



**SWANSEA  
COUNTRYSIDE ACCESS  
PLAN 2023-2033**

**DRAFT**

**(Background cover images to be added)**

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Page no's to be added in final version

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Photographic Images are not included in this draft version of the Plan. Suggestions are made as to where these may potentially be included by way of illustration and consultees are invited to put forward images for consideration for inclusion and any used will be acknowledged accordingly.

## 1.0 Plan Strategy

**The Purpose of this Plan is to improve Countryside Access for all.**

### Background

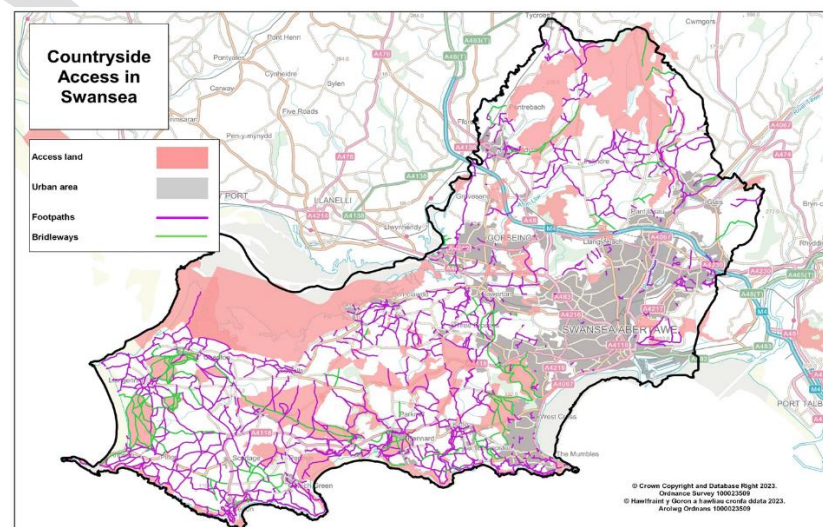
- 1.1 To fulfill its duties under the Countryside and Rights of Way (CROW) Act 2000, the City and County of Swansea Council (herein the Council) as the local highway authority is responsible for producing a Countryside Access Plan (officially known as a Rights of Way Improvement Plan) every 10 years.
- 1.2 This Countryside Access Plan (CAP) replaces the Council's first CAP published in 2007. It will be an essential tool in shaping countryside access for the next ten years and for gaining external sources of funding.
- 1.3 The CAP assesses all aspects of the present condition of the path network, i.e., public footpaths, bridleways and Access Land within the City and County of Swansea (the County) and identifies how this resource can be better managed and improved.
- 1.4 The CAP must consider walking, horseriding and cycling with an emphasis on improving access to and recreational use of the County's public rights of way whilst continuing to protect them from development.

- 1.5 Public rights of way, as indicated in Figure 1 are available to the following users:

| Status                     | Legal Users                        | Length       |
|----------------------------|------------------------------------|--------------|
| Footpaths                  | Walkers                            | 568km        |
| Bridleways                 | Horse riders, cyclists and walkers | 80km         |
| Byways open to all traffic | All forms of users                 | 2km          |
| <b>Total</b>               |                                    | <b>650km</b> |

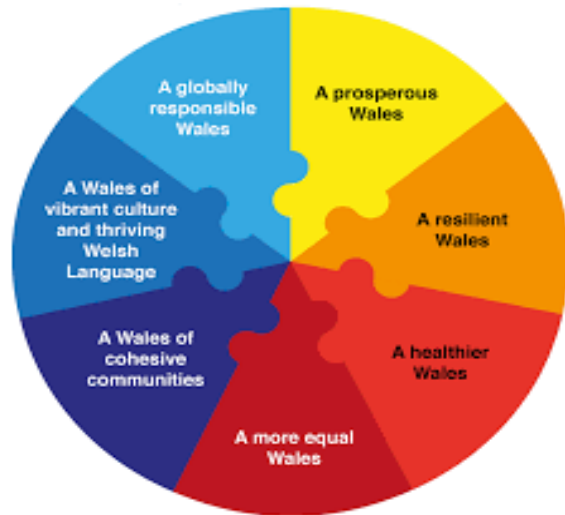
- 1.6 Approximately two thirds of the County's total path network lies within the Gower Area of Outstanding Natural Beauty (AONB).

**Figure 1: Public Rights of Way within the County**



1.7 The CAP has been prepared with full consideration of the Council's duties to work towards Wales' seven shared wellbeing goals and to contribute to sustainable development and management of natural resources (Figure 2).

**Figure 2: The National Well-being Goals for a Sustainable Wales**



1.8 The CAP fits within the framework of other relevant National Policy and Guidance, as well as local policies and strategies, the relevant sections of which are summarised in Appendix 1. Of particular note is the Wales Transport Strategy, 2021, which aims for walking and cycling to become the normal choice for shorter journeys. Additionally, the Active Travel Plan for

Wales, 2016, seeks to enhance provision for walkers and cyclists, whilst the Visit Wales Plan 2020-2025 seeks to deliver investment in the Wales Coast Path, mountain biking and cycling.

1.9 At the local level the Swansea Local Development Plan, 2019, includes strategic policies relating to providing an accessible environment for all, and specific policy relating to Public Rights of Way and Recreational Routes which is set out in full in Appendix 1. Other local strategies promoting improved access opportunities include the Swansea Destination Management Plan, 2023-26 and the Gower AONB Management Plan, 2016.

1.10 The CAP describes how the Council will make the most of the economic and health benefits of countryside access by improving the path network.

1.11 The CAP consists of two parts:

- Part 1: An assessment of the current condition of the countryside access resource.
- Part 2: A statement of action describing how that resource will be managed in future.

### Key Objectives

- Improving coastal access including the Wales Coast Path and the path network near the coast (about 30% of the total path network).
- Increasing the connectivity of the path network by creating and diverting paths in areas where there is demand but few or no paths.
- Improving the network so that 75% of it is 'easy to use' – including all of the Authority's 80 miles of bridleways. Presently, less than 60% of the network is considered 'easy to use'.

- **Condition of the path network:** considering the number and condition of structures associated with the public rights of way network; the number of obstructions; and other difficulties including assessment of the general ease of use.
- **Assessment of why access to the countryside is important:** assessing the needs of those with limited mobility, walkers, horse riders and cyclists. The aim being to make the countryside as accessible to as many walkers and riders as possible.
- **Definitive Map and Statement:** describing the history of the legal registration of the path network; how the Council currently deals with modifying it; and the number of outstanding cases, with the aim of ensuring that the Definitive Map and Statement provide an accurate record.
- **Changes to the path network (Diversions, Creations, Extinguishments):** setting out why the Council can make orders to change the network; how those orders are made; and the number and type of orders that the Council has made over the last 10 years.
- **Management of the path network:** explaining how the Council currently maintains, improves, and enforces the network and considering how the management could be changed and improved.

## Part 1: The Assessment

1.12 The Assessment, consists of policies ( set out in highlighted boxes) to help explain how the Council's statutory functions are to be carried out and how the path network resource shall be managed. This includes the following elements:

- **Analysis of Achievements of the first Countryside Access Plan (2007-17).**

- **Access land and other access opportunities:** describing the extent of formal and informal means of accessing the countryside other than the path network and its management.
- **Promotion of access to the countryside:** assessing the current situation and the need to use countryside access as a means of improving the health of residents and of attracting more visitors to the area.

## Part 2: The Statement of Action

- 1.13 The Statement of Action details the proposed actions of the CAP (to be included as a separate document to accompany the final version of the plan); provides the framework for the Council's countryside access functions for the next 10 years; and supports the continuation of improvements made to countryside access in previous years.
- 1.14 The Statement describes how each of the actions will be resourced. Some sources of external funding are available, but the Council will always need to provide a base of funding to undertake statutory duties and to use as match funding for external sources of funds.

## Rights and Responsibilities

- 1.15 For the avoidance of doubt it is important to state at the outset that everyone has rights and responsibilities in relation to public rights of way (PROW), and for

ensuring that the network is accessible and used with care. The general rights and responsibilities in relation to PROW are outlined below:

| Council Responsibilities  |
|---|
| <ul style="list-style-type: none"> <li>• Ensure routes are not obstructed and can be used at all times</li> <li>• Maintain the surface in a fit condition for its intended use</li> <li>• Maintain bridges and install new ones</li> <li>• Signpost PROW where they leave a metalled road and provide additional signs and waymarks</li> <li>• Authorise gates and stiles where appropriate</li> <li>• Keep the Definitive Map and Statement up to date</li> <li>• Provide 25% funding to landowners for the repair or improvement of structures</li> <li>• Ensure that landowners/managers are fulfilling their responsibilities</li> <li>• Ensure farmers properly restore paths over cultivated land after disturbance</li> <li>• Exercise powers to make public path orders and agreements</li> </ul> |
| Landowner Responsibilities  |
| <ul style="list-style-type: none"> <li>• Do not obstruct paths or deter public use of them</li> <li>• Do not deter public from using paths either verbally or by placing misleading signs</li> <li>• Maintain most stiles and gates in safe and easy to use condition</li> <li>• Remove unnecessary structures</li> </ul>   |

- Do not place barbed wire across paths and install on stock side of fences adjacent
- Keep back side growth and overhanging vegetation
- Ensure cross-field routes are kept apparent and free from obstruction unless disturbed for agriculture
- Reinstate path across fields after ploughing or planting crops
- Do not plough paths at field edges
- Do not keep dangerous animals (including certain bulls) on fields crossed by paths
- Avoid using firearms on or adjacent to paths

#### **Responsibilities of the Public**

- Use maps (paper or electronic) and follow waymark posts and signposts
- Walk in single file across arable land and do not trespass on a wider area
- Avoid obstructing field gateways when parking
- Keep dogs under close control, and always clear up after them
- Do not allow your dog to worry livestock or run through crops
- Follow the Countryside Code [Natural Resources Wales / The Countryside Code: advice for countryside visitors](#)



**Part 1: Assessment of the Current  
Condition of the Countryside Access  
Resource**

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## 2.0 Analysis of Achievements of the first Countryside Access Plan (2007-17)

### Overview

2.1 Of the twenty-seven actions in the original Countryside Access Plan (CAP), twenty-one have been achieved wholly or substantially. Six remain ongoing actions that are retained within the current plan (the evaluation of the 2007-17 actions is published as a supporting document to the CAP). It is acknowledged that some of the previous actions turned out to be overly ambitious, such as publishing the third edition of the Definitive Map by 2008 (it was published in 2023), and some of the actions have taken longer than expected, due to lack of resources. However, overall, the first CAP can be considered a success, and the lessons learned have informed the production of this latest version.

### Wales Coast Path and Coastal Access Zone

2.2 When the CAP was published in 2007 the Coastal Access Improvement Programme was already well underway. Originally this Programme comprised of the development of the Coast Path and other paths in a 'Coastal Access Zone' up to 2 km from the coast. However, after only three years it became apparent that there were insufficient resources available from Welsh Government to both complete the Coast Path around Wales and improve all the paths near the coast. Therefore, the original programme was refocussed as the Wales Coast Path project.

2.3 The Coast Path is proportionally more important in Swansea than any other local authority except for Anglesey, with over a third of the County's network in the Coastal Access Zone.

Add Coast Path photo

2.4 Welsh Government set a target of 2012 for completion of the Coast Path, and Swansea was one of the few Councils to meet this target. To achieve this several new sections of public footpath had to be created on public and private land. Despite initial concerns, nearly all private landowners proved very cooperative, and the new sections of coast path were created relatively easily, including rolling agreements along the coast at Oxwich Point.

2.5 Given the existing high level of usage of sections of the Coast Path around Gower the aim was to create the best coast path possible in the time available. This meant removing all the stiles and, as necessary, replacing them with easy-to-use gates. It is also included ensuring that every junction of the Coast Path with other paths was clearly signposted with destinations and distances. This was mostly achieved, with only 2 stiles remaining on the path (in the least used section) and almost every path junction signposted to a high standard.

2.6 Council policy regarding the surface of the coast path is to leave it as natural as possible. However, some sections had been surfaced for many years prior to the commencement of the Coast Path project, and at these locations improvements have been made to the existing surface to make it more durable and accessible by less mobile users.

2.7 The surface upgrades have not been without controversy, with some walkers complaining that the work was unnecessary, as the original surface of the path was walkable. Whilst this might have been the case for able bodied users, it was not so for those who are less able bodied. To date, all sections that have been upgraded were either previously surfaced with poor quality, deteriorating tarmac, or completely blocked by erosion.

**Case Study 1: Cheriton** add photo

Perhaps the most difficult, and important, new section of footpath was across the Pill at Cheriton. Although both landowners agreed to a new footpath, which cut out a substantial section of road walking along an unpaved road, one landowner insisted that his navigation rights along the Pill were maintained. This meant that a bridge was not possible and eventually it was agreed to construct a set of stepping-stones across the Pill, which have proven very popular with walkers ever since.

**Case Study 2 : Limeslade- Caswell** add photo

Much of the Coast Path between Limeslade and Caswell has now been resurfaced with a thick layer of concrete, widened and steps removed, often in response to coastal erosion. The latest section of this upgrading between Limeslade and Rotherslade has created a fully accessible path for all users for the first time, and it is hoped to continue this work on

the section of path between Langeland and Caswell if/when funding allows.

**Promotion of the Path Network**

ADD selection of LEAFLET IMAGE(S)?

2.8 At the time of the first CAP the Council had only produced five 'Walking by Bus' leaflets. Since 2007 the range of promoted routes for walkers has expanded to include six Coast Path walks and three walks in Mawr. The Council also assisted Llanrhidian Higher Community Council to produce a leaflet of promoted walks around that community; the Ramblers with the St Iltyd's Way; and the Gower Society with the Gower Way.

2.9 The Gower Way runs from Rhossili and the western end of Gower to Mynydd Castell at the northernmost end of the County. It is a route initiated and promoted by the Gower Society with support from the Council. Over the last 10 years the Gower Society has provided funding to the Council for a specific programme of improvements to, and upgrading of, the route.

2.10 Attempts to promote a unique network of off-road cycling routes using the network of bridleways in the west of Gower was delayed due to local opposition. However, a much reduced scheme was published in 2022.

Figure 4: ADD MAP EXTRACT Gower Off Road cycle routes?

2.11 An action of the previous CAP was to promote the Coast Path, plus associated linear and circular walks.

Uniquely amongst the coastal local authorities, the Council developed its own promotional materials for the Coast Path comprising a very popular leaflet with a detailed map of the whole route. This was reprinted over a 10 year period, however continued funding for this has proven difficult to maintain alongside Natural Resources Wales centralised budget for promotion of the Coast Path. The Council has also produced six circular walks based on the Coast Path (Appendix 2).

2.12 Although funding for the Coastal Access Zone was abandoned soon after the coastal access improvement programme started the Council was able to carry out a considerable amount of work in the Zone whilst funding was available. Other sources of funding have since been identified and used to continue this work up to the present day. The aim has been to ensure that all paths in the Coastal Access Zone are improved to at least the ‘easy to use’ standard, in that they are all signposted and easy to find and follow. However, a small number of issues remain to be resolved details of which are set out in Appendix 3.

2.13 Major projects to improve linking paths to the Coast Path were at Pennard Valley and Bishopston Valley.

**Case Study 3 : Pennard Valley** [add photo](#)

At Pennard Valley the footpaths on both sides of the valley were in a poor condition, with one path regularly disappearing under high tides, and the other treacherous, extremely difficult, and rarely used. Also, there was no

off-road link between the two, the only link being back along the main road with no pavement.

Creating fully accessible paths required extensive earthworks, including cutting through bedrock, in an area with limited access for vehicles. The new link path to connect both sides of the valley needed a completely new surface through swampy terrain and a large bridge capable of carrying horses.

Both the new path link and the footpath on the western bank have proven to be far more successful than expected with thousands of people using them every year to walk to Three Cliffs Bay.

**Case Study 4: Bishopston Valley** [add photo](#)

In Bishopston Valley the 2 km long footpath alongside the river connecting the villages of Bishopston and Kittle to the Coast Path has been extensively improved. Previously it was extremely muddy, had collapsed into the river and was obstructed by large fallen trees.

Access for machinery to improve the surface and widen the eroded sections had to be created in this remote valley before work could begin. The muddy sections of the footpath were then surfaced with limestone (to be in keeping with the local geology in this Site of Special Scientific Interests), and bedrock excavated to move the path away from a few short, eroded sections.

In addition, it was discovered that the footpath had been unofficially diverted along a route that was more difficult to use. This section of the footpath was rerouted onto its proper route. The footpath has subsequently become far more popular than it was previously.

## Bridleways

- 2.14 The first CAP set out to open all the bridleways in the network by 2012. This proved to be unattainable within that timescale. However, nearly all bridleways are presently considered open, i.e., any obstructions have been removed and they are signposted. There are only a handful of long-term issues on bridleways remaining to be resolved.
- 2.15 Another action in the CAP was aimed at creating new paths, and the Council has been successful in creating

new bridleways and diverting existing unused legal routes of bridleways onto routes that are being used.

- 2.16 The largest single creation/diversion scheme took place on Rhossili Down where most of the extensive network of bridleways was diverted onto the routes the public had been using for decades, and new bridleways added. Other bridleways have been added in the Dulais Valley, at Loughor Foreshore, Clyne Common, Pennard Burrows, Knelston, Kingrosia and Felindre Business Park.

Add bridleway photos

## An Easy-to-Use Network

- 2.17 The previous CAP included a target of 75% of the network signposted and easy-to-use by 2012. This was highly ambitious, as at the time only 55% of the network was in this condition. However, notwithstanding the variable nature of network surveying, the target of 75% was close to being met until a succession of budget and staff reductions within the Countryside Access Team, including the disbanding of the Ranger Team impacted on service delivery.
- 2.18 The area of the County that has seen the greatest improvement is Mawr, where initially only 15% of the network could be described as easy-to-use and by 2016 this was over 60%.

Add Mawr photo?

## Improved Signs

2.19 One of the actions in the CAP was to install signs at the roadside that include destinations and distances. Previously, signs had only shown what status the path was i.e., walking man for footpath and horse rider for bridleway. Now a number of enhanced signs have been installed at locations where there is an obvious or popular destination at the end of, or along, the path. For example, Lliw Reservoirs and Three Cliffs Bay.

Add enhanced sign photo

## Stile Replacement

2.20 Possibly the most successful action in the CAP has been to replace stiles with gaps and gates to make paths easier to use. To date nearly 400 stiles have been replaced, mainly with steel kissing gates, and this process will continue whilst funding remains available. There has been greater acceptance of these gates amongst farmers and landowners than was expected, and once installed they have proven to be as stock proof as the stiles they replaced.

Add new stile photo

## Creation of New Paths

2.21 Three actions in the CAP dealt with increasing the network by creating new paths. Despite the difficulties involved in creating new paths 72 new paths have been created since 2007. The network has expanded from just under 376 miles/605 km to 404 miles/650 km – an increase of 28 miles/45 km or 7.4%. The biggest single path creation event involved the creation of 5 miles/8 km on footpaths on Kilvey Hill ( Appendix 4 refers) .

Add Kilvey Hill path photo

## Definitive Map Updates

2.22 During the first 8 years of the previous CAP work on Modifications were dealt with by Legal Services and the following actions were progressed:

- The large backlog of Legal Event Modification Orders (LEMOs) dating back over 40 years was almost completely cleared
- A service level agreement between Legal Services and the Countryside Access Team was agreed
- The working copy of the Definitive Map has been made available on the Council website since 2008.
- The Definitive Map was carefully checked for errors and anomalies and a total of 148 discovered. This was more than double the number that were previously known to exist.
- Significant progress in correcting the Definitive Map errors and anomalies was made, with 48 corrected, including most of the errors and anomalies that caused paths to be impassable.

2.23 However, towards the end of the first CAP period, almost all the staff resources within Legal Services providing Rights of Way support were removed over a period of less than 12 months. Consequently, much of the legal work was passed to the Countryside Access Team without provision for any additional resource (Appendix 5) .

**Figure 3: Definitive Map -add image of Map?**

### 3.0 Condition of Path Network

#### Performance Indicator Survey

3.1 A Welsh Government Performance Indicator (PI) for the rights of way network is an assessment of the paths that are 'easy to use'. Each year the Council should randomly choose a sample of paths that make up at least 5% of the network and survey them to determine which paths are 'easy to use'. The survey is undertaken by the Countryside Access Team using guidance devised by Association of Directors of Environment, Economy, Planning and Transport (ADEPT), the Institute of Public Rights of Way and the Countryside Agency (now Natural England).

3.2 In order to be more statistically reliable the Council surveys 10% of the network in two stages each year: 5% in May and 5% in November. Although this provides a more reliable survey, the condition of longer routes can skew the results to provide a more positive or more negative outcome than should be the case. The results of a single survey should not therefore be considered as significant, rather an analysis of the results of several surveys over several years to establish a trend is more appropriate.

