

Public Document Pack



Neuadd y Sir
Y Rhadyr
Brynbuga
NP15 1GA

County Hall
Rhadyr
Usk
NP15 1GA

Date Not Specified

Notice of Reports Received following Publication of Agenda.

Taxi and Regulatory Committee

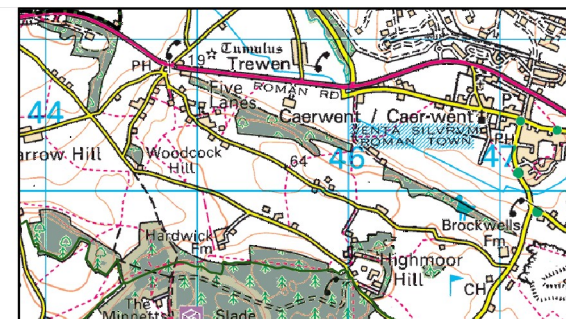
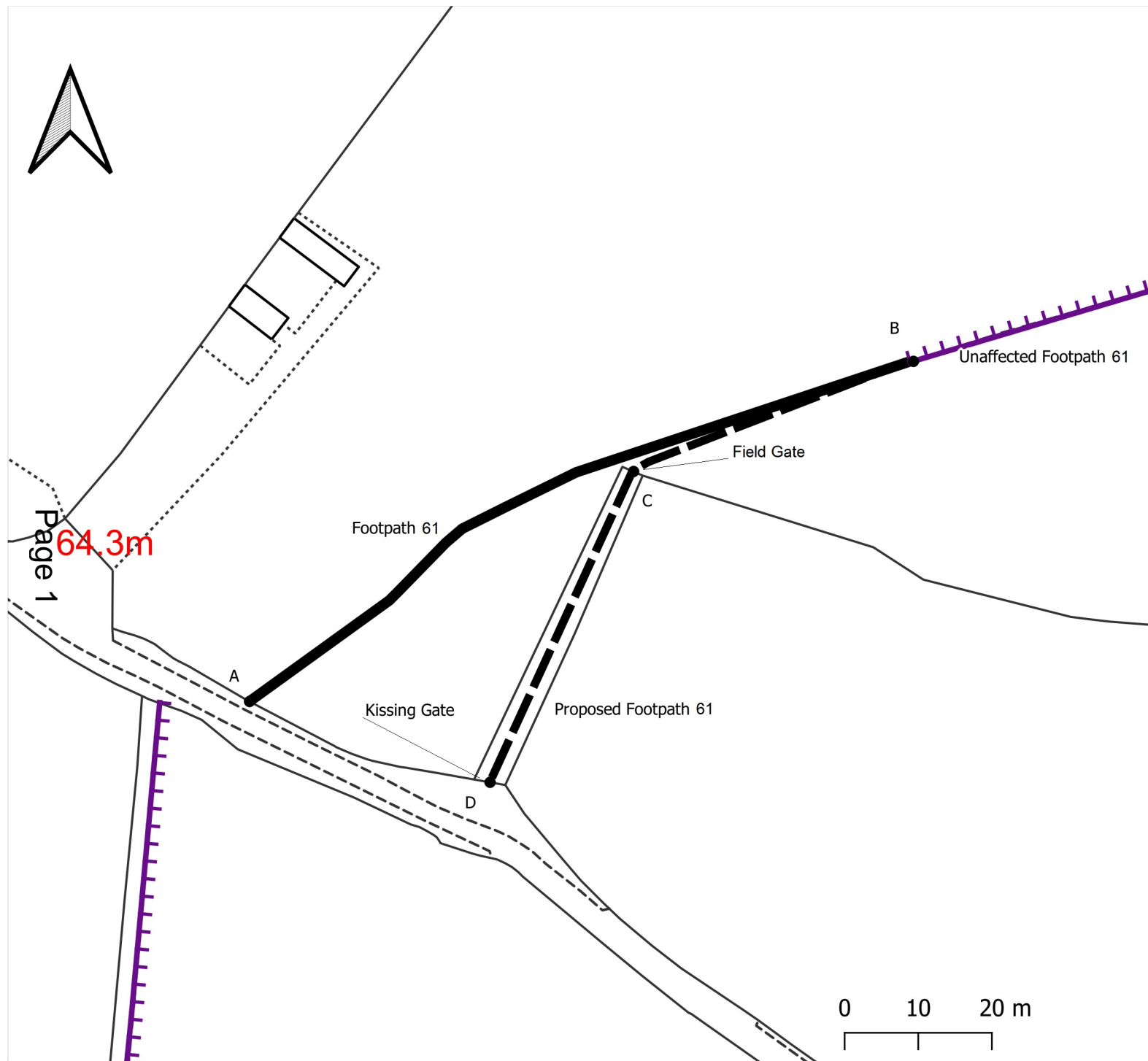
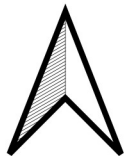
Wednesday, 23rd July, 2025 at 10.00 am,
Council Chamber, County Hall, The Rhadyr USK

