

## CONSULTATION WITH CHAIRMAN AND VICE CHAIRMAN OF THE RIGHTS OF WAY COMMITTEE – 10TH JANUARY 2005

**SUBJECT: DIVERSION OF FOOTPATH NO.67 RHYMNEY**

**REPORT BY: DIRECTOR OF THE ENVIRONMENT**

---

### 1. PURPOSE OF REPORT

1.1 To advise Members of a diversion in respect of footpath No.67 in the Community of Rhymney.

### 2. LINKS TO STRATEGY

2.1 Environmental improvements, sustainable development

2.2 The Authority has a duty to maintain the Definitive Map and Statement

### 3. THE REPORT

3.1 An application has been made by Mr. and Mrs. R.J. Barnsley for the diversion of footpath No.67 in the Community of Rhymney.

3.2 The location of the path is indicated on Document No.1

3.3 The route of the existing public path is shown on the Monmouthshire County Council definitive map, relevant date 1st July 1952, attached as Document No.1

3.4 The definitive route is also shown in more detail on Document No.2 by a bold black line between points A – B.

3.5 The path is described in the definitive statement as;

Footpath 67 RHYMNEY

Name of Path : Open Mountain

Description : Commencing at southeast corner of the garden of McLaren House with a stile this footpath leads up through a field to the road leading to Tredegar Crossing the road it passes up the mountainside towards the Tredegar U.D. boundary.

Grounds for Belief: Pathway to mountain.

3.6 The proposed diversion is shown on plan (Document No.2) by a bold black dashed line between points A – C – B.

3.7 The application is a result of outline planning permission (P/03/1553) being granted on the 8<sup>th</sup> April 2004 for residential development of three (3No.) houses.

3.8 The Authority has undertaken a pre-order consultation exercise and no objections have been received.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The applicant has agreed to contribute towards the incurred costs of the order

#### **5. PERSONNEL IMPLICATIONS**

- 5.1 None

#### **6. CONSULTATIONS**

- 6.1 Cabinet Member for Highways and Transportation, County Borough Councillor K. Griffiths
- 6.2 Chairman of Rights of Way Committee Councillor D. Carter,
- 6.3 Vice Chairman of Rights of Way Committee Councillor N. Dix
- 6.4 County Borough Councillor J. Bevan 5, Arthur Street, Abertysswg, Rhymney, Tredegar, NP22 5AN
- 6.5 County Borough Councillor S. Lewis Maerdy Bungalow, Wellington Way, Rhymney, Tredegar, NP22 5PZ
- 6.6 Chief Engineer, Mr. D. Williams
- 6.7 Transportation Manager, Mr. J. Cooper
- 6.8 Head of Legal Services, Mr. D. Perkins

#### **7. RECOMMENDATIONS**

- 7.1 That a diversion order be processed under Section 257 of the Town and Country Planning Act 1991 to divert footpath No.67 in the Community of Rhymney in accordance with the following description;

Description of Existing Path or Way (Document No.3)

That part of footpath No.67 in the Community of Rhymney commencing at a point approximately 55 metres south east of the centre of the property known as McLaren House and proceeding in a west south westerly, and south westerly directions to its termination on the maintainable rear lane to McLaren Cottages at a point approximately 56 metres east of the centre of No.26 McLaren Cottages a total distance of 98 metres or thereabouts and shown on plan by a bold black line between points A-B

Description of Alternative Path or Way (Document No.3)

A new path to a width of 1.8 metres commencing at a point approximately 55 metres south east of the centre of the property known as McLaren House and proceeding in a south westerly, and westerly directions to its termination on the maintainable rear lane to McLaren Cottages at a point approximately 56 metres east of the centre of No.26 McLaren Cottages a total distance of 96 metres or thereabouts and shown on plan by a bold black line between points A-C-B

## **8. REASONS FOR THE RECOMMENDATIONS**

8.1 To allow the implementation of a planning permission

## **9. STATUTORY POWER**

9.1 Town and Country Planning Act 1991

Author: A.J. Sander, Senior Assistant Engineer, Rights of Way  
Consultees: Keith Donovan, 9 Laurel Drive, The Bryn, Pontllanfraith, Blackwood NP12 2PR  
Cyclist and Touring Club, Cotterell House, 69 Mead Row, Godalming, Surrey GU7 3HS (Put note on that copy sent to Mr. Pruddah)  
Auto Cycle Union, Wood Street, Rugby Warwickshire, CV21 2XY  
Countryside Council for Wales Unit 4, Castleton Court, Fortan Road, St. Mellons, Cardiff, CF3 0LT  
Open Spaces Society, 25A Bell Street, Henley-on Thames, Oxon RG9 2BA  
The Ramblers Association, 2nd Floor, Camelford House, 87-90 Albert Embankment, London, SE1 7TW  
Royal Mail Property Holdings West, Estates Surveying Division, Archway House, 77 Ty Glas Avenue, Llanishen, Cardiff CF4 5YG  
Regional Solicitor, British Wales Gas plc., Helmont House, Churchill Way, Cardiff  
NRSWA Section, Mapping Centre, Western Power Distribution, Duffryn Bach Terrace, Church Village Pontypridd, CF38 1NB  
Incoming Notice Reception (South Wales), P.P.404B Telecom House, Trinity House, Hanley ST1 5ND  
NRSWA Section, AIS Bureau, Hyder Operations, Duffryn Bach Terrace, Church Village Pontypridd, CF38 1NB.  
British Driving Society, 27 Dugard Place, Bedford, Warwick CV38 8DY  
Mrs. J. Hyett, British Horse Society Representative, Woodland Farm, Caerphilly Mountain, Mid Glamorgan CF8 1NF  
British Horse Society, Stoneleigh Deer Park, Kenilworth, Warwickshire CV8 2XZ  
Mrs. S.L. Davy, Secretary to the Byways and Bridleways Trust, P.O. Box 117, Newcastle upon Tyne, NE3 5YT  
Mr. R.S. Pruddah, Representative of Cyclists Touring Club, 19 Bernard Street, Cwmcarn.

Background Papers: Council Offices, Pontllanfraith