

RIGHTS OF WAY SUB-COMMITTEE - 11 OCTOBER 2010

MINUTES OF A MEETING OF THE RIGHTS OF WAY SUB-COMMITTEE HELD IN COMMITTEE ROOM 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON MONDAY, 11 OCTOBER 2010 AT 11.15AM

Present:-

Councillor M Gregory - Chairperson

Councillors

E Dodd
M Lewis

Observer:

Mr L Meachin - Footpath Secretary - Bridgend Ramblers

Officers:

C D Lewis - Rights of Way Assistant
J Dessent - Legal Officer
A Rees - Senior Democratic Services Officer - Committees

22 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Member for the reason so stated:-

Councillor N Clarke - Holiday

23 DECLARATIONS OF INTEREST

None.

24 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the Rights of Way Sub-Committee held on 29 January 2010, be approved as a true and accurate record.

25 PROPOSED DIVERSION OF FOOTPATH NO. 59 COMMUNITY OF MAESTEG

The Rights of Way Assistant presented a report which sought authorisation for the making of an Order/s which will seek to divert Footpath No. 59, Community of Maesteg.

He stated that planning consent P/10/175/FUL for a community BMX cycle track and perimeter fencing necessitated the diversion of the footpath. The planning consent also provided for a hard standing for the parking of cars at the southern boundary of the site. The length of footpath immediately east of the application site was obstructed by a drainage channel and part of an elongated earth mound which ran adjacent to the site and that nearing its west end, the footpath is obstructed by a planted embankment. It was proposed that these sections of footpath also be included within the diversion order/s.

He reported that the north east section of the diversion of Footpath 59 (AB on the plan) would be located on a farm access track which had been surfaced in tarmac. Immediately west of Point B, the diversion would be demarcated by two white lines where it would cross the edge of the proposed tarmac hardstanding at the entrance to the future car park. It had been agreed that entrance gates would open inwards and that they shall be set back 12 metres from the nearside edge of the adjacent access track, so as to ensure that when open, they do not obstruct the footpath diversion. The continuation of the diversion (CD) would be located on the west side of the elongated mound referred to which lay between the site and the access track to the site. South west and north west of this (DEF), the diversion would utilise the grass verge on the northern side of the access track. The diversion overall would be 3 metres wide but would have a narrowing of 2.5 metres in width adjacent to the fenced compound at Point E on the plan. A 1.4 metres width of the diversion would be surfaced with blinded hardcore where ground conditions may require this and the diversion signposted. Where the diversion would run adjacent to the access track (DEF), boulders would be used to ensure that vehicles cannot intrude into the route of the diversion, but adjacent to the fenced compound (E), it was likely that bollards would be installed, due to the limited space at this location. The north west end of the diversion would terminate on the maintainable highway at Point F east of Coegnant Road.

He reported that the developer was required to provide two vehicular passing bays within the site which shall each provide an overall track width of 4.8 metres for a minimum of 10 metres along the track in the interest of highway safety. Additionally, the first 10 metres of the access track from Coegnant Road shall not be less than 4.5 metres wide for this reason. Consultation had been taken with the local Members, Maesteg Town Council, Maesteg Ramblers Association, South Wales Police, other user groups and public utilities in relation to the diversion and no objections had been received. The Council's Property Services Section had no objection to the diversion which is on Council owned land.

He outlined the comments of the Group Manager - Highways and Fleet in that prior to the receipt of the planning application, the Rights of Way Section had already identified a number of proposals for the rights of way network in the former Maesteg Washery Reclamation Scheme site and adjoining areas and these included the closure of the footpath in question and the creation of a bridleway along the access track. It was still proposed that the bridleway be provided in the longer term, but adjacent to the track. In view of this it was proposed to divert the footpath as a footpath, but as its designation would later be changed to a bridleway, the diversion would be 3 metres wide to facilitate this conversion.

He reported that initially, the developer wished to divert the footpath along the grass verge on the east side of the elongated earth mound, but had subsequently advised that he wished the east part of the diversion to be sited on the west side of the elongated earth mound, as ground conditions are more favourable at this location. The diversion would rejoin the originally proposed route along the grass verge adjacent to the access track at a point east of the fenced compound. The new route was shown as ABCDEF on the plan and authorisation for the making of an Order/s was requested in respect of this route.

He also reported that whilst emphasis had been given to provide a route which would not be subject to vehicular use (CDEF), length AB of the diversion sought to utilise a farm access track. It was considered that the use of this short section of

the diversion by vehicles would be acceptable. Additionally, the east section of the footpath had been obstructed by a drainage channel and the elongated mound, and the west section of the footpath had been obstructed by a planted embankment. He stated that the access track had superseded the original footpath for public use and the proposal sought to formalise this situation by providing a route adjacent to it which would only be lightly used by vehicles at its north east end.

- RESOLVED:
- (1) That the Assistant Chief Executive - Legal and Regulatory Services be authorised to make the necessary Order/s to seek to realign Footpath 59, Community of Maesteg to the route shown on the Plan, and to confirm the Order/s provided no objections or representations are made within the prescribed period, or if any so made are withdrawn.
 - (2) That the Assistant Chief Executive - Legal and Regulatory Services be authorised to forward the Order/s to the Welsh Assembly Government for determination, if any objections received are not withdrawn.
 - (3) That the Order/s exclude any section of the diversion which utilised highways which are maintainable by Bridgend County Borough Council, as public rights already exist over them.

The meeting closed at 11.25am.