

Subject: Re: Monmouthshire Routes 53-11 and 53-18, route 53-16 and route 53-19
From: Dale Wyatt (row@glass-uk.org)
To: robin.carr1@btinternet.com;
Date: Thursday, 29 January 2015, 10:20

Dear Mr Carr

Sabre maps provides a very useful resource for old maps. The old DoT maps are listed under 'Maps' then 'Historic OS Maps'.

Based on the fact that this road is marked as some other roads in the area that are now tarred, it is logical to assume that they are (or were) part of the general road network. Due to the effect of the NERC Act we lost many old unsurfaced roads that we used to drive in this area. I would really like to see this added as a U-Road to the List of Streets. Coupled with the fact that there is more evidence of MPV use (motorcycle) than any other user suggests vehicular status is the logical choice.

I would also suggest that an unsurfaced, unclassified road carries the same status as that of a byway and there are a number of those in the area eg...

<http://www.streetmap.co.uk/map.srf?x=351099&y=199746&z=115&sv=351099,199746&st=4&ar=y&mapp=map.srf&searchp=ids.srf&dn=845&ax=351099&ay=199746&lm=0>

Adding it to the List of Streets would mean that it would be open to ALL classes of user, and therefore an additional recreational resource.

I know the area well and have been driving unsurfaced roads in this area for almost 30 years.

Kind regards

Dale Wyatt
GLASS Rights of Way Officer
row@glass-uk.org

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They may contain privileged information and are intended for the named addressee(s) only, and must not be forwarded or distributed without the consent of the sender. If you are not the intended recipient, please notify us immediately and do not disclose, distribute, or retain this email or any part of it. Unless expressly stated, opinions in this email are those of the individual sender, and not of GLASS, or its membership. You must take full responsibility for virus checking this email and any attachments.

The Green Lane Association Ltd is a national user group protecting our heritage of ancient vehicular rights of way. Registered in England, No 5369836, Registered Office: Tudor House Mews Westgate Grantham Lincs NG31 6LU

On 29 Jan 2015, at 09:37, Robin Carr Associates <robin.carr1@btinternet.com> wrote:

Dear Mr Wyatt

Subject: Re: Monmouthshire Routes 53-11 and 53-18, route 53-16 and route 53-19
From: Robin Carr Associates (robin.carr1@btinternet.com)
To: row@glass-uk.org;
Bcc: robin.carr1@btinternet.com;
Date: Thursday, 29 January 2015, 9:37

Dear Mr Wyatt

Thank you for your email and attachments. A copy will be included in the document bundle attached to our report and given appropriate evidential weight/value.

With that in mind I would be interested to know a little more about the two Ministry of Transport maps you have provided - where are these held and by who?
I should be interested to know their provenance as they are not a record set that I have come across before - especially as it would be local highway authorities and not the MOT who would maintain records of local highways.

It is unlikely that any of the routes would only be added to the List of Streets as this would suggest that they are public carriageways of a status higher than Byway Open to All Traffic. In view of the provisions of the NERC Act if vehicular rights are determined to exist it is likely that the highest recorded status would be Restricted Byway and as such they should be recorded on both the Definitive Map and the List of Streets.

The decision as to the extent of any public rights will, of course, be determined upon the available evidence rather than their current physical state. I note that route 53-16 is (in part) shown on the later of the two MOT maps you have provided.

Kind regards

Robin Carr

Robin Carr Associates
Public Rights of Way Management & Consultancy Services

Address: 2 Friarage Avenue, Northallerton, North Yorkshire DL6 1DZ
Email: robin.carr1@btinternet.com
Web: www.prow.biz
www.blastkleen.com
Tel: 01609 781717
Mob: 07976 624 029

From: Dale Wyatt <row@glass-uk.org>
To: consultancy@prow.biz
Cc: John Askew <monmouthshire.rep@glass-uk.org>
Sent: Wednesday, 28 January 2015, 17:41
Subject: Monmouthshire Routes 53-11 and 53-18, route 53-16 and route 53-19

Dear Mr Carr

Earlier this month I was passed a copy of your consultation for the old roads near Devauden. My proposal would be to add the Routes 53-11 and 53-18 to the List of Streets as this is where they should

logically be listed. Please find attached a PDF showing a recce of the road and also some old maps at the end. The most important being the Department of Transport maps that would have been pre-handover. These clearly show Routes 53-11 and 53-18. Motorcycle use is clearly evident on the ground as well so it is considered a recreational vehicular highway by some users.

Route 53-16 and route 53-19 are not shown, so they were either private roads, or not considered part of the general road network. They are extremely overgrown and it's been a very long time since they have been used by anyone. A lot of work would be require to make these usable again. perhaps these routes would be more suitable to be added as bridleways to the Definitive Map.

Could please add me to you mailing list for any further road consultations in Monmouthshire please?

Many thanks

Dale Wyatt
GLASS Rights of Way Officer
row@glass-uk.org

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Subject: Monmouthshire Routes 53-11 and 53-18, route 53-16 and route 53-19
From: Dale Wyatt (row@glass-uk.org)
To: consultancy@prow.biz;
Cc: monmouthshire.rep@glass-uk.org;
Date: Wednesday, 28 January 2015, 17:41

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Could please add me to you mailing list for any further road consultations in Monmouthshire please?

Many thanks

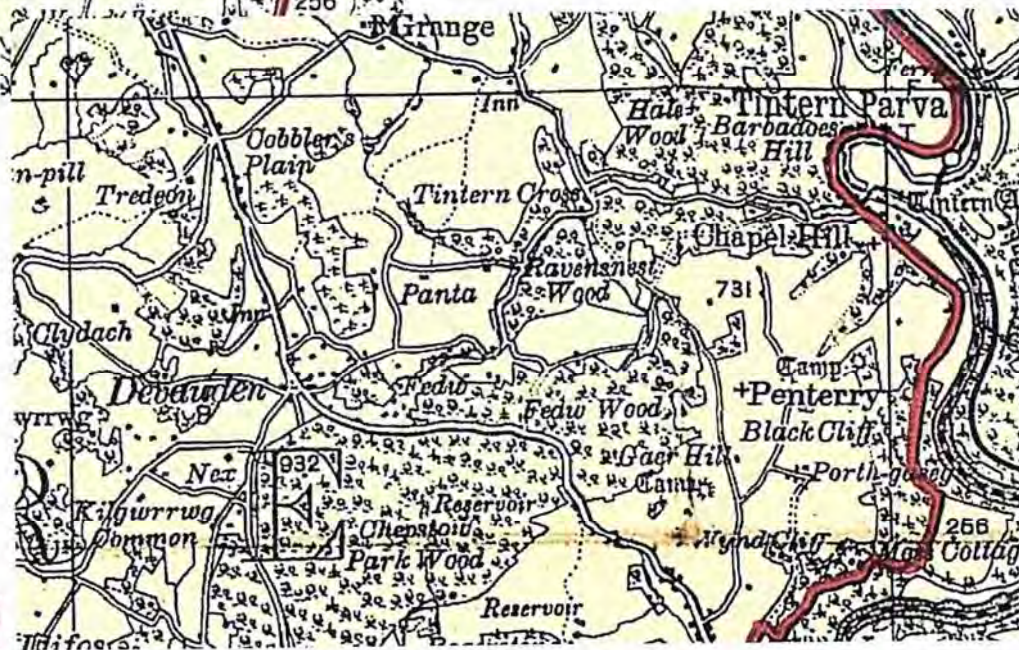
Dale Wyatt
GLASS Rights of Way Officer
row@glass-uk.org

