



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

MINUTES OF MEETING

RIGHTS OF WAY MEETING

MONDAY, 6TH MARCH, 2017

PRESENT: Councillor C T Jones (In the Chair)

Councillors B E Mansbridge, G Lewis and W R Smith

Officers:

Geraint Morgan (Solicitor) and Cheryl Jones (Rights of Way Project Officer)

Mair Morgan (Democratic Services Officer)

ITEM NO.	AGENDA MATTER	DECISION
874	Apologies for absence	Apologies for absence were received from Councillor S Slater.
875	Declarations of Interest	No Declarations of Interest were made.
876	Guidance	Resolved that: The Guidance be received.
877	Treharris 32, Treharris 33, Treharris 36, Treharris 39	The Chair referred the Committee to the 'Treharris 32, Treharris 33, Treharris 36 and Treharris 39' report. <i>The Committee then walked the Routes.</i> In relation to Treharris 39 the Committee recommended that the existing gate be replaced with a Hand Gate. Resolved subject to the foregoing that: Taking into account all the evidence which has been provided, including historical documents, Councillors confirmed that:

(a) In respect of Treharris 32 (a) on the balance of probabilities there is sufficient evidence to support that the route marked with a pink line between points J – K on the plan has been used for such period so as to raise presumption that it has been dedicated as a footpath, and that the evidence has not been rebutted by other evidence, (b) on confirming (a) to approve the making of the Definitive Map Modification Order to show Treharris 32 as a footpath, (c) to approve the making of the Definitive Map Modification Order made as a result of (b) above provided no objections or representations are made within the prescribed period or if any objections or representations so made are withdrawn and (d) if any objections or representations are made within the prescribed period and are not subsequently withdrawn then to refer the matter to the Planning Inspectorate for determination.

(b) In respect of Treharris 33 (a) on the balance of probabilities there is sufficient evidence to support that the route marked with a red line between points D – E on the plan has been used for such period so as to raise presumption that it has been dedicated as a footpath, and that the evidence has not been rebutted by other evidence, (b) on confirming (a) to approve the making of the Definitive Map Modification Order to show Treharris 33 as a footpath, (c) to approve the making of the Definitive Map Modification Order made as a result of (b) above provided no objections or representations are made within the prescribed period or if any objections or representations so made are withdrawn and (d) if any objections or representations are made within the prescribed period and are not subsequently withdrawn then to refer the matter to the Planning Inspectorate for determination.

(c) In respect of Treharris 36 (a) on the balance of probabilities there is sufficient evidence to support that the route marked with a light blue line between points H – I on the plan has been used for such period so as to raise presumption that it has been dedicated as a footpath, and that the evidence has not been rebutted by other evidence, (b) on confirming (a) to approve the making of the Definitive Map Modification Order to show Treharris 36 as a footpath, (c) to approve the making of the Definitive Map Modification Order made as a result of (b) above provided no objections or representations are made within the prescribed period or if any objections or representations so made are withdrawn and (d) if any objections or representations are made within the prescribed period and are not subsequently withdrawn then to refer the matter to the Planning Inspectorate for determination.

(d) In respect of Treharris 39 (a) on the balance of probabilities there is sufficient evidence to support that the route marked with a dark green line between points B – C on the plan has been used for such period so as to raise presumption that it has been dedicated as a footpath, and that the evidence has not been rebutted by other evidence, (b) on confirming (a) to approve the making of the Definitive Map Modification Order to show Treharris 39 as a footpath,

		(c) to approve the making of the Definitive Map Modification Order made as a result of (b) above provided no objections or representations are made within the prescribed period or if any objections or representations so made are withdrawn and (d) if any objections or representations are made within the prescribed period and are not subsequently withdrawn then to refer the matter to the Planning Inspectorate for determination
878	Any other Business deemed urgent by the Chair	The Chair advised that there was no business deemed urgent.