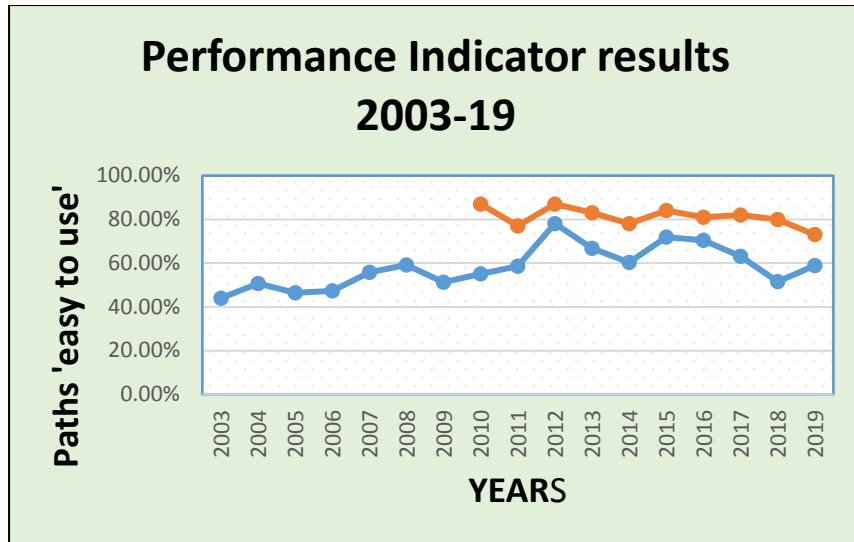
3.3 Until 2006, the Annual Rights of Way Performance Indicator (PI) survey consistently found that only about half the network was 'easy to use'. However, the subsequent ten annual surveys showed a gradual increase in the percentage of paths that are 'easy to use', with a high of 78% in 2012 (Figure 5 refers).

3.4 Over a 10 year period from 2006 to 2016 the general trend saw an improvement of up to 70% of paths being surveyed as 'easy to use'. With the alternative routes added this increased to around 83%. However, the Council has a statutory duty to ensure that all the path network is maintained and unobstructed.

3.5 The improvement in performance was due to the increased resources applied to countryside access. This was both in terms of staff numbers and budget available to carry out improvements, mainly from the Coastal Access and Rights of Way Improvement Plan grants from Welsh Government via Countryside Council for Wales/ Natural Resources Wales, but also from Rural Development Plan funds (Appendix 5 refers).

**Figure 5: 'Easy to Use' Paths**





%age of paths  
easy to use ————

With alternatives ————

### Recording of 'Alternative' Routes

3.6 Since 2010, the number of 'alternative' routes for paths has also been recorded. These are routes that are being used by the public as informal diversions to the 'legal' route recorded on the Definitive Map, due to the recorded route being obstructed in some way. However, not all obstructed routes have alternative routes available for the public to by-pass the obstruction. When the alternative routes are considered, the survey results have been as high as 87% easy to use (2010 and 2012). Whilst it is unsatisfactory from a legal and statistical point of view to find the legally recorded route to be obstructed or unused, to the public using the path network it is of relatively little importance, provided an adjacent route can be used as an alternative. A number of these situations

have been resolved since the first CAP was published, mostly by diverting the legal route onto the used route, but also by clearing the legal route of obstructions.

- 3.7 Although there have been considerable performance improvements made, the surveys still show that about 30% of the network is still difficult or impossible to use. This is due to obstructions, poor maintenance of stiles and gates, as well as missing signposts and a reduction in the extent of the clearance contract due to increasing costs.
- 3.8 Despite a large increase in the availability of the network did not obviously lead to an increase in the numbers of people using it. The people counters in use on several paths around the County from 2007 showed consistent levels of use during this period.
- 3.9 Many of the improvements on the network have gone beyond the 'easy to use' benchmark, for example, replacement of stiles with gates or gaps, better signage, and improved surfaces. Whilst benefiting users by making access to the countryside easier, these improvements did not contribute to the PI.
- 3.10 In the 2007 CAP the Council set out to achieve a general network that was 75% 'easy to use' and a network within the Coastal Access Zone that was 100% easy to use. Additionally, within the Gower Area of Outstanding Natural Beauty (AONB) the objective is to improve the network so that 95% of paths are open, useable, and clearly signposted (Gower AONB Management Plan, 2017, Objective 19). Although substantial progress has been made these targets have not been met.

3.11 Certain problems on the network have required considerable time and resources to resolve, and indeed, without the amount of grant aid provided to the Council since 2007, could not have been resolved. Some significant problems remain, but, provided external funding can continue to be sourced, the 75% 'easy to use' target is still achievable in the current financial climate, with this increasing to 95% in the Coastal Access Zone.

**C1: Easy to Use Standard**

To make the countryside as accessible to as many walkers and riders as possible at the minimum standard, i.e., signposted and 'easy to use.'

Action Ref: G1, M1, M8

## 4.0 Why Access to the Countryside is Important

4.1 The County's path network and Access Land are valuable economic and well-being assets, which need to be maintained, enhanced, and promoted to encourage walking, cycling, and riding in the area's fabulous countryside.

### Economic Benefits

4.2 Public access to the countryside undoubtedly contributes to the local economy, and social and environmental well-being. The 406 miles (650km) of paths and 23 square miles (60km<sup>2</sup>) of Access Land (16% of the total land area of the County) are extensively used by visitors and locals alike.

4.3 Walking can lengthen the County's tourism season. Gower AONB attracts both domestic and international visitors year-round to enjoy the County's natural landscape, helping to drive sustainable growth of the tourism economy. The path network and Access Land are the main means by which visitors can enjoy this experience. Research has indicated that almost a third of British holiday makers now want to take a walking break and more than half of international visitors are interested in short coastal walks. It is therefore no exaggeration to state that the PROW network is the bedrock upon which most of the tourism industry in the County is built.

4.4 Several studies over the years have firmly established the economic benefits of Coast Paths around the UK. The Wales Coast Path visitor survey in 2015 estimated that the Wales Coast Path (opened in 2012) alone generates £271 million of GVA (Gross Value Added) and about 12,000 person-years employment (The Economic Impact of Walking and Hillwalking in Wales, 2011). The Swansea Destination Management Plan 2023, identified Tourism is worth £510m to the local economy and attracted 4.2m visitors in 2022 and the key reasons for visiting were the coast, beaches, scenery and landscape, with walking being the most popular activity.

4.5 UK visitors are responsible for helping to transfer around £25 billion of spend from towns to seaside and rural areas. Seasonal employment and lack of investment means that many of the coastal communities are some of the most economically challenged in the UK. The Wales Coast Path provides an important link in this respect helping to bring visitors to villages and locations which might otherwise not have been accessed. Every £1 invested in seaside areas has the potential to boost the local economy by £8, making initiatives along the Wales Coast Path and which celebrate the rich local history, heritage, cultural and wildlife of Wales, an important part of improving the economy for coastal communities.

4.6 This is recognised in 'Welcome to Wales - Priorities for the visitor economy 2020-25', Visit Wales, which identifies that the Coast Path is basic tourism infrastructure requiring investment. The stated intention

is to collaborate with partners to 'ensure amazing experiences such as the Wales Coast Path are maintained, accessible and play a core role in our wider adventure offer'.

## Health Benefits

- 4.7 Studies worldwide over the last 25 years have demonstrated that walking in green space benefits both physical and mental wellbeing (selected references in Appendix 4), and health professionals are increasingly socially prescribing walking in green space to improve health. The studies have found that people who spent at least two hours in nature per week were consistently more likely to report higher levels of health and wellbeing compared with those who spent less time in nature.
- 4.8 In the UK, there is evidence of a dramatic fall in physical activity over the past 50 years. Physical inactivity carries a far higher risk of contributing to coronary heart disease, type II diabetes, hypertension and some forms of cancer than do smoking, drinking or poor diet. Substantial improvements in public health, particularly in relation to coronary heart disease, are possible by encouraging people to become more physically active on a regular basis.
- 4.9 As walking and cycling are relatively inexpensive activities, require no special skills and can be built into people's regular, daily routine, they provide one of the best ways for people to become more physically active. Having safe, attractive opportunities to walk or cycle

from the doorstep and into the countryside is important if this is to be achieved.

- 4.10 Walking is by far the most common form of exercise undertaken by people in Wales (Welsh Outdoor Recreation Survey, 2014). Walking is also very popular in Swansea, with counters on various countryside footpaths around the County recording around 650,000 people passing through every year. Unconfirmed figures indicate that this number has risen significantly since the Covid pandemic.

### AC1: Benefits of Access

The public path network within the countryside shall be protected and improved to maximise the physical and mental health benefits being outside provides, to aid users' understanding and enjoyment of the natural environment, and to help the sustainable growth of the local tourism economy.

Action Ref: G1, G2, G3, P1, P2, P3, M5, M9, M10

## User Surveys

- 4.11 Welsh Outdoor Recreation Surveys undertaken in 2008, 2011 and 2014 of the outdoor activities of people living in Wales, revealed that 85% of adults went for a walk. Additionally, 17% took part in off road cycling (compared to 24% that went road cycling) and 6% took part in horse riding. This suggests that mountain biking

is nearly three times more popular than horse riding and that both are considerably less popular than walking.

4.12 However, it should be emphasised that this was a survey of Welsh residents undertaking outdoor pursuits and does not include visitors to the Welsh countryside from outside Wales. Moreover, not all this outdoor activity could be said to be taking place in the countryside with 28% of activities taking place on pavements next to roads or in parks.

4.13 The Wales Coast Path Visitor Survey, 2015, found that whilst most people using the Coast Path lived in South Wales, 45% percent were from England or outside the UK. Given the distances involved, unsurprisingly, the number of people using the Coast Path who were on a staying visit to the area was 47%.

4.14 The Council commissioned three Swansea Bay Visitor Surveys in 2012, 2015 and 2019. The 2019 Survey found that the largest single attraction to the area (40%) for visitors from outside Wales was the coast and beaches, followed closely by landscape and scenery. Nearly all, (99%) of visitors felt that the quality of Gower's landscape was the area's biggest strength. Perceptions researched with non-visitors found that people do not often associate Swansea Bay with the stunning beaches that draw people to the area. The majority of which can only be accessed by the PROW network.

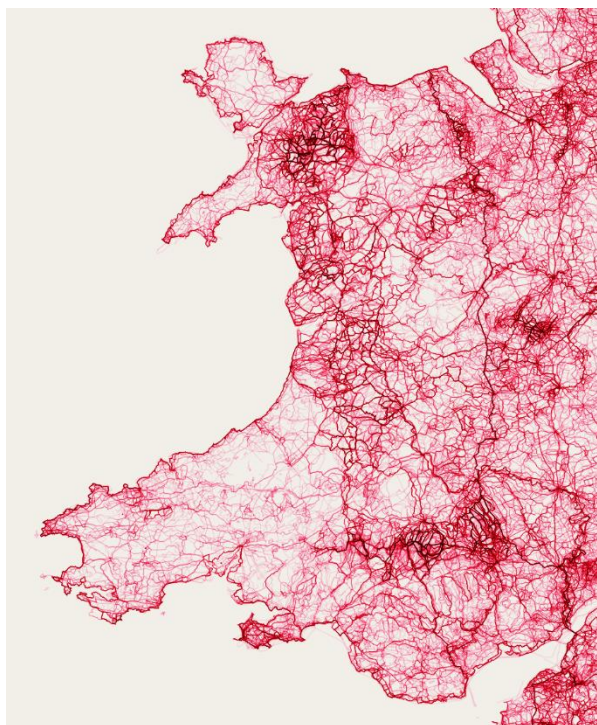
4.15 Furthermore, of the 43% of visitors who take part in an activity during their stay in the area, 37% will go for a walk. This indicates that a large proportion of the use of the 32 miles of coast path around Gower is by visitors, which in turn is an indication of the importance of access to the countryside for the local economy.

4.16 A light-touch Countryside Access Survey was carried out over the summer of 2019 to obtain the views of walkers and riders who use the path network in Swansea. It was publicised by notices in all the most popular walking and riding locations. In total nearly 250 responses were received, and these have been used to help to inform the preparation of this Plan.

#### **Heat Map**

4.17 This Heat Map is compiled from ten years of routing data from the Ordnance Survey's digital outdoor products (such as the OS Maps App) as used by hundreds of thousands of walkers, ramblers, runners, and mountain bikers. It is a rather crude measure of use of routes both in rural and urban areas. However, it is clear from the data that there are various 'hot spots' in Britain, with the most intense use being mainly in the National Parks and Areas of Outstanding Natural Beauty. The data for Wales shows that the four most used areas are Snowdonia the Clwydian Hills, the Brecon Beacons and Gower.

**Figure 6: Ordnance Survey Heat Map (2016)**



### **Biodiversity**

4.18 Encouraging more people to walk or ride in the countryside is likely to lead to a greater appreciation of it amongst the general population and therefore increase support for its protection. According to the Welsh Outdoor Recreation Survey, 2017, people who visited the outdoors were more likely to think that biodiversity will decline in the future, whilst those who do not visit the outdoors are less likely to be concerned

about biodiversity loss. In addition, when it came to what actions people take to protect the environment, it found that people who visited the outdoors were more likely to do the 'harder' behaviours (such as volunteering). From a biodiversity standpoint, it is therefore important that access to the countryside is encouraged. More could also be done to inform walkers and riders about the environment through which they are walking or riding.

### **Numbers of Users**

4.19 Through hugely increased funding for countryside access in a period from 2007 to date the Council has been able to open large numbers of paths that were previously inaccessible and to improve many others. This is partially recognised in the performance indicator survey, which improved significantly over this period. However, this does not tell the whole story, as the Council was engaged in a programme of improvements that went beyond the minimum standards required to meet the 'easy to use' standard.

4.20 Although many more routes are now available and easier to use than in 2007, it has been a lot more difficult to establish whether more people have been using the path network in the countryside. The automatic people counters that were in place on certain paths for most of this period did not record significant differences in the numbers of people using those paths (albeit a very small proportion of the whole network). When the paths in less popular areas, which have been

made accessible, are re-visited there seems to have been little or no use made of them.

- 4.21 It appears that the Council has been very successful in improving its performance in relation to its statutory duty, but less successful in encouraging more people to use the path network in the countryside. This suggests that going forward Council efforts should be focused primarily where there is public demand for increased access rather than carrying out work purely out of legal necessity.
- 4.22 It is generally assumed that the more accessible the network the more people will use it. However, from the experience gained since the first CAP was published, it can now clearly be seen that merely opening up an entire path network and making it as easy to use as possible is not necessarily going to result in more people walking or riding in the countryside, even when paths have been specially promoted.
- 4.23 The lack of use of some areas could in part be explained by the nature of the countryside through which the paths pass. Whilst all the countryside within the County can be considered attractive, some areas are more attractive than others. The busiest area for walking is on the south and west Gower coast, which has some of the most spectacular scenery in Wales. The automatic people counters on paths in this area consistently recorded walker numbers of over 100,000 every year, and yet just a mile from some sections of the coast the number of walkers can be just a handful or indeed none at all in some years.

4.24 The countryside away from the coast is pleasant, but less attractive and, if people are making the effort to travel from outside of Gower, they are far more likely to head straight to the most attractive areas. The population of Gower is also relatively sparse and therefore there are few residents who use the path network. Even when lesser used paths are promoted by the Council this does not appear to significantly increase the number of users of these paths.

4.25 Another issue is the ongoing problem of adapting an historic path network into a modern recreational one. Paths that a century ago may have been in constant use by farm workers or miners, are now no longer needed for this purpose but have limited recreational value. Whilst other potential routes could have recreational value, but there are no rights to use them, as they are not public paths.

Add photo of walkers on path

### **Encouraging Greater Access**

4.26 Given access to appropriate information and opportunity to access the countryside, there are likely to be people who would use the path network who currently do not. Studies indicate that lack of awareness, of both the location of the paths and, more generally, the benefits of accessing the countryside, is a reason for non-use. Although confidence may also be a significant factor, especially for those with limited mobility.

4.27 People who have already discovered the joys and benefits of walking or riding in the countryside were most likely introduced to it by their family, friends or perhaps being a member of an organisation engaging in outdoor activities, especially at a young age. People who have not made this discovery may just not have considered the potential well-being benefits or, for example, view the prospect of walking or riding in the environment of the countryside as completely alien and daunting. The CAP needs to seek ways of breaking down such barriers.

#### Case Study 5: Clyne Valley Country Park

##### Add photos

An example of the lack of awareness of walking opportunities in people's local area was found during the first lockdown in 2020. The number of those accessing Clyne Valley Country Park more than doubled within a few weeks because of people being confined to their local area and searching for alternatives to their usual walks, or just to get out of the house. Many users of the Park during that period had not appreciated it existed until the lockdown, even though it was within easy walking distance of where they lived. Since then, the Council with the benefit of Welsh Government grants has invested hundreds of thousands of pounds in the infrastructure of the Park, including an Active Travel route through it, improved signposting, built

footbridges and provided on-site information about the ecology and history of the Park, with further infrastructure improvements planned.

4.28 The Clyne case study highlights that attempting to address lack of use is more difficult than simply ensuring the network of paths is well maintained and is as much an education/awareness raising exercise.

4.29 The Council employs a part-time Walking Development Officer, who organises and leads a successful and regular programme of health and well-being walks around the County, including the 'Taste of Gower' walks involving eating local fare. Other local organisations also lead walks for 'beginners. However, this is only scratching at the surface and there needs to be far greater emphasis on, and resources provided by, the Council, Health Boards, Natural Resources Wales, and Welsh Government, encouraging greater use of the existing access to the countryside opportunities.

4.30 The Gower Walking Festival has proven to be very successful since it was set up twenty years ago. Hundreds of residents and visitors are led on walks across the County over a period of a few days. However, it tends to be the regular and experienced walkers who take part, rather than newcomers to countryside access. Ideally organised walks should promote the health and well-being benefits of accessing the countryside alongside admiring the



beauty of the landscape. and engage more with those who are less experienced walkers.

Add images of any associated promotional material

- 4.31 Other barriers to people accessing the countryside are possibly related to a lack of general infrastructure such as parking, public toilets and most significantly public transport which is poor around Gower AONB.

### Gaps in the Network

- 4.32 The issue of lack of use of some paths due to their limited recreational value, leads to the question of whether creating more paths in certain areas would lead to any greater numbers of users.
- 4.33 Creating new paths and re-opening old ones can be an expensive and long-winded process and given limited staff time and resources consideration must be given to identifying where new paths are going to bring the greatest benefit.
- 4.34 An example of where both a new path and a re-opened path have proven to be great success is the work carried out on two paths at Parkmill in 2016/17.

### Case Study 6: Parkmill [add photos](#)

Here the footpath alongside Pennard Pill was converted from an almost impassable route to an easy to use path. Nearby a new bridleway was created across the Pill, linking Parkmill to Penmaen, by constructing a large bridge across the river and surfacing the route. This connected two bridleway networks on either side of the river and meant that the adjacent main road, which has no pavement, could be avoided. Both paths together now provide an alternative access to Three Cliffs Bay and a high tide route for the coast path, and, as a result, are now used by thousands of people every year.

### Limited Mobility Users

- 4.35 Different path user groups have different needs. Many of these users could be considered to have a degree of limited mobility, and so it is important that the network is made as accessible as possible to everyone. Limited mobility can be defined as people:
- Who use wheelchairs and mobility vehicles
  - With limited walking ability
  - With small children, pushchairs
  - Who are blind or partially sighted

4.36 The Equalities Act, 2010, makes it unlawful for service providers to discriminate against anyone on the grounds of disability. Presently, landowners who are responsible for stiles and gates across paths are not considered to be 'service providers'. However, the Council has a duty to make as much of the path network as accessible to as many people as possible.

4.37 In addition the Countryside and Rights of Way Act 2000 (CROW Act) places a duty on the Council to consider the needs of people with limited mobility when authorising stiles or gates under the provisions of the Highways Act, 1980.

4.38 Due to the nature of the terrain through which many paths run, the entire network will never be accessible to everyone. However, whereas it may not be possible to alter the physical features through which paths run, it may be possible to remove barriers and create more accessible surfaces.

4.39 Stiles can deny access to all but the most able, and therefore should be replaced or removed wherever possible. BS5709:2018, which is the British Standard for gaps, gates, and stiles, maintains that although there are local traditional forms of stiles and gates, the purpose of a stile or gate is to be '*adequately stock proof, whilst providing good access for all legitimate users*'. Therefore, the provision of a gate or stile is a balance between the needs of livestock management and public access.

4.40 Much of the network is open to those with limited mobility, and some routes can already be used by those in wheelchairs and mobility vehicles. However, there is a lack of publicly available information regarding where these routes are and what condition they are in. Access for those people using conventional wheelchairs requires an open path with a hard surface, with no, or slight, camber and a low gradient (less than 1 in 20).

4.41 Any lack of confidence that people may have when it comes to using the path network is likely to be worse for those with limited mobility. If people with limited mobility were better informed about what to expect on a route, then they would be better able to decide whether or not that route was suitable for their use. This lack of information is probably the single most important factor in preventing people with limited mobility from using the network in its current condition.

#### **AC2: Access for All**

The impact on equality, diversity, cohesion and integration will be taken into account when considering path network improvements and promotion of use to encourage people from all backgrounds to take part in countryside access.