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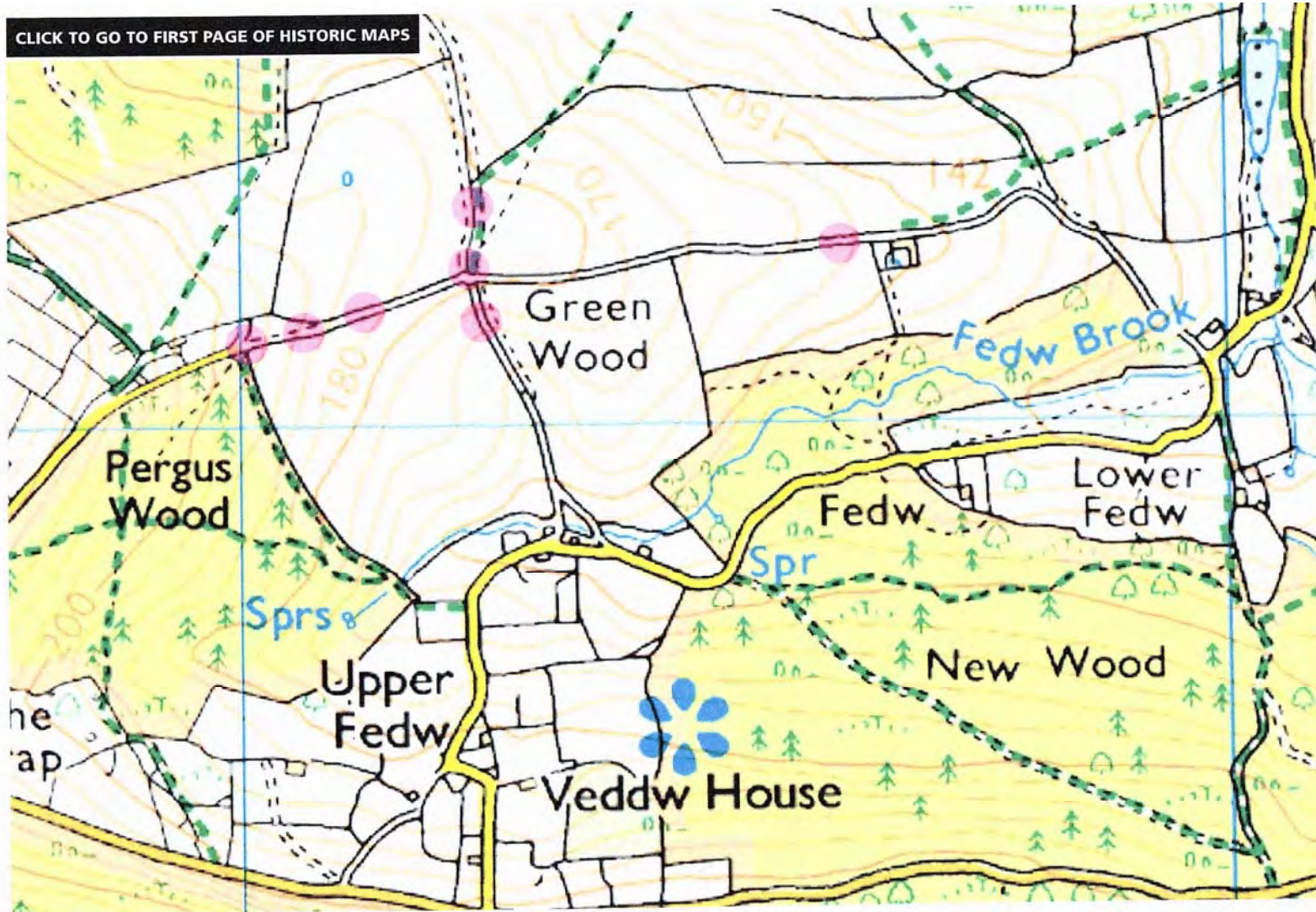
1923 Ministry of Transport map clearly shows the road, so the MoT regarded this as a road. Interestingly the unclassified tarmac road to the south is not shown at all, or the cross road.



1926-1928 Ministry of Transport map clearly shows the road, so the MoT regarded this as a road. Interestingly the unclassified tarmac road to the south is not shown at all, or the cross road.

Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (3) (page 5) - Email 28-1-15 DW Right of Way Officer GLASS- maps 5

CLICK TO GO TO FIRST PAGE OF HISTORIC MAPS



Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (3) (page 6) - Email 28-1-15 DW Right of Way Officer GLASS- map 6

[BACK TO MAP](#)



Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (3) (page 7) - Email 28-1-15 DW Right of Way Officer GLASS-photographs 7

[BACK TO MAP](#)



Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (3) (page 8) - Email 28-1-15 DW Right of Way Officer GLASS-photograph 8



Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (3) (page 9) - Email 28-1-15 DW Right of Way Officer GLASS-photograph 9



Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (3) (page 10) - Email 28-1-15 DW Right of Way Officer GLASS-photograph 10



Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (3) (page 11) - Email 28-1-15 DW Right of Way Officer GLASS-photographs 11

BACK TO MAP



The section to the south has been built over with a land drain under it for field access. There is a drop into the sunken lane beyond



There is a drop into the sunken lane beyond

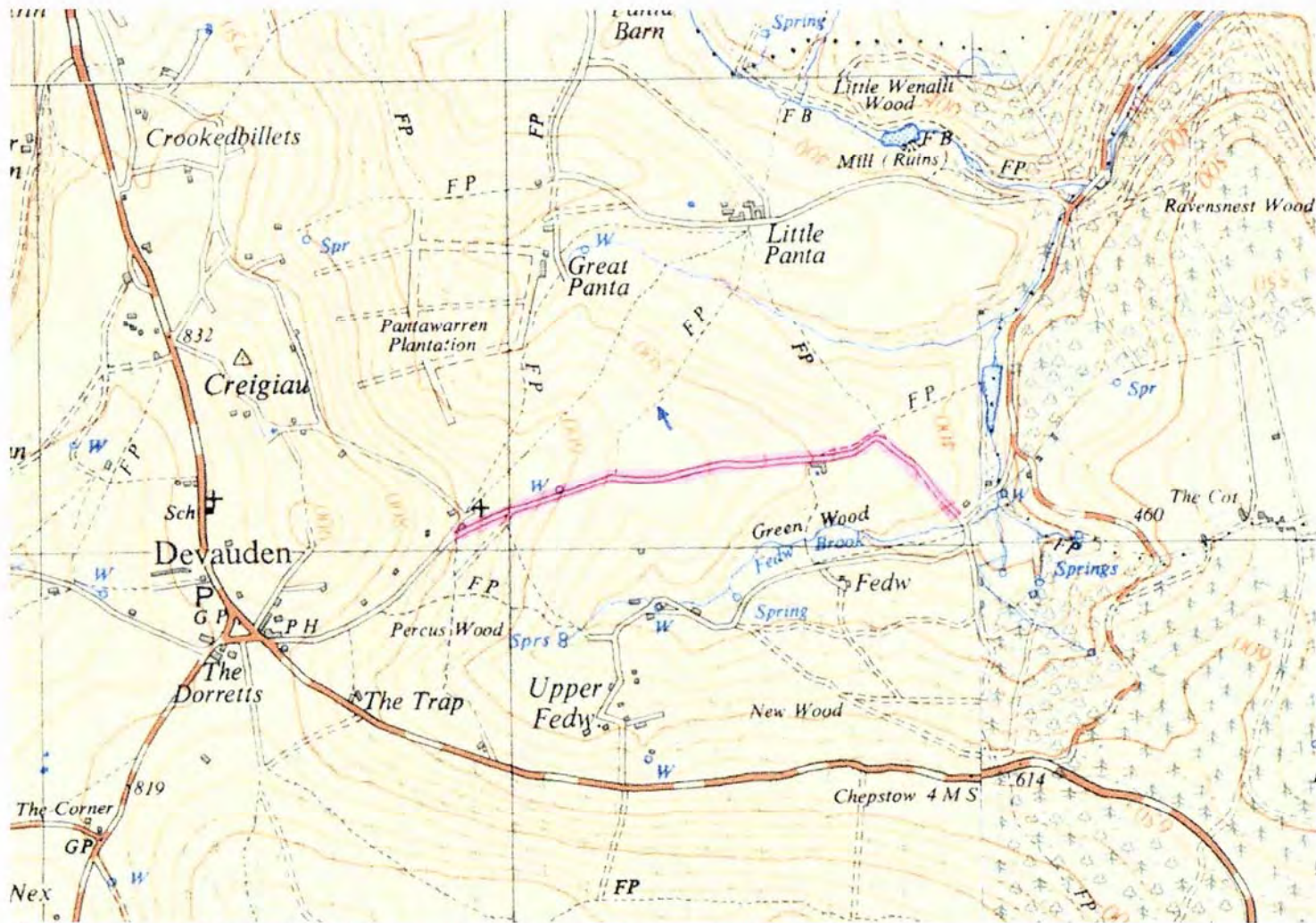


Line of lane within trees, sunken.



