

RIGHTS OF WAY SUB-COMMITTEE - TUESDAY, 5 OCTOBER 2021

MINUTES OF A MEETING OF THE RIGHTS OF WAY SUB-COMMITTEE HELD IN REMOTELY - VIA MICROSOFT TEAMS ON TUESDAY, 5 OCTOBER 2021 AT 14:00

Present

Councillor – Chairperson

DK Edwards                      RM Granville                      G Thomas

Apologies for Absence

JC Radcliffe, MC Voisey and CA Webster

Officers:

Jane Dessent	Solicitor
Andrew Mason	Rights of Way Manager
Kevin Mulcahy	Group Manager - Highways Services
Michael Pitman	Democratic Services Officer – Committees

10. DECLARATIONS OF INTEREST

None

11. APPROVAL OF MINUTES

RESOLVED:                      That the minutes of the 08/01/2019 be approved as a true and accurate record, subject to the addition of the below attendees:

Gordon Wheeler  
Les Meachin

12. PROPOSED DIVERSION OF FOOTPATH 19, COYCHURCH LOWER AND PROPOSED PART EXTINGUISHMENT OF FOOTPATH 18 COYCHURCH LOWER

The Rights of Way Manager presented a report which requested authorisation for the making of two Orders pursuant to Section 257 (diversion) and Section 258 (Extinguishment) of the Town & Country Planning Act 1990, on land east of the A48 (Crack Hill), Brocastle, Bridgend, CF31 5AU.

He stated that ordinarily, a site visit would have taken place to allow the Sub-Committee to attend and inspect the area, however due to Covid-19 restrictions this was not possible. Instead, he provided photographs of the area.

The Rights of Way Manager shared the first photograph, which detailed the location plan of the area. He added that for information, it was located just south of the Ford Factory, between the boundaries of Bridgend and the Vale of Glamorgan.

The Rights of Way Manager presented two further photos which showed the lifespan of the site as at 2015, and again in 2020 when the site was being developed.

He provided photos of footpath 19 (Coychurch Lower) which was the beginning of the footpath at point A (highlighted in Appendix A of the report) and showed the existing gate as well as a view across the middle of the site towards the north east direction.

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He also provided photos of the proposed alternative route which showed where the path would span along the hedge alongside the A48 and faced towards point C (highlighted in appendix A of the report). For further information, he provided additional photos showing the route along the remaining points highlighted in Appendix A of the report.

The Rights of Way Manager added that further information was provided after the report was published and showed an additional gate at point E, which would be included as a limitation on the order.

He stated that there was a section of the path that included a style, but mentioned that anyone who was unable to use the style, can use the temporary path provided by the developer for the next 5 years.

The Rights of Way Manager stated that at point J, there was a footbridge that was currently covered in overgrowth of grass and plants, this would be cleared when the diversion was carried out.

A Member asked if it was the applicant of the development site who requested the diversion order. The Rights of Way Manager confirmed it was.

A Member asked in relation to the style that was shown in the photograph, this made it difficult for disabled people or people with other mobility issues to cross over it, and therefore could a gate not be installed instead. The Rights of Way Manager explained that in order to protect the saplings in the new enhanced landscape planting areas, the applicant/landowner decided to fence off the areas with rabbit proof fencing whilst they matured over a period of 5 years. Further information on this was at 4.27 and 4.28 of the report.

The Member asked if signage could be erected to notify people of the additional footpath. The Rights of Way Manager agreed that additional signage could be installed to notify users of the permissive path. These would then be removed after the 5 years had passed.

### RESOLVED:

That:

- authorisation be given for the Chief Officer - Legal, HR and Regulatory Services to make the necessary Orders to seek to divert Footpath 19 Coychurch Lower and to part extinguish Footpath 18 Coychurch Lower as shown on the plan in Appendix B to the report, and to confirm the Orders provided no objections or representations are made within the prescribed period, or if any so made are withdrawn;
- the Chief Officer - Legal, HR and Regulatory Services be authorised to forward the Order(s) to the Welsh Government for determination, if any objections received are not withdrawn, and;
- the Order(s) excludes any section of the diversion, which utilises highways which are maintainable by Bridgend County Borough Council, as public rights already exist over them.

### 13. URGENT ITEMS

None

The meeting closed at 14:17