



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

MINUTES OF MEETING

RIGHTS OF WAY MEETING

MONDAY, 25TH SEPTEMBER, 2017

PRESENT: Councillor C Tovey (In the Chair)

Councillors J Amos, E Galsworthy, C T Jones and D Chaplin

Officers:

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

Karen Vokes (Democratic Services Officer)

ITEM NO.	AGENDA MATTER	DECISION
251	Apologies for absence	No apologies for absence received as all present.
252	Declarations of Interest	Councillor Clive Tovey declared an interest in relation to Gurnos 10 and Gurnos 11 as he is friends with the owners of Rabarts Decorators. RESOLVED that: Councillor Clive Jones will Chair the meeting when Gurnos 10 and Gurnos 11 are considered.
253	Guidance	RESOLVED that: The Guidance be received.
254	Gurnos 10	Councillor Clive Jones took the Chair. Officers referred the Committee to the Gurnos 10 report and members then walked the Gurnos 10 route. Taking into account all the evidence provided, including historical documents, members of the Committee RESOLVED that:

		<ul style="list-style-type: none"> (a) on the balance of probabilities there is sufficient evidence to support that the route marked with a dashed line between points A- 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 Gurnos 10 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objections or representations are made within the prescribed period or if any objections or representations so made are withdrawn and (d) if any objections or representations are made within the prescribed period and are not subsequently withdrawn then to refer the matter to the Planning Inspectorate for determination.
255	Gurnos 11	<p>Officers referred the Committee to the Gurnos 11 report and members then walked the Gurnos 11 route.</p> <p>Taking into account all the evidence provided, including historical documents, members of the Committee RESOLVED that:</p> <ul style="list-style-type: none"> The application be rejected as on the balance of probability insufficient evidence has been provided in support of the application to record the claimed Right of Way, and to advise the applicant that their application has been rejected and that they may appeal in writing against the decision of the Council to the Planning Inspectorate within 28 days from the date of the decision letter.
256	Bedlinog 8	<p>Councillor Clive Tovey took the Chair.</p> <p>The Committee were made aware of an error on page 33 of the report paragraph 3.11 (third paragraph) Mr Davies should read Mr Evans.</p> <p>Officers referred to the Bedlinog 8 report and the Committee then walked a section of the Bedlinog 8 route.</p> <p>Taking into account all the evidence provided and subject to the foregoing, it was RESOLVED that:</p> <p>(a) the route of Bedlinog 8 as shown on the Council's Definitive Map and Statement be not modified.</p> <p>In respect of the route between the houses:</p> <p>(b) On the balance of probabilities there is sufficient evidence to support that the route marked with a dashed line between Points B – C on the plan, Bedlinog 8, 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.</p>

		<p>(c) On confirming (a) above to approve the making of a Definitive Map Modification Order to show Bedlinog 73 as a footpath.</p> <p>(d) To approve the confirmation 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.</p> <p>(e) If any objections or representations are made within the prescribed period and not subsequently withdrawn then to refer the matter to the Planning Inspectorate for determination.</p>
257	Any other Business deemed urgent by the Chair	No other business was deemed urgent by the Chair.