

RIGHTS OF WAY COMMITTEE – 29TH MARCH 2006

SUBJECT: CREATION OF BRIDLEWAY AND EXTINGUISHMENT OF SECTION OF FOOTPATH 368A BEDWELLY

REPORT BY: DIRECTOR OF THE ENVIRONMENT

1. PURPOSE OF REPORT

- 1.1 To advise Members of creation of a bridleway in the Community of Bedwellty and extinguishment of section of footpath No.368A Bedwellty.

2. SUMMARY

- 2.1 To consider the extinguishment of footpath No. 368A Bedwellty and the simultaneous creation of a bridleway in the Community of Bedwellty

3. LINKS TO STRATEGY

- 3.1 Environmental improvements, sustainable development.
- 3.2 The Authority has a duty to maintain the Definitive Map and Statement.
- 3.3 The introduction of a long distance bridleway forms part of the Local Transport Development Plan.
- 3.4 Improvement to bridleways is included in the Rights of Way Improvement Plan.
- 3.5 Improving access to the countryside for the local community.

4. THE REPORT

- 4.1 Footpath No. 368A in the Community of Bedwellty is a registered right of way and recorded on the definitive map and statement relevant date 1st July, 1952 prepared by Monmouthshire County Council under the terms of the National Parks and Access to the Countryside Act 1949.
- 4.2 For identification purposes the area of the path is indicated on Document No. 1.
- 4.3 The detailed route of the creation and extinguishment is shown on Document No. 2.
- 4.4 The footpath is described in the definitive statement as:-

This path leads from CRB 368 in a westerly direction to Victoria Road. It is approximately 120m in length.
- 4.5 The definitive footpath is shown in Document No.2 between points A-B by a bold black line.

- 4.6 As part of the Local Transport Development Plan and the Rights of Way Improvement Plan the Authority is endeavouring to create a long distance bridle route, together with smaller circular routes. There are a number of bridleways that unfortunately form culs-de-sac and the Authority is considering ways to find links to extend these routes.
- 4.7 Footpath No. 368A Bedwellty joins CRB368 Bedwellty at point A but horse riders are only allowed to ride on CRB368 Bedwellty. There is no legal right for equestrians on the footpath leading to Victoria Road, Fleur-de-lis.
- 4.8 A meeting took place with the landowner traversed by Footpath No. 368A Bedwellty to discuss rights of way on his land.
- 4.9 The landowner is currently putting in a circular horse/walking route on his land. He has agreed that if Footpath No. 368A Bedwellty is extinguished he is agreeable to enter into a Creation Agreement for a bridleway through his field – shown as C-D-E in Document No. 2. The section of the bridleway shown as E-F on Document No. 2 is on land owned by this Authority. This would then provide a link for horse riders and other users of CRB368 to connect to Victoria Street, Fleur-de-lis. A footpath link will be provided from the bridleway to the remaining section of Footpath 368A Bedwellty at its junction with Footpath No. 80 Bedwellty shown as D-B on Document No. 2.
- 4.10 Footpath No. 368A Bedwellty is currently very overgrown and the public are using the path shown as C-D-B at present. (Document No. 2) There is currently a stile at point B. It is proposed that a bridleway gate be placed in the fenceline at point E to allow equestrian access to proceed along the new path to Victoria Road.
- 4.11 The authority has undertaken a pre-order consultation exercise with two responses received one from the Wales and West Utilities and the other from BT indicating that they had no objection to the proposals.

5. FINANCIAL IMPLICATIONS

- 5.1 As mentioned previously, the Authority has included the introduction of a long distance bridleway, together with improving links to bridleways for horse riders, within the Local Transport Development Plan and the Rights of Way Improvement Plan. It is therefore recommended that the cost of extinguishment, in the region of £1,800 and the cost of a Creation Agreement, approximately £500, be met by this Authority.

6. PERSONNEL IMPLICATIONS

- 6.1 None.

7. CONSULTATIONS

Cabinet Member for Highways and Transportation, County Borough Councillor K. Griffiths.
Chairman of Rights of Way Committee Councillor D. Carter.
Vice Chairman of Rights of Way Committee Councillor N. Dix.
Chief Engineer, Mr. Mark Rees-Williams.
Transportation Engineering Manager.
Head of Legal Services, Mr. D. Perkins

8. RECOMMENDATIONS

- 8.1 That an Extinguishment Order be processed under Section 118 of the Highways Act 1980 for that part of Footpath No. 368A Bedwellty shown as A-B on Document No. 2 subject to the landowner, entering into a Creation Agreement to establish a bridleway shown as C-D-E and footpath shown as D-B on Document No. 2.

Description of path or way to be Extinguished

That part of footpath No. 368A Bedwellty commencing at its junction with CRB 368 Bedwellty and Footpath 202 Bedwellty at a point approximately 104 metres south east of the centre of the property known as "Tree Tops" and leading in a north westerly direction to its termination at its junction with FP80 at a point approximately 23 metres south east of the said property, a total distance of 90 metres or thereabouts and shown on plan by a bold black line between points A-B.

Description of Created Bridleway

A new bridleway to a width of 3m commencing on CRB368 Bedwellty at a point approximately 115 metres south east of the centre of the property known as "Tree Tops" proceeding in a north westerly direction to a gateway at a point approximately 33 metres south of the said property, continues west to its termination on Victoria Road. A total distance of 135 metres or thereabouts shown on plan by a bold black dashed line between points C-D-E-F.

Description of Created Footpath

A new path to a width of 1.8 metres commencing at a point approximately 32 metres south of the centre of the property known as "Treetops" from its junction with the new bridleway and proceeding in a northerly direction to its termination at its junction with Footpaths 80 and 368A Bedwellty at a point approximately 22 metres south of the centre of the said property, a total distance of 10 metres or thereabouts and shown on plan by a bold black dashed line between points D-B.

9. REASONS FOR THE RECOMMENDATIONS

- 9.1 To fulfil the action included in the Transport Development Plan and Rights of Way Improvement Plan to introduce a long distance bridleway and improve access for horse riders. The new bridleway will improve access for both horse riders and walkers.

10. STATUTORY POWER

- 10.1 The Authority has a duty to keep the Definitive Map and Statement under continuous review. The Extinguishment and Creation Orders come under the Highways Act 1980, Section 118 & Section 25 respectively.

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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
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