

CWM IVY Habitat Creation Project and Public Access Issues

Background

The primary objective of the Cwm Ivy habitat creation project is to provide up to 39ha of compensatory Saltmarsh habitat required in the Carmarthen Bay and Burry Inlet Special Area of Conservation (SAC) against an overall target of 59Ha by 2025 (end of the first 20 year epoch deadline). Failure to complete the creation of SAC quality habitat by 2025 will increase the risk of infraction to Welsh Government for non-compliance of the Habitats Directive. In addition, if NRW is unable to provide compensatory habitat to offset loss of existing habitat, NRW will be unable to secure planning permission for future coastal defences within the SAC. Currently this responsibility lies with WG devolved to NRW.

Cwm Ivy marsh is owned by the National Trust (NT). EAW initially identified Cwm Ivy as a suitable site for saltmarsh creation in 2012. Following site assessment, a partnership between NRW and NT was established to begin the process of taking the project forward. Whilst the project was in its early stages, the sea wall at Cwm Ivy actually breached of its own accord following a storm event in August 2014. The breach has subsequently widened from the initial 1.5 m breach to nearer 16 – 17m at present.

If the current breach were allowed to widen naturally (no shoring up of breach or strengthening of sea wall), this would achieve the objectives of creating suitable compensatory habitat both in the short, medium and long term but is in conflict with the public access requirements.

The man-made sea defence at Cwm Ivy has a Public Right of Way running along its entire length (800m). This path also forms part of the Wales Coast Path (WCP). When the breach initially occurred, a small bridge was put in place by the NT. However that bridge only lasted some 2 weeks before the breach widened and washed away the bridge. This resulted in the WCP being diverted around the landwards side of the marsh, a route viewed as being a suitable diversionary route for the WCP.

There has been a swell of local support seeking repair to the footpath along the route of the sea wall with a protest group known as “Save our Seawall” being established by the residents of nearby village of Llanmadoc. The group has also taken advice from the Ramblers UK who in turn have served a section 56 notice under the Highway Act on City and County of Swansea (CCS) to repair the footpath. This in effect gives CCS 6 months to instigate repairs to the highway or else a magistrate court could instruct the LA to undertake the work.

CCS have no objection to habitat creation at Cwm Ivy, however CCS officers are keen to find resolution to the footpath issue with their preference being to keep a path in situ if there is a viable

solution available. CCS initially (April 2015) proposed a temporary scaffolding bridge with an estimated cost of £17K to span the breach, however they did not have funding to pay for the bridge. In addition to this, the breach was continuing to widen naturally therefore questions remained over the stability of such a temporary structure.

Current Position on Habitat Creation project

A meeting took place on 15 September between representatives from NRW, National Trust (NT), City and County of Swansea (CCS), Wildlife Trust South and West Wales, Welsh Government (Access Branch) and JBA Consulting. The purpose of the meeting was to agree on a preferred option for saltmarsh creation, whilst also taking into account CCS's statutory responsibilities in respect of a highway maintainable at the public expense.

Five options were considered:

Option 1: No active intervention; work with nature to allow the saltmarsh to develop naturally. The breach will continue to widen naturally as other sections of the embankment are likely to fail in the future.

Option 2: Widen the breach to 20m

Option 3: Widen the breach to 100m to allow the tide to flow into and out of the marsh more easily.

Option 4: Create additional breaches in the embankment to further improve how the tide flows into and out of the marsh

Option 5: Undertake small-scale works in the marsh to improve drainage in the marsh, assisting with the development of saltmarsh

It was agreed that options 2 and 3 would not be taken forward due to high costs and low ecological returns. It was agreed that option 5 could be taken forward as a 'bolt on' to further improve options 1 or 4, to be determined at the next stage of the project.

Option 1 is only acceptable to NRW and NT if the breach is not stabilised, as this option relies on the embankment continuing to widen naturally and possibly failing in other locations. However, an unstabilised structure may prove difficult for CCS to find a resolution to the PROW issue.

Option 4 unformalised multiple breaches provides the best ecological potential for optimum biodiversity outcomes. The estimate cost for **Option 4 unformalised breach is £315k** (removal of additional 2 x 20m sections of embankment, professional design services, procurement of services, staff costs and monitoring).

NRW commissioned Dawnus Construction Ltd to provide professional advice on the practicalities of addressing the access issue. Under Option 4, this would result in the need to formalise each of 3 breaches; erecting of 3 single span bridges (£660k), fitting geotextile matting to remaining embankment to stabilise the bank (£227k) and the removal of 2 x 20m sections of embankment, monitoring, staff costs £108k. **The provision of access across the sea wall would then result in the cost of option 4 increasing from £315K to £995K.**

Current Position on Footpath Reinstatement and External Interests

A meeting organised by Byron Davies MP on behalf of “Save Our Sea Wall” campaign group and the Swansea Ramblers took place in Llanmadoc on Friday 25 September. The meeting was attended by officers from NRW, National Trust and City and County of Swansea. The conclusion from Byron Davies and SOS at the meeting was that pursuing a low level footpath option made more financial sense than creating two further breaches and then having to bridge these breaches in addition to the existing breach. Members of the Swansea Ramblers group were not prepared to make a commitment on that particular day and wanted to go away to discuss the issue further with their wider membership. CCS also asked the Ramblers to confirm if they would still be continuing with their legal action to have the path reinstated under section 56 of the Highways Act.

The Annual General Meeting of the Swansea Ramblers Group took place on Saturday 24 October, however as yet neither CCS nor NRW have heard from the Ramblers regarding the outcome of their decision relating to Cwm Ivy.

NRW have also been in contact with the Director of Ramblers Wales (Angela Charlton) seeking clarification in relation to their legal action. It has been confirmed that they may be re-considering their stance once they also receive feedback from the Swansea Ramblers Group footpaths officer (Bob Denley).

In the meantime, a meeting had been arranged between Bob Denley (Swansea Ramblers footpaths Officer) and City and County of Swansea on Friday 30 October to discuss possible engineering options for a low level footpath at Cwm Ivy. It is hoped that once this meeting has taken place, CCS will then be in a position to scope up the specification required for the construction of a path.

CCS believe that they can find an engineering solution for a low level path costing in the region of around £100K, being much lower than the estimates provided by Dawnus to NRW for a low level path. Pending CCS being given a steer from the Ramblers this week, the intention is that CCS, NT and NRW would set up a working group (chaired by CCS) to explore funding opportunities for the provision of access. One opportunity under consideration is the ring fenced Coastal Access program that is managed by NRW on behalf of WG although the scope of the work at Cwm Ivy could be considered as being “exceptional circumstances” and thus may require funding from alternative sources.

CCS have indicated that once they are aware as to what type of path is acceptable to the Ramblers, it would take around 6 - 8 months to gain all the necessary permissions required for the path (including marine Licence consent, tendering for work, planning requirements) with the construction phase possibly taking up to 6 – 8 weeks. These timescales are provisional until a full engineering specification has been received and assessed.

There is a high possibility that the impact of winter storms will further widen the existing naturally occurring breach and that other sections of the wall could fail. This would possibly impact on the costs of re-establishing the foot path at Cwm Ivy.