

## RIGHTS OF WAY COMMITTEE – 25TH JULY 2005

**SUBJECT:                MODIFICATION ORDER TO AMEND THE MONMOUTHSHIRE  
                              COUNTY COUNCIL DEFINITIVE MAP AND STATEMENT OF PUBLIC  
                              RIGHTS OF WAY IN RESPECT OF RECTIFYING AN ERROR ON  
                              CARTROAD BRIDLEWAY NO. 94 IN THE COMMUNITY OF  
                              BEDWELLYTY**

**REPORT BY:            DIRECTOR OF THE ENVIRONMENT**

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### **1.        PURPOSE OF REPORT**

1.1        To rectify an error on the Definitive Map and Statement.

### **2.        SUMMARY**

2.1        A report has been prepared providing evidence that an error has been made on the definitive Map and Statement.

### **3.        LINKS TO STRATEGY**

3.1        There is a duty to maintain the Definitive Map and Statement

3.2        Environmental improvements, sustainable developments.

### **4.        THE REPORT**

4.1        It has been brought to the Authority's attention that an error has been made on the Definitive Map in respect of Cart Road Bridleway No. 94 Bedwellty. The error arose from work carried out some 50 years ago.

4.2        On checking the Definitive Statement that accompanies the Definitive Map it is noted that there is an anomaly between the Definitive Map and Statement. The Definitive Statement records the path as passing cottages on left and becoming a footpath to rear of cottages whereas the Definitive Map records the route of the path on plan as a cart road footpath.

4.3        In order to rectify this situation it is necessary to make a Modification Order to amend the Definitive Map to show the cartroad bridleway and footpath correctly. The statement will also be updated to accurately describe the path.

4.5        Document No. 1 shows the location of Cart Road Bridleway No. 94 Bedwellty.

4.6        Document No. 2 is a copy of the Definitive Map showing the cartroad bridleway.

4.7        Document No. 3 is an extract from the Definitive Statement.

4.9 The first section of Cart Road Bridleway No. 94 will also be affected by the construction of the Sirhowy Enterprise Way. Under the Sirhowy Enterprise Way, Route A4048 Classified Road) (Side Road) Order 2001 approximately 17 metres has been stopped up to allow for the construction of the new roundabout to serve the Sirhowy Enterprise Way (as shown in Document No. 4). Improvements to the access to serve Cart Road Bridleway No. 94 has been undertaken. (Document No. 6 shows the improvements).

4.10 It is proposed to update the Definitive Statement as follows:-

Cartroad Bridleway No.94 Bedwellty commences on the eastern side of the A4048 approximately 42 metres east of property known as Bryn-gwyn and proceeding in an east northeasterly direction. The path passes between hedges and in front of and south of Berllangron Cottages to the north east end of the cottages (formerly No. 4). From this point the path continues as a footpath and turns north north-westerly and then in a south-easterly directions down a steep embankment to its junction with Footpath Nos. 92, 93 and 95 Bedwellty ending south of Brookside House.

4.11 Document No. 5 shows a copy of the amended path using computer based GIS System. Cartroad Bridleway No. 94 indicated between point A-B and Footpath B-C.

4.12 As part of the Sirhowy Enterprise Way improvements to the access from the A4048 will be undertaken.

## **5. FINANCIAL IMPLICATIONS**

5.1 The cost of the Modification Order is £1,800.

## **6. PERSONNEL IMPLICATIONS**

6.1 None.

## **7. CONSULTATIONS**

7.1 As listed.

7.2 Consultation has taken place with interested parties and no objections have been received.

## **8. RECOMMENDATIONS**

8.1 To approve the making of a Modification Order to amend the Definitive Map and Statement.

## **9. REASONS FOR THE RECOMMENDATIONS**

9.1 To rectify the Definitive Map and Statement

## **10. STATUTORY POWER**

10.1 Section 53(2) (c)(ii) of The Wildlife & Countryside Act 1981

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