

CCC Conservation & Access Officer's Report March 2015 to March 2016

WELSH GOVERNMENT

NRW published a five-year plan in 2015 setting out how it intends to provide better access for recreation generally. You can read their public aims which harmonize with emergent Welsh Government (WG) policy for more access and physical activities, well-being etc, at the link below:

<https://naturalresources.wales/media/2686/outdoor-recreation-and-access-enabling-plan.pdf>

The WG minister made a statement in May 2014 about wider opportunity for leisure in the outdoors. Opposition from landowners and disputes over access to water in the main killed it off.

<http://gov.wales/about/cabinet/cabinetstatements/2014/accessoutdoorrecreation/?lang=en>

WG then had another go when it announced a Green Paper consultation exercise in July 2015 with a subtly different emphasis on improving opportunities to access the outdoors for responsible recreation.

<http://gov.wales/consultations/environmentandcountryside/improving-opportunities-to-access-the-outdoors/?lang=en>

In October 2015 CCC submitted its response to the Access Green Paper questions but there were 6,000+ other responses, many following a template from groups such as cyclists, so the WG is expected to take a long time to process them all.

http://cambriancavingcouncil.org.uk/pdf/greenpaperresponse_Oct2015.pdf

Dave Tyson attended an all-day consultative meeting between NRW and diverse stakeholders in Builth Wells informing NRW's response to the WG consultation. I attended another all-day NRW consultative meeting in Aberystwyth last August with the other sports national bodies, also to inform NRW's own response to the Access Green Paper. However, when NRW's response was published it made no mention of caving or underground exploration; it is couched in general terms and refers to specific sports like climbing in mainly historical contexts. It is bureaucratic and enforcement orientated. Clearly nothing even remotely resembling the Scottish Act is envisaged by NRW. See: <https://naturalresources.wales/media/5627/improving-opportunities-to-access-the-outdoors-for-responsible-recreation-org.pdf>

NATURAL RESOURCES WALES

Besides the WG-related consultations above, I attended two of NRW's three National Access Forum Wales meetings in 2015 which rotate between North/Mid/South Wales where NRW exchanges reports and information with sports governing bodies, other stakeholders such as landowners, Welsh Water, and local authority countryside services. It provides a good platform to make contacts, build relationships and develop ideas and initiatives to improve access and sport facilities.

The NRW/CAL disused mines access agreement is completing its first year. NRW land agents are pleased with the way it has worked out and it will be renewed for another 12 months. We are currently negotiating the addition of some new mine sites.

CCC had a first meeting at Director level with NRW in August, attended by Dave Tyson, Ian Adams and myself. Tim Jones, NRW Operations Director for North Wales, wishes to work towards a pan-Wales Memorandum of Agreement with cavers covering conservation, bats, cave exploration and access generally, in order to set out what each side expects of the other. There is nothing in writing yet but it could help us if there was clear documented national policy that we can refer local NRW officers to rather than having to negotiate everything as a series of special cases.

NRW's latest website remains a work-in-progress. There are still no Access Land nor SSSI mapping tools nor any formal public documentation like SSSI citations and management statements and boundary maps, and there is no timescale to deliver them. It is then somewhat perverse to receive letters from NRW stating that cavers should know the details of their 1000+ individual SSSIs and to react accordingly.

A six-month negotiation concerning Draethen lead mines access has resulted in the setting up of a project led by Peter Smith to look at species issues and recreational access, recommending ways to de-conflict them, if necessary.

A new hole which opened itself this winter in the River Alyn gorge was initially blamed on cavers by NRW. However, NRW now accepts that it was caused by natural subsidence and is looking for ways to engage with cavers to manage the H&S and SSSI issues attached to the site. It looks as if it will be grided with a Derbyshire Bolt type system. NRW with the county council (landowner) will be open to project ideas from cavers once the bat hibernation season ends.

REGIONAL ISSUES

I met with the Brecon Beacons National Park Authority (BBNPA) in December following a letter from Ashford Price at Dan-yr-Ogof Show Caves complaining about old cave digs above the "DYO dry valley" and beyond. Some of these date from before the Long Crawl was passed in 1966 and the people who dug them have since passed away. The NPA takes the view that they can now be regarded in the same way as industrial relics (like the small quarries and lime kilns one sees up on the mountain) and that the impact and risk associated is similar, understood already by visitors, and thus avoidable. See:

<http://www.cambriancavingcouncil.uk/accessdocs/dyoholes.ppt>

The current idea is that the NPA should check a 10m wide area either side of the public bridleway running from DYO as far as the River Giedd to identify any holes that might be a hazard (if any) then fabricate one-piece covers for them and fit these. We are not being asked to finance anything, but we are asked to discuss these abandoned holes to inform the NPA's approach to this recent complaint. We should also consider surface digging at this year's AGM in a more general way to avoid situations like the DYO one being passed by our generation to future ones.

I began writing a Digging Guidance leaflet in the same style as the CCC Newsletter, hoping to include case studies. But this has stalled because of the lack of progress by NRW in providing online resources and the diversion of my time into other more pressing matters that are detailed below.