Attached are reports that the committee will consider as part of the original agenda but were submitted to democratic services following publication of the agenda.

Item No	Item	Pages
3.	TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257 PUBLIC PATH ORDER, FOOTPATH 61 (part) CALDICOT also known as FOOTPATH 7(part) CAERWENT.	1 - 14

Paul Matthews
Chief Executive

This page is intentionally left blank



Llwybr Cyhoeddus Arallgyfeirio
Gorchymyn 2025
Deddf Cynllunio Tref a Gwlad 90, ac 257
Cyngor Sir Fynwy

Llwybr Troed 61 (rhan), Cil-y-Coed
hefyd yn cael ei alw'n
Llwybr Troed 7 (rhan), Caerwent

Public Path Diversion Order 2025
Town & Country Planning Act 90, s257
Monmouthshire County Council
Footpath 61 (part), Caldicot
also known as
Footpath 7 (part), Caerwent

'Water Pits'

Llwybr arfaethedig i gael ei diddymwyd/
Existing path to be closed:



Llwybr arfaethedig i gael ei crewyd/
Proposed path to be created:



Heb effeithio arno Llwybr/Llwybrau
Unaffected footpath/s:



1:750 @ A4

This page is intentionally left blank

Public Path Diversion Order 2025
Town and Country Planning Act 1990, s257
Monmouthshire County Council
Public Footpath 61(part), Caldicot also known as
Public Footpath No. 7 (part), Caerwent

SCHEDULE

PART 1

**Section as
indicated on
map**

Description of site of existing path or way

B-A The Footpath continues from unaffected Footpath 61 at point B (ST4569190204) in a West South Westerly direction a distance of 103m to the County Road at point A(ST4560190158).