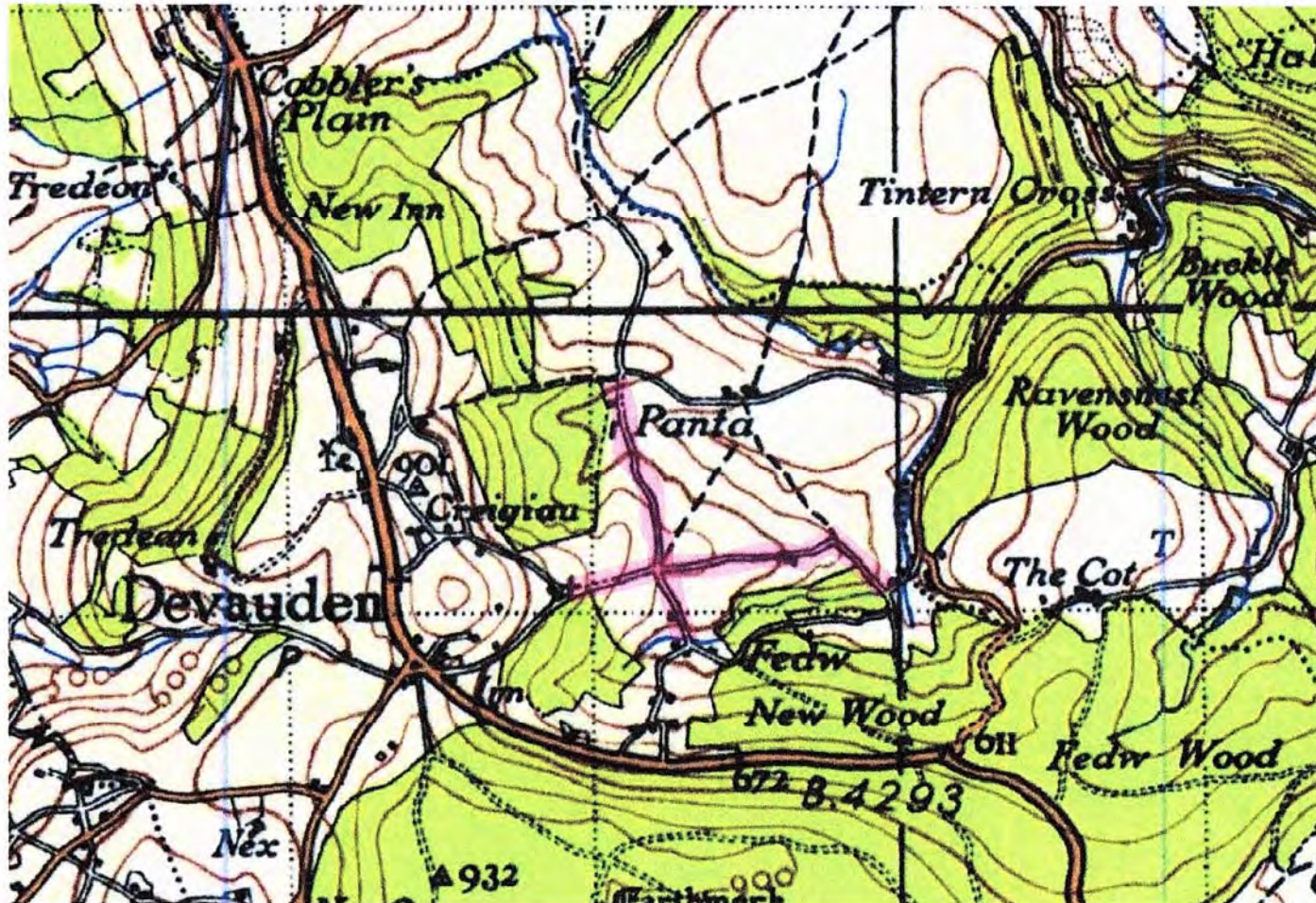
BACK TO MAP

Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (3) (page 13) - Email 28-1-15 DW Right of Way Officer GLASS-photographs 13



Old 25k map showing road clearly marked, with the same emphasis as the unclassified tarmac road to the south. The cross road however is not, so possibly not even used back then,

Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (3) (page 14) - Email 28-1-15 DW Right of Way Officer GLASS-map 14



Historical OS showing both roads with the same emphasis as the unclassified tarmac road to the south.



Llywodraeth Cymru
Welsh Government

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Email cadw@wales.gsi.gov.uk
Web www.cadw.wales.gov.uk

Mr Robin Carr
Robin Carr Associates

consultancy@prow.biz

Eich cyfeirnod Your reference	RCA/MCC/UCR/Chepstow
Ein cyfeirnod Our reference	AD
Dyddiad Date	27 January 2015
Llinell uniongyrchol Direct line	01443 336097
E-bost Email:	Adele.davies42@wales.gsi.gov.uk

Dear Mr Carr

**WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53
INVESTIGATION INTO THE STATUS OF CERTAIN ROADS IN THE MONMOUTHSHIRE
COUNTY COUNCIL AREA ROUTES: a) ROUTES 53-11 AND 53-16, b) ROUTE 53-16;
AND c) ROUTE 53-19**

Thank you for your letter of 30 December 2014 inviting Cadw's comments on the above proposal.

Route 53-19 is close to the essential setting of PGW (Gt) 61 Chepstow Park but as it does not enter it or the Historic Park and Garden itself. None of the other routes pass through any scheduled ancient monuments, historic parks and gardens or historic landscapes.

Therefore Cadw has no comment.

Yours sincerely

Adele Davies
Diogelu a Pholisi/ Protection and Policy

Cadw yw gwasanaeth amgylchedd hanesyddol Llywodraeth Cymru. Ein nod yw hyrwyddo gwaith cadwraeth ar gyfer amgylchedd hanesyddol Cymru a gwerthfawrogiad ohono.

Cadw is the Welsh Government's historic environment service. Our aim is to promote the conservation and appreciation of Wales's historic environment.

Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.
We welcome correspondence in both English and Welsh.



BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE



Subject: Re: Re: Consultation 53-16
From: Robin Carr Associates (robin.carr1@btinternet.com)
To: a.r.brooke@hotmail.co.uk;
Date: Wednesday, 28 January 2015, 17:15

Dear Mr Brooke

Thank you for your email and attached letter, the contents of which are noted.

In response to the comments made I can offer the following responses:

It is unlikely that a land charge search would have disclosed the existence of any highway in 2008 because the search questions ask what is on the Authority's records rather than do any highway rights exist. As it would appear that the routes under investigation were not on the Highway Authority's records at that time the search was undertaken, they would have been correctly answered in the negative. This is not, of course, evidence that the alleged rights do not exist, it simply confirms they were not recorded on the Authority's records at that time.

I enclose a plan showing the routes under investigation. This may be clearer than the copy attached to my letter. This digital copy clearly identifies the routes under investigation. There is, of course, no doubt that the route referred to as 53-16 has physically existed for well over 100 years and is clearly shown on large scale Ordnance Survey mapping. Such maps do, of course carry a disclaimer to the effect that the showing of any path track or way is not evidence of public rights. Such maps will be accorded appropriate evidential value within our investigation.

with regard to the route being previously added to the Highway Record, I can advise that there is no statutory requirement for a Highway Authority to notify anyone when adding a route to the List of Streets - this may not be ideal and in this instance, it would appear to be one reason why the Council is now considering whether or not the route should be added to the Definitive Map using a legal order process that does include advertising and notification requirements

Your objection to the recording of the route on the Definitive Map is noted. I must however stress that the Council is obliged to make a Definitive Map Modification Order if it is satisfied that the alleged rights are "reasonably alleged to subsist" however such an Order can only be confirmed if it is shown that the rights "on balance of probability subsist". There is therefore no requirement for the Council to produce conclusive evidence of the existence of the rights before they are recorded on the Definitive Map. You may therefore be expecting a far greater evidential burden to be satisfied than is actually required. Such matters will be discussed with our final report, which we understand will be available to the public in due course.

I trust that the above is of assistance

Robin Carr

Robin Carr Associates
Public Rights of Way Management & Consultancy Services

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Email: robin.carr1@btinternet.com
Web: www.prow.biz
www.blastkieen.com
Tel: 01609 781717
Mob: 07976 624 029

From: Alistair <a.r.brooke@hotmail.co.uk>
To: "consultancy@prow.biz" <consultancy@prow.biz>
Sent: Wednesday, 28 January 2015, 16:01
Subject: Re: Consultation 53-16

Dear Mr Carr,

Please find attached my letter in reference to the above consultation.

Regards,
Alistair

Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (3) (pages 17 & 18) – Email 28-1-15 AB-1&2

Appendix | 26.61

Great Panta Barn
Panta Farm
Devauden
Chepstow
NP16 6PS

Robin Carr Associates
2 Friarage Avenue
Northallerton
DL61DZ

29.1.2015

Consultation 53-16

Dear Mr Carr,

I am not aware of any legal evidence that supports the claim by MCC that there is a public vehicular highway on the alleged route.

A legal land charge search at the time the farm was purchased did not identify a highway and more recently (2008) planning permission granted to convert Great Panta Barn made no reference to a highway. I am aware of public footpath No 182 that exists to the north of the barn.

I would be grateful if you could provide a more detailed map of the exact position of the proposed route as it is not clear on your consultation map.

I have had no notification from MCC that this alleged route has been added to its highway records although I understand that this was done in 2013.

I would strongly object to this alleged route being added to the Definitive Map without conclusive evidence that highway rights exist.

Yours sincerely

Alistair Brooke

Nightingale Cottage
Devauden

Letter to Devauden Community Council

16.1.2015

Sunny Bank Farm was bought by my father in 1945.

I have lived above Panta Farm since then. I have visited Panta Farm many many times over this period. My old school pals were born there as their father was the Bailiff there.

The land in question was never surfaced or used by vehicles in all these years. It was only used by farm traffic. The land and ditch 53-16 has never had a public right of way.

The old green Lane 53-11 on the map has only had horses and walkers and farm traffic to my knowledge over all this same time.

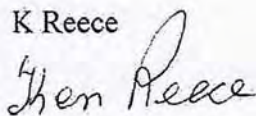
My 70 years of living overlooking these areas has given me a lot of knowledge.

I hope this will be of help in your decisions.

There are a number of people still living in Devauden who were born here who can support my opinion.

