



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

MINUTES OF MEETING

RIGHTS OF WAY MEETING

MONDAY, 10TH JUNE, 2019

PRESENT: Councillors: C Tovey (Chair)

Councillors: K Gibbs, C T Jones, W R Smith and S Thomas

Officers:

G Morgan (Solicitor) and C Jones (Rights of Way Officer)

M Morgan (Democratic Services Officer)

ITEM NO.	AGENDA MATTER	DECISION
84	Apologies for absence	No apologies for absence were received as all Members were present.
85	Declarations of Interest	No Declarations of Interest were made.
86	Guidance	Resolved that: The Guidance be received.

Walking of Routes

In relation to Items 4, 5, 6 and 7, the Committee proceeded to the respective sites and walked the Routes.

87	Gurnos 7	Gurnos 7 Resolved that: <i>In respect of Gurnos 7</i>
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		<ul style="list-style-type: none"> (a) On the balance of probabilities there is sufficient evidence to support that the route marked with a bold black line between Points A – B on the Plan, Gurnos 7, 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) above to approve the making of the Definitive Map Modification Order to show Gurnos 7 as a footpath (c) 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objections or representations are made within the prescribed period or if any objections or representations so made are withdrawn (d) If any objections or representations are made within the prescribed period and not subsequently withdrawn then to refer the relevant Order to the Planning Inspectorate for determination
88	Gurnos 14 and Gurnos 17	<p>Gurnos 14 and Gurnos 17</p> <p>Geraint Morgan referred to the report and advised that in respect of recommendation 2.1 (a) it should read Points A – B – D.</p> <p>Resolved subject to the foregoing that:</p> <p><i>In respect of Gurnos 14</i></p> <ul style="list-style-type: none"> (a) On the balance of probabilities there is sufficient evidence to support that the route marked with a bold black line between Points A – B – D 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) above to approve the making of the Definitive Map Modification Order to show Gurnos 14 as a footpath (c) 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 (d) If any objections or representations are made within the prescribed period and not subsequently withdrawn then to refer the relevant Order to the Planning Inspectorate for determination <p><i>In respect of Gurnos 17</i></p> <p>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 twenty eight days from the date of the decision letter.</p>

89	Gurnos 16	<p>Gurnos 16</p> <p>Resolved that:</p> <p><i>In respect of Gurnos 16</i></p> <p>(a) On the balance of probabilities there is sufficient evidence to support that the route marked with a bold black line between Points A – B on the Plan, Gurnos 16, 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>(b) On confirming (a) above to approve the making of the Definitive Map Modification Order to show Gurnos 16 as a footpath</p> <p>(c) 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>(d) If any objections or representations are made within the prescribed period and not subsequently withdrawn then to refer the relevant Order to the Planning Inspectorate for determination</p>
90	Cyfarthfa 150	<p>Cyfarthfa 150</p> <p>Resolved that:</p> <p><i>In respect of Cyfarthfa 150</i></p> <p>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 twenty eight days from the date of the decision letter.</p>
91	Any other Business deemed urgent by the Chair	The Chair advised that there was no business deemed urgent.