PART 2

**Section as
indicated on
map**

Description of site of alternative highway

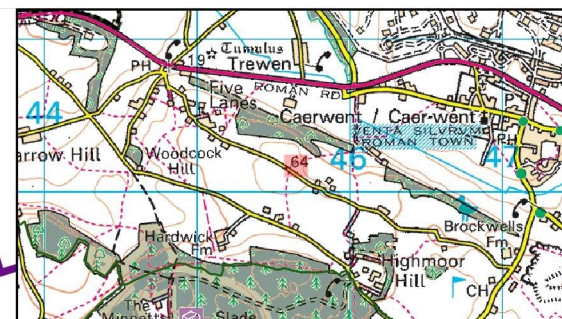
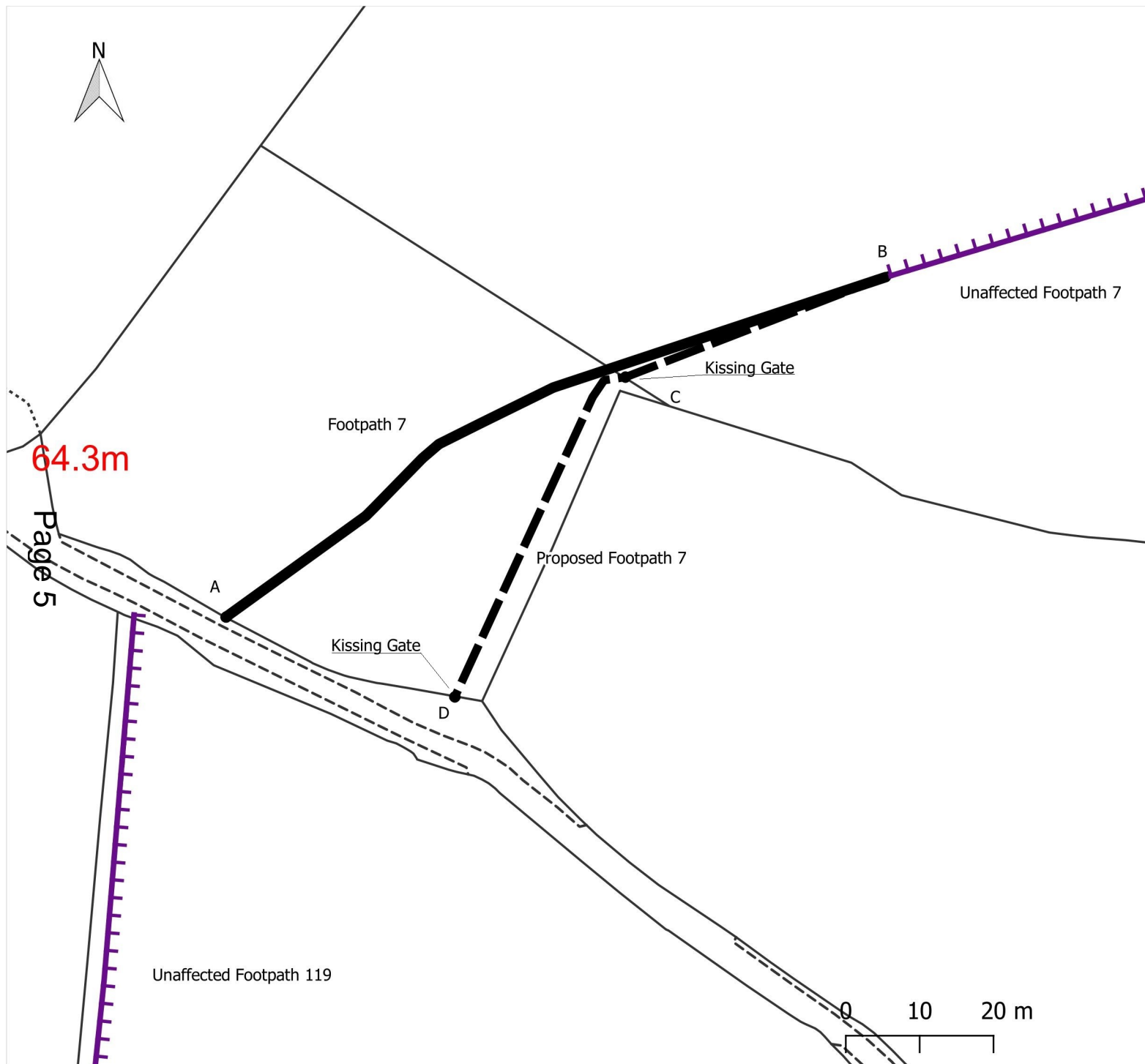
B-C-D The Footpath continues at a width of 2m from unaffected Footpath 61 at point B(ST4569190204) in a West South Westerly direction a distance of 41m to a Field Gate at point C(ST4565490189).

From point C the Footpath continues in a South South Westerly direction at a width of 3m parallel to the field boundary, a distance of 47m to a join the County Road through a Kissing Gate at point D(ST4563490147).