I served on Devauden Community Council from 1967 until approx 2012 and was a County Councillor from 1971 until 2000.

K Reece



G Jeremy
38 Wesley Way
Devauden
Chepstow
NP16 6PG
17 Jan 2015

To Nigel James Clerk to the Devauden Community Council.

I have been asked by Mr Robert Brooke to write about my life and knowledge of Panta Farm.

My father Edward Jeremy moved into Panta Farmhouse in 1925 as bailiff for Mr Davies. I was born in the farmhouse in 1936 and went to school in Devauden. We walked to school down the track towards Little Panta (now called Great Panta) up the side of the wood, across the Chapel field and onto Coal Lane. Mr Edgar Davies, the farm waggoner and farmhand lived at Little Panta in a farm cottage and his family walked the same footpath to Devauden. Sometimes we walked from the farmhouse, south, down to the Ram field, across the brook and up the field on a footpath onto Coal lane and up to Devauden.

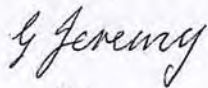
At the top of the farm in Pool field there was a gate onto Coal lane. A farm track ran for about 100 yards in the direction of Little Panta down towards the farm. We used to run the horse and cart and later the tractor down this short track and onto Long Meadow. This track was not used by other vehicles or people and after 100 yards became a ditch/gully blocked by trees and fences and not passable. Further down, on the other side of the existing barn conversions, the ditch was again blocked by trees and fenced. I remember it well as I used to go rabbiting here. No farm vehicles or carts could travel through this ditch/gully.

When my family left the Panta Farm in October ¹⁹⁵⁹ 1956 no one could travel this ditch. I was still living locally and worked for the new owners Mr Wagg for a short while and then in 1970's when Mr Hector bought the farm.

There are other places on the farm with ditches/gullies. One went up west along Elm field, through Panta Warren plantation on the way to Sunny Bank Farm.

I hope this is useful. It is a true memory of my time at Panta Farm.

Mr G Jeremy.



Robin Carr Associates

From: Starynskyj Natasha <Natasha.Starynskyj@dwrcymru.com>
Sent: 15 January 2015 16:13
To: Robin Carr Associates
Subject: RE: RH/HQ78/61(18) - Investigation into status of certain roads in the Monmouthshire County Council area

Dear Robin

Thank you for your email. I can confirm that on this basis Dwr Cymru would not object.

Regards

Natasha

From: Robin Carr Associates [mailto:robin.carr1@btinternet.com]
Sent: 14 January 2015 17:28
To: Starynskyj Natasha
Subject: Re: RH/HQ78/61(18) - Investigation into status of certain roads in the Monmouthshire County Council area

Dear Natasha

Thank you for your email

I can confirm that the proposed works amount to potentially recording the routes in question on the legal register of public rights of way and that this will not affect Dwr Cymru's apparatus or its statutory powers to access to the apparatus. I can also confirm that that no physical works will be undertaken as part of the current project and that Dwr Cymru's access to its apparatus will not be affected.

I trust that this is to your satisfaction

Kind Regards

Robin Carr

Robin Carr Associates
Public Rights of Way Management & Consultancy Services

Address: 2 Friarage Avenue, Northallerton, North Yorkshire DL6 1DZ
Email: robin.carr1@btinternet.com
Web: www.prow.biz
www.blastkleen.com
Tel: 01609 781717
Mob: 07976 624 029

From: Starynskyj Natasha <Natasha.Starynskyj@dwrcymru.com>
To: "consultancy@prow.biz" <consultancy@prow.biz>
Sent: Thursday, 8 January 2015, 10:06
Subject: RH/HQ78/61(18) - Investigation into status of certain roads in the Monmouthshire County Council area

Dear Sir/Madam

Further to your letter dated 30 December 2014 and my subsequent telephone conversation with a member of your team on 8 January 2015, I can confirm that Dwr Cymru does have water and sewerage apparatus in the area.

Please see the attached GIS plans. Please note the disclaimer on the plan.

As discussed, Dwr Cymru will require confirmation that the proposed works will not affect its apparatus or its statutory powers to access to the apparatus. Please can you confirm that no physical works will be undertaken and that Dwr Cymru's access to its apparatus will not be affected?

Yours sincerely

Natasha Starynskyj
Legal Officer

Tel: 01443 452561

From: Callister Mark
Sent: 07 January 2015 16:21
To: Starynskyj Natasha
Subject: RH/HQ78/61(18) - Investigation into status of certain roads in the Monmouthshire County Council area

Natasha,

Re: RH/HQ78/61(18) – Investigation into status of certain roads in the Monmouthshire County Council area

I advise that Dwr Cymru Welsh Water does operate both water and sewerage apparatus in the area highlighted on the plan provided by Robin Carr Associates.

I attach a copy of the relevant AIS plans for your reference.

Regards,
Mark

 **Mark Callister**
Project Engineer | Developer Services | Dwr Cymru Welsh Water
PO Box 3146 | Cardiff | CF30 0EH | T: 0800 917 2652 | F: 02920 740472 | Ext. 34603

 Before you print please think about the ENVIRONMENT

Developer Services have an on-line service at www.dwrcymru.com. Here you can find all the services available, complete application forms and also make payments. If you have a quotation you can pay for this on-line or alternatively by telephoning 0800 917 2652 using a credit/debit card. Welsh Water participates in the Diolch awards. If we've gone the extra mile to provide you with excellent service, let us know. You can nominate an individual or team for a Diolch award through our [website](http://www.dwrcymru.com)

Dwr Cymru Welsh Water is investing heavily and working hard to ensure top quality services to all its communities. The company is investing £1.3 billion in its water and sewerage network between 2010 – 2015.

It is a 'not-for-profit' company which has been owned by Glas Cymru since 2001. Welsh Water does not have shareholders and any financial surpluses are reinvested in the business for the benefit of customers. Visit our website at www.dwrcymru.com to find out more about us.

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2

attachments and promptly inform the sender.

Company Name - DWR CYMRU CYFYNGEDIG. Registered Office: Pentwyn Road, Nelson, Treharris, Mid Glamorgan CF46 6LY Company No. 02366777

Mae Dwr Cymru Welsh Water yn buddsoddi'n hael ac yn gweithio'n galed i sicrhau gwasanaethau o'r ansawdd uchaf i'w holl gymunedau. Mae'r cwmni'n buddsoddi £1.3 billion yn ei rwydwaith dwr a charthffosiaeth rhwng 2010 a 2015.

Mae'n 'gwmi nid-er-ehw' sydd wedi bod ym mharchnogaeth Glas Cymru ers 2001. Nid oes gan Dwr Cymru Welsh Water gyfranddalwyr, ac mae unrhyw wargedion ariannol yn cael eu hail-fuddsoddi yn y busnes er budd cwsmeriaid. Manylion pellach ar ein gwefan www.dwrcymru.com

Mae'r neges hon ac unrhyw ffeiliau atoddedig at sylw'r bobl y cyfeirir ydych chi'n ymuno. Gallant gynnwys deunydd perchnogol, gwybodaeth gyflinachol allheu fod yn destun breiniâu masnachol. Ni ddylid eu copïo, datgelu i neu ddiroddio gan unrhyw barti arall. Os derbyniwyd llywy gamgymeriad, diliwch y neges ac unrhyw atodadau a hysbyswch y rannwr yn syth.

Enw'r cwmni - DWR CYMRU CYFYNGEDIG. Swyddfa gofrestrddig: Heol Pentwyn, Nelson, Treharris, Morgannwg Ganol CF46 6LY Rhif y cwmni 02366777

3

Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (3) (page 24 & 25) – Email 14-1-15 NS-2&3

Appendix | 26.67

Robin Carr Associates

From: owen_woodside2015@btinternet.com
Sent: 03 January 2015 17:15
To: consultancy@prow.biz
Subject: Devauden
Attachments: RCA-03-01-2015.pdf

Your ref. RCA/MCC/UCR/Chepstow (Devauden)
Dated 30-12-2014

Dear Mr Carr.

Thank You for your Consultation letter re UCR 53-16 (Shortfall of Reg.) hopefully, please find attach. copy of what I sent to Mr George West where you will observe, the plan depicts what is presently reg. FP 177&3 as a Road to Trelleck Grange, albeit probably un-fenced on the northern section, the Plan is from Cassini Historical Map, Old Series c1828-1831 (matching OS L/ranger 162) title Gloucester & Forest of Dean **Red Cover**, I say road, I use the premise present legislation, due to both the 1773 H A & 1835 H Acts, roads in existence as of the 31st Aug. 1835 are still highways today, unless of course they have been legally 'stopped up'/diverted.

I can offer no explanation why the section is believed to have been removed from the L o Streets, as unlike Herefordshire, I have never examined Monmouthshire highways/Parish minute books, though I note before the 1974 L Gov. re-org, FP 177 went to the former RDC boundary, then continued as FP 3 . Where ways are affected by RDC/PARISH political boundaries, I have found is a 'recipe' for Anomalies, also County/Parish (Community in Wales) councils/committee's are usually dominated by landed interests, though I would have thought in their interest to Add to the L o S as Enhances their land values, have a highway maintained at public expense, even if only a R/Byway, though the Duty to maintain is only commensurate with it's use, can be charged for unreasonable surface damage.

