

CAERPHILLY COUNTY BOROUGH COUNCIL

RIGHTS OF WAY COMMITTEE

MINUTES OF THE MEETING HELD AT THE COUNCIL OFFICES, TREDOMEN ON MONDAY, 26TH JANUARY 2004 AT 5.00 P.M.

PRESENT:

Councillor D. Cullen - Chairman
Councillor M. Lloyd - Vice-Chairman

Councillors:

H.A. Andrews, K.M. Derrick, S. Jenkins, K. Lloyd

Together with:

J. Cooper (Transportation Engineering Manager), A.J. Sander (Assistant Engineer - Rights of Way), J. Piper (CROW Support Officer), G. Gordon (Senior Assistant Solicitor), H. Lewis (Legal Assistant), S.M. Kauczok (Committee Services Officer).

APOLOGIES

An apology for absence was received from Councillor J. Bevan.

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

RESOLVED that the following minutes be approved as correct records and signed by the Chairman.

Rights of Way Committee – 15th September 2003
Rights of Way Committee – 29th October 2003

3. RIGHTS OF WAY IMPROVEMENT PLAN (ROWIP)

The Committee was advised that Welsh Assembly Guidance required the Council to produce an outline of their plan and timetable for its production by 1st November 2003. This requirement had been met by forwarding the draft plan to WAG. Their comments together with those of the Local Access Forum had been incorporated into the version of the plan presented to the Committee. A copy of the timetable for production of the ROWIP is attached to these minutes.

It was pointed out that whilst there are no financial implications at this stage, there would almost certainly be increased pressure on budgets currently allocated to rights of way once the content of the ROWIP is clear.

Justin Cooper, Transportation Engineering Manager, highlighted the following issues within the report: -

- The production of the plan will produce a considerable burden on Rights of Way staff over the next 3 years and to a lesser extent on staff in the Countryside Section.
- The deadline for producing the ROWIP i.e. Autumn 2007 had been taken as meaning 31st October 2007. The details of the plan will be determined by the research and consideration of policy over the next four years.
- The Committee's attention was drawn to Principles 2 & 8 of the section entitled "Underlying Policies and Principles" which points out that some activities identified in the guidance would not be progressed. In addition, it is not foreseen that there will be many opportunities for the creation of new link paths beyond those in the list of current claimed rights of way. Principle 8 refers to the targets for implementing the plan.
- A 'condition assessment' of the network would be completed by Autumn 2005. The Authority would continue to work with voluntary groups to survey and clear paths. These groups are more active in some areas than others and inevitably there will be areas where records will be less complete. GIS would be used to record the network, condition surveys, service requests and the record of works undertaken.
- Schools would also have the opportunity to become involved in the plan either through appropriate curriculum development or getting school groups directly involved in some aspect of the plan itself.
- Resource levels would be reviewed – staff and budgets for works – and if there is a case to increase them it will be considered by the Council. The second resource that will produce the ROWIP is embodied in the voluntary sector partners. These form the major part of the Local Access Forum and as such are central to the development of a plan that meets local needs. The plan will largely be delivered with their cooperation and through their efforts. Thirdly the Council will also make available the resources needed for the production, distribution and wide debate of the plan at various stages of its production.

Members raised concerns about the damage caused to the countryside by illegal off road motorcycling and driving. Concern was also expressed in relation to the implications for resources.

The Committee agreed with the recommendation in the report and RECOMMENDED that the report be adopted as the basis for producing the Rights of Way Improvement Plan for Caerphilly CBC.

4. CONVERSION OF FOOTPATH 55 TO CYCLE TRACK, GALLAGHER RETAIL PARK, CAERPHILLY

The report sought approval to formally convert part of Footpath 55 through Gallagher Retail Park in Caerphilly, to a cycle track by following the legal procedures as set out in the Cycle Tracks Act 1984.

In order to convert the footpath to a cycle track there are procedures within the Cycle Tracks Act 1984 that have to be followed. It is considered that pedestrians will benefit by the proposals due to the improvements to the width and surface of the cycle track. The length of Footpath 55 that is proposed to be converted is 370 metres.

The initial consultation, which is informal, has been undertaken and two objections have been received. Objections have been received from the Joint Committee on Mobility of Blind and Partially Sighted People (JCMBPS) and from the Pontygwindy Residents Association (PRA).

The grounds for objection of the JCMBPS is based on the lack of segregation between pedestrians and cyclists. The grounds for objection of the PRA have not yet been disclosed. Whilst the Council has agreed to consider some form of segregation, the JCMBPS insists that either a 1 metre high pedestrian guardrail is erected along its entire length or that a 100mm change in level is provided between the two uses. The Council considers this request to be too onerous due to the route being classed as non-urban and the risk of conflict. However, consideration will be given to putting a marking strip down the centre of the cycle track for segregation.