Action Ref: G1, G2, G3, P2, M4, M6, M7, T1, T2, T3

## Add photos of Coastal path improvements

### Cyclists

- 4.42 Cyclists have the right to use bridleways, byways, and the Council's network of cycle tracks. The 2019 User Survey found 42% of respondents cycled on paths. Although the needs of cyclists are different to those of horse riders, especially when it concerns the ideal surface to ride on, many of the problems encountered by cyclists are like those of horse riders when using paths in the countryside. For example, issues relating to overgrown paths and lack of signs/waymarks. A small number of issues were raised in the survey relating to cyclists being unable to use footpaths which they are not lawfully entitled to do, whilst an equal number of walkers reported having issues with cyclists using footpaths.
- 4.43 The issue of surfaces on bridleways can be contentious, with cyclists and walkers generally preferring a hard, firm surface to ride and walk on, and horse riders preferring a soft surface to ride on. The needs of all three groups of users can be especially difficult to accommodate on steeply sloping bridleways, which often also have surface erosion problems due to flash flooding. The expansion of Active Travel routes has highlighted the importance of the appropriateness of surfacing for users, as horse riders can be adversely affected in certain circumstances. It is therefore essential that the Countryside Access Team are consulted throughout all stages of Active Travel

proposals from route identification to design and delivery on the ground.

#### AC3: Path Surfaces

The surface of the path network will be maintained and improved wherever possible to improve accessibility for all. Where a path is presently earthed or grassed (i.e., unsurfaced) it should not be hard surfaced with tarmac, aggregate, concrete, etc unless there is a demonstrable physical or strategic need. For example, to address issues of erosion or flooding or in high usage areas, such as sections of the Wales Coast Path to improve access for those with less mobility.

Where a path that is a public right of way is to be upgraded to an Active Travel Route it must cater for the needs of all users and future maintenance will become the responsibility of the Council's Highways Maintenance Service.

Action ref: G2, P2, M6

## Add active travel route photos with different surfaces

### Horse riders

- 4.44 Most of the path network is made up of footpaths to which horse riders have no formal right of access. Only on 21% of the network is there a right of access for horse riders. The network of bridleways is not evenly distributed and there is a tendency for networks of bridleways to be concentrated in certain locations.

For example, there are networks of bridleways around Llangennith, Oxwich and on Clyne Common.

- 4.45 Access for horse riders is further limited because there is no right to ride a horse on most Access Land. However, commons in the old Borough of Swansea and Loughor Urban District have provided access to the public for the '*right of air and exercise*', including horseriding, since the Law of Property Act, 1925 was amended in 1974. Therefore, horseriding rights exist on these 'urban' commons. Welsh Government is presently considering expanding the rights of the public onto all Access Land to include cycling and horseriding.
- 4.46 In the 2019 User Survey 56% of horse riders and cyclists considered that there were areas of the County that would benefit from additional links or improved provision. This is understandable, given the sporadic nature of the bridleway network. However, the provision of new bridleways is not straightforward and generally encounters strong resistance from landowners. The Council has dedicated several bridleways on its own land and Policy PP4 seeks to enable this to continue, as well assisting the expansion of the network more generally.
- 4.47 However, in the face of resistance from landowners, without sufficient public support any attempt to create new bridleways is likely to fail because of the legal test that requires the Council to demonstrate public need. Users would need to clearly identify the locations/routes where new bridleways were needed and provide evidence that sufficient public support

would be available throughout the legal process, including, if necessary, at public inquiries.

#### **Case Study 7: North-West Gower Bridleways**

##### **Add photo**

An example of how difficult it can be to make relatively straightforward additions and benefits to the bridleway network was the attempt by the Council in 2019 to alter and expand the network of bridleways in north-west Gower for the benefit of cycling and horse riding. This would have removed some redundant bridleways, moved other bridleways from the legal routes onto the routes that are being used, and created some 'new' routes currently not registered as bridleways but being used by riders. This scheme would also have included promotion of this bridleway network for off-road cycling and, in future, horse riding. However, after objections from landowners, farmers, walkers, horse riders, and residents about the potential increase in the numbers of cyclists, and little or no support for the project from the public, the wider bridleway network reorganisation had to be terminated although use of the existing bridleway network is promoted.

## Walkers

- 4.48 The whole of the path network and all of Access Land is legally available to walkers. This means that walkers already have a considerable amount of access to the countryside.
- 4.49 In total, 35% of respondents to the 2019 User Survey considered that there were areas that would benefit from additional links or improved provision. However, 51% reported that they had found existing paths blocked or difficult to use. This indicates that the priority ought to be given to properly maintaining and protecting the existing network before seeking to create any significant number of additional footpaths.

Photo of walkers

## 5.0 Definitive Map and Statement

- 5.1 The Definitive Map and Statement records all the registered public footpaths, bridleways and byways open to all traffic in the County. References to ‘Definitive Map’ below include the Definitive Statement. The presence of a public right of way on the Definitive Map is conclusive evidence of its existence and status (Wildlife and Countryside Act, 1981).
- 5.2 A digitised version of the Definitive Map is in daily use, and updated as soon as a change is confirmed. This is referred to as the ‘Working Copy’ and can be viewed in simplified form on the Council’s website.

### Latest Edition of the Definitive Map

- 5.3 In June 2023, the third edition of the Definitive Map replaced the second edition which had a relevant date of 1971. It was based on the Working Copy that had been maintained for over fifty years and kept in digitised form in recent years. It included changes to the numbers and descriptions of many paths because of the redrawing of community boundaries in the 1980’s. The Map was also published in paper format as required under existing legislation and is able to be viewed at the Council Offices. Further details of the history of the Definitive Map and Statement are set out in Appendix 8.

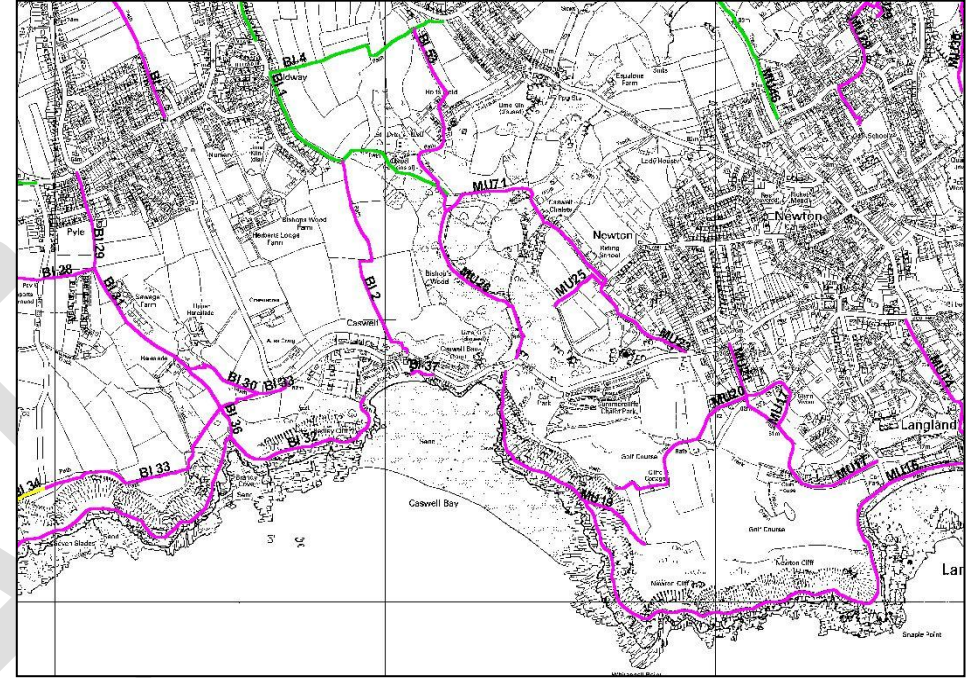
- 5.4 The Definitive Map can be changed either by evidence being found to prove that it is incorrect resulting in a ‘Modification Order’, or as the result of a Public Path Order (PPO), which are explained in more detail below.
- 5.5 The Council has a duty under the Wildlife and Countryside Act, 1981, to keep the Definitive Map under continuous review. This means that it must consider evidence that the map may be incorrect if it discovers that evidence itself or when evidence is presented to it. A change is made to the Definitive Map by the making of a Modification Order.

**Figure 7: Extract from the second edition Definitive Map, relevant date 1971**

### Changes to the Definitive Map - Modification Orders



Figure 8: Extract from the current Definitive Map, relevant date 2023



Applications for Modification Orders (Claims)

5.6 The public have the right to apply to the Council for a Modification Order to change the Definitive Map in some way when they believe that:

- a route is not shown on the map but should be
- a route is shown on the map but should not be, or
- that a route shown on the map or the description in the statement is incorrect.

Such applications are known as 'claims' and are most commonly claims for paths to be added to the Definitive Map.

5.7 The Council has fourteen claims outstanding (as of 2023), some of which date back several years. On average one new claim is received each year, whilst it takes on average one year to determine a claim due to the legal and procedural complexities involved. A system of prioritisation must therefore be applied to ensure that those paths at most risk are dealt with first. Other factors to consider as part of the prioritisation include impact on promoted routes; where there is a risk that evidence may be lost if there is a delay; length of time the application has been outstanding; and the amount of support for the claim.

Applications for Modification Orders under Schedule 14 of the Wildlife and Countryside Act, 1981 should generally be dealt with in the following order of priority unless there are exceptional circumstances:

- A recent obstruction renders the path inaccessible
- The path is threatened by development
- Currently/recently in use
- Would benefit the wider community
- Would fill a gap in the path network
- Avoids busy roads/improves public safety
- Predominantly used by elderly persons
- Where an obstruction inconveniences users
- A claimed bridleway would benefit three categories of users
- Enables access to sites of historic, scientific, or scenic interest

Also, having regard to the following factors:

- Whether an error or anomaly exists on the Definitive Map/Statement
- The impact on any promoted route or regional trail
- The number of users supporting the application
- The length of time the application has been outstanding

Action Ref: D2, D3

**DM1: Modification Order Application Priority**



5.8 Many unrecorded paths are claimed as a result of the route of the path becoming obstructed or threatened with obstruction. Should a previously unrecorded path become a registered public footpath, any obstructions along the routes will then become illegal under the provisions of the Highways Act and it is essential that the landowner person responsible is made aware of this and that the Council takes the necessary action to remove the obstructions in accordance with the relevant enforcement procedures set out in Appendix 12.

**DM2: Action Following Path Registration**

When a previously unrecorded path becomes registered enforcement proceedings shall be instigated to remove any obstructions along it.

Action Ref: ?

5.9 The Countryside and Rights of Way Act, 2000 introduced a 1<sup>st</sup> January 2026 cut-off date for the recording of historic rights of way. The cut-off date would have had the effect of extinguishing certain routes not recorded on the Definitive Map by that deadline. The intention was to prevent any claim being successfully made for the addition of a right of way to the Definitive Map after this date if the claim was solely based on documentary evidence that the rights existed before 1949. However, the Department for Environment, Food and Rural Affairs (Defra) has announced its intention to repeal this cut-off date from legislation, but there is currently no timeline for when this will occur.

5.10 Welsh Office Circular 5/93 (annex B, para. 7) advised that Councils may make a Public Path Order (PPO) to add a path to the Definitive Map rather than pursue a more time consuming and difficult to prove Modification Order (Section 6.0 provides further detail). However, the Welsh Government 'Guidance for Local Authorities on Public Rights of Way (October 2016)', which superseded Circular 5/93, did not contain such advice. However, as an alternative, in cases where agreement between all parties involved can be achieved, a Dedication Agreement can be successfully used instead of a Modification Order. This is a far simpler and considerably less time consuming legal process and should be pursued on expediency grounds when circumstances allow.

**DM3: Path Dedication Agreement**

When all parties agree, a path Dedication Agreement shall be sought in preference to a Modification Order.

Action Ref: D2

5.11 An assessment of the Definitive Map and Statement in 2009 revealed that there were at least 161 errors and anomalies on the records. By 2023, 61 of these errors and anomalies had been resolved. However, there are

at least 100 remaining that must be investigated, with the possibility that some will result in Modification Orders, and some will lead to Public Inquiries. The full list of outstanding cases, as of 2023, is set out in Appendix 9. Policy DM2 prioritises the most urgent cases as those that prevent the Council from making the path available to the public.

**DM4: Definitive Map Errors and Anomalies**

Anomalies on the Definitive Map/Statement that result in use of a path being prevented shall be the highest priority and dealt with as a matter of urgency.

Action Ref: D2

## **Legal Event Modification Orders**

- 5.12 Legal Event Modification Orders (LEMOs) should be made as soon as possible after PPOs are confirmed. These Orders are still required in Wales to enable the Definitive Map to be updated after a PPO is made. If schedule 5 para 2 of the Countryside and Rights of Way Act, which introduced section 53A (Power to include Modifications in other Orders) to the Wildlife and Countryside Act 1981, was commenced in Wales (as it has been in England for the past decade) there would be no further need for LEMOs, as the changes to the Definitive Map and Statement would be carried out when a PPO was made. There is an identified action in this Plan to lobby Welsh Government to effect this change, along with other minor procedural changes to improve the efficiency and effectiveness of processes.

## 6.0 Changing the Path Network (Diversion, Creation and Extinguishment)

- 6.1 The Council has powers to change the Path network by making Diversion, Creation and Extinguishment Orders to move, add or remove paths in certain circumstances. Collectively Orders of this type are known as Public Path Orders or PPOs. These powers are contained in the Highways Act 1980, which covers most changes, or the Town and Country Planning Act 1990, which specifically deals with changes required because of development. The Council does not have a duty to make a PPO, and therefore does not have to make one unless it considers it necessary. Public Paths can also be created by agreement between the Landowner and the Council.
- 6.2 The Council may initiate Diversion or Creation Orders that are in the interests of the public, and which may be subject to compensation payable to the landowners. The Council will not initiate the extinguishment of paths (unless part of a wider scheme involving the diversion and/or creation of other paths) as this is not in the interests of the public.

**PN 1: Diversion Orders**

The making of diversion orders that are in the interests of users and all affected landowners shall be supported.

Action Ref: P3

- 6.3 Landowners may apply to the Council for a diversion or extinguishment but must agree to pay the Council for the administrative costs involved and, if necessary, the works needed to make the new path.

### **PN2: Applications for Diversion or Extinguishment Orders**

Applicants shall be required to cover costs of a Diversion or Extinguishment Order, and the works required to create a new path.

In cases where paths are already obstructed by completed buildings, diversion shall be supported if this is the only option available and the building cannot be removed or relocated.

In cases where diversions of paths are proposed across development sites this shall only be permitted where it is proven that the path must be diverted to enable the development to be carried out, and only then where an acceptable alternative route is provided.

Action Ref: P3

6.4 However, in some cases there can be a mutual benefit for both the Council and the landowner in making a Diversion Order, for example for health and safety reasons. In such circumstances the Council will consider contributing to elements of the cost, for example providing path furniture.

**PN3: Diversion Orders - Council Contribution**  
  
When an application to divert a path is made the Council shall consider contributing to the cost of making the Order, and the works required to open a new path, where benefits to the public can be clearly demonstrated. For example, to benefit the health and safety of users of paths through working farmyards.  
  
Action Ref: P3

Any photo examples?

6.5 The path network, especially of bridleways, is sporadic and Orders may occasionally need to be made to improve access in certain areas.

6.6 The creation of new routes can often be contentious, especially if any private landowners are affected, and it is therefore important that any Creation Orders are fully justified in terms of the need to add to the convenience of a substantial section of the public. A challenge to a Creation Order is likely to result in a Public Inquiry and in addition

compensation is payable to the landowner for any loss of value to the land.

6.7 Public Paths may also be created by agreement between the Council and the landowner. Wherever possible the Council will pursue a public path Dedication Agreement rather than a PPO (Policy DM3 refers), as the process is considerably less onerous. However, the Council must take into consideration whether there is a public need for the new path and the resource implications of creating it.

**PN4: Creation of New Paths**  
  
The creation of new paths shall be supported where it can be clearly demonstrated that there is a public need and demand for new paths.  
  
Action Ref: P1

Photo example?

6.8 New sections of Coast Path are still needed at Oxwich and Southgate, and, as the coast continues to erode, further additions and alterations to the Coast Path will be required. National policy regarding the Coast Path is to place it as close to the coast as practicable and desirable.

**PN5: Coast Path**  
  
The route of the Coast Path shall be maintained as close to the coast as practicable and the whole

route of the Coast Path will be designated as a highway by creating Public Paths where there are missing links in the Coast Path.

Action Ref: P2

### Coast path edge photo

6.9 There are many instances where the public have been using a different route (sometimes for decades) than the route shown on the Definitive Map, and the definitive route is now out of date. Such cases could result in time-consuming claims by members of the public to record the unregistered paths. It also gives rise to a larger number of failures on the Performance Indicator survey. The most efficient means of dealing with most of these cases is to use PPOs to resolve them. Such circumstances often also present the Council with an opportunity to improve the path network for the benefit of the public.

### PN6: Obsolete Legal Routes

The Council shall use its powers to initiate Diversions Orders where it can be demonstrated to be the most cost effective option, or provide the greatest public benefit, for resolving a problem with a path.

Action Ref: P3

### Dead end photo?

6.10 Current estimates are that at least ninety PPOs will be needed to deal with path problems that cannot be dealt with in any other way. Over the period 2008 to 2016, there were 158 PPOs confirmed by the Council to resolve path problems.

6.11 The resources to resolve these issues could be reduced significantly if Wales followed England's lead and removed the requirement to place statutory bilingual notices in local newspapers. In England this requirement has been updated and replaced with a requirement to place such notices on the local Council's website. The situation would be further improved if clause 119(2)(a) in the Highways Act 1980 was repealed. This clause prevents the use of a single, simple diversion order where a path is dead-end. Instead, it is necessary to 'divert' a path using two orders (creation and extinguishment) running concurrently. It is proposed to lobby Welsh Government to effect this minor change.

6.12 A diversion provides an opportunity to improve a path for the benefit of the public by keeping the structures across the new path to a minimum and to use gates rather than stiles where the path crosses fence lines. The CROW Act, 2000 and the Equalities Act, 2010 have placed an obligation on the Council to at least consider replacing stiles with gates or removing such structures altogether. New structures should comply with British Standard 5709:2018, and the only

structures permitted across a newly created bridleway are gates meeting the minimum British Standards.

**PN7: Structures on Paths**

The only structures permitted across a newly created footpaths shall be gates. On newly created bridleways any gates must meet minimum British Standards. The presumption shall be that structures on any new path must be kept to a minimum and that gates shall only be used when it is necessary to maintain a stockproof boundary.

Action Ref: M7

**Photo of BS gate(s)**

- 6.13 An order to create a new path a width must be specified. A width of two metres is required for two people to pass comfortably on a footpath and three metres for two riders on a bridleway. Should the path be enclosed by fencing or hedging the width needs to be considerably wider - at least three metres for a footpath and four metres for a bridleway and in some cases even wider.

**PN8: Path Width**

The width of any new unenclosed footpath shall be 2 metres and of any new unenclosed

bridleway 3 metres unless ground conditions or permanent structures do not allow.

The width of new enclosed footpaths shall be at least 3 metres and the width of new enclosed bridleways shall be at least 4 metres.

Action Ref: G1, M1

- 6.14 The extinguishment of paths is uncommon because the Council must prove that the path is no longer needed for public use. This test is a difficult one to pass, especially since the affected path may be obstructed and therefore un-useable. In the past some paths have become obstructed because of development and have effectively been replaced by alternative public access (for example an adopted highway), and such situations could be resolved by an Extinguishment Order.

- 6.15 The Council receives requests from landowners to extinguish paths purely for the benefit of the landowners. The Council's role (and duty) in managing the public path network is to protect it for the benefit of the public. Therefore, whilst landowners may apply to the Council to extinguish paths, the Council will not initiate the extinguishment of paths unless it is part of a wider scheme involving the diversion and/or creation of other paths.

**PN9: Extinguishment Orders**

Extinguishment Order applications shall be considered where the requisite legal tests are met, and the path is no longer needed for public use. This test may be met if there is alternative public access that has effectively replaced the original path.

Furthermore, the extinguishment of a path shall not be initiated by the Council, unless it is part of a wider scheme involving the diversion and/or creation of other paths.

Action Ref: P3

#### **PN10: Path Protection and Development**

The stopping up of paths for development shall only be permitted in exceptional circumstances and where an alternative route exists or can be created it should be capable of being brought into beneficial use before development commences and must be available once the development is complete.

Action Ref: P1

#### **Path through development site - layout plan example?**

6.16 A path through a development will continue to exist, even if the intention is to divert it once the development is complete. The granting of planning permission does not give a developer the right to obstruct, divert or extinguish a public right of way. Therefore, if a development would cause a path to become obstructed the path must be temporarily stopped up or diverted under the Road Traffic Regulation Act prior to the commencement of development. If the path is obstructed and is not stopped up an offence under the Highways Act 1980 will occur, for which the offender can be prosecuted.

6.17 Where development would affect public paths adjacent to or crossing a site, the public's access rights should be protected and where possible enhanced. Stopping up of paths will only be agreed in exceptional circumstances, and where there are alternative routes available.