Appears to myself, the easy solution is for the h a to Add to L o S of their own **Volition**, they don't have to make Orders, though I seem to recall reading somewhere recently, there is now a requirement to Advertise in the local rag?, whereas DMMO is fraught with problems, with the inevitable Public Inq. and appears to myself, considerably more Insp. decisions are being challenged in the Courts with the inevitable expense and wasting Officers time.

Cassini 1830-1833 matching OS 161 The Black Mountains & 1809-1833 matching OS 171 Cardiff & Newport, these 2 with the one above covers most of Monmouthshire. I would appreciate an acknowledgement you have been able to download a reasonably copy of my scan, obviously if you think I be of any help, come back. Regards Owen (local corr. the OSS, tel 01989 770302 ex. dir, **New** e-mail address may differ from what Mon. C.C supplied.

Robin Carr Associates

From: Katherine Marland <katherine.marland@mac.com>
Sent: 20 January 2015 13:00
To: consultancy@prow.biz
Subject: Consultation RCA/MCC/UCR/Chepstow

Dear Mr Carr,

In response to your letter of 30th December regarding the investigation into the status of certain roads in the Monmouthshire County Council area:

We live at Veddw Cottage and have done so since February 2008.

The map that was included with your letter shows route 53-16 running from the Fedw up to Coal Lane (53-18 to 53-11) and beyond. The start of this route (at the Fedw end) is forked. The right hand fork runs between Well Cottage and Veddw Cottage and the left hand fork runs immediately to the west of Well Cottage. Aside from their inclusion on the map you sent us, it would never have occurred to us that these were 'routes'. They were not marked as rights of way when we bought our house and we have never been notified to the contrary by Monmouthshire County Council.

Since we moved here 7 years ago, the section of 53-16 that runs beside Veddw Cottage has been an impassable, overgrown, muddy ditch. This is because there is an essential storm drainage pipe that runs between the bottom of the hill and the ditch. Any water coming off the lane comes out of the pipe and flows along the ditch and into the stream.

The section that runs the other side of Well Cottage has also been inaccessible. Our neighbour has subsequently cleared the first part of this route but beyond that there is no access to Coal Lane.

Not only would it require a considerable amount of effort to get through to Coal Lane along the route(s) in question but it would also be counterproductive since there is a well-signed footpath that runs from the Fedw up through Percus Wood onto Coal Lane just a short way along the lane (marked as an 'unaffected footpath' on the map you sent us). Consequently, we can not find any reason why the routes in question should be included on a Definitive Map and would like to register our objection.

Please do not hesitate to contact us if we can be of further assistance.

Yours sincerely,

Alexander & Katherine Marland

*Veddw Cottage
Devauden
Chepstow
NP16 6PH
Telephone 01291 650801*

Robin Carr Associates

From: judith.bolton360@gmail.com
Sent: 30 December 2014 20:30
To: Robin Carr Associates
Subject: Re: Investigation into the Status of Routes for Monmouthshire County Council

Dear Mr Carr,

Thank you for your correspondence below.

The routes are not within the St Arvans Community boundary, and so the Council has little detailed knowledge of them.
However, from personal experience as a walker in the area, I have walked 53-18 and 53-11 on a number of occasions. It is also evident that annoyingly, off-road motorcycles have also used 53-18.

Yours sincerely,

Judith Bolton
Clerk St Arvans Community Council

Sent from Windows Mail

From: [Robin Carr Associates](#)
Sent: Tuesday, 30 December 2014 16:18

Dear Sir/Madam

Please find attached a consultation letter in respect of investigations we have been instructed to undertake by and on behalf of Monmouthshire County Council
We should be obliged to receive any responses etc by 31st January 2015

Thank you for your attention to this matter

Robin Carr

Robin Carr Associates
Public Rights of Way Management & Consultancy Services

Address: 2 Friarage Avenue, Northallerton, North Yorkshire DL6 1DZ
Email: robin.carr1@btinternet.com
Web: www.prow.biz
www.blastkleen.com
Tel: 01609 781717
Mob: 07976 624 029

Robin Carr Assoc'
RCA/MCC/UCR/Chepstow.
Ref: Rights of Way.

"Well Cottage"
The Veddw
Derawden Chepstow.
Monmouthshire.

Dear Sir/Madam,

23/01/15.

In response to your letter of 30th Dec. 2014,
regarding local Rights of Way. My family has lived here
for forty years in April and we are familiar with the paths
and bridleways within this area.

I have enclosed a Land Registry map showing—
— = Clear Rt. of way, which is viable (the little used).
I have regularly cleared this pathway which runs down the
western boundary of our property, ultimately joining
Veddw lane (by pumping station) with Coal Road in the North.

— = Superfluous and not used in 40 years. A 'storm ditch'
has been dug by the council to 'help' prevent flooding into
our neighbour's garage (Fedw Cottage) — this makes access impossible—
both to a Right of Way or the neighbour's garage!

You will see from the attached map that a Rt. of Way
is not necessary on both sides of "Well Cottage" since it is
adequately served by the existing one (which I keep clear) by
the side of the Waterboard Pumping Station. A site inspection
would further show the logic of the above points.

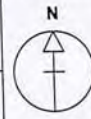
Yours faithfully.

R. K. M. Gilwray

R. K. M. Gilwray

LR

TITLE NUMBER
CYM314892



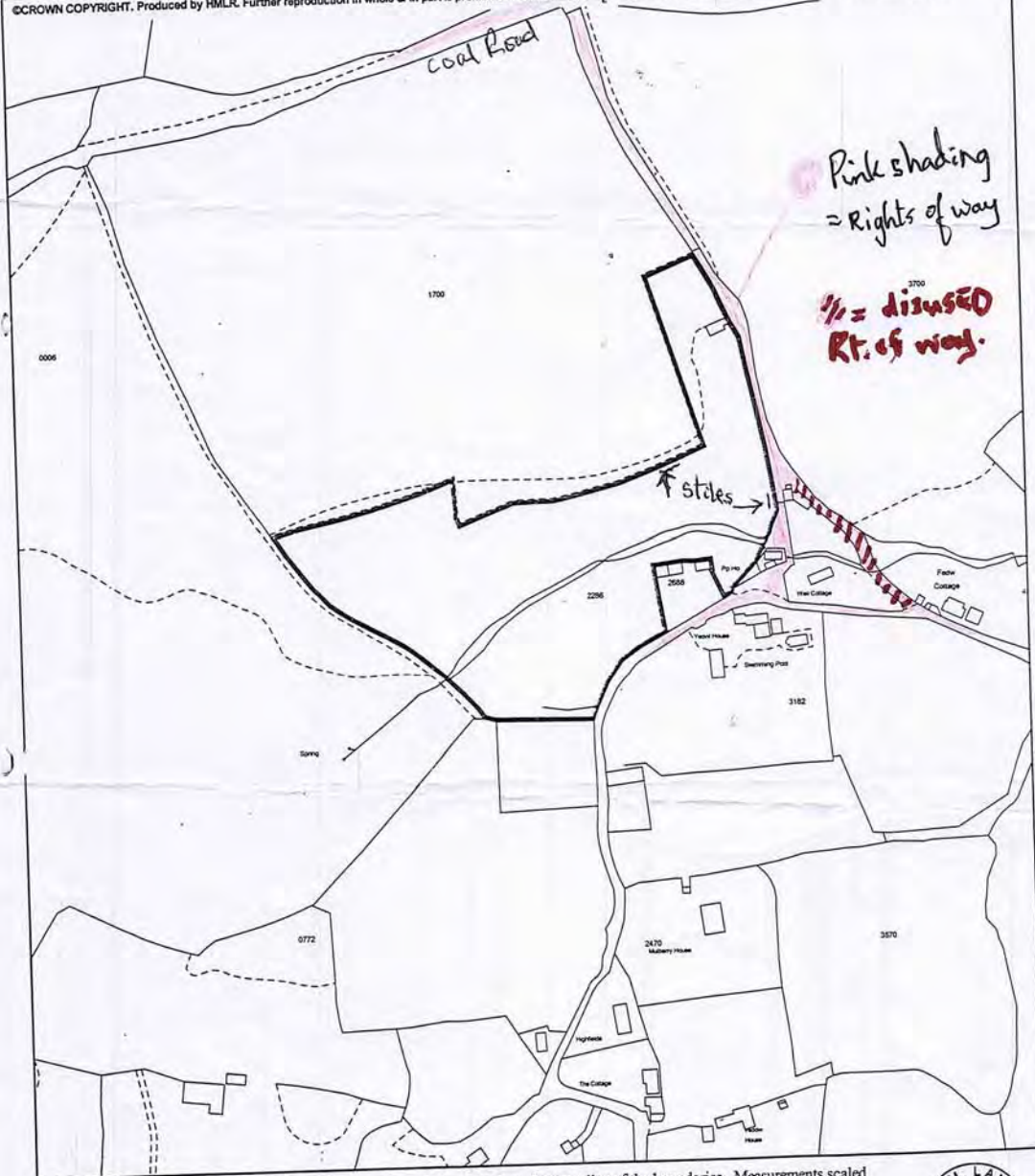
MONMOUTHSHIRE / SIR FYNWY

ORDNANCE SURVEY MAP REFERENCE:

ST4998NW

SCALE 1:2500

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This title plan shows the general position of the boundaries: it does not show the exact line of the boundaries. Measurements scaled from this plan may not match measurements between the same points on the ground. For more information see Land Registry Public Guide 7 - Title Plans.
This official copy shows the state of the title plan on 11 October 2006 at 12:09:03. It may be subject to distortions in scale. Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original. Issued on 11 October 2006.
This title is dealt with by the District Land Registry for Wales.



