



RIGHTS OF WAY CABINET COMMITTEE - 14TH JULY 2009

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 None.

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's land and link to existing bridleway will greatly benefit the equestrian users.

4. THE REPORT

- 4.1 On the 16th July, 2007, the Rights of Way Cabinet, received a report on funding of Temporary Closures of Rights of Way in respect of the routes to be created within the Ruperra Conservation Trust's land and adjoining land owned by Mr. J. Wells. Temporary Closures may be required to protect the safety of the general public when tree operation felling in the vicinity of the rights of way are being undertaken. The Committee resolved:-
- 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.
- 4.2 The Ruperra Conservation Trust and Mr. J. Wells feel that the above recommendation could still result in an expenditure to themselves should a Temporary Closure be required within the 24 month period and therefore are not prepared to enter into the Creation Agreement.
- 4.3 In order to progress this matter it is proposed that any costs incurred by Temporary Closures as a result of the woodland management are met by the Authority.

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.

6. PERSONNEL IMPLICATIONS

- 6.1 None.

7. CONSULTATIONS

- 7.1 Cabinet Member for Highways and Transportation, County Borough Councillor Gough.
- 7.2 Mr Pat Mears, County Planning Officer.
- 7.3 Mr Phil Jayne, Countryside and Landscape Manager.
- 7.4 Head of Legal Services, Mr. Dan Perkins.

8. RECOMMENDATIONS

- 8.1 That the Authority accept the cost of making Temporary Closures of the routes covered by the Creation Agreement.
- 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