

RIGHTS OF WAY COMMITTEE – 29TH MARCH 2006

SUBJECT: DIVERSION OF FOOTPATH NO.85 IN THE COMMUNITY OF BEDWAS AND MACHEN

REPORT BY: DIRECTOR OF THE ENVIRONMENT

1. PURPOSE OF REPORT

- 1.1 To advise Members of a diversion in respect of footpath No.85 in the Community of Bedwas and Machen

2. SUMMARY

- 2.1 To consider an application for the diversion of footpath No.85 in the Community of Bedwas and Machen

3. LINKS TO STRATEGY

- 3.1 Environmental improvements, sustainable development
3.2 The Authority has a duty to maintain the Definitive Map and Statement

4. THE REPORT

- 4.1 Footpath No.85 in the Community of Bedwas and Machen 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 line of the path is indicated on the Location/definitive map attached as Document No.1
- 4.3 The path is described in the definitive statement as;
- Footpath 85 Bedwas and Machen
Name of Path : Bridge Path
Description : From junction with FP 84 and FP 87 west along north side of hedge, bears N.W via gap to gateway (now barbed wire) thence to Glebe farm yard and on to County road. Path not defined. Stile near Co-op now removed and FP obstructed by sheds and garages.
Grounds for Belief : Farmer Mr. S. Edmunds, Plas Newydd Farm ,disputes this FP .Not used for some years but evidence is forthcoming from persons who have used this path for many years.
- 4.4 The definitive path is more clearly shown by a bold black line on Document No.2 between points A-B
- 4.5 An application has been received from Capita Symonds acting on behalf of Caerphilly County

Borough Council in respect to the creation of a part of the national cycleway from the Pant Glas Industrial Estate to Pont Bedwas Bridge, Bedwas.

- 4.6 Footpath No.85 Bedwas also travels between Pant Glas Industrial Estate and Pont Bedwas Bridge, Bedwas, but the definitive line of the path is presently on a line and gradient which is not suitable for a cycleway.
- 4.7 In order to improve the footpath the Authority can consider diverting the footpath to coincide with the proposed cycleway.
- 4.8 The Authority has undertaken a pre-order consultation exercise and no objections or representations were received.
- 4.9 The diverted route of footpath No.85 will be constructed in accordance with the guidelines issued by Sustrans which allow for tarmac on the steep sections and a blinded surface for level sections.

5. FINANCIAL IMPLICATIONS

- 5.1 None. The applicant has agreed to incur the administrative and constructional costs for the diversion.

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 Manager, Mr. J. Cooper.
Head of Legal Services, Mr. D. Perkins.

8. RECOMMENDATIONS

- 8.1 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

That part of footpath No.85 in the Community of Bedwas and Machen commencing at a point approximately 92 metres west south west of Severnside Waste Paper Factory and proceeding in a west north westerly, northerly, and north westerly to its termination at a point approximately 65 metres south west of the property known as Bridgefield House a total distance of 275 metres or thereabouts and shown on plan by a bold black line between points B-C-A

Description of Alternative Path or Way

A new path to a width of between 2.00 – 2.50 metres commencing at a point approximately 92 metres west south west of Severnside Waste Paper Factory and proceeding in a westerly, north westerly, northerly and north westerly directions to its termination at a point

approximately 65 metres south west of the property known as Bridgefield House a total distance of approximately 310 metres or thereabouts and shown on plan by a bold black dashed line between points B-D-A

9. REASONS FOR THE RECOMMENDATIONS

9.1 In the interests of the public

10. STATUTORY POWER

10.1 Highways Act 1980 – Section 119 Diversion of Footpaths and Bridleways. This is a Council function and is delegated to this committee for determination.

Author: A.J. Sander, Senior Assistant Engineer Rights of Way
Consultees: Keith Donovan, 9 Laurel Drive, The Bryn, Pontllanfraith, Blackwood NP12 2PR
Mr. Derek Allinson, Clerk to Bedwas, Trethomas and Machen Community Council, Council Offices, Newport Road, Bedwas, Newport, Gwent NP1 8BL
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
Wales & West Utilities, Malago House, Bedminster Road, Bedminster, Bristol BS99 5RS
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.
Cyclist and Touring Club, Cotterell House, 69 Mead Row, Godalming, Surrey GU7 3HS
Auto Cycle Union, Wood Street, Rugby Warwickshire, CV21 2XY
County Borough Councillor Mrs. E.M. Aldworth, Cartref Fach, 20, Navigation Street, Trethomas, Caerphilly, CF83 8FR
County Borough Councillor J.R. Davies Hillside, 12, Wyndham Street, Machen, Caerphilly, CF83 8PU
County Borough Councillor R.T. Davies 172, Pandy Road, Bedwas, Caerphilly, CF83 8EP22. County Borough Councillor A. Donaldson Brookside, 12A, Rectory Road, Bedwas, Caerphilly, CF83 8AX

Background Papers:

ETP/ROW/FP85 Bedwas and Machen/Report held at Council Offices, Pontllanfraith