6.18 The Swansea Local Development Plan (LDP) provides a comprehensive set of policies and objectives regarding non-motorised access through new developments notably to:

- Improve access to healthcare, lifelong learning, leisure, recreation, and other community facilities
- Create environments that support and promote walking, cycling and public transport as integral elements of a sustainable transport system
- Support the development of safe, accessible, and vibrant places and spaces
- Create environments that encourage and support good health, well-being, and equality

6.19 LDP policies seek to ensure, that when development affects existing public paths, public access through, to, or around the site is improved.

6.20 Large scale development can completely alter an existing landscape and the access needs of the public will change considerably. To reflect such change the existing public paths may require partial or complete alteration, but in doing so the overall public access should be enhanced.

6.21 In new developments, where new public paths are required or where existing public paths are diverted, the policies and principles set out in the LDP for new paths must be used to ensure that any new access is adequate for the new circumstances.

**PN11: Application of Local Development Plan Policies**

In new developments, where new public paths are required, or where existing public paths are diverted, the policies set out in the Local Development Plan for new paths must be applied to ensure that the new access is adequate for the changed situation.

Action Ref: G1, P1

6.22 Where new development is proposed consideration should be given to the potential for creating new public paths connections to improve access to the surrounding countryside.

**PN12: New Public Paths in Connection with Development**

When opportunities arise in relation to new developments new public paths shall be created where they would enhance public access to the surrounding countryside.

New paths should:

- Provide good visibility and be well lit. They should be part of a clear, connected network of streets
- Provide direct routes with generous width (as appropriate to site context), avoiding sharp changes in direction, hiding places or doglegs that may be perceived as threatening
- Be avoided along the back of properties where surveillance is more limited, and boundaries may be more vulnerable
- Provide bollards or gateway features at entrances that establish clear routes, prohibit unauthorised vehicles, and provide visual markers and a sense of identity
- Provide routes in landscape strips to avoid nuisance to neighbouring properties



|                    |
|--------------------|
|                    |
| Action Ref: G1, P1 |

Photo of newly created path?

DRAFT

## 7.0 Management of the Path Network

7.1 Managing the path network is the function that takes up by far the largest proportion of staff time and resources. It involves:

- maintenance
- improvement
- enforcement

### Statutory duty

7.2 Under the provisions of the Highways Act, the Council has a statutory duty to protect and maintain all the 405 miles of paths within the County and has had this duty since 1959.

7.3 In the previous CAP ambitious targets were set of 75% of paths being 'easy to use' for the network as a whole and 100% in the Coastal Zone. In addition, the AONB Management Plan set a target of 95% of paths being 'easy to use' within the Gower AONB.

7.4 It is unlikely that, at any given time, any network of paths in any area will be 100% 'easy to use', and therefore a 100% target is unrealistic. However, the Council has made some significant gains in reaching the overall target of 75% for the whole network of paths. From 2012 to 2017 the annual condition survey showed that the network was on average 70% easy to use. This compared to less than 50% in the first four years of the survey (2003-2007).

7.5 In recent years major reductions in the resources the Council provides to maintain the path network have started to have an effect on the number of paths considered to be 'easy to use', with the percentage dropping to less than 60%.

7.6 Nevertheless, given the high amount of use of the County's network an overall target of 75% of paths being maintained to at least the minimum standard remains a reasonable objective.

### Maintenance

7.7 The Council manages its network of paths with a maintenance budget of approx £45,000 (2023/24). Funding has been at this level since 2017, so effectively has been a year on year reduction as costs have increased whilst expectations have increased. Maintenance, which involves routine work such as regular clearance of vegetation and repairs to infrastructure, is a statutory duty and therefore grant funding towards this work from external sources is not available.

7.8 There is also no available budget to use as match funding/contribution towards grants as per the current expectation from providers to enable any improvements to be carried out, therefore staff time must be used as a contribution in kind instead. With the Countryside Access Ranger Service disbanded this means that professional officers are required to carry out practical delivery works on site themselves.

## Prioritisation

7.9 Maintenance of the network is already informally prioritised, but due to the reductions in the maintenance budget, and the likelihood of further reductions, a more formal system will need to be devised to support the team's work programme. Certain paths are clearly used more than others and the amount of use is currently the informal means of defining which paths should be identified as high or low priority.

7.10 A formal system of maintenance prioritisation is needed to help the Countryside Access Team manage the network as efficiently as possible, and prioritising on the amount of usage is one of the best ways of achieving this. Of those who responded to the Council's 2019 Path User Survey, 77% said maintenance of busier paths should be prioritised over less well used paths. However, there are other factors to take into consideration. For example, if a situation has arisen on a path where there is a danger to the public that must be addressed as a matter of urgency. Also, where the Council are actively promoting routes then these routes should be cleared in advance of the wider network. Order of priority is set out in Policy MN1.

### **MN1: Prioritisation of Maintenance**

Path maintenance shall be prioritised in the following order:

1. Where there is a danger to the public
2. Routes promoted by the Council
3. High level of use prioritised over low level of use especially where improvements would benefit those with limited mobility.

Action Ref: M3

### Clearance of overgrown paths

7.11 The most important annual task undertaken by the Council is keeping paths clear of any vegetation growing in or over the path. When asked in the 2019 User Survey what could make access easier 74% of users considered that clearing undergrowth would achieve this. Overgrown paths were also by far the largest single reason (42%) why users had been prevented from using paths. This compares to the 2006 User Survey in which 64% of walkers and 69% of riders considered overgrown paths to be a problem. To improve this situation, the length of the network paths on the Council's annual clearance list gradually increased between 2008 and 2014 to 119.5km.

7.12 However, effective reduction in the maintenance budget since 2015 has inevitably resulted in fewer paths being regularly cleared and the length of paths cleared in 2018 was

56.5km. Guidance for path clearance is included as Appendix 10. (N.b. Consultation process to consider whether it is necessary to include this guidance within the CAP for visibility purposes– it will be caveated that clearance processes may alter in response to changing circumstances/requirements and it does not form part of the plan)

7.13 It should be noted that Pontarddulais Community Council manage their own annual clearance scheme though sub-contractors, but this is funded from the Council’s path maintenance budget. The arrangement is not any more cost-effective, and similar arrangements with other Community Councils in the past have not proven to be sustainable. However, this does not preclude consideration of other ways of working collaboratively with local communities.

**MN2: Path Clearance**

An annual path vegetation clearance programme shall be undertaken as required with one, two or three cuts on paths dependent upon route hierarchy, availability and vegetation type as indicated below:

- Category 1: Up to two cuts per year to address the needs of the most frequently used paths to maintain the path open and easy to use, unless exceptional circumstances dictate a greater frequency.
- Category 2: No more than one cut per



ations to maintain  
easy to use unless  
stances dictate a

- Category 3: Where the growth is obstructive and subject to the availability of budget, no more than 1 cut per year in selected locations, concentrating on more restrictive growth such as bracken, bramble, heather, and gorse, unless exceptional circumstances dictate a greater frequency or more comprehensive works.
- Category 4: No routine cuts, but subject to availability of budget, growth may be cleared from time to time if it is obstructive and complaints are received.

Exceptional circumstances include those that present a safety hazard, followed by well used paths and then those that have potential to be well-used / promoted.

Action Ref:M2, M11

add photos of path clearance

## Signs and waymarks

- 7.14 The Council has a duty to place a signpost at the point where a path meets a metaled road. This is commonly interpreted as meaning the point where a path meets a publicly maintained road. The Council must ensure that all open and available paths are signposted.
- 7.15 Signs containing additional information such as the destination and distance help the public to find the right path and increase confidence, thereby encouraging increased use of paths where such signs have been installed. Over the last 10 years many destination signs have been installed, mostly in the coastal area. However, there is a limited number of locations where these signs can be of use.



- 7.16 The Council also has a duty to waymark public paths to a standard required to assist members of the public who are unfamiliar with the area to follow the course of a path. Most landowners value good waymarking

because it encourages people to keep to the paths. Responsible users also find waymarking useful because it helps to prevent them from accidentally trespassing.

- 7.17 Good, clear waymarking can improve public awareness and increase use of the path network. It is therefore important to ensure that all paths that are in use are thoroughly waymarked to ensure that someone unfamiliar with the path can find their way. However, waymarking and signposting should not be visually intrusive and kept in balance with the surrounding landscape.
- 7.17 Just under 60% of respondents to the 2019 User Survey considered that better signs and waymarks would make access along paths easier for them. Additionally, information boards (or appropriate sculptures) to help the public understand and appreciate the landscape and environment through which they are walking or riding can enhance their experience, provided it is displayed sensitively.

### **MN3: Signage and Waymarking**

Signposts to and on paths together with waymarking along paths shall be maintained

and improved and display of information boards/sculptures supported as appropriate in the landscape, to encourage greater public awareness, ease of use of routes and enjoyment of the path network.

Whilst not a statutory requirement, consideration shall also be given to displaying advice notices and signs on paths as appropriate to offer support to landowners to help deal with the effects of walkers and riders crossing their land and to encourage responsible use of the network and respect for those that live and work in the countryside.

Action Ref: M4, M5

Add waymark image and info board/sculpture photo.

#### Information notices

7.18 In addition to the need for waymarking, whilst not a statutory duty, landowners often need the assistance of the Council to provide notices keeping path users informed of their responsibilities, for example, leaving gates as found and keeping dogs under control.

#### Limitations (stiles, gates, barriers)

7.19 All stiles and gates are 'limitations' to the use of public rights of way. Any new stiles or gates must be authorised under s147 of the Highways Act and can only be installed on agricultural land to prevent animals from entering or

leaving land. However, most stiles and gates have not been authorised, mainly because they were already in place when the Definitive Map was first published. As a result, except for those paths recorded in more recent years, few limitations are recorded on the Definitive Map and Statement .

7.20 Historically, all stiles and gates appearing on Parish Maps within the County have been regarded as authorised. However, this has proven to be counterproductive to making access to the countryside easier for the public, especially as in many cases there is no conclusive evidence that gates and stiles were in position at the time the Parish Maps were drawn.

7.21 Agricultural practices and land use have changed significantly since the first Parish Maps in the early 1950's, with many field boundaries having been removed. In addition, the Parish Maps and accompanying statements do not always refer to the gates and stiles that would have been encountered by the surveyors. For example, there is no reference at all to stiles or gates in either the statement or on the Parish Map for Llangennith, whilst on the Port Eynon Parish Map all the stiles and gates are referred to as 'S' or 'G'. The Ordnance Survey base maps upon which the rights of way information are drawn may provide some evidence of the existence of a stile or a gate, but this is not conclusive, and does not distinguish between stiles and gates.

7.22 It has been Council policy since the publication of the first Countryside Access Plan that for accessibility reasons only gates shall be permitted on new public paths unless there are stock management reasons for stiles.

7.23 The majority of existing paths within the County cross privately owned land. The gates and stiles on these paths are legally the responsibility of the landowner under S146 of the Highways Act, however there is no obligation on them to change stiles to gates as the Equalities Act does not apply to privately owned land. However, the Equalities Act does apply to all land owned by the Council, Welsh Water, Natural Resources Wales, the Wildlife Trust, and the National Trust.

7.24 There is, therefore, a lack of clarity and consistency when it comes to controlling the number and type of stiles and gates across public rights of way. It is a situation that puts the Council in a difficult position as it has in most cases no certainty whether existing limitations are authorised, no control over the type of limitation that can be installed on existing paths, or even whether a limitation is still required or not, whilst at the same time being required to make the path network as accessible as possible.

7.25 Section 34(1) of the Road Traffic Act 1988 provides that anyone driving a mechanically propelled vehicle, for example a motor car, along a footpath, bridleway or restricted byway is guilty of an offence unless it can be shown that there is a private right to use the route to gain vehicular access to their property. The burden of proving that such a private right exists rests with the landowner. Even if vehicular access over a footpath or bridleway may have been exercised for many years, in the absence of any evidence of a private right of way, the use of the accessway could, potentially, be brought to a halt.

7.26 The use of such paths by vehicular traffic can damage the surface of the path and lead to calls for the Council to improve it for the benefit of private users. The Council does not accept any liability for repairing such damage to surfaces or vehicles using it. Path improvements will be carried out only in exceptional circumstances and only to a standard to ensure they are suitable for the lawful public users i.e., walkers and riders.

7.27 Where vehicular traffic is found to be occurring along paths where there is no private right of way established then the Council shall install barriers as appropriate to prevent such use in the interests of the health and safety of legitimate users.

#### **MN4: Barrier Installation and Private Rights of Access**

Where there is evidence that illegal use of public rights of way is causing annoyance or danger to users and /or damage to the surface of paths, barriers such as bollards, inhibitors or step over sleepers shall be erected to restrict vehicular traffic, including motorbikes and all-terrain vehicles as appropriate where no private right of way exist, in a manner that to ensure that legitimate users are not disadvantaged.

Action Ref: G1

Add photo Prospect Terrace

## Volunteers

7.28 Volunteers are encouraged to take part in path improvements within limitations of health and safety requirements. Groups of volunteers from the local Ramblers Association and the Gower Society have been in operation for many years. Whilst it would certainly be of benefit for more volunteer groups to help the Council manage the network there are operational limitations on what volunteers can achieve and it also requires a significant amount of Council staff time to support.

### **MN5: Volunteers**

Support shall be given to the West Glamorgan Ramblers Association, Gower Society, other volunteers, and farmers/landowners to carry out appropriate practical works on paths and Access Land within the limitations of their capability.

Action Ref: M10

## Improvement

7.29 Works that can be considered as 'improvements' (rather than maintenance), include replacing stiles with gates, new surface works, better signs and works to open up paths that have been blocked for decades.

7.30 The 2006 User Survey found that respondents were divided on the benefits of making improvements to the path network, with about half wanting improvements to make access easier (especially for less mobile people), and half wanting no improvements due to concerns about the impact of increased usage on the landscape and environment.

7.31 Over the intervening years there have been numerous examples of large-scale path improvements that have blended seamlessly with their surroundings after only temporary visual impact. The 2019 User Survey found that attitudes had changed, with 55% of respondents considering that the improvement work on the Coast Path has benefitted the landscape or environment and only 20% saying it had not (25% were not able to compare).

7.32 Given limitations on the budget available for path improvement, a system of prioritisation needs to be implemented formally, like that adopted for prioritising maintenance.

### **MN6: Prioritising Path Improvements**

Path improvements will be prioritised in the following order:

1. Where there is a danger to the public
2. Promoted routes
3. High level of use prioritised over low level of use, or potential high level of use prioritised over low level of use, especially where



improvements will benefit those with limited mobility.

Action Ref: M1, M6, M8, M9

Improvements to the path network may also be undertaken with the benefit of public donations, often made in the memory of loved ones. These include but are not limited to gate and bench donations. The Countryside Access team will work with interested parties to identify the most suitable locations for such proposals.

## Biodiversity

7.33 Many people are attracted to walk or ride in the countryside because of the landscape and the wildlife that it contains. The Council must balance its duties to maintain the path network with its duties to protect the natural environment and landscape at a time of declared local climate and nature emergencies.

7.34 This means that when planning works on the path network the impacts upon biodiversity need to be considered and any negative impacts should be avoided or minimised and mitigated with positive benefits for biodiversity incorporated. This includes conducting flood risk assessments when appropriate and obtaining the necessary permits or licences. Site works such as cutting back vegetation/hedgerows should be undertaken seasonally when reptiles and birds are least likely to be present, and vegetation

cut to a minimum height above ground level to avoid contact between cutting blades and reptiles.

7.35 Any adverse impact of path works on the habitat within which they have been undertaken are therefore minimal, temporary (designed to blend in naturally with the local landscape), and in some circumstances the work has directly benefited the habitat.

## **MN7: Habitats and Biodiversity**

Works to the path network crossing land designated for its ecological or geological interest shall consider the nature conservation interest of the site to ensure that habitats, species or geological features are not damaged. Care shall be taken during any maintenance works to prevent any disturbance or damage to declining or vulnerable species, many of which are legally protected.

When planning and undertaking works, the following matters shall be taken into consideration:

- Undertake work during the most appropriate seasonal window
- Avoid potential issues with protected species by identifying issues and taking appropriate precautions, and
- Incorporate enhancements for biodiversity into routine work.

Action Ref M5

Add photo of dipper boxes under bridges

Active travel

- 7.36 Some rights of way are included on the map of Active Travel routes (Appendix 11 refers). The Active Travel (Wales) Act 2013 is aimed at persuading more people to walk or cycle rather than use a car to improve people's health and reduce emissions from vehicles. The County's Active Travel routes are primarily concentrated in urban areas of Swansea, where for both historical and infrastructure reasons there are few existing public paths.
- 7.37 Many proposed Active Travel routes follow existing urban roads; however, some will help improve connections between existing public paths, and a small number will benefit access to the countryside. Meeting the requirements of the Active Travel (Wales) Act is outside the remit of this Plan. However, there will be opportunities through collaboration with those implementing Active Travel proposals to improve countryside access for all.

Active travel photo

**MN8: Active Travel**

A collaborative approach shall be taken to carrying out path improvements that maximises the benefits for leisure, health and well-being as well as Active Travel.

Action Ref: G1

Replacing stiles

- 7.38 Clambering over a series of wooden stiles on a walk can be a tiring exercise for even the fittest person, but for those who have limited mobility in some form even just one stile can prevent their use of the path. Clearly, stiles and gates are necessary to maintain a stockproof boundary, but there are instances where such structures have become dangerous through wear and tear or are no longer required and could be replaced with an easier to use gate. However traditional stone stiles form important features in the local landscape and should be retained and provision made for a gap adjacent.

**MN9: Stile and Gate Removal**

Where a stile or gate is no longer needed for stock control or public safety negotiations shall be undertaken with the landowner to seek the removal of that structure.

In circumstances where the stile in question is traditional stone it shall be retained, and provision made for a gap adjacent where no other structures are needed.

Action Ref: M7

**Gate photo?**

7.39 Legally stiles and gates are the responsibility of the landowner and therefore the Council must negotiate with the landowners to encourage the replacement of stiles with gates or their removal altogether. In 2005 there were at least 436 stiles on the footpath network and since then the Council has replaced nearly 400 of these with either gaps or gates. 27% of respondents to the 2019 User Survey indicated that fewer stiles or gates would make access easier for them,

**MN10: Stiles and Stile Replacement**

When managing the path network, the least restrictive option shall be promoted in the order of a gap, then a gate, then a stile and with structures kept to a minimum.

Under the provisions of section 147 of the Highways Act, only gates shall be authorised as new structures on footpaths, and any new structure on a footpath or bridleway shall meet British Standards. Any new structure authorised to be installed shall be removed when it is no longer needed to control livestock.

The replacement of a gate with a stile shall not be permitted.

Stiles shall not be permitted next to existing field gates where it is the intention that the public use the stile rather than a gate. Gates designed for path users will be permitted next to existing field gates.

Action Ref: M7

7.xx A schedule of Conditions for Authorisation of a Gate on a Public Footpath or Bridleway is set out in Appendix 13.

**Surfaces**

7.40 One of the barriers to use of the countryside, especially by less mobile people, is the condition of the surface of the path. However, most paths pass through areas of countryside, and therefore improvements must be in keeping with the character of the local landscape. In addition, surfacing and drainage works are expensive and are therefore only undertaken in exceptional circumstances, resources permitting and where it is likely to result in increased or safer use.

7.41 The issue of surfaces on bridleways can be contentious, with cyclists and walkers preferring a hard, firm surface on which to ride and walk, and horse riders preferring a soft surface. The needs of all three groups of users can be especially difficult to accommodate on

steeply sloping bridleways, which often also suffer from surface erosion problems due to flash flooding.

7.42 Some paths have private vehicular use rights to access land or property. This often results in unreasonable demands and expectations that the surface of these routes are improved by the Council for private car use. Where paths are privately owned the Council are only responsible for that part of the path which is designated for used by walkers or riders. The Council is not responsible for the whole width of the route which is generally wider where there is also vehicular usage. Due to the shared use of such routes and the potential dangers posed to users by vehicles the Council will not tarmac such routes or infill uneven surfaces beyond that of the dedicated route. The responsibility for the wider path rests with the private landowner(s) with access rights.

**MN11 : Surfacing improvements.**

The surface of paths, especially within the Coastal Access Zone and along the Coastal Path shall be maintained in as natural condition as possible.

Path surfaces shall not be improved for the benefit of private vehicular users. In situations where this may encourage increased use by less able users consideration shall be given to assisting with the maintenance or improvements to a path in proportion to public and private use.

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| Action Ref: M6 |
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7.43 Resurfacing a path can be expensive and potentially environmentally damaging especially if non-porous material is used. Where a path also has private vehicular use rights land/property owners may on occasion offer to cover the costs of resurfacing. Whilst in certain circumstances this may be acceptable there are several factors to be taken into consideration including suitability of materials proposed to be used, length of route, nature of route, potential dangers it would pose to walkers and riders, as well as future liability. Any proposals of this nature must be subject of a risk assessment and considered on their individual merits.

**MN12: Changing Path Surfaces**

Consent shall not be given to third parties changing the surface type of a path unless a risk assessment is undertaken demonstrating that:

- the new surface would be compatible with the public use,
- the necessary consents are in place to mitigate potential environmental damage
- appropriate measures are implemented to safeguard users, and
- liability for future maintenance is agreed to rest with the third party.