Subject: RH/HQ78/61(18) – Investigation into status of certain roads in the Monmouthshire County Council area
From: Starynskyj Natasha (Natasha.Starynskyj@dwrcymru.com)
To: consultancy@prow.biz;
Date: Thursday, 8 January 2015, 10:06

Dear Sir/Madam

Further to your letter dated 30 December 2014 and my subsequent telephone conversation with a member of your team on 8 January 2015, I can confirm that Dwr Cymru does have water and sewerage apparatus in the area.

Please see the attached GIS plans. Please note the disclaimer on the plan.

As discussed, Dwr Cymru will require confirmation that the proposed works will not affect its apparatus or its statutory powers to access to the apparatus. Please can you confirm that no physical works will be undertaken and that Dwr Cymru's access to its apparatus will not be affected?

Yours sincerely

Natasha Starynskyj

Legal Officer

Tel: 01443 452561

From: Callister Mark
Sent: 07 January 2015 16:21
To: Starynskyj Natasha
Subject: RH/HQ78/61(18) - Investigation into status of certain roads in the Monmouthshire County Council area

Natasha,

Re: RH/HQ78/61(18) – Investigation into status of certain roads in the Monmouthshire County Council area

I advise that Dwr Cymru Welsh Water does operate both water and sewerage apparatus in the area highlighted on the plan provided by Robin Carr Associates.

I attach a copy of the relevant AIS plans for your reference.

Regards,

Mark



Mark Callister
Project Engineer | Developer Services | Dwr Cymru Welsh Water
PO Box 3146 | Cardiff | CF30 0EH | T: 0800 917 2652 | F: 02920 740472 | Ext. 34603

P Before you print please think about the ENVIRONMENT

Developer Services have an on-line service at www.dwrcymru.com. Here you can find all the services available, complete application forms and also make payments. If you have a quotation you can pay for this on-line or alternatively by telephoning 0800 917 2652 using a credit/debit card. Welsh Water participates in the Diolch awards. If we've gone the extra mile to provide you with excellent service, let us know. You can nominate an individual or team for a Diolch award through our [website](#)

Dwr Cymru Welsh Water is investing heavily and working hard to ensure top quality services to all its communities. The company is investing £1.3 billion in its water and sewerage network between 2010 – 2015.

It is a 'not-for-profit company' which has been owned by Glas Cymru since 2001. Welsh Water does not have shareholders and any financial surpluses are reinvested in the business for the benefit of customers. Visit our website at www.dwrcymru.com to find out more about us.

This email and any files attached are intended for the recipient(s) only. It may contain proprietary material, confidential information and/or be subject to commercial privilege. It should not be copied, disclosed to or used by any other party. If you are not a named recipient please delete this e-mail and any attachments and promptly inform the sender.

Company Name - DWR CYMRU CYFYNGEDIG. Registered Office: Pentwyn Road, Nelson, Treherria, Mid Glamorgan CF46 6LY Company No. 02366777

Mae Dwr Cymru Welsh Water yn buddsoddi'n hael ac yn gweithio'n galed i sicrhau gwasanaethau o'r ansawdd uchaf i'w holl gymunedau. Mae'r cwmni'n buddsoddi £1.3 bilion yn ei nwydwaith dwr a charthffoslaeth rhwng 2010 a 2015.

Mae'n 'gwmi' nidi-er-ell', sydd wedi bod ym mherchnogaeth Glas Cymru ers 2001. Nid oes gan Dwr Cymru Welsh Water gyfranddallwyr; ac mae unrhyw wargedion arddanol yn cael eu hail-fuddsoddi yn y busnes er budd cwsmeriaid. Manylion pellach ar ein gwefan www.dwrcymru.com

Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (4) (page 5 & 6) – Email 8-1-15 NS Welsh Water-2 & 3



Copies of consultation responses and associated correspondence (Appendix 26)
 Consultation Responses (4) (page 8) – Email 8-1-15 NS Welsh Water-5



The Devauden Village Website



Providing information to the residents of Devauden since 2002

Write Board | Events | News | About Devauden

Public Rights of Way Consultation (/news/916-public-rights-of-way-consultation.html)

Northampton County Council has commissioned an independent report to investigate the status of a number of roads/lanes/tracks in the Devauden area before deciding if they should be recorded on the Cadastre Map (the legal register of public rights of way).

The map below shows the approximate location of the routes that are being investigated. It appears that in the 1950s they were included on the Highway and Surveying Authority's records as Unclassified County Roads but were subsequently removed. It will detail why the routes were removed and the Council now aims to determine whether or not they enjoy public highway status...

https://www.google.com/maps/@52.67666666666667,0.6166666666666667,12.5z



Click this link for a larger version (PDF) (devaudenconsultation_map.pdf)

Can You Help?

The consultant (Robin Carr Associates) preparing the report that will assist the Council in finalising status of the routes is looking for documents that contain evidence about the existence or otherwise of the public rights of way over the route. The consultant is also looking for documents that relate to how and why the routes were removed from the Highway records. If you have any evidence that may be relevant then please contact Robin Carr.

Consultation Letter (devaudenconsultation_letter_2012-2014.pdf)
Map (devaudenconsultation_map.pdf)
List of documents associated with 20 Dec 2014 (devauden_consultation_documents_list_20-12-2014.pdf)

Update (1st January 2015)
As part of the consultation process local residents are invited to attend an open session of Devauden Community Council on 20th January 2015.
Public Rights of Way Consultation Meeting - 20 Jan 2015 (devauden2015-public-rights-of-way-consultation-meeting.html)

Details
Created: 02 January 2015

last » (news/916-charity-qaution-qaution-emp-2005.html)

Did you know?

Residents in Devauden are able to receive one of our latest brochures free of charge in the UK.



Navigation menu for the website with categories like Events, About Devauden, Living in Devauden, and News. It includes sub-links for various topics and a search bar.

Copies of consultation responses and associated correspondence (Appendix 26)
Consultation Responses (4) (pages 9 & 10) – The Devauden Village Website-1 & 2

Subject: PRow Status Mon CC Chepstow
From: allen thomas (ajt813thomas@mail.com)
To: consultancy@prow.biz;
Date: Sunday, 4 January 2015, 15:23

Dear Mr Carr,

Thank you for your letter of 30 Dec 14 Ref: RCA/MCC/UCR/ Chepstow
I regret that I am unable to throw any light upon the reasons why the routes were removed from the Highway records.

Our knowledge of the routes is limited to the past 30 years when I know that all the routes in your attached plan (except part of 53-16 north of its junction with 53-18 where it is completely overgrown) have been used as footpaths. I believe local residents have used these paths for much longer.

Yours sincerely
Mr A J Thomas
Footpath Officer
Lower Wye Group - Rambler's Association

Subject: Devauden
From: owen_woodside2015@btinternet.com (owen_woodside2015@btinternet.com)
To: consultancy@prow.biz;
Date: Saturday, 3 January 2015, 17:14

Your ref. RCA/MCC/UCR/Chepstow (Devauden)

Dated 30-12-2014

Dear Mr Carr.

Thank You for your Consultation letter re UCR 53-16 (Shortfall of Reg.) hopefully, please find attach. copy of what I sent to Mr George West where you will observe, the plan depicts what is presently reg. FP 177&3 as a Road to Trelleck Grange, albeit probably un-fenced on the northern section, the Plan is from Cassini Historical Map, Old Series c1828-1831 (matching OS L/ranger 162) title Gloucester & Forest of Dean **Red Cover**, I say road, I use the premise present legislation, due to both the 1773 H A & 1835 H Acts, roads in existence as of the 31st Aug. 1835 are still highways today, unless of course they have been legally 'stopped up'/diverted.

I can offer no explanation why the section is believed to have been removed from the L o Streets, as unlike Herefordshire, I have never examined Monmouthshire highways/Parish minute books, though I note before the 1974 L Gov. re-org, FP 177 went to the former RDC boundary, then continued as FP 3 . Where ways are affected by RDC/PARISH political boundaries, I have found is a 'recipe' for Anomalies, also County/Parish (Community in Wales) councils/committee's are usually dominated by landed interests, though I would have thought in their interest to Add to the L o S as Enhances their land values, have a highway maintained at public expense, even if only a R/Byway, though the Duty to maintain is only commensurate with it's use, can be charged for unreasonable surface damage.