PART 3

Description of site of existing highway to be improved

None



Llwybr Cyhoeddus Arallgyfeirio
 Gorchymyn 2021
 Deddf Cynllunio Tref a Gwlad 90, ac 257
 Cyngor Sir Fynwy
 Llwybr Troed 7 (rhan), Caer-went

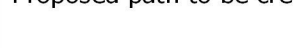
Public Path Diversion Order 2021
 Town & Country Planning Act 90, s257
 Monmouthshire County Council
 Footpath 7 (part), Caerwent

'Water Pits'

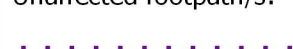
Llwybr arfaethedig i gael ei diddymwyd/
 Existing path to be closed:



Llwybr arfaethedig i gael ei crewyd/
 Proposed path to be created:



Heb effeithio arno Llwybr/Llwybrau
 Unaffected footpath/s:



Scale 1:750 at A4



monmouthshire
sir fynwy

This page is intentionally left blank

From: *****

Sent on: Saturday, June 7, 2025 11:29:13 AM

To: Pritchard, Shaun <ShaunPritchard@monmouthshire.gov.uk>

Subject: RE: Land at Waterpits , Five Lanes, Caerwent , NP26 5PG CAMS18280

Dear Mr Pritchard

Thank you for your email.

I last walked the footpath with yourself as an unannounced visit back in March 2023 following our viewing of ***** footpath.

The visit was at my request.

On the day of our visit there were no signs of the landowner obstructing the walkers ability to walk the existing footpath.

There was a CCTV camera overlooking the footpath which would be intimidating to most walkers but I know this is a very grey area regarding cctv and its use. I believe sharing photographic images from a public highway could be a breach of data protection.

I have seen a similar CCTV set up on a cross field footpath in Cornwall and it does feel intimidating.

Both **** & my concerns of field edge footpaths is that they can become overgrown very quickly and then become impassable.

The landowner in this instant had already fenced in the proposed footpath D to C and had a field gate already in place at point C if by memory is correct.

The proposed footpath is 3 mtr wide and would be easier to maintain and less likely to be come overgrown.

The road at point D was slightly wider and therefore the exit via a kissing gate on to the road in my opinion would be safer than the current exit over a stile at point A.

Purely on the suitability of the proposed footpath diversion, I have no objection.

I do however share the concerns of *****and hope that your reminders to the landowner regarding maintaining the legal alignment will stop further conflict.

For information I had no direct contact from *****after you passed my details on.

Best Regards

Stephen Garland
Footpath Officer
Lower Wye Ramblers

This page is intentionally left blank

From: clerk caerwentcc.com <clerk@caerwentcc.com>
Sent on: Friday, July 9, 2021 8:11:01 AM
To: Pritchard, Shaun <ShaunPritchard@monmouthshire.gov.uk>
Subject: RE: T CPA 90 s 257 Public Path Order FP 7 Caerwent CAMS 01097 Water Pits

Hello Shaun

This was discussed at Council last night and these are their comments:

The ecology report https://planningonline.monmouthshire.gov.uk/online-applications/files/ECFBE6A65DE8412CA29984FC3A14D3E3/pdf/DM_2021_00738-PRELIMINARY_ECOLOGICAL_APPRAISAL_REPORT-924855.pdf provided with the planning application documents relating to DM/2021/00738 notes the importance of the hedge along the eastern border for biodiversity including nesting birds and advises (para 5.1) an exclusion zone along a nearby hedge to the east and works completed outside the nesting bird season or preceded by a breeding bird survey to protect any ground nesting birds using the site the development should have little impact on the biodiversity of the area.

We therefore would recommend a 2 metre buffer zone along the eastern hedge be retained between the hedge and the footpath even after construction works are complete in order to protect nesting birds from disturbance each year.

Regards.

Laraine
Clerk to the Council
CAERWENT COMMUNITY COUNCIL

This page is intentionally left blank

OBJECTION TO DIVERSION OF FOOTPATH

REF : CAMS 01097 Water Pits

FAO:

shaunpritchard@monmouthshire.gov.uk

I would like to strongly object to the proposed diversion of the existing footpath to align with the eastern boundary of the field, this will detract significantly from the public's experience of this right of way access. At present heading from Five Lanes towards the Rodge Wood/Rodge Farm direction the walker initially experiences a wide open expanse of flat countryside and woodland and as the walk progresses toward the Rodge Farm a wide open vista is revealed below with open rolling countryside, the flat floodplain of the River Nidd, the historic Roman Wall, the picturesque village of Caerwent and the former wartime armaments factory, which itself has 2 visible scheduled monuments slowly come in to view, a unique experience. If the footpath is rerouted as proposed the walker will be 'funnelled' through a high fenced corridor with a built development to the left side and thick deciduous hedge immediately to your right and as such there will exist no view. Unfortunately since March 2021 even though the footpath is currently in its original position the walker's experience is as follows: On arrival at the Five Lanes/Waterpits stile you are now greeted with intimidating signs of 'Dogs Running Free' and 'CCTV in operation', high solid wooden fencing immediately to your left and front, scanned by an array of CCTV cameras. This signage and material change has already made the experience of walking this path an intimidating one and is reducing the pleasurable experience of accessing this outdoor space, so vital to people's well being and enjoyment of the countryside.