Action Ref: M6

### Photos of damaged paths?

- 7.44 Path surfaces are liable to damage from unauthorised users, such as motorbikes and all-terrain vehicles, which also pose a danger to walkers and horse riders. Where there is evidence of this occurring safeguarding measures will be put in place to seek to prevent this occurring.

### Enforcement

- 7.45 Under the provisions of the Highways Act 1980, the Council is under a duty *'to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority'*. It is also the duty of the Council *'to prevent, as far as possible, the stopping up or obstruction of the highways for which they are the highway authority'*.
- 7.46 Legislation allows the Council to either take direct action to have an obstruction removed or to prosecute the offender. However, it is normal practice to approach the landowner and discuss the obstruction with them before taking legal action. Most enforcement issues are dealt with successfully in this cooperative way – especially where the Council can offer installation of gates necessary to open up the path. The provision and maintenance of gates (and stiles) is the responsibility of the landowner, with the Council obliged to provide at least 25% of the cost of installation or maintenance. Where a landowner or land

occupier cooperates in removing an obstruction the Council will normally provide and install a gate.

### **MN13: Provision and Maintenance of Gates**

Where a landowner or land occupier agrees to replace a path obstruction with a suitable standard gate, this shall be provided and installed by the Council with at least the minimum required 25% contribution towards the cost.

Where a landowner or land occupier fails to co-operate resulting in enforcement action being instigated to remove a path obstruction, the Council shall provide no more than the statutory minimum 25% cost of installing or maintaining a gate or stile.

Action Ref:M7

7.47 Most of the public rights of way network is across private land. Despite the Council having had a duty to keep all public paths open and available for the last 60 years, certain paths have been obstructed for decades. However, these cases are now rare and are usually related to a problem with the Definitive Map (e.g., Penrice 35, and Llanmadoc 12) or the path having no recreational value (e.g., Penrice 28). **Photo?**

- Stiles and gates
- Obstructions
- Electric fences
- Crops and ploughing

These procedures will be used to protect paths where goodwill and cooperation approaches have failed.

7.48 When considering whether to take enforcement action to open up a path, the Council must consider the overall cost of doing so and not just the cost of enforcement. It is likely that there will be associated works that the Council will become responsible for as a result, such as path clearance or bridge replacement. Therefore, when the Council secures the removal of the obstructions it must also be able to deal with any other associated issues arising.

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| <p><b>MN14: Enforcement Action</b></p> <p>Where a landowner or land occupier fails to cooperate with the removal of a path obstruction having been given reasonable opportunity to do so, the enforcement procedures for public rights of way shall be instigated</p> |
| <p>Action Ref: G1, M14</p>  |

7.49 Sometimes substantial obstructions are encountered on public paths, such as buildings. In these circumstances it would usually be in the interests of both landowner and users to divert the path.

7.50 Any member of the public can serve a notice on the Council for the removal of path obstructions (other than buildings). Details of which are set out in Welsh Government 'Guidance for the General Public on the Removal of Obstructions from Rights of Way', 2016.

7.51 The Council's procedures for taking enforcement action are set out in Appendix 12 and relate to:

- Overgrowing trees and vegetation

## 8.0 Access Land and other Access Opportunities

8.1 The total Access Map shows that, in addition to the path network, there is a large area of land that is available for people to access on foot. This is mainly Access Land that was designated under the Law of Property Act, 1925, or the CROW Act, 2000. However, it also includes:

- Nature Reserves
- Most National Trust land (that is not already Access Land)
- National Nature Reserves (at Whiteford, Fall Bay and Oxwich)
- Royal Society for the Protection of Birds land at Cwm Clydach
- Clyne Country Park



The Access Land symbol

Include an extract of the total Access Map?

8.2 The Access Map does not show some other areas that are also available to the public, including some beaches (access to all the County's beaches is available and only some beaches are shown), the small number of known permissive

paths, Lliw Reservoirs, and Penllergaer Valley Woods Historic Park and Garden.

8.3 Public access across this land is mostly only available on foot, and some of it only by permission. There are some exceptions, for example, public have a right of access by foot on Access Land and on Commons owned by the National Trust via the National Trust Act of 1907, whilst horse riders have access to 'urban' commons.

8.4 Although there is a right for the public to use Access Land, there is no duty to maintain the land in such a way as to always make it available to the public. Therefore, some Access Land is overgrown to the extent that it is impenetrable, and for this reason is not available for the public. Other than on the public paths that cross Access Land the Council has no powers to signpost or maintain routes across Access Land. However, it has been possible in some instances to agree a 'preferred' route across Access Land with the landowner. Such routes do not affect the rights of either the public or the landowner but are an informal means of maintaining and signposting specific routes where this is necessary.

8.5 A small number of 'permissive' paths have also been officially agreed. These routes were set out with the agreement of the landowners either by this Council or under previous agri-environment schemes.

8.6 Unlike public paths, permissive paths are not permanent and can be closed at any time. Permissive paths are generally not shown on Ordnance Survey maps, and there is often limited public knowledge of these routes. However, in some

circumstances they can provide a useful addition to the legal rights of access. Sometimes a permissive path can lead to a path becoming a permanent public path but should only be agreed where they will enhance the existing network and where this is the case they should be encouraged. For example, there are now several public paths in Pennard that were originally permissive that have enhanced user and visitor experience in that Coastal Access Zone.

#### **AL1: Permissive Paths**

Where it has not been possible to create a public path, permissive paths shall be encouraged where they would add useful new links to the network.

A permissive path established by agreement with a landowner shall not replace any existing public path or Access Land. Where a permissive path is agreed the existing public paths must remain open and available.

Action Ref: A1

Photo of permissive path in Clyne?



## 9.0 Promotion of Access to the Countryside

Include more images of leaflets/walking/cycling/riding as appropriate.

### Walking

- 9.1 The Council has published several leaflets promoting specific walks to encourage people to explore these routes. All the promoted routes have been made accessible using grant aid funding .
- 9.2 The current list of promoted routes (Appendix 2 refers) is available free of charge as both paper leaflets and as downloadable PDFs on the Visit Swansea Bay website. The website also contains details of the ‘This Is Gower’ walking app, containing seventeen walks in the County, plus walks in Gower’s ancient woodlands, Llanrhidian Community, and coastal walks.
- 9.3 The promoted routes are spread across the County with six circular routes based on the Coast Path, five short ‘Walking by Bus’ circular walks and three walks in Mawr. Opportunities for creating additional promoted routes will continue to be pursued and, as for all routes, shall take account of the need to act sustainably, with access to the routes via public transport, on foot, horseback or by bicycle encouraged as appropriate.

- 9.4 Any promotional material must also provide advice on how to walk or ride in the countryside responsibly to ensure that visitors to the countryside do not have an adverse effect on those who live and work there.
- 9.5 There are some privately published guidebooks that promote walks, mostly in Gower, but also in the northern part of the County. The National Trust promote a few walks based on their property, whilst promotion of the Wales Coast Path is undertaken nationally by Natural Resources Wales.
- 9.6 Also crossing the County in part is St Illtyd’s Way - a long distance path devised by the Ramblers in the 1990’s. It starts at Pembrey and ends at Margam, with a short section of the path passing through moorland along the northern boundary of the County. Apart from a short section of public footpath, the path within the County is mainly across Access Land. The Council has assisted with signage of the path, but as most of the route crosses Access Land, consent from both Commoners and the Somerset Trust must be obtained before any signs can be placed on these sections of the path. Maps of the entire route are available on the Council’s website.

### Cycling

- 9.7 Since 2022 a network of off-road cycle routes at the western end of Gower has been promoted by the Council. The network was based on the existing bridleway network and was originally intended to be more extensive but requires a considerable number of

legal changes to be made to the bridleway network including new bridleways, up-grading footpaths, and diversions. This remains a longer-term project that would need support from users, landowners and local Community Councils which does not exist at present. Details of the routes can be downloaded from the Visit Swansea Bay website.

- 9.8 Promotion of any route must be in association with enhancements to the paths that are promoted. Users must find the promoted routes in a fit condition for use and as described in the promotional material or they will be discouraged from using them and the resources applied to promote routes will be wasted. Promoted routes must be easy to follow and specific, easily recognizable waymarking should be used.

|   |
|---|
| <p><b>PR 1: Promoted Routes</b></p> <p>Detailed information on promoted routes together with the condition of paths shall be provided on the Council’s website to enable potential users to plan their visits to the area</p> <p>Opportunities for the creation of additional, sustainable promoted routes shall continue to be explored, along with better use of bridleways for cycling</p> |
| <p>Action Ref: T3</p>   |

## **PART 2: STATEMENT OF ACTIONS**

DRAFT

## STATEMENT OF ACTIONS

Delivery of this Countryside Access Plan will be led by the Countryside Access Team, within the Council's Natural Environment Section, Planning and City Regeneration Service. Whilst the responsibility for the path network falls to this team, the plan also impacts on many other service areas including those responsible for planning, the natural environment, tourism and health and well-being. Current funding for delivery of this Plan will be primarily reliant on continuing to successfully bid for external sources of funding. The delivery of the plan will be monitored by the Planning Committee and Swansea Local Access Forum, whilst opportunities to work collaboratively with external partners will continue to be pursued.

## GENERAL ACTIONS

| Ref | Action   | Present situation   | Additional resources required*                                 | Potential source of additional funds   | Completion date |
|-----|--|---|--|--|-----------------|
| G1  | To make the countryside as accessible to as many walkers and riders as possible  | Continue to improve upon the significant work carried out over the last 15 years to make access to the countryside easier   | £35,000pa<br><br>(Approximate current levels of grant funding) | Coast Path grants/<br>Access Improvement grant/<br>AONB Partnership grant/<br>Gower Society/<br>Ramblers Association | Ongoing         |
| G2  | The Council will seek to provide information to enable people to assess which parts of the path network may be accessible to them. | The Council has a duty to make as much of the path network as accessible to as many people as possible.<br><br>Much of the network is already open to those with limited mobility but more information re location and condition of routes would encourage further use. | £20,000  | Coast Path grants/<br>Access Improvement grant/<br>AONB Partnership grant/<br>Gower Society/<br>Ramblers Association | 2028            |

|    |  |   |  |  |         |
|----|--|---|--|--|---------|
| G3 | The Council will encourage people from all backgrounds to take part in countryside access. | Improve awareness of the benefits of accessing the countryside and how to better use the access | £35,000pa<br><br>(Approximate current levels of grant funding) | Coast Path grants/<br>Access Improvement grant/<br>AONB Partnership grant/<br>Gower Society/<br>Ramblers Association | Ongoing |
|----|--|---|--|--|---------|

## DEFINITIVE MAP

| Ref | Action   | Present situation   | Additional resources required   | Potential source of additional funds | Completion date  |
|-----|--|---|---------------------------------|--------------------------------------|------------------|
| D1  | An updated version of Definitive Map will be produced every 10 years.  | Amendments are updated online. A paper copy has been published in 2023.   | Printing costs £1,000 (One off) | Swansea Council (Statutory duty)     | Ongoing and 2033 |
| D2  | Ensure that the Definitive Map and statement provide an accurate record by making the required legal changes to the network. | There is currently a backlog of 100 errors, 13 outstanding claimed paths, at least 53 unregistered 'Swansea Map' routes | N/A                             | Swansea Council (Statutory duty)     | Ongoing          |
| D3  | Legal Event Modification Orders (LEMOs) will be made immediately after each new Public Path Order is confirmed.              | These are currently up to date.   | None                            | Swansea Council (Statutory duty)     | Ongoing          |

|    |   |   |      |     |      |
|----|---|---|------|-----|------|
| D4 | The Council will lobby Welsh Government to: amend Welsh legislation in relation to LEMOs; remove the requirement to publish notices in the press; and repeal clause 119(2)(a) of the Highways Act, 1980 requiring two orders to run concurrently. | These procedures are not required in England and are an unnecessary and costly process both in terms of time and resources. | None | N/a | 2026 |
|----|---|---|------|-----|------|

### CHANGING THE PATH NETWORK

| Ref | Action  | Present situation   | Additional resources required  | Potential source of additional funds                                  | Completion date  |
|-----|---|---|--------------------------------|---|------------------|
| P1  | Seek to create new paths where it can be clearly demonstrated that there is a public need and demand for new paths  | Greatest demand is for greater connectivity of bridleways as the network is sporadic  | External funding               | Access Improvement grant/ AONB Partnership grant/ Gower Society       | Ongoing          |
| P2  | Continue to create new sections of public path for the Coast Path and Coastal Access Zone to ensure that the route is protected and is as attractive and easy to use as possible. | New paths are still needed at Oxwich and Southgate. As the coast continues to erode, further alterations to the route will be required.                 | External funding               | Natural Resources Wales and Welsh Government Wales Coast Path funding | Ongoing          |
| P3  | Divert paths where this will enhance the network and improve the performance indicator  | Since 2008 over 100 changes have been made to the network where the public have been using a different route than the route shown on the legal records. | External funding/legal support | AONB Partnership grant/ Access Improvement grant/ Gower Society       | Ongoing and 2033 |

|  |  |  |  |  |  |
|--|--|--|--|--|--|
|  |  | However, there are at least 90 more cases remaining. |  |  |  |
|--|--|--|--|--|--|

## MANAGEMENT OF THE PATH NETWORK

| Ref | Action  | Present situation  | Additional resources required                           | Potential source of additional funds  | Completion date |
|-----|---|--|---|---|-----------------|
| M1  | Improve at least 75% of the network so that it meets the minimum standard (signposted and easy to use)                                      | Currently approximately 60% of the network is easy to use (a reduction from 70% in 2017)   | £35,000 p.a.<br><br>(Approximate current grant funding. | Access Improvement grant/ AONB Partnership grant/ Gower Society/ Ramblers Association                           | 2033            |
| M2  | Continue to develop the annual path vegetation clearance programme to ensure that as much of the network is open and available as possible. | The number of paths that the Council is able to regularly clear has been reduced by over 50% due to budget limitations. Ongoing annual review of the number of cuts to maximise the length of network that can be cleared with available resources | £25,000 p.a.  | Swansea Council (Statutory duty)  | Ongoing         |
| M3  | Prioritise the network for maintenance based on amount of use.  | Linked to M2, a formal system of prioritisation needs to be developed.   | None  | N/A   | Ongoing         |
| M4  | Maintain and improve signage and waymarking to encourage increased use  | Several signs with destinations and distances have been installed over the last 12 years. Opportunities for further locations where this will be of use to the public will be considered.  | £1000 p.a.  | Access Improvement grant/ Wales Coast Path funding/ AONB Partnership grant/ Gower Society/ Ramblers Association | Ongoing         |

|    |  |  |                    |   |         |
|----|--|--|--------------------|---|---------|
| M5 | Provide information to help the public and land managers better understand the landscape and environment through which the path network passes | A number of advice notices are currently available to help walkers and riders better understand how they should behave, e.g. dogs on leads in livestock. Opportunities for further locations where this will be of use to the public will be considered. | £1000pa            | Access Improvement grant/ Wales Coast Path/ funding AONB Partnership grant/ Gower Society                     | Ongoing |
| M6 | Improve surfaces where this will encourage increased use, especially by less able users  | Improving paths by surfacing is an expensive and potentially damaging environmentally task, that must be applied only where necessary  | £10,000 p.a.       | Access Improvement grant/ AONB Partnership grant/ Gower Society/ Ramblers Association                         | Ongoing |
| M7 | Remove any unnecessary structures and replace stiles with gates  | No evidence is currently collected or monitored of unnecessary structures.   | Variable           | Access Improvement grant/ AONB Partnership grant/ Gower Society/ Ramblers Association                         | Ongoing |
| M8 | 95% of paths in the Coastal Access Zone will be improved to the 'easy to use' standard.  | About third of the total network is in the Coastal Access Zone. Around 30 paths remain that do not meet the standard.  | £20,000 p.a        | Wales Coast Path funds/ AONB Partnership grant/ Access Improvement grant/ Gower Society/ Ramblers Association | Ongoing |
| M9 | Maintain, enhance, and improve the Coast Path as opportunities arise   | A significant number of improvements have been carried out over the last 10 years however the route is subject of continual coastal erosion and  | Up to £60,000 p.a. | Wales Coast Path funding (NRW/WG)   | Ongoing |



|     |  |  |              |   |         |
|-----|--|--|--------------|---|---------|
|     |  | potential for damage to unsurfaced paths from users and livestock  |              |   |         |
| M10 | Improve the Gower Way where necessary (In partnership with the Gower Society).   | The Gower Way has recently been subject to an extensive programme of improvements, but opportunities for further improvements will continue to be pursued                                    | Variable     | Gower Society                                     | Ongoing |
| M11 | The Council will liaise with Community Councils and their representatives to encourage greater management of path clearance within their communities   | The budget for the path clearance contract does not cover all paths and ways of making the budget go further need to be explored working in collaboration as appropriate                     | None         | Local Community Councils                          | Ongoing |
| M12 | The Council shall seek to open all bridleways (obstructions removed, legally defined, signposted)  | Most bridleways have been opened up over the past decade largely open, however there remain a limited number with obstructions   | £10,000 p.a  | Access Improvement grant/ AONB Partnership grant/ | Ongoing |
| M13 | Undertake a whole network review   | Need to a complete record of the current state of the network undertaken over winter months as a baseline to update the Countryside Access Management System - the Council's record database | Officer time | Council budget                                    | Ongoing |
| M14 | The presumption when considering enforcement proceedings will be that any case will initially be dealt with in a conciliatory and co-operative matter. | Council's procedures for taking enforcement action are set out in Appendix 12 and will be used to protect paths where goodwill and   | Officer time | Council budget                                    | Ongoing |

|  |  |                                     |  |  |  |
|--|--|-------------------------------------|--|--|--|
|  |  | cooperation approaches have failed. |  |  |  |
|--|--|-------------------------------------|--|--|--|

### ACCESS LAND AND OTHER ACCESS OPPORTUNITIES

| Ref | Action  | Present situation                        | Additional resources required | Potential source of additional funds  | Completion date |
|-----|---|--|-------------------------------|---|-----------------|
| A1  | Permissive paths will be pursued where they will add useful new links to the network or possibly lead to the creation of public paths, and it has not been possible to agree a public path. | A small number of permissive paths exist | Approx £4000 per path         | Access Improvement grant/ AONB Partnership grant/ Wales Coast Path funds/ Gower Society | Ongoing         |

### PROMOTION OF ACCESS

| Ref | Action   | Present situation  | Additional resources required | Potential source of additional funds  | Completion date |
|-----|--|--|-------------------------------|---|-----------------|
| T1  | Any promotion of additional walking routes by the Council shall be carried out in consultation with the Countryside Access Team. | Several promoted walking routes have been produced and opportunities for further sustainable routes continue to be explored:               | £3000 per new walk            | Wales Coast Path funding / Access Improvement grant/, AONB Partnership grant/ Gower Society/ Ramblers Association | Ongoing         |
| T2  | Promote the Coast Path and associated linear and circular walks.   | The Coast Path is promoted around Gower/Swansea and 6 circular walks associated with the Coast Path. Natural Resources Wales are currently | £3000 per new walk            | Wales Coast Path funding/ AONB Partnership grant/ Gower Society   | Ongoing         |

|    |  |  |             |     |         |
|----|--|--|-------------|-----|---------|
|    |  | investigating the potential for additional circular coastal walks  |             |     |         |
| T3 | The Council will continue to improve its website by providing more specific information on the condition of the path network to enable potential users to plan their walks and rides prior to visiting the area. | The Council's website provides downloadable promoted walks leaflets, and a map of the whole path network and this will continue to be updated as further information becomes available | £5,000 p.a. | N/A | Ongoing |

\*Figures quoted are indicative and reflect typical costs for the relevant project. Typically, only around £144,000 worth of project work can be carried out/contracted out in any given year, depending on the nature of the work and staff capacity

## **Appendices:**

1. Policy Context
2. Promoted Routes
3. Coastal Access Zone Improvements
4. Network Statistics
5. Staff Resources
6. Sources of Budget for Maintenance and Improvement
7. Health and Well-Being Studies
8. History of the Definitive Map and Statement
9. Definitive Map Anomalies/Errors
10. Path Clearance Guidelines
11. Active Travel Routes
12. Enforcement Procedures for Public Rights of Way
13. Schedule of Conditions for Authorisation of a Gate on a Public Footpath or Bridleway

## **Appendix 1: Policy Context**

A number of strategies and plans produced at the national and local level refer to countryside access. The references are mainly about generalised access, walking and cycling and access in an urban setting. There are few references to horse riding. Some of the key elements are highlighted below.

### **Well-being of Future Generations (Wales) Act, 2015**

Access to the countryside contributes to all 7 goals identified in the Act, namely:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of vibrant culture and thriving Welsh language
- A Wales of cohesive communities
- A globally responsible Wales

### **Active Travel Action Plan for Wales, 2016**

The Active Travel Action Plan states that availability of good quality walking and cycling infrastructure is essential to achieve the aim of the Active Travel Act, 2013.