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Subject: RE: Investigation into the Status of Routes for Monmouthshire County Council
From: Webb, Ann E. (AnnWebb@monmouthshire.gov.uk)
To: robin.carr1@btinternet.com
Date: Friday, 2 January 2015, 11:44

Robin Carr Associates
 Public Rights of Way Management & Consultancy Services

Dear Robin

I do not recognise these lanes as being in my Ward i.e. St Arvans with Tintern, however please confirm that these lanes are not within my Ward, the map is difficult to read on a laptop!

I am concerned though as why have you contacted me, please let me know asap.

I do have concerns about a few lanes/byways/green lanes in my Ward and please let me know the extent of your remit.

Best regards

Ann (Webb)

From: Robin Carr Associates [mailto:robin.carr1@btinternet.com]
Sent: 30 December 2014 16:18
Subject: Investigation into the Status of Routes for Monmouthshire County Council

Dear Sir/Madam

Please find attached a consultation letter in respect of investigations we have been instructed to undertake by and on behalf of Monmouthshire County Council

We should be obliged to receive any responses etc by 31st January 2015

Thank you for your attention to this matter

Robin Carr

Address: 2 Friarage Avenue, Northallerton, North Yorkshire DL6 1DZ
 Email: robin.carr1@btinternet.com
 Web: www.prow.biz
 www.blastkleen.com
 Tel: 01609 781717
 Mob: 07976 624 029

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Subject: Re: Investigation into the Status of Routes for Monmouthshire County Council
From: judith.bolton360@gmail.com (judith.bolton360@gmail.com)
To: robin.carr1@btinternet.com;
Date: Tuesday, 30 December 2014, 20:30

Dear Mr Carr,

Thank you for your correspondence below.

The routes are not within the St Arvans Community boundary, and so the Council has little detailed knowledge of them.

However, from personal experience as a walker in the area, I have walked 53-18 and 53-11 on a number of occasions. It is also evident that annoyingly, off-road motorcycles have also used 53-18.

Yours sincerely,

Judith Bolton
Clerk St Arvans Community Council

Sent from Windows Mail

From: Robin Carr Associates
Sent: Tuesday, 30 December 2014 16:18

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Robin Carr

Robin Carr Associates
Public Rights of Way Management & Consultancy Services

Address: 2 Friarage Avenue, Northallerton, North Yorkshire DL6 1DZ
Email: robin.carr1@btinternet.com
Web: www.prow.biz
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Cwmbran
Torfaen
NP44 7EZ

Your Ref
RCA/MCC/UCR/Chepstow

Direct Line
01633 628277

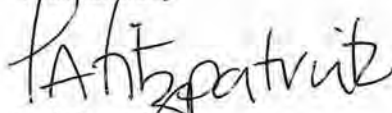
Date
07 January, 2015

Dear Sir,

Further to your letter of the 30th December 2014, please find enclosed for your information, two plans showing where Western Power Distribution (WPD) have underground cables, these cables have been in situ for a number of years and supply electricity to the properties accessed via the road in question, please note the cables are only situated just off the main road and not along the complete length of the road highlighted on your plan.

If you should require any further information then please do not hesitate to contact me.

Yours faithfully



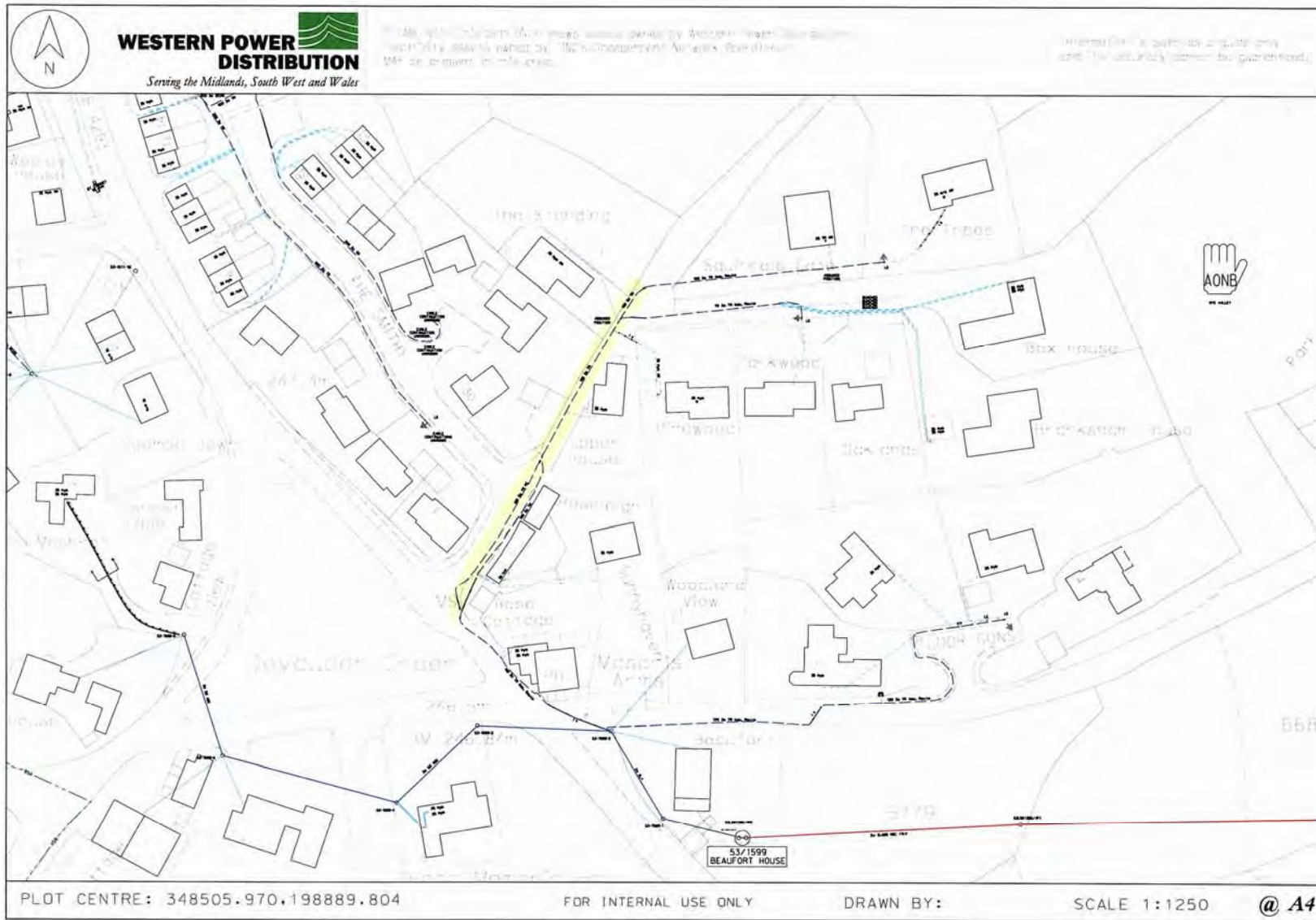
Paul Fitzpatrick
Surveyor/Estates Officer
East Mon
South East Wales