The proposed area of the field that the path has been proposed to take has already been fenced off and prepared and contains 2 x gates across its access, a dog kennel and a makeshift wooden building with tarpaulin roof, is this an indicator of the poor accessibility that the walker will be confronted by if this diversion is approved? The proposal to align the new footpath with the deciduous hedge on the eastern boundary will also affect wildlife in this hedgerow, as it will force human and dog traffic in to close proximity to the hedgerow disturbing nesting birds, other mammals, insects and other invertebrates. Has this even been considered by the applicant?

One of the justifications in the application for re-siting the stile is on the grounds of safety on to the road, I have regularly walked this route on the lane and this footpath for many years and know local people who have lived on the lane for 50+ years and there is no knowledge of a single Road Traffic Incident in that area relating to pedestrians.

Having viewed the area where the new stile is proposed to access the lane it is questionable whether the landowner making this application actually owns the land on which he is proposing to divert over, it appears to be outside of his boundary and crossing the neighbouring fields gated access.

The other justification for diverting the footpath is to allow for the development of 2 x stable blocks and a training menage. Should an historical and established public right of way be disrupted to make way for this proposal? Surely the applicant should have sympathetically designed his proposed development around this right of way access and considered this problem beforehand. The fact that the landowner has made concerted effort since February 2021, as described previously, to dissuade walkers to access this right of way could be interpreted as his efforts to prevent access. It is known to me that the Rights of Way Officer has already had to make several visits to this site to address the landowner's attempts to discourage access across this field including a "Danger Dogs Running Free" sign. The "danger" part of the sign now seems to have gone, also an unsafe non-compliant stile at the boundary between the Waterpits and the neighbouring field was reported to the Officer after the previous stile was removed completely for some reason.

This proposal is premature and does not meet the relevant guidance outlined in the Town and Country Planning Act 1990 Sections 257 and 259:

“ 257 Footpaths **[F1, bridleways and restricted byways]** affected by development: orders by other authorities.

(1) Subject to section 259, a competent authority may by order authorise the stopping up or diversion of any footpath **[F2, bridleway or restricted byway]** if they are satisfied that it is necessary to do so in order to enable development to be carried out—

(a) in accordance with planning permission granted under Part III **[F3 or section 293A]**, or

(b) by a government department.

[F4(1A)] Subject to section 259, a competent authority may by order authorise the stopping up or diversion **F5...** of any footpath, bridleway or restricted byway if they are satisfied that—

(a) an application for planning permission in respect of development has been made under Part 3, and

(b) if the application were granted it would be necessary to authorise the stopping up or diversion in order to enable the development to be carried out.] “

“259 Confirmation of orders made by other authorities.

(1) An order made under section 257 or 258 shall not take effect unless confirmed by the **[F1 appropriate national authority]** or unless confirmed, as an unopposed order, by the authority who made it.

[F2(1A)] An order under section 257(1A) may not be confirmed unless the **[F3 appropriate national authority]** or (as the case may be) the authority is satisfied—

(a) that planning permission in respect of the development has been granted, and

(b) it is necessary to authorise the stopping up or diversion in order to enable the development to be carried out in accordance with the permission.]”

Regarding Section 257 and 259 it clearly states that Planning permission for the Development (this land is currently subject to an outstanding and yet to be decided Planning Application

DM/2021/00738) should have been granted before confirmation to divert the footpath is approved.

Therefore this application to re route the footpath should only be approved if planning permission for development DM/2021/00738 is granted and approval for the diversion of the footpath should not be granted in isolation or as a separate matter.

This page is intentionally left blank