

MINUTES OF A SPECIAL MEETING OF THE RIGHTS OF WAY PANEL HELD IN
COMMITTEE ROOM 2/ 3 CIVIC OFFICES, ANGEL STREET, BRIDGEND ON
WEDNESDAY, 16 NOVEMBER 2005 AT 10.30AM

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 Mason – Rights of Way Officer
Mr C D Lewis – Rights of Way Assistant - Planning
Mr S Clark – Cabinet Committee Officer

25 APOLOGIES FOR ABSENCE

Apologies were received from Mr A Morgan (Ramblers Association).

26 DECLARATIONS OF INTEREST

None.

27 BRIDGEND COUNTY BOROUGH COUNCIL PROPOSED DIVERSION OF
BRIDLEWAY NO. 56 (FORMERLY LLANGEINOR) NOW GARW VALLEY

The Rights of Way Assistant - Planning submitted a report on behalf of the Executive Director - Environment in respect of a proposed diversion of a bridleway at the above location.

Attached to the report was Appendix 'A' showing the route of the bridleway affected (black line) and the proposed diversion (hatched black line). Objections from the British Horse Society were attached at Appendices 'B' and 'C'.

The Rights of Way Assistant - Planning outlined the report and advised that measures had been taken by the developers to meet the objections raised by the British Horse Society in respect of the width of the bridleway. A site visit had taken place prior to the meeting that answered many of the questions raised in the report and gave a clear indication of what was being proposed. Visibility was found to be acceptable where the bridleway met the highway, the width of the proposed bridleway diversion was clearly marked out and disabled access was deemed to be acceptable nearby. Members confirmed that when such site meetings take place, everything was brought into perspective and that the visits were worthwhile.

Mr Wheeler (British Horse Society) stressed that whilst many of the anomalies in the report had been answered at the site visit that the dimensions needed to be committed to paper in a drawing. He raised further questions regarding the width of the bridleway and felt that there were uncertainties in the report that needed to be addressed. Mr Wheeler also highlighted the issue that the diversion would result in the bridleway now not terminating at the highway from which it originally came from (the private car park and road adjacent to it). He suggested that there were further legal anomalies to the proposal and that these may be open to legal interpretation in the future over whether the bridleway existed in its original form as there had been no legal event (order) previously.

The Chairperson requested that a legal representative attend the next meeting of the Rights of Way Panel to answer any legal questions that may arise.

The Rights of Way Assistant - Planning confirmed that the dimensions agreed to with the developer had been committed to paper in the plan and that they would be reflected in the drawing and official map. He clarified that the developer would provide a tarmac surface to a 2.4m width of the bridleway at its centre with a surface of scalplings or similar either side. The overall width of the bridleway would be 5m and at the western edge of the hedge located along the southern side of the rear garden of no. 112 Victoria Street, the developer had agreed to an increased width to the diverted part of the bridleway of 7.5m, running to a point 6.6m wide at the eastern edge of the hedge.

The Rights of Way Assistant - Planning commented that Rights of Way start and finish at settlements by their very nature and therefore it was correct to start and finish at a road, rather than a privately owned car park as was the case with the existing bridleway. The Rights of Way Officer clarified the anomaly whereby the existing bridleway terminated at a private car park. He explained that an objection by the Coal Board was upheld in the 1950s by the then Glamorgan County Council to prevent the bridleway from running through the colliery that existed at the time. As the original bridleway (that would have run through the colliery) was never put on the definitive map there was therefore no legal event (order), as questioned by Mr Wheeler.

It was suggested that it might be an option for the Rights of Way Panel to discuss the diversions of Rights of Way before the Planning and Development Committee consider the planning applications. The Rights of Way Assistant – Planning stated that the Assistant Director - Planning Services had addressed the Rights of Way Sub-Committee when this question had previously arisen and informed them that it is not appropriate for this course of action to be followed.

The Chairperson asked the Rights of Way Assistant – Planning to inform the Assistant Director – Planning Services of the foregoing suggestion and to request that the Assistant Director – Planning Services respond by letter to the Chairperson on the feasibility of the suggestion. Copies of this letter to be sent to members of the Panel and the County Borough Council's Rights of Way Officer.

RESOLVED: (1) That authorisation be given for the Head of Legal Services to make the necessary Order to seek to divert Bridleway No. 56 (formerly Llangeinor) now Garw Valley as shown on Appendix 'A' and to confirm this Order provided no objections or representations are made within the prescribed period, or, if any so made, are withdrawn.

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- (2) That written clarification concerning the feasibility of the Rights of Way Panel discussing the diversions of Rights of Way prior to consideration of planning applications by the Planning and Development Committee be forwarded by the Assistant Director – Planning Services to the Chairperson of the Rights of Way Panel and that a copy of this letter be provided to members of the Panel and the Rights of Way Officer.

The meeting closed at 11.20am.