The Committee agreed with the recommendation in the report and RESOLVED that the conversion of part of Footpath 55 to a cycle track, as shown in the appendix to the report, be progressed, using the Cycle Tracks Act 1984.

5. DIVERSION OF FOOTPATHS 54 AND 56 IN THE COMMUNITY OF CAERPHILLY

An amended plan was circulated at the meeting.

The report advised Members of an application for a diversion in respect of Footpath Nos. 54 and 56 in the Community of Caerphilly.

The Committee agreed with the recommendations in the report and RESOLVED that a diversion order be processed under Section 119 of the Highways Act 1980 in accordance with the following descriptions:-

Description of existing Path or Way (footpath No.56)

That part of footpath No.56 in the Community of Caerphilly commencing at its junction with footpath No.54 at a point approximately 110 metres north west of the property known as "Pont-y-Pandy Farm" and proceeding in a west north westerly and west south westerly direction to its termination on Pontygwindy Road at a point approximately 480 metres west north west of the said property a total distance of 395 metres or thereabouts shown on plan by bold black line between points A-C

Description of Alternative Path or Way

A new path to a width of 1.8 metres commencing at its junction with footpath No.54 at a point approximately 110 metres north west of the property known as "Pont-y-pandy Farm" and proceeding in a south easterly, west north westerly and south westerly directions to its termination on Pontygwindy Road at a point approximately 445 metres west of the said property a total distance of 367 metres or thereabouts and shown on plan by a bold black dashed line between points A-D-E

Description of Existing Paths or Way to be Diverted

That part of footpath N°54 in the Community of Caerphilly commencing at a point approximately 110 metres west of the centre of the property known as Pont-y-Pandy Farm and proceeding in a general north westerly direction to its termination at the boundary of the Caerphilly Northern bypass at a point approximately 300 metres northwest of the said property a total distance of 200 metres or thereabouts. shown on plan by bold black line between points A-B

Description of Alternative Paths or Way

A new path to a width of 1.8 metres if bounded on both sides or 1.4 metres if bounded on one, commencing at a point 110 metres west of the property known as Pont-y-Pandy Farm and proceeding in a north north west and westerly directions to its termination at a point on the boundary of the Caerphilly Northern bypass at a point approximately 300 metres northwest of the said property a total distance of 250 metres or thereabouts shown on plan by bold black dashed line between points A-F-B.

6. INVOLVEMENT OF OTHER GROUPS

The report updated Members on the involvement of user groups who are assisting the Authority with improvements to the rights of way network. Members noted with sadness that Mr J. Riddley one of the key organisers of the survey works, had recently died.

- The Gelligaer Group have continued to clear and waymark paths between Penpedairheol, Gelligaer Common and Tophill.
- The Schizophrenia Group is continuing to help in preparing a further leaflet for circular walks in Caerphilly. Their involvement has not been as high as previously however, due to staffing and transportation difficulties.
- The Ramblers Association and the British Horse Society are continuing to assist the Authority with the production of performance indicators.
- Islwyn Riding Group is continuing to undertake a survey of bridleways in their area. The group has also undertaken minor improvement works to bridleways in the area.

The Committee noted the report and requested that a letter of condolence be set to Mr. Riddley's family.

7. WORKS IN HAND OR RECENTLY CARRIED OUT

The report updated Members on the works recently undertaken or programmed to be carried out in relation to the rights of way network.

In addition to the works set out under paragraph 3.1 of the report, the Rights of Way Warden has continued to undertake surveys of footpaths and bridleways following complaints received from councillors and members of the public. The surveys form the basis of works likely to be undertaken by user groups in the coming year.

It was noted that the Islwyn Ramblers Group continues to be active and has cleared approximately 2000 metres of overgrown paths. The Deri Ramblers have also been active in clearing approximately 600 metres of heavy overgrowth. They have undertaken surveys identifying areas where work is necessary and within the scope of the group.

The Gelligaer Ramblers are continuing the survey work relating to the performance indicators and a similar exercise is being carried out by the Islwyn Group.

The priority of work is unchanged since the previous meeting and is as follows:-

1. hazards to the public
2. hazards to property and livestock
3. regular maintenance programme
4. complaints from the public not covered by the above.

Members received details of the list of telephone and other complaints received by Rights of Way staff since 15th September 2003 together with the remedial works undertaken to resolve the issues. At present there is a backlog of works of approximately 5 weeks.

The Committee noted the report.

The meeting closed at 5.32 p.m.

Approved as a correct record and signed by the Chairman.

CHAIRMAN