

PLANNING SUB-COMMITTEE (PUBLIC RIGHTS OF WAY)

Minutes of a Remote meeting held on 22nd January, 2025.

The Sub-Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor N.C. Thomas (Chair); Councillors G. Bruce and E. Williams.

Also present: Councillors A. Asbrey, R.E. Godfrey and G. John (Cabinet Member for Leisure, Sport and Wellbeing).

(a) Announcement –

Prior to the commencement of the business of the Sub-Committee, the Democratic and Scrutiny Services Officer read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

(b) Apology for Absence –

This was received from Councillor P. Drake (Vice-Chair).

(c) Minutes –

RESOLVED – T H A T the minutes of the meeting held on 20th November, 2024 be accepted.

(d) Declarations of Interest –

No declarations of interest were received.

(e) Proposed Changes to the Public Rights of Way Network in the Vicinity of Whitehall Farm, Wenvoe (DP) –

The report (and accompanying presentation) was presented by the Countryside Access Manager (Public Rights of Way), and this related to an application by the Public Rights of Way Section to make changes to the Public Rights of Way (PROW) network in the vicinity of Whitehall Farm, Wenvoe. The Public Rights of Way Section were proposing these changes to improve network accessibility for a broader range of users. A plan showing the current PROW network in the vicinity of Whitehall Farm

was attached as Appendix 1 to the report, a plan showing the PROW network should the changes be made was attached as Appendix 2 to the report.

The proposal required the making of five Orders, each made under The Highway Act 1980:

- A Section 26 Creation Order, creating a new bridleway between St Lythans Road and Pound Lane Wenvoe – schedule and plan attached as Appendix 3 to the report;
- Concurrent Section 26 Creation and Section 118 Extinguishment Orders to remove Footpath No.56 and concurrently create a new Bridleway on a slightly different alignment – schedules and plans attached as Appendices 4a and 4b to the report;
- Concurrent Section 26 Creation and Section 118 Extinguishment Orders to realign Footpath 25 Wenvoe – schedules and plans attached as Appendices 5a and 5b to the report.

Following a broad pre-Order consultation on 3rd February, 2022, concerns / objections were raised by neighbouring properties and members of the community. A follow up with those who had raised concerns was sent on 30th May, 2023 to check if their viewpoints remained unchanged. A table of concerns / objections and the Public Rights of Way Officer's response to each was attached as Appendix 6 to the report. It was also noted that a number of further written representations had been received following publication of the agenda and the report, which had been shared with Members of the Committee and published on the Vale of Glamorgan Council website.

The creation Order proposed to provide a bridleway between St Lythans Road and Pound Lane, Wenvoe was a standalone proposal, however each of the concurrent Orders relating to Footpaths No.25 and No.56 was contingent upon the success of the St Lythans to Pound Lane.

With regard to considering this application, it was important to note that the proposals would not impact the existing private agreements, for example, for people that wanted to access the field adjacent to the Lane. In applying the relevant tests on the proposed diversion of the path, the new alignment would ensure that the area was maintained with a much more improved surface and avoid previous issues associated with a flooded and boggy field. This would ultimately lead to improving accessibility to the network. Also, when applying said tests on the proposed extinguishment of Footpath 56 and creation of the bridleway in its place, this would benefit cyclists and horse riders in the local community, thereby providing a much needed off-road link into the broader network.

Following the above proposals and factors outlined to the Committee It was therefore recommended that the Council, being the relevant highway authority proceed with the making of five Orders as set out in the Executive Summary and detailed in the appendices, and subject to no objections being received, to confirm the Orders.

Councillor Godfrey, not a member of the Sub-Committee and speaking as a local Vale of Glamorgan Council ward member, stated that he fully supported the Council's proposals, which, in his opinion, would provide a safer route for off-road

cyclists, horse riders and walkers, as well as alleviating issues faced by the local farming community, i.e. the proposals would remove the reason for people (and their dogs) to cross fields where cattle and livestock were being kept.

Councillor Williams stated that the report was both clear and balanced, highlighting the positive aspects of the proposals but also acknowledging the concerns that had been raised by various parties, with the report addressing these. Overall, the benefits outlined did appear to outweigh the concerns and challenges raised, with the relevant legal tests having been passed and with the outlining of the significant benefits to the local and wider community and safer access to, and use of, the network.

The Chair asked about the maintenance and upkeep of the footpaths and bridleways in question, going forward. It was explained that if the five Orders proceeded as planned, these routes would go on the definitive map and the Council would take on the maintenance of them and their surfaces, with side vegetation under the responsibility of the landowner. It was also pointed out that the current status with these routes would remain as is until the orders come into effect and that every effort would be made to keep those routes functioning and open in the meantime. Should the recommendation be agreed by Committee, then an order making process would be undertaken, with this being publicised and a consultation process implemented around this.

With no further comments or questions, the Sub-Committee subsequently

RESOLVED – T H A T the Vale of Glamorgan Council, being the relevant highway authority, proceed with the making of five Orders as set out in the Executive Summary and detailed in Appendices 3, 4a, 4b, 5a and 5b to the report and, subject to no subsequent objections being received, confirm the Orders.

Reason for decision

Having regard to the contents of the report and discussions at the meeting, which included outlining the significant benefits to the public in providing a network accessible to a broader range of users. These were considered to outweigh the issues or concerns raised.