

MINUTES OF A MEETING OF THE RIGHTS OF WAY PANEL HELD IN COMMITTEE ROOM 2/ 3 CIVIC OFFICES, ANGEL STREET, BRIDGEND ON MONDAY, 25TH JULY 2005 AT 10.00AM

Present: -

Councillor R M Granville - Chairperson

Councillors

K S Hunt
C J James
G C Lewis

Councillors

K Watkins
M C Wilkins
H M Williams

Observers:

Mr G J Wheeler - British Horse Society

Officers:

Mr A Green - Head of Highways
Mr C D Lewis - Rights of Way Assistant - Planning
Mr G Jones - Principal Cabinet Committee Officer
Mrs R Harries - Trainee Cabinet Committee Officer

11 DECLARATIONS OF INTEREST

Councillor K S Hunt - On items Councillor Hunt was planning to raise under any other business. In one case his cousin is the owner of the land referred to; in the second case, his business partner is the owner of the land referred to.

12 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the previous meeting of the Panel dated 25 April 2005, be confirmed as a true and accurate record.

13 BRIDGEND COUNTY BOROUGH COUNCIL (DIVERSION OF FOOTPATH NO. 44 (FORMERLY LLANGEINOR) NOW OGMORE VALLEY) FOOTPATH DIVERSION ORDER NO. 2 2005

The Director of Environmental and Planning Services submitted a report, regarding Footpath Diversion Order No. 2 2005.

Attached to the report was Appendix 'A' , showing the route of the footpath affected and the proposed diversion. The Chairperson suggested that in future the Panel carried out site visits to the routes concerned which would assist in making their decisions. The Panel agreed that this would be helpful.

Mr Wheeler asked the Panel whether, as the path had already been disturbed (paragraph 1.17 of the report), any action had been taken to restore the path until the proposed diversion was undertaken.

The Planning Department had already referred the matter to the Assistant Director Transportation and Engineering, who is in discussion with the developer on this issue.

The Chairperson asked whether, in the case of new diversions such as the one under discussion, the requirements of the Disability Discrimination Act were taken into consideration. The Rights of Way Assistant explained that the Disability Discrimination Act was taken into consideration in these circumstances, but it was not always possible to implement it. For example, the route under consideration was a rural one and as such had never been wheelchair accessible. However, the proposed diversion would actually make it more accessible, at least at this point.

The Chairperson expressed his opinion that the Panel would be more effective if it were to operate as a Committee and is currently drafting a letter to the Leader to apply for the change in the constitution and extra funding that would achieve this.

Councillor Watkins expressed concern that if the Panel were to become a Committee without sufficient additional funding the current situation could be exacerbated by increasing the workload of existing staff, and indicated that the Panel would like to take part in any further discussions.

The Panel decided that they were in favour of becoming a Committee in order to increase their remit and responsibilities.

Mr Wheeler took this opportunity to raise concerns about the way in which Rights of Way issues were raised, particularly regarding the speed with which they were dealt with. The Panel discussed this issue and it was agreed that the process is a time consuming one, made slower by objections and appeals. However, it is not possible to make a decision without fully considering all the evidence, nor was it within the remit of the Panel to deal with general Rights of Way issues, as opposed to those issues relating to development matters.

- RESOLVED:
- (1) That in future, site visits will be arranged one week prior to the Panel meetings except where Applications for Modification Orders are being determined when the site visit will take place on the same day as the meeting
 - (2) The Panel approve authorisation for the Head of Legal Services to forward Bridgend County Borough Council (Diversion of Footpath No. 44 (formerly Llangeinor) now (Ogmore Valley) Footpath Diversion Order 2, 2005 to the Welsh Assembly Government for determination.
 - (3) That the Panel request that Officers investigate altering the role of the Panel with the possibility that they may become a Committee.

14 PROPOSED DIVERSION AND STOPPING UP OF FOOTPATHS 58 AND 58A, COMMUNITY OF MAESTEG

The Director of Environmental and Planning Services submitted a report on the proposed diversion and stopping up of footpaths 58 and 58A. Attached to the

report was 'Appendix B', showing the route of the existing footpath and cycle track, the proposed diversion and the proposed stopping-up.

The Rights of Way Assistant asked that the recommendation be amended to reflect the fact that part of the footpath lies outside the planning consent area. Councillor Hunt pointed out that on the UDP map the route of the cycle track differs considerably from the route shown in the Appendix and the planning report map. It was noted that another path, (number 57) is not shown on the report map.

Although the issues raised are outside the remit of the panel, the Planning Department will liaise with Councillor Hunt, advise the developer of the cycle route southwards from the Forge Industrial Estate and review the issues relating to footpath number 57. A further report would be presented to the Panel as necessary.

RESOLVED: That the Panel approve authorisation for the Head of Legal Services to make the necessary Order(s) to seek to divert and stop up Footpaths 58 and 58A respectively as shown in Appendix B and/or any other orders to provide the routes taking into consideration that the section of the Footpath adjacent to the rugby club lies outside the planning consent, and to confirm that this (these Order(s)) provided no objection or representations are made within the prescribed period, or, if any so made are withdrawn.

15 LETTERS FROM MAESTEG TOWN COUNCIL

Councillor Hunt passed a collection of letters from Maesteg Town Council to the Panel. The letters asked for advice and clarification on a number of issues and as yet no reply from Bridgend County Borough Council has been received.

RESOLVED: It was agreed that the issues raised were not within the remit of the Panel, but that an officer would action the letters as necessary.

16 BLACK ROAD, PYLE

Councillor James informed the Panel that large lorries were allegedly using Black Road in Pyle, alongside the church, en route to the quarry. He added that gates had been fitted and signs altered.

RESOLVED: It was agreed that this was beyond the remit of the Panel, but that an Officer would investigate the matter.

The meeting closed at 11.03am.

