

CAERPHILLY COUNTY BOROUGH COUNCIL

RIGHTS OF WAY COMMITTEE

MINUTES OF THE MEETING HELD AT THE COUNCIL OFFICES, TREDOMEN ON MONDAY 24TH MAY 2004 AT 5.00 PM

PRESENT:

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

Councillors:

H.A. Andrews, J. Bevan, D. Bolter, K.M. Derrick, S. Jenkins, K. Lloyd

Together with:

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

APOLOGIES

Apologies for absence had been received from Councillors J. Bevan and K.M. Derrick.

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. MINUTES

RESOLVED that the following minutes be approved as a correct record and signed by the chairman.

Rights of Way Committee – 26th January 2004.

3. RIGHTS OF WAY BUDGET 2004-05

The report informed Members of the revenue and capital budget allocations for the current year.

The ROW revenue budget forms part of the overall provision for highway maintenance. An apportionment of £40,000 had been made for 2004/05, which represents no change over the preceding year. The capital budget had been increased by £5,000 from £15,000 to £20,000.

Members were advised that a new post of a Trainee Warden/ROW Technician had been created within the section on a scale 1-3.

The revenue budget had been divided as follows:-

- Planned maintenance to bring currently unusable paths back into use. £20,000
- Other planned maintenance on paths currently in use including costs associated with diversions. £10,000
- Reactive maintenance in response to requests. £10,000

The capital budget of £20,000 would be allocated to the following:-

- Purchase of stiles, gates, finger posts, building materials.
- Purchase of tools and equipment.
- Significant improvement works such as drainage works.
- Costs associated with additions to the network.

The Committee noted the report.

4. THE RIGHTS OF WAY NETWORK – INVESTIGATIONS CURRENTLY IN HAND

The report informed Members of progress to date on potential changes to the rights of way network.

Applications for Modification Orders (Claims) which are currently under investigation are set out below:-

- Claimed Right of Way No 87 Pennar Lane, Newbridge.
- Claimed Right of Way No 121 Markham.
- Claimed Right of Way No 126 Manor Road/Oakland Terrace, Newbridge.
- Claimed Right of Way No 173 Penpedairheol
- Claimed Right of Way No 178 Pentwynmawr
- Claimed Right of Way No 183 Ruperra Woods
- Claimed Right of Way No 185 Trinant

It was also reported that an application had been received to reclassify a footpath to a By Way Open To All Traffic at Rhuslas Pond near Fochriw and the Committee was updated on progress with provision of a 40 mile long distance bridle route.

The Committee noted the report.

5. INVOLVEMENT OF OTHER GROUPS

Members were advised of the involvement of user groups who assist the Authority with the improvement of the rights of way network.

- As a result of a request from the Ramblers Association through the Local Access Forum, a survey training day had been arranged with groups who were prepared to survey the network. The day commenced with consideration of the survey forms followed by a practical survey of a small section of the local network.
- The Rights of Way Warden continued to undertake works with groups by using the services of contractors to demonstrate and instruct new user group members in safe working practices.

- The Gelligaer Group had continued to clear and waymark paths between Penpedairheol, Gelligaer Common and Tophill. The group also surveys the Twm Walk on a regular basis and report any matters requiring attention.
- The Ramblers Association together with the British Horse Society are continuing to assist the Authority in producing performance indicators.
- The Islwyn Riding Group continues to undertake a survey of bridleways in their area.
- The Deri Ramblers are due to commence voluntary work in early May.

The Committee noted the report.

6. WORKS IN HAND OR RECENTLY CARRIED OUT

Members received details of works carried out since 26th January 2004 and of works programmed to be undertaken in relation to the rights of way network.

A list of the telephone and other complaints received by Rights of Way staff since January 2004 together with the remedial works undertaken to resolve the issues, was on deposit in the members' Library. There was currently a backlog of approximately at five weeks.

The Committee noted the report.

7. APPLICATION FOR A MODIFICATION ORDER TO AMEND THE MONMOUTHSHIRE COUNTY COUNCIL DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY IN RESPECT OF ADDING A PATH IN THE COMMUNITY OF ABERCARN

The report outlined the evidence submitted in relation to a claimed right of way from Hill Grange (CRB 257 Abercarn) to FP258 Abercarn and proposed a possible solution.

The Committee RESOLVED that the application be deferred pending a site visit immediately followed by a reconvened meeting to determine the application.

8. DEFINITIVE MAP MODIFICATION ORDER: FOOTPATH FROM TWYN GWYN ROAD TO ST THEODORE'S CHURCH, YNYSDDU. WILDLIFE AND COUNTRYSIDE ACT 1981.

The report advised Members of the subsequent withdrawal of this application.

It was noted that letters had been sent to the supporters who had completed evidence forms relating to the claim in order to seek their agreement to the applicant's withdrawal of the application. Of the 16 residents who completed the forms, 14 had advised the office that they were in agreement with the applicant. There had been no response from the remaining two residents following a reminder letter. The local members had also been consulted and they had no objection to the withdrawal of the application.

The Committee noted the report and that the application for the claimed right of way from Twyn Gwyn Road to St Theodore's Church had been withdrawn.

9. MAGISTRATES COURT APPLICATION – BRYN MEADOWS GOLF CLUB- STOPPING UP AND DIVERSION OF PUBLIC RIGHTS OF WAY

The report advised Members of an application received under Section 117 of the Highways Act 1980 seeking the stopping up of Cart Road Bridleways 199 and 205 and the simultaneous diversion of footpath 200 and 215 in the Community of Bedwas and Machen.

The Committee RESOLVED to make an application to the Magistrates Court for the stopping up of Cart Road Bridleways 199 and 205 and the diversion of footpath nos. 200 and 215, all paths in the Community of Bedwas and Machen.

10. CONSULTATION WITH THE CHAIRMAN AND VICE CHAIRMAN OF THE RIGHTS OF WAY COMMITTEE – DIVERSION OF FOOTPATHS 370 AND 374 BEDWELLY

The report advised Members of a decision taken under delegated powers in consultation with the Chairman and Vice Chairman of the Committee on 2nd April 2004 in respect of the diversion application relating to footpaths nos. 370 and 374 in the Community of Bedwellty.

The Committee noted the decision taken under delegated powers in consultation with the Chairman and Vice Chairman.

The resultant path would allow development to take place and re-establish a pedestrian link between the two communities.

The meeting closed at 4.35 pm

Approved as a correct record by the Rights of Way Committee.

CHAIRMAN