Printed on recycled paper

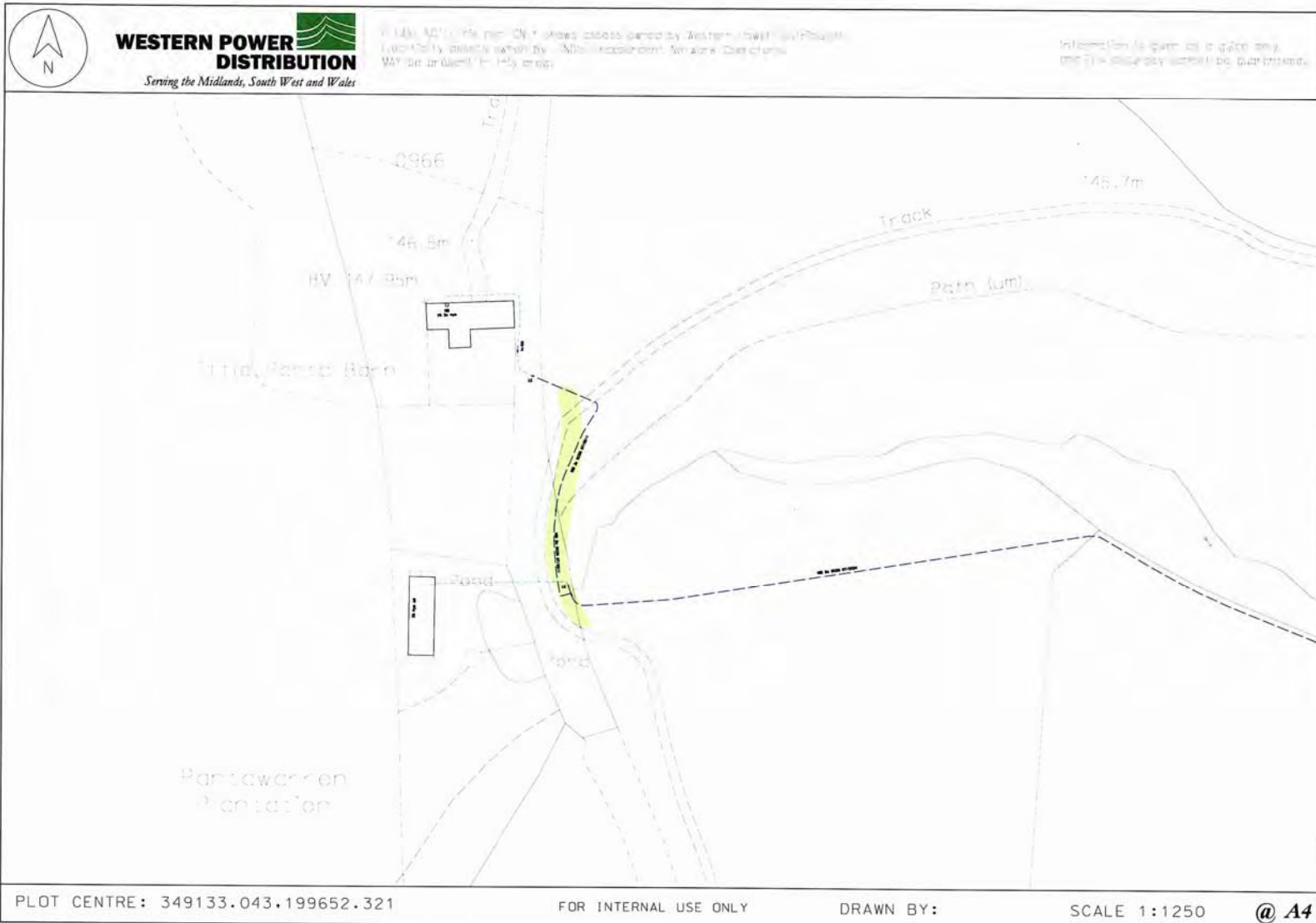
Western Power Distribution (South Wales) plc.
Registered in England and Wales No. 2366985
Registered Office:
Avonbank, Feeder Road, Bristol BS2 0TB

Western Power Distribution (South Wales) plc.
Cofrestrwyd yng Nghymru Rhif. 2366985
Swyddfa gofrestrdeb:
Avonbank, Feeder Road, Bristol BS2 0TB



Copies of consultation responses and associated correspondence (Appendix 26)

Consultation Responses (4) (page 17) – Email 7-1-15 PF-Western Power



Copies of consultation responses and associated correspondence (Appendix 26)
 Consultation Responses (4) (page 18) – Email 7-1-15 PF-Western Power

Your Ref:
My Ref: RCA/MCC/UCR/Chepstow
Date: 30th December 2014

CONSULTATION

Dear Sir/Madam

Wildlife and Countryside Act 1981, Section 53
Investigation into the status of certain roads in the Monmouthshire County Council area
Routes: a) Routes 53-11 and 53-18, b) Route 53-16; and c) Route 53-19
Our Client: Monmouthshire County Council

Robin Carr Associates is in receipt of instructions from Monmouthshire County Council to undertake and independent and impartial investigation into the status of a number of roads/lanes/tracks within the County Council's area. The purpose of the investigation is to assist and advise the Council in determining whether or not these routes enjoy public highway status (e.g. footpath, bridleway or carriageway). Upon completion of our investigations we are to produce an advisory report to enable the Council (in their role as Highway and Surveying Authority) to decide whether or not these routes should be recorded on the Definitive Map (the legal register of public rights of way) and/or the List of Streets Maintainable at Public Expense.

As part of the investigation we are writing to you to advise you of our investigation and to offer you the opportunity to engage in the process by way of the submission of any evidence and/or comments that you consider should be taken into account when a decision is made. The routes under investigation are highlighted on the attached plan.

By way of background information we can advise that it has been ascertained that in the 1950's each of these routes was included in a number of the Highway and Surveying Authority's records with the status of Unclassified County Road. This may suggest that at that time they were considered to be public vehicular highways. At some point after that the routes were removed from the records, however the reason for their removal has not yet been identified. The actual removal of the routes from the records would not in itself result in the extinguishment of any highway rights or maintenance liabilities, this would require a formal legal process, of which no evidence has yet been found.

We are therefore seeking evidence relating to a) the existence or otherwise of public highway rights over these routes; and b) evidence relating to how and why the routes were removed from the highway records. In order to ensure that any information, evidence and comments you wish to submit are included in our report they should be submitted in writing to Robin Carr Associates no later than 31st January 2015.

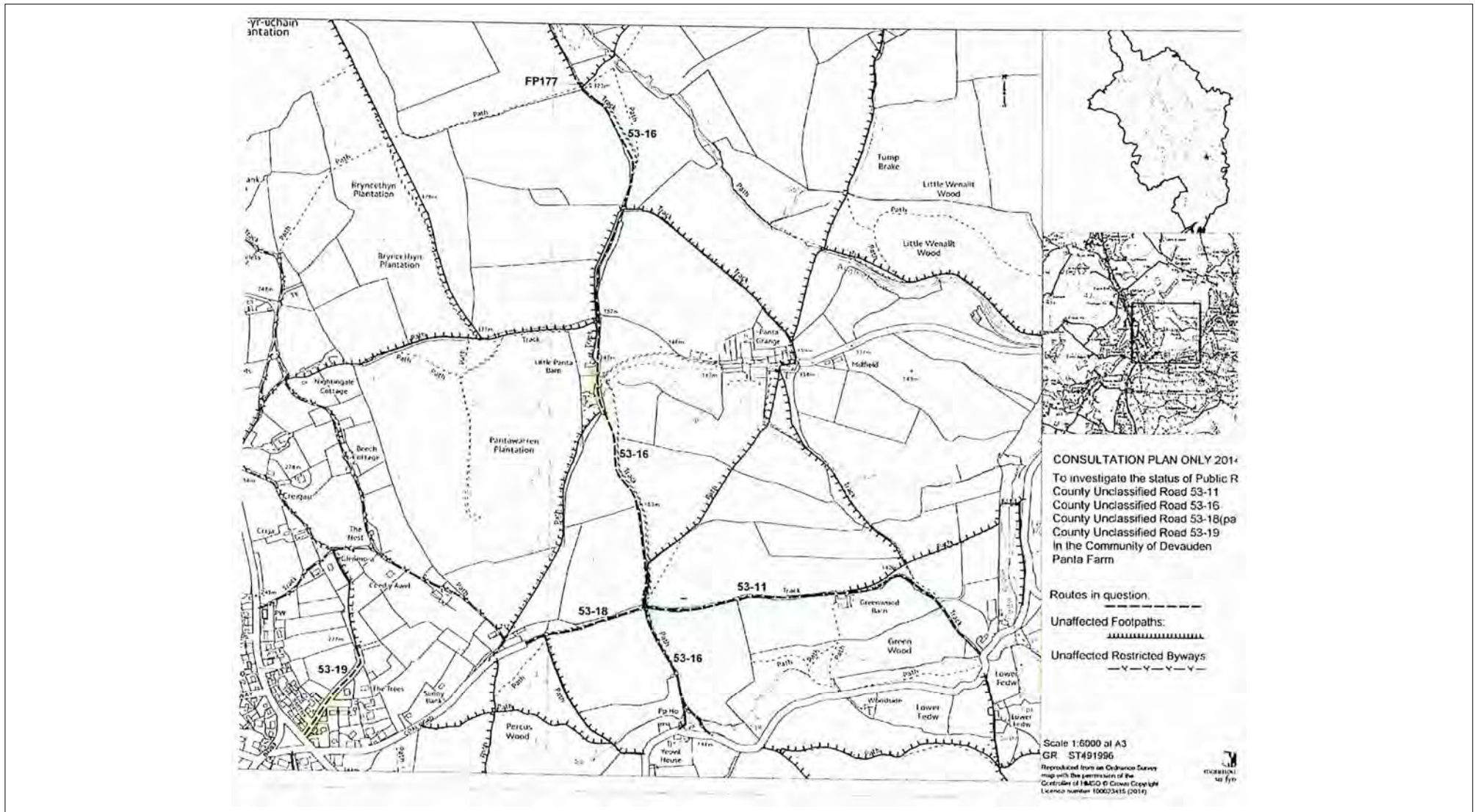
In the case of utility companies please advise if any of your apparatus runs under the routes in question.

If you have any queries or wish to discuss this matter please do not hesitate to contact me

Yours faithfully


Robin Carr FIPROW MILAM (Cert)
Principal





Copies of consultation responses and associated correspondence (Appendix 26)
 Consultation Responses (4) (page 20) – Consultation Letter 30-12-14 RC-2