



## RIGHTS OF WAY CABINET COMMITTEE - 2ND AUGUST 2007

**SUBJECT: CREATION AGREEMENT WITH RUPERRA CONSERVATION TRUST AND MR. J. WELLS**

**REPORT BY: DIRECTOR OF THE ENVIRONMENT**

---

### **1. PURPOSE OF REPORT**

- 1.1 To update Committee in respect of the Authority entering into a Creation Agreement with Ruperra Conservation Trust and Mr. J. Wells for the provision of a bridleway.

### **2. SUMMARY**

- 2.1 To advise Members of the current situation and matters that have been raised in respect of entering into the Creation Agreement by Ruperra Conservation Trust and Mr. J. Wells.

### **3. LINKS TO STRATEGY**

- 3.1 There is a duty to maintain the Definitive Map and Statement.
- 3.2 The provision of a long distance bridleway has been included in the Local Transport Plan and the Rights of Way Improvement Plan.
- 3.3 The Authority is seeking to promote access to the countryside and the creation of a bridleway in the Ruperra Conservation Trust will greatly benefit the equestrian users.

### **4. THE REPORT**

- 4.1 On the 29th March 2006, the Rights of Way Committee, resolved to enter into a Creation Agreement with the Ruperra Conservation Trust and Mr. J. Wells and this was duly approved. Copy of Report and Resolution are contained in Document No. 1.
- 4.2 The Ruperra Conservation Trust raised the issue of horse trespass on paths which were not included within the Creation Agreement. Following discussion agreement has been reached to install staggered barriers to prevent this misuse occurring.
- 4.3 The woodland management is undertaken by the Authority's Countryside Section for Coed Cymru and maintenance includes tree felling. This operation, which is undertaken by a forestry contractor, may affect the new rights of way and may require a Temporary Closure Order to safeguard both public and landowners alike. The current cost of one order is in the region of £1,000. The Ruperra Conservation Trust and Mr. Wells have indicated that if an order is required then there will be no commercial interest in the land, and they do not wish to finalise the agreement until the Temporary Order issue has been agreed. It is presently expected that the tree felling would take place every 5 years and in certain areas yearly.

- 4.4 The Creation of the paths will add approximately 3.8 km of off road route to the Definitive Map and be linked to the Ridgeway Loop to provide safe and usable routes to walkers, cyclists and horse riders. The Creation will also be supported by the ROWIP.
- 4.5 Woodland Management Interventions are likely to take place every five years in the Ruperra Woodland but Mr. Well's woodland requires regular management interventions so in theory could occur yearly but this is subject to many variables.
- 4.6 To finalise the Creation Agreement it would appear appropriate that the Authority agree to cover the cost of the Temporary Footpath Order that may be required over the routes included in the Creation Agreement.
- 4.7 The Creation Agreement will allow the Ruperra Horse Route to be linked to the Ridgeway Loop and provide extra safe off road bridleways for horse riders, together with walkers and cyclists.
- 4.8 Complaints are currently being received from horse riders that some of the paths are impassable due to overgrowth but until the Creation Agreement is signed the Authority is unable to maintain the routes

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The cost of any Temporary Closures should the necessity arise (approximately £1,000 to be met from budget for Statutory Notices (approximately £10,000 p.a.).

## **6. PERSONNEL IMPLICATIONS**

- 6.1 None.

## **7. CONSULTATIONS**

- 7.1 Cabinet Member for Highways and Transportation, County Borough Councillor K. Griffiths
- 7.2 Chief Engineer, Mr. Mark Rees-Williams
- 7.3 Transportation Manager, Mr Clive Campbell
- 7.4 Head of Legal Services, Mr. Dan Perkins

## **8. RECOMMENDATIONS**

- 8.1 That the Authority accept the cost of making a Temporary Closure provided that only one order is required within a 24 month period.
- 8.2 Should the land change ownership then the acceptance of these costs be reconsidered.

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

- 9.1 To enable the completion of the Creation Agreement for the Ruperra Horse Route.

## **10. STATUTORY POWER**

10.1 Section 25 of the Highways Act 1980.

Author: Mrs. J.E. Piper, CROW Support Officer.

Background Papers:  
ETP/ROW/CROW 183