



RIGHTS OF WAY CABINET COMMITTEE

MINUTES OF THE MEETING HELD AT DYFFRYN HOUSE, DYFFRYN BUSINESS PARK, ON MONDAY, 8TH OCTOBER 2007 AT 2.30 PM

PRESENT:

Councillors:

D.T. Davies, Mrs B.M. Toomer and R. Woodyatt.

For Agenda item 3:

Councillors D.G. Carter, D. Cullen, J.R. Davies, L. Gardiner, G.J. Hughes, S. Jenkins, K. Lloyd, M.H. Newman, Mrs G. Oliver, T.J. Williams and D.T. Wiltshire.

Together with:

C. Campbell (Transportation Engineering Manager), A.J. Sander (Senior Asst. Engineer Rights of Way), J. Piper (CROW Support Officer), G. Gordon (Senior Solicitor), S.M. Kauczok (Committee Services Officer).

APOLOGIES

Apologies for absence had been received from Councillors E.K. Griffiths, G.R. Price and Councillor L.R. Rees (agenda item 3).

CHAIRMAN

In the absence of the Chairman, Councillor R. Woodyatt was appointed to chair the meeting.

1. DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

2. RIGHTS OF WAY IMPROVEMENT PLAN (ROWIP)

Members' approval was sought for the Rights of Way Improvement Plan (ROWIP).

Under the Countryside and Rights of Way (CROW) Act 2000, all highway authorities must have produced a Rights of Way Improvement Plan (RoWIP) by the end of Autumn 2007. The Welsh Assembly Government (WAG) wish for all authorities to produce a RoWIP by 1st November 2007.

The plan commenced on 1st November 2002 and with the guidance of the Local Access Forum this Authority has been working towards the preparation and completion of the plan in accordance with Welsh Assembly Government guidelines.

The plan will focus upon the legal network of paths registered in the definitive map and statement. It will complement and interact with other key Council policy documents, raise the profile of the rights of way network, identify areas where continued improvement is required and ensure continual assessment of the demands placed upon the network by its users.

The plan has been subject, at various stages of its production, to widespread consultation. The draft ROWIP was subject to public consultation for a period of three months ending 9th June 2007. Five representations were received during this period and the plan was amended to incorporate the views expressed. The final version was now before Members for approval.

It was pointed out that much of the work identified within the plan will require substantial additional resources which will need to be sourced externally as far as possible.

The production of the plan has been achieved with existing staff although additional staff will be necessary to fully implement the Actions identified.

Members endorsed the recommendation in the report that the Rights of Way Improvement Plan for Caerphilly County Borough Council be approved and the final version of the plan be published.

3. PRESENTATION ON PUBLIC RIGHTS OF WAY – ORIGINS AND DEVELOPMENT

Members of the Planning Committee were in attendance for this item.

The Committee received a presentation from Adrian Sander, Senior Assistant Engineer Rights of Way, on past, present and future issues relating to the rights of way network. This included:-

- The history of rights of way and the various Acts of Parliament.
- The definition of public rights of way and the Definitive Map and Statement.
- The opportunity to challenge the Definitive Map.
- The maintenance of the rights of way network.
- The Authority's responsibility for signposting and way marking,
- Prevention measures arising from misuse of the countryside.
- Wildlife and Countryside Act 1981.
- The Countryside and Rights of Way Act 2000.
- The role of the Rights of Way Cabinet Committee.

Councillor R. Woodyatt had to leave the meeting at 3.30 pm. Councillor D.T. Davies took the chair for the remainder of the meeting.

Following Mr Sander's informative presentation a question and answer session ensued. Matters were raised in relation to the following:-

- The identification of rights of way in the planning process.

Mr Sander advised that the Rights of Way Department has sight of planning applications at the outline/detail stage.

- Members referred to a number of rights of way that have been obstructed or have disappeared in certain areas of the county borough.

Mr Sander advised that the Department records and investigates complaints of this nature.

- Vandalism.

Reference was made to the measures being undertaken to prevent misuse of the countryside by, in particular, off road vehicular activities.

- The Authority's responsibility for the maintenance and inspection of footpaths.

Mr Sander advised that the Department reacts to complaints received and relies to some extent on the public to police the network.

- The definition of a rights of way.

4. RESTRUCTURING

Clive Campbell, Transportation Engineering Manager, advised Members of the transfer of the Rights of Way Section from Transportation Engineering to the Countryside Section within the Planning Division.

The meeting closed at 3.45 pm.

Approved as a correct record by the Rights of Way Cabinet Committee.

CHAIRMAN