A465 DUALLING OF THE CLYDACH GORGE

Peter Smith is engaged by Costain as a bat consultant and so he is keeping a careful eye on Ogof Capel and other small caves in the gorge. He is also doing work in the Merthyr Tydfil area since that is another section that remains to be dualled. So far there have been no issues with cave access as a result of the road works. Costain are in the process of constructing a bat tunnel under the A465 at the former Drum and Monkey site. The pub was demolished during the past year. Photos of the ongoing transformation of the pub site are available at:

<http://www.cambriancavingcouncil.uk/accessdocs/drumandmonkey.ppt>

CCC NEWSLETTER

The newsletter has appeared four times in the past year, available as a download, with some hardcopies distributed to caving club cottages in Wales, and for use in various meetings to show what caving is about and demonstrate some of the issues tackled by CCC. It is also a valuable tool for CCC in communication with cavers and clubs. See <http://cambriancavingcouncil.org.uk/newsletters.html>

OGOF CARNO

I have been in contact with Welsh Water at Land Agent level, but this is not working. My correspondence and the issue has simply been ignored. In retrospect, it would be better to contact the company's PR department and at director level to establish a policy of supporting recreation, particularly as 2016 is the WG's Year of Adventure. It would then be more straightforward to get support from local company staff.

GREENBRIDGE CAVE AND CARMARTHENSHIRE

The access agreement has worked well during the past year with no issues arising. Congratulations to the team from SWCC and friends who have opened up a new cave in the same area called Ogof Marros. It is still being explored. Scaffolding work is underway, but cave access is hampered by some sections of the cave sumping.

OGOF GOFAN AND CASTLEMARTIN RANGE WEST

The access agreement for caving in Ogof Gofan on **Range East** has run without any problems during this past year, but please contact me first to obtain authorisation for future visits. Allow a couple of weeks if possible in case anyone involved in this process is not immediately available.

Going to prospect for new caves on **Range West** is a different proposition. You first need to attend a Briefing Session at Castlemartin to get on to the list of approved persons. After that, you simply ask at the gatehouse for a daily badge and follow the procedure explained at the briefing. All 2015 permits expire in May 2016 and the dates of the upcoming Range Briefings are in the January 2016 CCC newsletter. Any permits issued in 2016 should be valid until May 2017.

I attended the annual public Range Meeting in October at Castlemartin army camp, which went well from a caving viewpoint. Since then the landowner (an MOD agency) has developed concerns about its SSSI responsibility. We had an informal meeting at the range, followed by a further meeting in Brecon, to devise a professionally-led project by Peter Smith and myself to report on bat activity and the visitor patterns since not everyone entering the cave is using our access agreement. There is electronic equipment in the cave now (please do not disturb it) and caver visits can continue as normal while the research is undertaken.

LITTLE NEATH RIVER CAVE AND GORGE AREA

I still have some monitoring equipment inside LNRC but I will remove it all when the weather relents and I find the time. There have been no new pollution incidents nor anything untoward in the past 12 months. The large oil drum jammed in the roof at Pwll-y-Rhyd needs checking and ideally removing. For H&S reasons, NRW planned to use a professional waste disposal contractor rather than ask cavers to help them.

REGIONAL CAVE MANAGEMENT COMMITTEES

We are all grateful for the efforts of many others in managing our biggest and best caves. It is a big contribution made on a regular basis by so many people. The notes below focus on changes and developments rather than the routine tasks.

The DYO committee has welcomed some new faces and has had a quiet winter for caving activity due to the record rainfall keeping the cave river levels very high.

The OFD committee is working on a scheme to permit access to BCA direct individual members (DIMs). Following a tightening up of issuing procedures, cavers are asked to take evidence of their club membership when obtaining cave keys from SWCC.

The MLCMAC has also agreed to change its access procedures to accommodate DIMs. New chain ladders funded by CCC have been installed at Eastern Flyover and Frag Street.

The PDCMG supported the Draenen landowner's application to NRW for a 'species conservation licence' submitted in July 2015 to create a vault-like concrete and steel wall within Drws Cefn intended to exclude cavers for 100+ years. According to documents obtained under the Freedom of Information Act, NRW refused this licence application on the grounds that barring cavers was not a legitimate bat conservation activity, and the applicants had covered up their intentions repeatedly by describing this concrete wall as a grille. Some of the FoIA material obtained can be downloaded at <http://www.walesunderground.co.uk>. A different type of licence application is now understood to be in planning between the landowner, PDCMG and NRW. This is also

for some form of barrier to prevent caver access, with a timescale of 2016. We understand that four options were put to NRW in November: (1) the concrete wall as per the July licence application, (2) the same concrete wall but with ventilation holes, (3) a solid metal frame with an unopenable central grille, (4) a solid metal frame with a central locked gate. Their case to license this new barrier seems to rely on NRW being convinced of "Reasons of Overwhelming Public Interest" (ROPI). So NRW will have to make a formal decision on that, and legal decisions are open to challenge. Thus conservation, projected higher visitor numbers, through-trips, underground wildernesses, and other specious objections to cave access here that have been advanced during the past six years have all gone, and ROPI would seem to be the main or only hope of making a case for cave closure in a future development licence.

Meanwhile, individual cavers have taken the first steps towards a Judicial Review of NRW's interpretation of the CRoW Act 2000 as applied to caving. This is being done in a general way but was prompted by events during 2015 where NRW has acted as if the Act does not apply to caves on Access Land, which is its stated position. The Claimant asserts that the public access rights granted by the Act are broadly cast and apply to visiting caves within CRoW Access Land. The legal process is ongoing.

It is disappointing to report that the discussions voted for at our 2015 AGM between CCC and PDCMG to be chaired by Andrew Hinde, agreed to by PDCMG in June, then begun in August, had to be discontinued in September when the FoIA documents arrived and it became clear that these negotiations had been a total sham from the very outset, as confirmed by the four options presented to NRW during November which ignore the clearly satisfactory alternative of leaving this little-visited cave open.

LOOKING BACK AND FORWARD

It has been another busy year with meetings across Wales, much talking and correspondence, but time too for caving and exploring some mines new to me under the CAL agreement. There are projects to finish, some just beginning, and many interesting developments. I am willing to stand again in this role for a further year.

Stuart France
1 March 2016