The infrastructure actions in the Plan are:

- Develop the funding strategy for active travel investment.
- Consider and enhance provision for walkers and cyclists whenever we make direct investments in transport infrastructure. We will continue to make grant funding available for high quality local active travel schemes.
- Require consideration of access for walkers and cyclists before we support capital investments.

### **Gower AONB Management Plan, 2017**

Relevant Objectives:

- 19: To improve the current standard and level of maintenance of public rights of way so that 95% are open, useable, and clearly signposted.
- 20: To improve access opportunities around the Wales Coast Path and the Gower Way.
- 21: Ensure that Access Land is available and publicised for use by communities and visitors.
- 22: Develop a clear understanding of the recreation activities in the AONB and around the coast.

## **Swansea Destination Management Plan, 2023-2026**

Identifies that Tourism is worth £510m to the local economy and there were 4.2m visitors to the area in 2022.

Strategic priorities include extending the tourism season and encouraging economic and environmental sustainability to the benefit of the environment and well-being. Actions include improving visitor experience, improving infrastructure and a well-managed natural environment.

The coastline, beaches, scenery, and landscape remain the main reasons for visiting and walking is identified as the most popular activity.

## **Swansea Local Development Plan, 2019**

Selection of Key policies/extracts:

### **PS 2: PLACEMAKING AND PLACE MANAGEMENT**

Development must enhance the quality of places and spaces and respond positively to aspects of local context and character that contribute towards a sense of place. The design, layout and orientation of proposed buildings, and the spaces between them, must provide for an attractive, legible, and safe environment, and ensure that no significant adverse impacts would be caused to people's amenity.

Depending on the nature, scale and siting of the proposal, development must also:

- Integrate effectively with the County's network of multi-functional open spaces and enhance the County's green infrastructure network.
- Provide an accessible environment for all.

### **SD 2: MASTERPLANNING PRINCIPLES**

On all sites where there is capacity for 100 homes or more, development must deliver a comprehensively planned, sustainable neighbourhood with distinct sense of place that:

- Is founded on a comprehensive and coherent Placemaking approach that relates to a masterplan for the entire site that demonstrates:
  - a clearly structured walkable neighbourhood with hierarchy of streets and spaces.
  - the provision of internal streets designed for low speeds, having regard to key pedestrian routes.
- Integrates key movement corridors, to encourage active travel and use of public transport, including links to the wider area.
- Creates a network of well overlooked and legible streets and spaces that address townscape and community safety considerations and are not dominated by vehicles.
- Provides for multi-functional and connected green spaces that link to the wider area and provide opportunities for relaxation, play and recreation

Proposals at Strategic Development Areas must be required to:

- a. Incorporate spine streets lined by active frontages with shared footways/ cycleways on both sides of the street, with verges and appropriate street trees.
- b. Deliver a network of streets to serve discreet development areas.
- c. Create an accessible site which integrates positively with existing communities and sustainable travel routes, public transport facilities, footway, and cycle routes.

## SI 1: HEALTH AND WELL-BEING

Health inequalities will be reduced, and healthy lifestyles encouraged by ensuring that development proposals:

- Are supported by appropriate social infrastructure and community facilities, with good interconnectivity between places and land uses.
- Maintain and/or enhance the extent, quality and connectivity of the Active Travel and green infrastructure networks

## SI 2: PROVIDING AND SAFEGUARDING COMMUNITY FACILITIES

New community facilities must be accessible by Active Travel and public transport and be conveniently located in relation to other facilities and services wherever possible.

6.24 The relevant LDP policy and amplification is set out in full below:

**Policy T 7: Public Rights of Way and Recreational Routes** *Development that significantly adversely affects the character, safety, enjoyment, and convenient use of a PROW will only be permitted where an acceptable alternative route is identified and provided. Linkages, and where appropriate extensions, to the existing PROW network will be expected from all new developments, which must have regard to the existing character of the PROW and the aspiration to provide access for all.*

*Amplification:*

*2.12.38 The Council is committed to its statutory duty to protect the County's PROW network for public access and recreational purposes. Furthermore, many PROWs are historic features in their own right and are part of the Green Infrastructure network supporting many ecosystem services. The grant of planning permission does not provide consent to alter a PROW. It must be diverted or stopped up by order and a separate application must be made to the Council for any alteration. A diversion order must be confirmed before the development takes place. Where necessary, planning conditions will be used to ensure that development does not commence before arrangements have been made to provide an adequate alternative route. If diversion of a PROW is necessary to allow development to take place, an alternative route must be identified and incorporated into the planning application*

2.12.39 In addition to statutory responsibilities for the PROW network, the policy seeks to facilitate new or improved off road public access routes. Any development that would unacceptably obstruct and/or adversely affect the enjoyment of an existing or proposed new route will be resisted, unless an acceptable alternative route is confirmed in advance of development taking place. This is in accordance with the Council's Countryside Access Plan. It also supports aims to promote recreational access to urban greenspace and the countryside

2.12.40 The stopping up of a PROW will only be considered in exceptional circumstances. Such circumstances will only apply to developments that bring substantial economic or social benefits to the community and where it can be demonstrated that those benefits outweigh the loss of the PROW. In such circumstances also, developers will be expected to demonstrate that no alternative route can be developed. PROW's can only be stopped-up by a legal order, meeting the legal test that they are no longer needed for public access.

2.12.41 In-line with the Countryside Access Plan, possibilities for the improvement or extension of public access opportunities will be examined when considering all development proposals. Developers will be encouraged to provide links to any adjoining PROW network from new developments. New developments must become more accessible and encourage travel by means other than the private car. It is important to ensure that all new or improved routes do not damage the local landscape or environment, nor local resident and visitor amenity. When considering development proposals there will be a concentrated and balanced assessment of local character and accessibility. Careful consideration will also be given to signage, surfacing and engineering work. In addition, standards of design on the PROW network must take into account people with mobility difficulties, the young and the elderly.

2.12.42 Requirements in relation to the Countryside and Rights of Way Act extend the public's right of access to the countryside. In considering proposals for new access rights, consideration will be given to guidance from the Local Access Forum and the Countryside Access Plan.

## **The Wales Transport Strategy, 2021**

States that in line with the Active Travel (Wales) Act, the aim is for walking and cycling to become the normal choice for shorter journeys.

Priorities will be:

- Continuously develop a network of local routes for walking and cycling to connect people with the places they travel to for everyday journeys



- Refresh the plans for Integrated Active Travel Networks every three years, based on extensive consultation with a particular emphasis on people who do not currently walk or cycle for local trips
- Include education facilities on Network Maps, including Welsh-medium education
- Train and develop professionals in best practice active travel design and guidance to ensure high quality infrastructure is put in place
- Develop a package of ‘soft’ behaviour change measures, such as aiming to make cycle training available for all and travel planning, to complement ‘hard’ infrastructure investment.
- Put in place a policy framework that ensures that all new developments, including new school and health facilities, make provision for walking and cycling from the outset
- Encourage all schools to have an active travel plan and adopt actions to slow traffic and widen pavements around schools
- Change the default speed limit from 30mph to 20mph in built-up areas to reduce traffic related injuries and fatalities and make walking and cycling safer and more attractive
- Support safer, better cycle paths and more space for walking and cycling through closing roads for vehicle traffic, more facilities for pedestrians, and support for cycle training and safety schemes for all road users
- Introduce pilot schemes to make use of electrically assisted bikes (e-bikes) and e-cargo bikes an affordable option for more individuals and businesses
- Work with partners on behaviour-change programmes to encourage uptake of healthy and active travel through for example, workplace schemes, including provision of facilities such as cycle parking
- Work with UK partners on a regulatory framework for micro-mobility modes such as e-scooters
- Manage and evaluate the Active Travel Fund which supports local authorities to develop and deliver active travel schemes, including best practice sharing and regional collaboration
- Work towards ‘Safe Cycling from Village to Town’ giving villages safe cycling access to the nearest town and creating hub-and-spoke active travel corridors connecting market towns and other significant local centres to surrounding villages and outlying developments

## **Visit Wales Plan – Welcome to Wales: 2020 – 2025**

The main principles of this Plan are:

- Outstanding landscapes, protected and cared for: Accessible, protected natural landscapes – offering meaningful, high-quality, and contemporary wellbeing experiences.
- Vibrant communities and a creative culture: An authentic but highly creative and contemporary urban and rural culture and heritage offering, co-created with locals, and valued by visitors.
- Epic adventures and activities for everyone: Innovative, world-leading adventures, events, and activities – that bring our post-industrial and natural landscapes to life and promote healthy living for all.

Highlighted in the plan are the Wales Coast Path, mountain biking and cycling. It states that there is a need to continue to invest in the basic tourism infrastructure around Wales, as well as in high quality visitor experiences. Also, to explore closer

collaboration with partners to ensure that experiences such as the Wales Coast Path, and other national trails are maintained, accessible and play a core role in the wider adventure offer. Consideration is given to better ways to signpost attractions in Wales, either through digital technology or more strategic approaches to signage.

The need for investment is identified in facilities that 'generate pride in Wales' adventure offering' and that provide access to a wide range of visitors, including communities, to new activity and wellbeing opportunities. This includes ensuring delivery of activity/outdoor facilities near major population hubs and working with partners on initiatives such as the Wales Coast Path.

## **National Transport Delivery Plan, 2022-27**

Where new infrastructure is needed, priority will be given to:

- Walking and cycling, then
- Public transport, then
- Ultra-low emission vehicles, then
- Other private motor vehicles

Active travel funding has significantly increased to deliver the quality (walking and cycling) infrastructure needed to drive the modal shift to active travel, replacing the car for shorter everyday journeys. This not only benefits carbon reduction targets but provides improvements in physical and mental health, reducing the burden on health services.

The investment in active travel is being used to integrate active travel infrastructure with sustainable public transport and connect people and settlements with employment, education, and services. The local authority active travel network maps are prioritising those routes which will have the greatest impact.

## **Local Well-being Plan – Swansea Public Services Board, 2023-2028**

Seeks to ensure that the health and multiple other benefits of green and blue infrastructure are maximised in urban and rural areas, and that everyone has access to good natural spaces.

Encourages nature based solutions to improve well being

## Appendix 2: Promoted Routes

### Cycling

Gower off road cycle routes

### Walking

Wales Coast Path

#### Coast Path Circular Walks:

Oxwich Point

Llanrhidian to Cheriton

Dunvant to Gowerton

Llanmadoc

Llanmorlais

Bishopston Valley and Pwlldu Bay

#### Mawr Walks:

Cwm Clydach

Graig Fawr

Cwm Ysgiach

Lliw reservoirs

Penlle'r Castell

#### Walking by Bus:

Langland to Caswell

Llanmadoc

Rhossili

Penmaen

Lliw Reservoirs

#### Long Walks

Gower Way

St Iltyd's Way

Gower Pilgrimage Way

Details of most routes are available to view here: [Countryside walks - Swansea](#)

### Appendix 3: Coastal Access Zone Improvements

Paths in the Coastal Access Zone that require improvement to the ‘ease to use’ standard, i.e., easy to use, find and follow (2023).

| Path Number       | Community          | Issue                             | Prevents use? |
|-------------------|--------------------|-----------------------------------|---------------|
| LL1 (west)        | Llanrhidian Lower  | Obstructed                        | Yes           |
| LL2               | Llanrhidian Lower  | Obstructed                        | Yes           |
| LM1               | Llanmadoc          | Obstructed, sea wall collapsed    | Yes           |
| LM5               | Llanmadoc          | Divert on to used route           | No            |
| LM12              | Llanmadoc          | Obstructed, diversion needed      | Yes           |
| RH12              | Rhossili           | Divert on to used route           | No            |
| PE10              | Port Eynon         | Divert onto walked route          | No            |
| PE13              | Port Eynon         | Dead-end bridleway                | No            |
| OX7               | Penrice            | Divert on to walked route         | No            |
| PR3               | Penrice            | Obstructed                        | Yes           |
| PR9               | Penrice            | Obstructed                        | Yes           |
| PR30              | Penrice            | Does not meet road                | No            |
| PR36              | Penrice            | Obstructed and does not meet road | Yes           |
| Pennard Burrows   | Pennard            | Divert on to used routes          | No            |
| Bishopston Valley | Pennard/Bishopston | Divert on to used routes          | No            |
| PD35              | Pennard            | Obstructed                        | No            |

## Appendix 4: Network Statistics (2008-2023)

### Length of path network by Community

| Community          | 2008                    |       | 2023                    |       |
|--------------------|-------------------------|-------|-------------------------|-------|
|                    | Network<br>(kilometres) | Order | Network<br>(kilometres) | Order |
| Gorseinon          | 3.6                     | 23    | 3.6                     | 28    |
| Gowerton           | 16.7                    | 14    | 17.6                    | 12    |
| Grovesend          | 4.2                     | 24    | 4.2                     | 25    |
| Llangyfelach       | 12.9                    | 16    | 13.1                    | 16    |
| Llwchwr            | 8.5                     | 20    | 10.9                    | 18    |
| Penllergaer        | 2.1                     | 27    | 2.5                     | 29    |
| Pontardulais       | 13.2                    | 15    | 13.2                    | 15    |
| Pontlliw           | 3.6                     | 26    | 3.7                     | 27    |
| Mawr               | 70.7                    | 2     | 74.0                    | 2     |
| Clydach            | 14.8                    | 13    | 14.8                    | 13    |
| Bishopston         | 18.7                    | 11    | 20.1                    | 11    |
| Ilston             | 41.1                    | 5     | 43.5                    | =4    |
| Llangennith, L & C | 88.2                    | 1     | 93.5                    | 1     |
| Llanrhidian Lower  | 29.4                    | 9     | 29.6                    | 9     |
| Llanrhidian Higher | 37.5                    | 8     | 26.3                    | 10    |
| Penrice            | 39.7                    | 6     | 44.5                    | 3     |
| Pennard            | 37.9                    | 7     | 38.6                    | 7     |
| Port Eynon         | 42.7                    | 3     | 42.7                    | 6     |
| Reynoldston        | 8.7                     | 19    | 9.0                     | 20    |
| Rhossili           | 42.4                    | 4     | 43.5                    | =4    |
| Three Crosses      | -                       | -     | 13.9                    | 14    |
| Upper Killay       | 10.3                    | 18    | 10.6                    | 19    |
| Birchgrove         | 3.7                     | 25    | 4.0                     | =26   |
| Bonymaen           | -                       | -     | 4.7                     | 23    |
| Cockett            | 1.4                     | 28    | 2.2                     | 30    |
| Dunvant            | 5.8                     | 21    | 6.7                     | 22    |
| Killay             | 5.1                     | 22    | 6.9                     | 21    |
| Llansamlet         | 11.5                    | 17    | 11.5                    | 17    |
| Mumbles            | 26.4                    | 10    | 31.1                    | 8     |
| St Thomas          | -                       | -     | 4.4                     | 24    |
| Sketty             | -                       | -     | 4.0                     | =26   |
| Rest of Swansea    | 3.8                     | -     | 1.1                     | 31    |
| Total              | 604.6                   |       | 650                     |       |

## **People counter data 2014\***

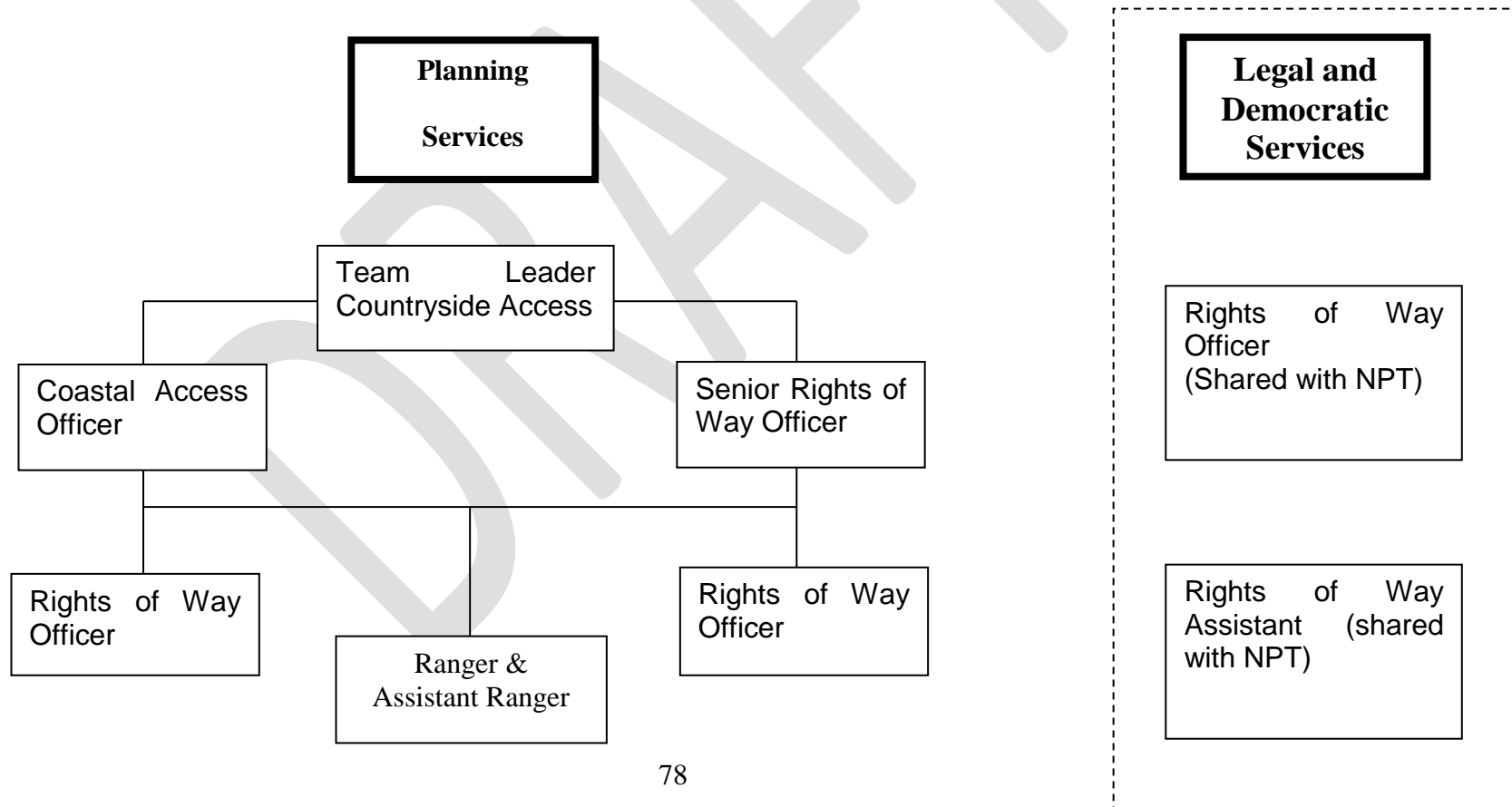
| <b>Path location</b>             | <b>Approx no. of people counted</b> |
|----------------------------------|-------------------------------------|
| Brandy Cove to Pwlldu            | 33,000                              |
| Caswell to Langland              | 106,000                             |
| Cwm Ivy to Whiteford             | 40,000                              |
| Penmaen car park to cliffs       | 60,000                              |
| Rhossili car park to beach       | 308,000                             |
| Rhossili car park to Worm's Head | 318,000                             |
| Cwm Clydach RSPB car park        | 20,000                              |

\*Acquisition of data ceased in 2015, as the data acquired between 2006-2014 showed no significant change.

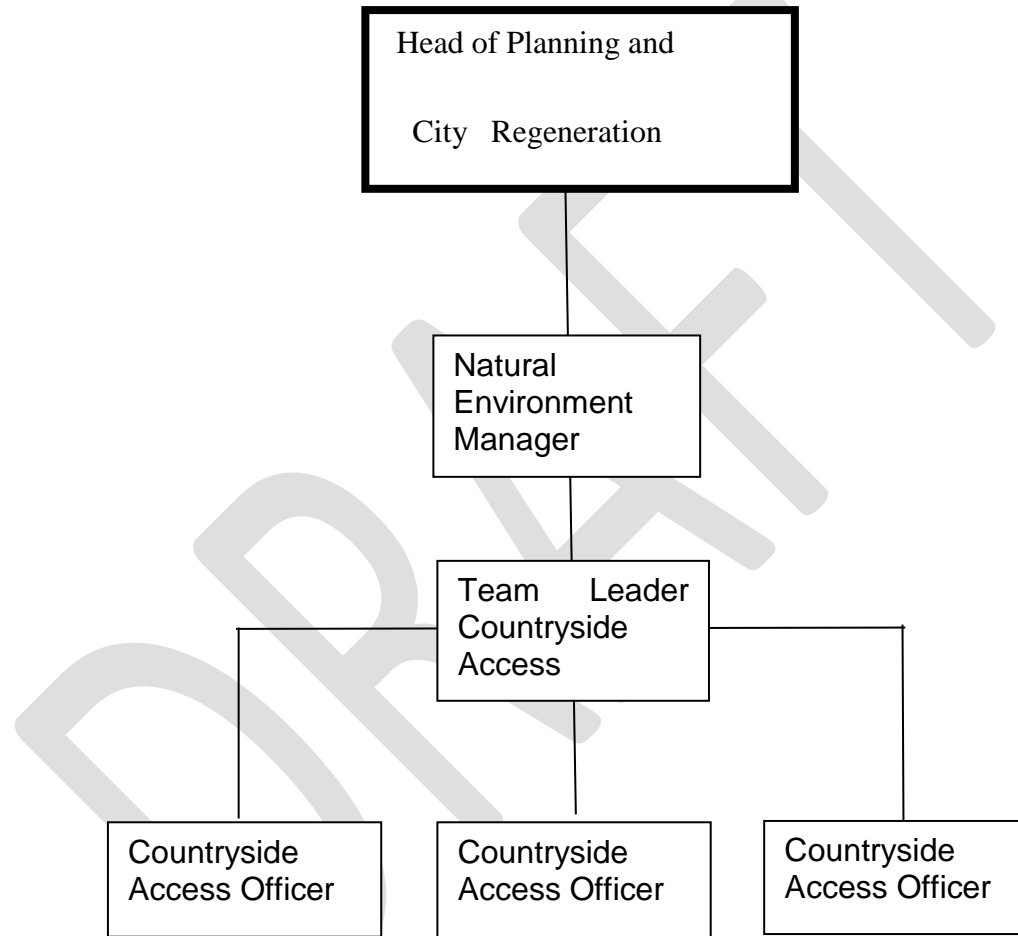
## Appendix 5: Staff Resources

Since 2013 three full time posts within the Countryside Access Team have been deleted along with 1.5 FTE posts within Legal Services dealing with rights of way matters. In 2022 the Council's functions relating to Modification Orders and Public Path Orders were transferred from Legal Services to the Countryside Access Team with no additional resources provided.

