 Sustainable Development Fund (SDF).

Mike Scott, Gower AONB Officer presented the Sustainable Development Fund (SDF) Panel Financial Summary report 'for information'.

It was highlighted that Welsh Government had confirmed the SDF budget for 2022/22 at £100,000.

15 projects had been approved, with £100,000 committed, fully committing the funds for 2021/22.

The Committed Funds figure included the CCS Management Fee of £10,000.

Total Funds available	£100,000
Committed Funds	£100,000
Uncommitted Funds	£0
Applications in progress	£0

A detailed report would be produced after April and circulated to Steering Group members, highlighting the work done by the projects the Fund has supported.

The SDF budget for 2022/23 had not yet been confirmed by Welsh Government, but indications were that it would be in excess of £50,000.

A new SDF Grants Panel would be appointed following the Annual Forum meeting of the Gower AONB Partnership in July 2022.

### 34 Gower Landscape & Biodiversity Grant Scheme.

The Gower AONB Officer presented an update report regarding the Gower Landscape & Biodiversity Grant Scheme.

It was outlined that this grant scheme, which would be a subsidiary of the Sustainable Development Fund, and would be managed locally on behalf of Welsh Government, aimed to support a range of landscape and biodiversity enhancement initiatives within Gower AONB.

The grant would be aimed at landowners, Community Councils and other groups, to encourage and support projects where biodiversity gains could engage and benefit those who lived within the local community. Priority would be given to schemes where there was greatest biodiversity gain, and where community benefit could be demonstrated.

The scheme would provide grant support for the following activities:

- Drystone Walls
- Hedge Laying and Planting
- Small Woodland Creation

- Coppicing
- Orchard Creation and Restoration
- Pond Creation
- Wildflower Meadow Restoration
- Community Wildflower Corridor Creation
- Small Historic Features

A series of guidance notes would set out what standards and conditions applied and where to find additional information and advice.

Grants would be up to £3,000, at up to 50% funding and eligible costs could include labour, materials, survey work and management plans. It was expected to start inviting applications in April 2022.

A simple application form would be used to apply for funding, with advice and support from the AONB Team. A maintenance period of 10 years would be expected, and a simple management plan would be required as part of the application.

The scheme would run as a pilot in 2022/23, so that it could be reviewed and any amendments made to improve the outcomes in following years.

Copies of the scheme documentation would be distributed to the SDF Grant Panel members, and the members of the AONB Steering Group.

**Resolved** that the contents of the report be noted.

### **35 Tirweddau Cymru - Landscapes Wales Update.**

The Gower AONB Team Leader presented an update report on Tirweddau Cymru – Landscapes Wales.

It was explained that Tirweddau Cymru-Landscapes Wales (TC-LW) is the partnership of the designated landscapes in Wales who were working together to address key shared challenges, including action on the climate change and nature emergencies.

The TC-LW partnership included the five Areas of Outstanding Natural Beauty and the three Welsh National Park Authorities. As well as connecting landscape bodies to key Welsh Government policy areas and NRW strategic issues, the aims and remit of the partnership included:

- Connecting landscape bodies to work together on key challenges.
- Administering the Sustainable Land Sustainable Places (SLSP) fund, a capital investment fund split across each landscape, with funding for collaborative projects across multiple landscapes.

Tirweddau Cymru Landscape Wales administration of the SLSP programme had already provided over £8 million to support more than 90 projects across the Welsh Designated Landscapes.

Following the online autumn seminar in October 2021, preparations were beginning for an in-person seminar for AONB Partnership and National Park members and other stakeholders in the autumn at a venue in the Gower area.

**Resolved** that the contents of the report be noted.

The meeting ended at 2.50 pm

**Chair**



# Agenda Item 4



## Report of the Chief Legal Officer

Gower AONB Advisory Group – 31 January 2023

### Exclusion of the Public

<b>Purpose:</b>	To consider whether the Public should be excluded from the following items of business.	
<b>Policy Framework:</b>	None.	
<b>Consultation:</b>	Legal.	
<b>Recommendation(s):</b>	It is recommended that:	
<b>1)</b>	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	<b>Item No's.</b>	<b>Relevant Paragraphs in Schedule 12A</b>
	5	12, 13.
<b>Report Author:</b>	Democratic Services	
<b>Finance Officer:</b>	Not Applicable	
<b>Legal Officer:</b>	Tracey Meredith – Chief Legal Officer (Monitoring Officer)	

#### 1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependant on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

## **2. Exclusion of the Public / Public Interest Test**

- 2.1 In order to comply with the above mentioned legislation, Cabinet will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.
- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

## **3. Financial Implications**

- 3.1 There are no financial implications associated with this report.

## **4. Legal Implications**

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
  - 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
  - 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
  - 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

**Background Papers:** None.

**Appendices:** Appendix A – Public Interest Test.

## Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
<b>12</b>	<b>Information relating to a particular individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. Their view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>13</b>	<b>Information which is likely to reveal the identity of an individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. Their view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
<b>14</b>	<b>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. Their view on the public interest test was that:</p> <p><b>a)</b> Whilst they were mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or</p> <p><b>b)</b> Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</p> <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

No.	Relevant Paragraphs in Schedule 12A
15	<p><b>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. Their view on the public interest test was that whilst they are mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them they were satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
16	<p><b>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</b></p>
	<p>No public interest test.</p>
17	<p><b>Information which reveals that the authority proposes:</b>  <b>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</b>  <b>(b) To make an order or direction under any enactment.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>
18	<p><b>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.</p>

# Agenda Item 5

Yn rhinwedd paragraff(au) 12, 13 Atodlen 12A  
o Ddeddf Llywodraeth Leol 1972  
fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at  
Wybodaeth) (Amrywiad) (Cymru) 2007.

Document is Restricted

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