### COUNTRYSIDE ACCESS STAFF STRUCTURE 2013

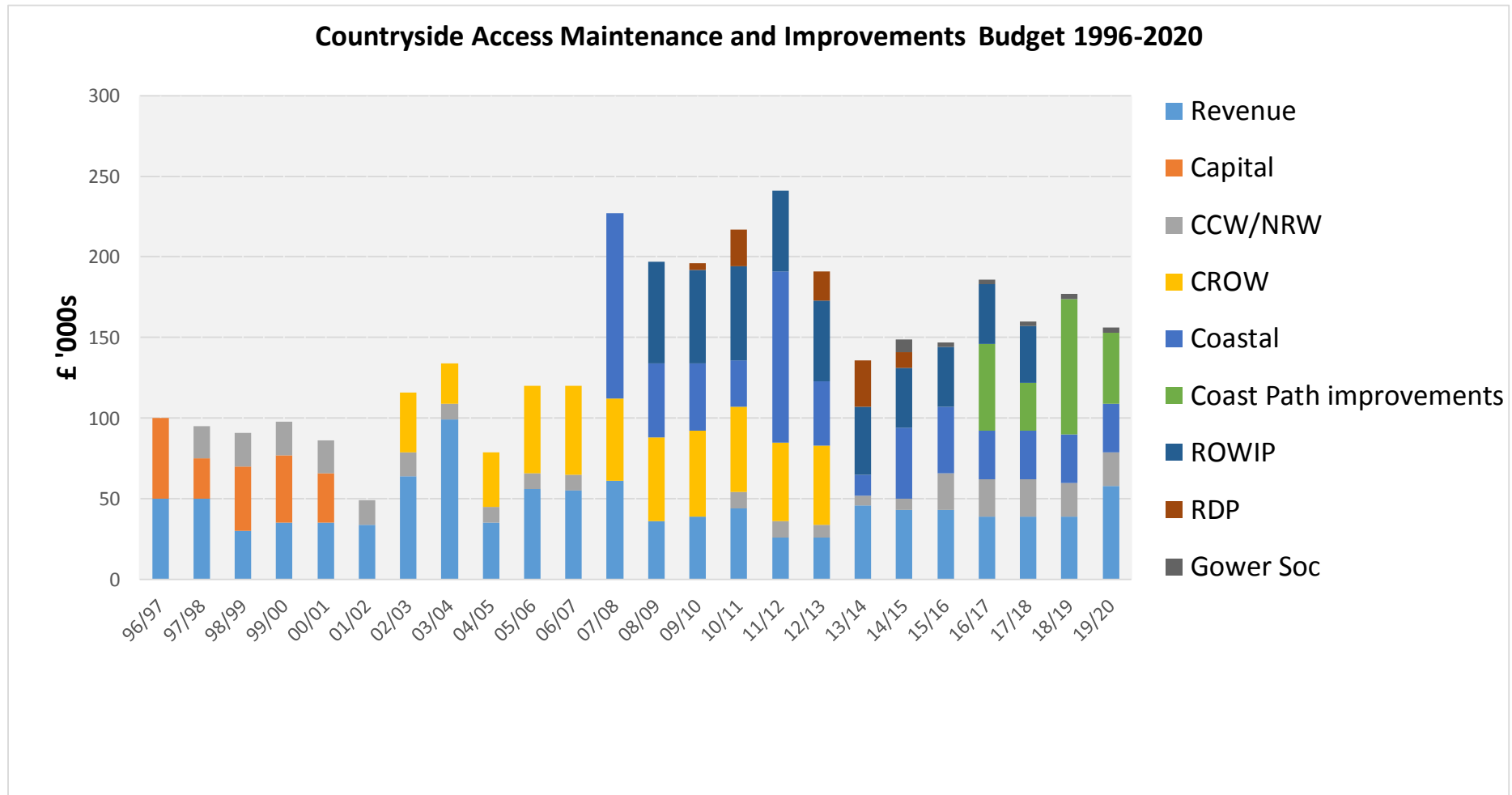


## COUNTRYSIDE ACCESS STAFF STRUCTURE 2023





## Appendix 6: Sources of Budget for Maintenance and Improvement



## Appendix 7: Health and Well-being Studies

A selection of studies highlighting the benefits of walking in green space for health and well-being include:

1. The importance of greenspace for mental health (Barton and Rogerson, 2017)
2. Would You Be Happier Living in a Greener Urban Area? A Fixed-Effects Analysis of Panel Data (White et al, 2013)
3. Parks and green spaces are important for our mental health – but we need to make sure that everyone can benefit (Masterton et al, 2020)
4. The Mental and Physical Outcomes of Green Exercise (Pretty et al, 2006)
5. Effect of exposure to natural environment on health inequalities: an observational population study (Mitchell and Popham, 2008)
6. The health benefits of the great outdoors: A systematic review and meta-analysis of greenspace exposure and health outcomes (Twohig-Bennett and Jones, 2018)
7. Thriving with Nature - a guide for everyone. Making the most of the UK's natural spaces for our mental health and wellbeing. (Baldwin-Cantello et al, 2020)
8. The benefits of outdoor green and blue spaces (Methley et al, 2021)
9. Associations between green/blue spaces and mental health across 18 countries. (White et al, 2021)
10. Longitudinal associations between going outdoors and mental health and wellbeing during a COVID-19 lockdown in the UK (Stock, Bu, Fancourt & Mak, 2022)
11. Spending at least 120 minutes a week in nature is associated with good health and wellbeing (White et al, 2019)

## **Appendix 8: History of the Definitive Map and Statement**

Unitary and County Councils in England and Wales have had a duty to compile and maintain a Definitive Map since the National Parks and Access to the Countryside Act, 1949.

The first Definitive Map for this area was published in 1970. This was the result of twenty years of surveying, hearings, and quarter sessions (court cases) during which Glamorgan County Council had to produce a draft map (14 September 1954) and a provisional map (1964) before the final Definitive Map.

Section 35 of the original 1949 Act enabled some County Boroughs to be excluded from the registration process and therefore a Definitive Map was not produced for the Borough of Swansea. Section 55(3) of the Wildlife and Countryside Act 1981 reversed this position, giving County Councils the responsibility for producing Definitive maps for the formerly excluded areas. However, unlike the 1949 Act, there is no requirement to carry out a survey and subsequently register a network of public rights of way. The Definitive Map for the excluded area will develop over time as Modification Orders are made to add more routes.

A draft review began in 1971 and, following sixteen years of hearings, this eventually resulted in the publication of the second edition of the Definitive Map in 1987, which had a relevant date of 1 January 1971 and is at a scale of 1:25,000.

In July 2023 the third edition of the Definitive Map was published with a relevant date of 1 June 2023.

## Appendix 9: Definitive Map Anomalies/Errors

| Path No./<br>Description | Community/<br>Parish     | Error  |
|--------------------------|--------------------------|--|
| BI5                      | Bishopston               | Does not meet road & Dead end                    |
| BI8                      | Bishopston               | Route  |
| BI24                     | Bishopston               | Dead end footpath down<br>impassably steep slope |
| BI50                     | Bishopston               | Route  |
| BO481                    | Bonymaen                 | Dead-end footpath                                |
| BV377                    | Birchgrove               | Dead-end footpath (both-ends)                    |
| CO91                     | Cockett                  | Dead-end footpath                                |
| CO94                     | Cockett                  | Dead-end footpath                                |
| CO103                    | Cockett                  | Dead-end footpath                                |
| CO133                    | Cockett                  | Dead-end footpath                                |
| IL1                      | Ilston                   | Dead-end footpath, route                         |
| IL15                     | Ilston                   | Path does not meet road                          |
| IL17                     | Ilston                   | Route  |
| KI105                    | Killay                   | Path does not meet road                          |
| KI110                    | Killay                   | Path does not meet road                          |
| LC1                      | Pontarddulais/Llwchwr UD | Dead end bridleway                               |
| PT14                     | Pontlliw/Llwchwr UD      | Path does not meet road                          |
| LR43                     | Llwchwr/Llwchwr UD       | Dead-end footpath                                |
| LR44                     | Llwchwr/Llwchwr UD       | Dead-end footpath                                |
| GN47                     | Gowerton/Llwchwr UD      | Dead-end footpath                                |
| GN48                     | Gowerton/Llwchwr UD      | Dead-end footpath                                |
| LR71,72                  | Llwchwr                  | Statement differs from map                       |
| GN75                     | Gowerton/Cockett         | Dead end bridleway/route                         |
| LC81                     | Pontarddulais/Llwchwr UD | Path does not meet road                          |
| LF89                     | Llangyfelach/Penderry    | Dead-end footpath                                |
| LF90                     | Llangyfelach/Penderry    | Dead-end footpath                                |
| LF91                     | Llangyfelach/Penderry    | Dead-end footpath                                |
| GE94                     | Gorseinon/Llwchwr UD     | Route  |
| LF97                     | Llangyfelach/Llwchwr UD  | Statement error/number                           |
| LC6                      | Pontarddulais/Llwchwr UD | Route  |
| LC98                     | Pontarddulais/Llwchwr UD | Route (School built over path)                   |
| LC99                     | Pontarddulais/Llwchwr UD | Dead-end footpath/route                          |
| LR110                    | Llwchwr/Llwchwr UD       | Statement error                                  |
| LF114                    | Llangyfelach/Mynyddbach  | Dead-end footpath                                |
| LD10                     | Port Eynon/Llandewi      | Path does not meet road/number                   |
| LG1                      | Llangennith              | Route/should path be on map?                     |
| LG10A                    | Llangennith              | Dead end bridleway                               |
| LG12                     | Llangennith              | Dead end bridleway                               |
| LG15                     | Llangennith              | Route  |

|                             |  |  |
|-----------------------------|--|--|
| LG34/54                     | Llangennith                                  | Route  |
| LG41                        | Llangennith                                  | Dead end bridleway   |
| LG50                        | Llangennith                                  | Status (Footpath or bridleway?)                            |
| Path between<br>LG60 & LM19 | Llangennith                                  | No number or description                                   |
| LH9                         | Llanrhidian Higher                           | Dead end<br>Route (dead-end, obstructed by<br>development) |
| LH12                        | Llanrhidian Higher                           | Route (should not be on map)                               |
| LH29                        | Llanrhidian Higher                           | Route  |
| LH35                        | Llanrhidian Higher                           | Does not meet road   |
| LH38                        | Llanrhidian Higher                           | Route  |
| LH44                        | Llanrhidian Higher                           | Dead end on map (statement<br>describes meeting road)      |
| TC48                        | Llanrhidian Higher                           | Route/Numerous issues                                      |
| DU51                        | Llanrhidian Higher/Dunvant                   | Dead end bridleway   |
| LH76                        | Llanmorlais                                  | Two paths with the same number                             |
| LL1                         | Llanrhidian Lower                            | Dead end footpath  |
| LL5                         | Llanrhidian Lower                            | Dead end   |
| LL24                        | Llanrhidian Lower                            | Dead end bridleway   |
| LL27                        | Llanrhidian Lower                            | Map says FP statement says BW                              |
| LL35/PR40                   | Llanrhidian Lower                            | Dead end bridleway (x2)                                    |
| LL36/PM16                   | Llanrhidian Lower                            | No number or description                                   |
| Path between<br>LL19 & NI13 | Cefn Bryn<br>Llanrhidian Lower and<br>Ilston | Path has 2 nos. & appears in 2<br>statements               |
| LL34/IL18                   | Llanmadoc                                    | No number or description                                   |
| Path between<br>LM8 & LM6   | Llanmadoc                                    | Incorrect description                                      |
| LM8                         | Llanmadoc                                    | Route  |
| LM12                        | Llanmadoc                                    | Dead end bridleway   |
| LM13                        | Llanmadoc                                    | No number or description                                   |
| Path between<br>LM15 & LG57 | Llangennith                                  | Dead-end footpath  |
| LT396                       | Bonymaen                                     | 2 dead-ends  |
| MO331                       | Morrison                                     | 2 dead-ends, path does not meet<br>road                    |
| MO340                       | Morrison                                     | Dead-end   |
| MO341                       | Morrison                                     | Dead-end footpath  |
| MW18                        | Mawr   | Dead-end footpath  |
| MW38                        | Mawr   | Dead-end footpath  |
| MW40                        | Mawr   | 2 dead-ends  |
| MW42                        | Mawr   | Route  |
| MW56a                       | Mawr   | Route (Parsonage)/Doesn't meet<br>road (Perriswood)        |
| NI10                        | Nicholaston (Ilston)                         | Path does meet road/route                                  |
| OX7                         | Oxwich                                       | Path does meet road  |
| OX9                         | Oxwich                                       |  |

|                            |                        |  |
|----------------------------|------------------------|--|
| OX15                       | Oxwich                 | Described in statement but not on map                    |
| OX17                       | Oxwich                 | Route  |
| PD1                        | Pennard                | Path does not meet road & Dead end                       |
| PD4                        | Pennard                | Path does not get to beach                               |
| PD9                        | Pennard                | Route (path is east not west of castle)                  |
| PD10                       | Pennard                | Route (path drawn through river)                         |
| PD17                       | Pennard                | Described in statement as<br>bridleway and footpath      |
| PD19                       | Pennard                | Dead-end footpath  |
| PD39                       | Pennard                | Dead end bridleway                                       |
| PD43                       | Pennard                | Route/does not meet rd.                                  |
| PD44                       | Pennard                | Route  |
| PD53                       | Pennard                | Description incorrect                                    |
| PE12/15                    | Port Eynon             | Route  |
| PE13                       | Port Eynon             | Dead end bridleway                                       |
| PE20B                      | Port Eynon             | No statement   |
| PE25B                      | Port Eynon             | No statement   |
| PM3                        | Penmaen                | Path does not meet road                                  |
| PM4                        | Penmaen                | Path does not meet road                                  |
| PM10                       | Penmaen                | Dead end bridleway                                       |
| PR5                        | Penrice                | Incorrect description                                    |
| PR6/PR4                    | Penrice/Horton         | Dead end byway   |
| PR14                       | Penrice                | Path does not meet road on map,<br>but does on statement |
| PR30                       | Penrice                | Path does not meet road                                  |
| PR32                       | Penrice                | Statement error  |
| PR33                       | Penrice                | Route  |
| PR35                       | Penrice                | Route  |
| PR36                       | Penrice                | Dead end   |
| RE2                        | Reynoldston            | Dead end   |
| RE11                       | Reynoldston            | Path shown on map but no<br>statement                    |
| RH1                        | Rhossili               | Dead end bridleway                                       |
| RH41                       | Rhossili (Worm's Head) | Number incorrect   |
| Path between<br>RE9 & LL16 | Reynoldston            | No number or description                                 |
| RN19                       | Clydach                | Route  |
| RN23                       | Clydach                | Route  |
| MW52B                      | Mawr/Craig Cefn parc   | Route (Development/unofficial<br>diversion)              |
| RN42                       | Clydach                | Route  |

## Appendix 10: Path Clearance Specification

This section describes the current specification provided to contractors for undertaking path clearance. It is included for information purposes and does not form part of the plan and may be subject to change.

### 1.0 Definitions

1.1 **“Path 1”**: to have a **width of one and one half** (1.5) metres measured from the centreline of the path (i.e., 0.75 metres either side of the centreline), EXCEPT where physical boundaries (e.g., walls and fences) result in the path being less than one and a half metres,

and are to have a **height of two** (2) metres measured from the surface of the path

SEE DIAGRAMS BELOW FOR FURTHER CLARIFICATION

1.2 **“Path 2”**: to have a **width to two** (2.0) metres measured from the centreline of the path (i.e., 1.00 metre either side of the centreline), EXCEPT where physical boundaries result in the path being less than two metres,

and are to have a **height of three** (3) metres measured from the surface of the path.

SEE DIAGRAMS BELOW FOR FURTHER CLARIFICATION

1.3 **“Path 3”**: where the path has a hard surface (e.g., concrete or tarmac) in which case the width of the footpath comprises the hard surface plus half a metre on both sides of the path starting from the outer edge of the hard surface.

and are deemed to have a **height of two** (2) metres measured from the surface of the path.

SEE DIAGRAMS BELOW FOR FURTHER CLARIFICATION

1.4 **“Path 4”**: to have a **width of four** (4) metres, measured from the centreline of the path (i.e., 2.0 metres either side of the centreline). Exceptions are:

- where physical boundaries (e.g., walls and fences) result in the path being less than four metres
- where railings are present beside the path, in which case 2.0 metres from the centreline on the non-railing side is to be cut and, on the railings side, cut from the centreline to 0.5 metres on the opposite side of (i.e., behind) the railings.

and are to have a **height of two** (2) metres measured from the surface of the path.

SEE DIAGRAMS BELOW FOR FURTHER CLARIFICATION

## **2.0 Description of Works**

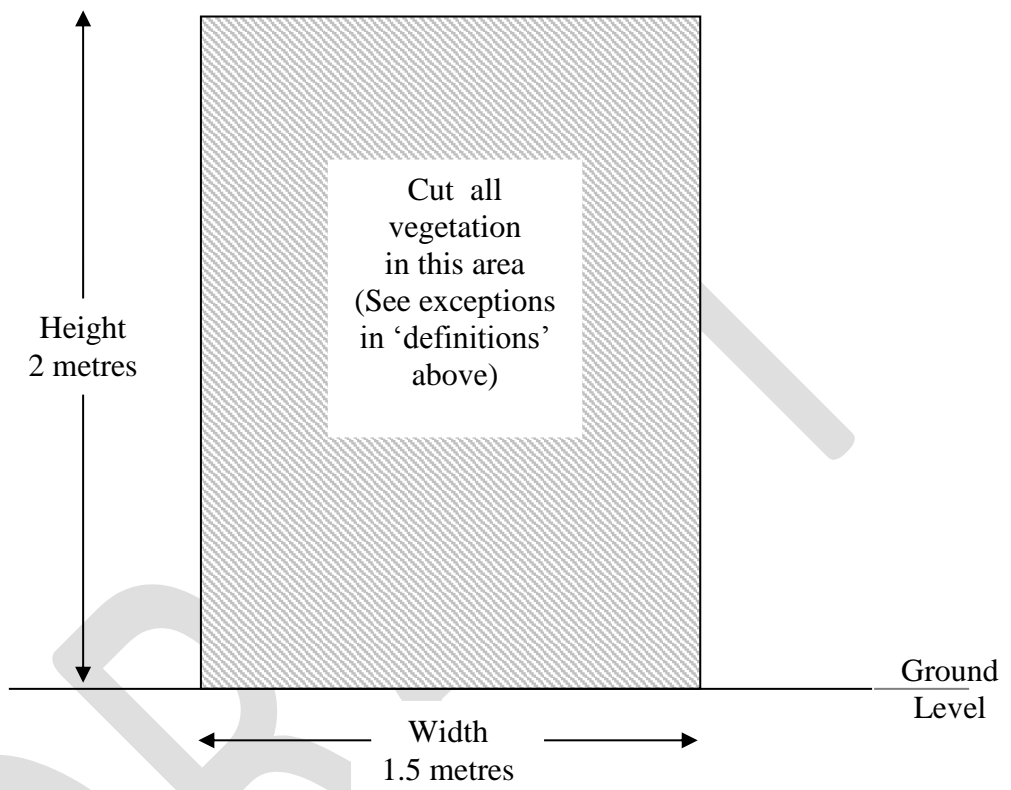
- 2.1 All vegetation growing **out of the surface** of the path shall be cut to leave vegetation at a height of 50mm (2”), and according to the dimensions of the path in Clause 1.1 above, except that trees of more than 25mm (1”) in diameter shall be retained.
- 2.2 All vegetation growing **over** the path (i.e., from the sides) shall be cut according to the dimensions of the path in Clauses 1.1-1.6 above. This work shall as far as possible avoid the main nesting bird season, however inevitably this is the period when vegetation growth is most vigorous, therefore where this is not feasible checks for nesting birds shall be carried out by clearance contractors in advance of works commencing along routes as part of standard risk assessments.
- 2.3 Grass verges alongside paths/path side vegetation clearance should ideally be cut when reptiles are least likely to be present and in any event to a minimum 200mm above ground level to avoid contact between cutting blades and reptiles.
- 2.4 When vegetation is cut it shall be further cut down to lengths of 300mm (12”) or less and put to the side of the path. Where specifically instructed in the schedules of quantity, paths shall be swept clear or cleared of all cut debris.
- 2.5 The paths on the clearance contract list together with accompanying maps shall be reviewed annually. The identified paths are to be cut at least once and some paths are to be cut two or three times:
  - Paths to be cut once only are to be cut in the second cut.
  - Paths to be cut twice are to be cut in the first and third cuts.
  - Paths to be cut three times are to be cut in the first, second and third cuts.

## **3.0 Priorities**

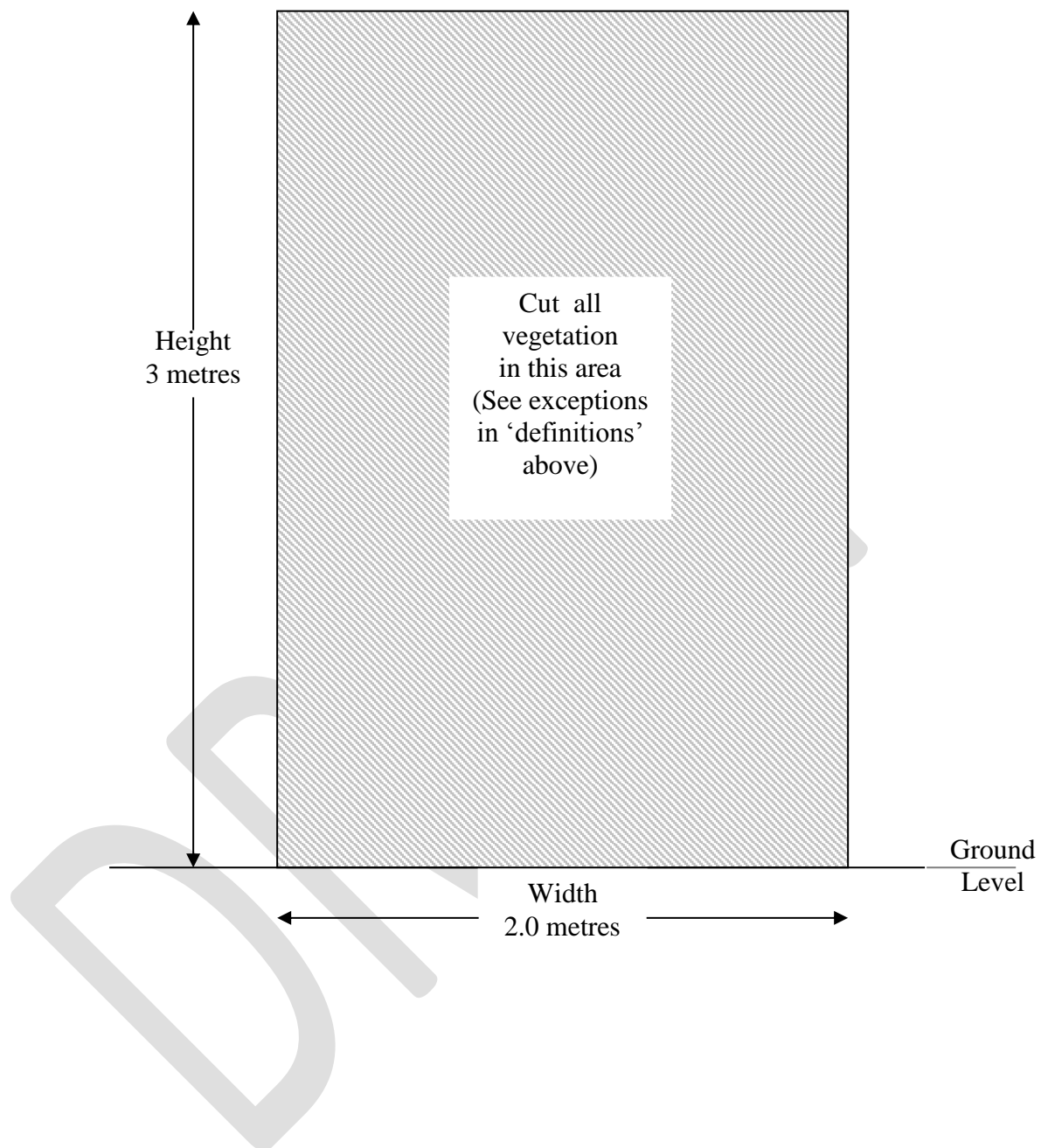
- 3.1 The Coast Path, then the paths in Mumbles, Crofty and Penclawdd will be cut first in each of the three cuts.



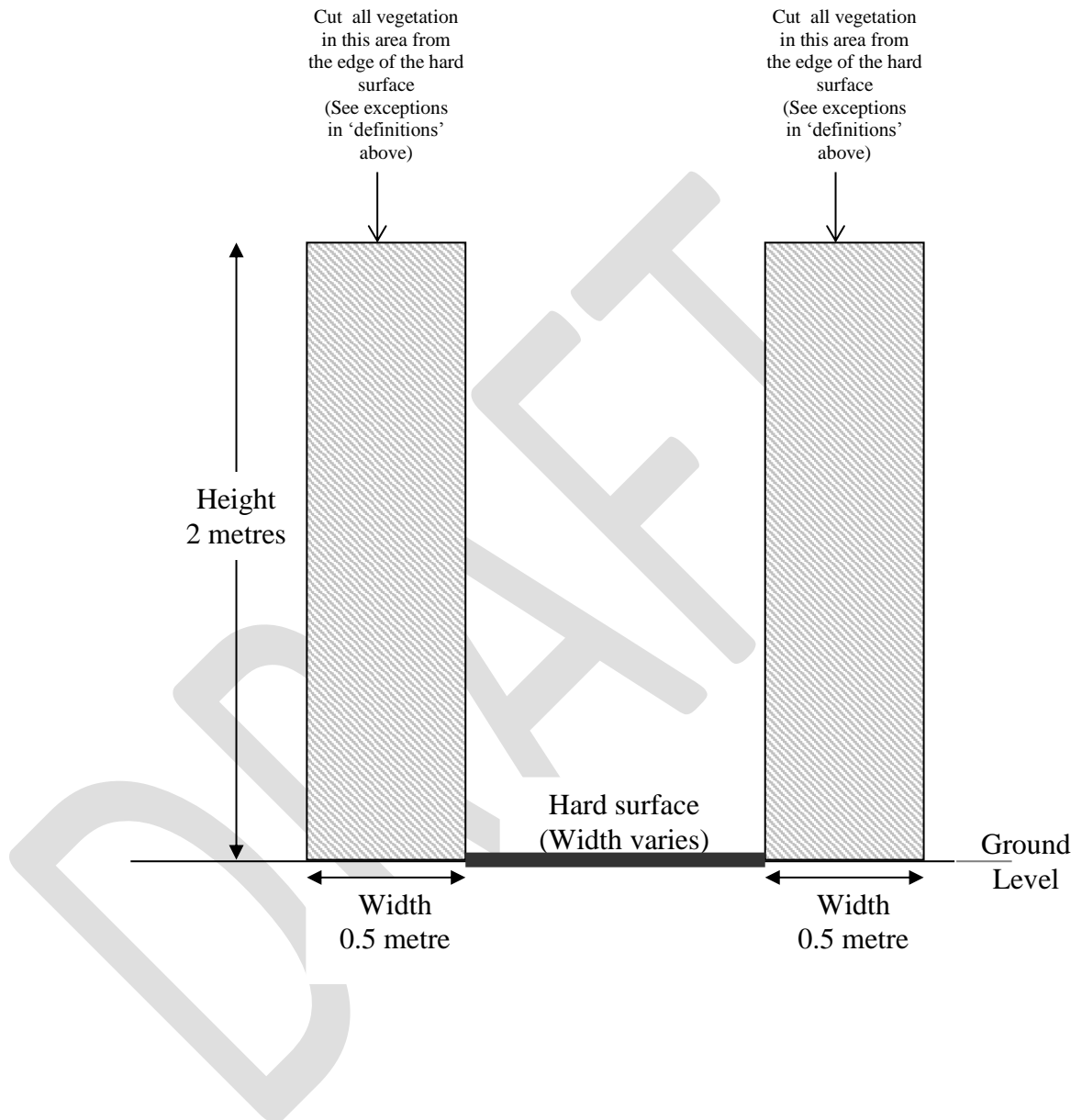
# WIDTH AND HEIGHT OF PATH 1



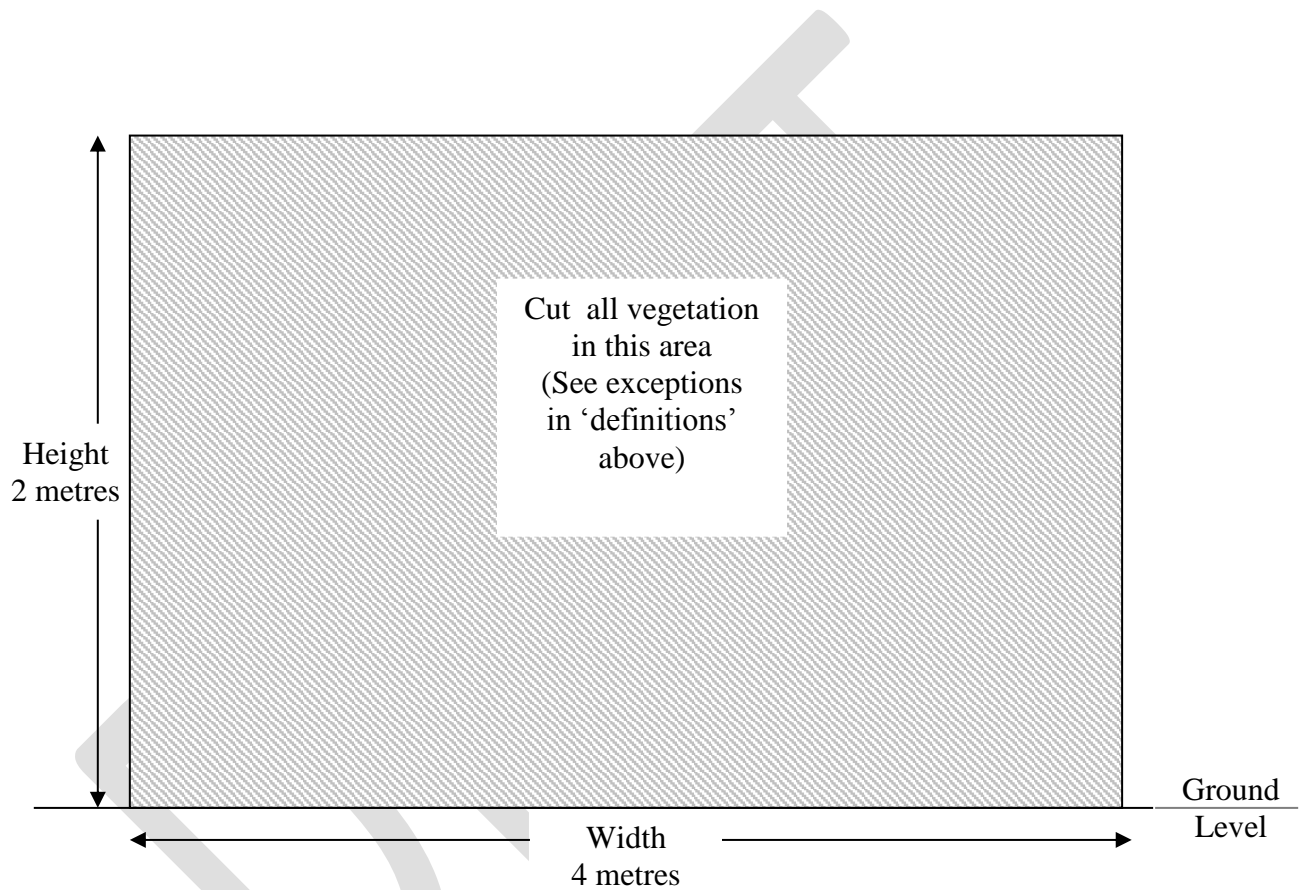
## WIDTH AND HEIGHT OF PATH 2



## WIDTH AND HEIGHT OF PATH 3



## WIDTH AND HEIGHT OF PATH 4





## Appendix 12: Enforcement Procedures for Public Rights of Way

### 1. Trees and other vegetation over growing the path from the sides

Relevant legislation:

The Highways Act 1980 s154. Notice period for direct action =fourteen days.

Who is responsible?

The owner of land from which trees or vegetation are growing is responsible for ensuring that it does not obstruct the path. The Council is responsible for ensuring that owners cut back overhanging trees and vegetation that obstruct the path.

Why this is a problem?

Paths can become impassable or difficult to use if vegetation on adjacent land grows across it.

Enforcement Procedure

The Council has the right to remove vegetation growing over a path. Should the overgrowth be so severe that the cost of clearing it is unacceptable to the Council, or if the overgrowth is over a surfaced path, the Council will serve a notice on the owner requiring them to clear the vegetation from the full width of the path.

### 2. Stiles and gates

Relevant legislation:

The Highways Act 1980 s143, s145, s146, and s147. Notice period for direct action = one month.

Who is responsible?

The landowner is responsible for maintaining stiles and gates across paths. The Council is responsible for ensuring that the landowner complies with their duty to maintain stiles or gates and for contributing at least 25% of the cost of stile and gate maintenance. The Council has powers to provide the whole cost of the maintenance and installation of stiles and gates.

Why this is a problem?

Poorly maintained or missing stiles and gates can obstruct a path or make using it difficult or dangerous.

Enforcement Procedure:

The Council will install and maintain stiles and gates as necessary and without prejudice to the responsibilities of the landowner unless the landowner fails to cooperate or obstructs other paths. Should the landowner fail to cooperate any missing or poorly maintained stiles or gates will be treated as obstructions and dealt with under the appropriate enforcement procedure.

### 4. Obstructions

Relevant legislation:

The Highways Act 1980, s130 and s143. Notice period for direct action = one month.

Who is responsible?

The Council has a legal duty to ensure that all paths are clear of obstructions. It also has a common law right to remove anything, without consultation, that obstructs a path.

Why this is a problem?

Obstructions (anything placed across or within the path that blocks or limits the width) can prevent use of a path, make use of a path difficult, or limit the extent of the public's use of a path. Obstructions can be anything from a strand of barbed wire to a building and can have been in place from a few hours to many years.

Enforcement Procedure:

*Recent obstructions on paths that are 'open'*

The person responsible for the obstruction will be sent a letter requesting that they remove the obstruction within 7 days. If the obstruction is not removed within 7 days a formal legal notice will be served on the offender by hand or by recorded delivery requiring them to remove it within one month. If the obstruction is not removed within one month the Council will remove it and recover costs from the offender. If the path is obstructed again by the same offender, the Council will commence prosecution proceedings.

*Minor long standing obstructions (e.g., fences) on paths that are not 'open'*

Council Officers will meet the person responsible and discuss the obstruction and works required to open up the path for public use. The Council will undertake all of the works to open up the path unless the person responsible fails to cooperate. If this is the case the Council will write to the person responsible and request that they remove the obstruction within one month. If, after one month the obstruction has not been removed, the Council will serve a formal legal notice by hand or recorded delivery on the person responsible requiring removal of the obstruction within one month and place notices on site. If the obstruction is not removed within one month the Council will either remove it and recover costs from the offender or, if there is likelihood of a repeat offence, commence prosecution proceedings .

*Long standing obstructions that are impractical to remove (e.g., buildings)*

The Council will discuss the obstruction with the person responsible and advise that they can apply for a diversion of the path and the person responsible will be sent a letter confirming the Council's position. If the person responsible neither agrees to remove the obstruction or apply for a diversion the only option open the Council is to prosecute the offender.

*Obstruction of alleged paths*

The person responsible for the obstruction will be sent a letter advising them that should the alleged footpath become a registered public footpath any structure that obstructs the path (and was placed in it since the date that the path was first alleged) will be considered to be an obstruction and dealt with under the enforcement procedures above.

## **5. Electric fencing**

Relevant legislation:

The Highways Act 1980, s130.

Who is responsible?

The Council has a legal duty to ensure that all paths are clear of obstructions. It also has a common law right to remove anything, without consultation, that obstructs a path.

Why this is a problem?

Uninsulated electric fencing across a path is an obstruction, a danger, and a nuisance.

Enforcement Procedure:

The Council will request that the person responsible removes the electric fence immediately or provide a safe means of crossing the fence. If the situation is not remedied immediately the Council will remove the fence from across the path without further notice. If the person responsible continues to obstruct paths with electric fences the Council will commence prosecution proceedings.

## **5. Crops and Ploughing**

Relevant legislation:

The Highways Act 1980, interference by crops s137A, ploughing s134. Notice period for direct action: Crops = twenty hours, Ploughing =fourteen days.

Who is responsible?

Landowners and occupiers are responsible for ensuring that paths are reinstated after ploughing and are not obstructed by crops. Field edge paths must never be ploughed. The Council has a duty to keep paths clear of crops and enforce the law on ploughing.

Why this is a problem?

Crops growing across a path can be an obstruction and cause difficulty in following the path as the path is obscured through the crop. A ploughed field can also be difficult to cross and again the route of the path is obscured.

Enforcement Procedure:

The Council will meet the offender and explain the legal position. The offender will then be sent a letter asking for reinstatement of the path within 7 days. If the path is not reinstated as specified in the letter the Council will serve a formal legal notice on the offender by hand or by recorded delivery, requiring that the path be reinstated within a further 7 days. If the path is not reinstated after 7 days, the Council will reinstate the path and recover costs from the offender. If an offence is committed in subsequent years by the same offender, the Council will serve a formal legal notice on the offender giving 14 days to reinstate for a ploughing offence and 7 days to reinstate for a cropping offence. If an offence is committed by the same offender for a third times in subsequent years, the Council will commence prosecution proceedings.



## **Appendix 13: Schedule of Conditions for Authorisation of a Gate on a Public Footpath or Bridleway**

1. An applicant must be the owner, lessee or occupier of agricultural land.
2. The installation of a gate must be necessary to prevent the ingress or egress of animals on agricultural land (or forestry land or land used for the keeping of horses) and the animals must have access to the area immediately beyond the gate.
3. The gate should be constructed to British Standard 5709.
4. The gate should not be locked at any time.
5. To avoid the surface of the right of way being poached, no water troughs or feeders are to be located within 10 metres of the gate.
6. Any fences and other obstructions shall be removed from the full width of the right of way at the point where the gate is to be installed and it shall remain clear of any obstruction and at all times be accessible by the public.
7. The gate shall be kept in a state of repair consistent with the requirements of Section 146 of the Highways Act 1980 by the applicant.
8. Should the Council determine that the use of the land adjoining the gate has changed such that the gate is no longer necessary in order to prevent the ingress or egress of animals, the gate must be removed.
9. Should the land adjoining the gate cease to be agricultural land, the gate must be removed.
10. Should the gate fall into disrepair, the Council retains the right to revoke the authorisation and remove the gate at the applicant's expense.
11. If it is shown at a later date, that the route is of a higher status, for example a footpath becomes a bridleway, then the authorisation will become invalid.
12. It is the duty of the applicant to ensure that the erection of a structure does not interfere with any private rights that may be exercised over the public highway.

## List of Abbreviations

|          |   |
|----------|---|
| AONB     | Area of Outstanding Natural Beauty  |
| BOAT     | Byway Open to All Traffic   |
| CAP      | Countryside Action Plan   |
| CROW Act | Countryside and Rights of Way Act 2000  |
| GVA      | Gross Value Added   |
| LEMO     | Legal Event Modification Order. These change the Definitive Map after a PPO has been confirmed                          |
| NRW      | Natural Resources Wales   |
| OS       | Ordnance Survey   |
| PI       | Performance Indicator – the percentage of paths that are signposted and easy to use                                     |
| PPO      | Public Path Order. These are the orders the Council must make if diversions, extinguishments, or creations are required |
| PROW     | Public Right Of Way (footpath, bridleway or byway open to all traffic)  |
| ROWIP    | Rights of Way Improvement Plan  |
| WG       | Welsh Government  |
| WCP      | Wales Coast Path  |

If you have any queries or questions regarding the CAP, please contact:  
The Countryside Access Team, Civic Centre, Oystermouth Rd, Swansea, SA1 3SN  
email: [countrysideaccess@swansea.gov.uk](mailto:countrysideaccess@swansea.gov.uk).

The Council's website also includes the latest countryside access information:  
[www.swansea.gov.uk/countrysideaccess](http://www.swansea.gov.uk/countrysideaccess)

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