



MERTHYR TYDFIL
County Borough Council
Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL

MINUTES OF MEETING

RIGHTS OF WAY COMMITTEE MEETING

MONDAY, 25TH JANUARY, 2016

PRESENT: Councillor C T Jones (In the Chair)

Councillors K Moran, S Slater 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
928	Apologies for absence	Apologies for absence were received from Councillor B E Mansbridge.
929	Declarations of Interest	No Declarations of Interest were made.
930	Guidance on the Law relating to the Continuous Review of the Definitive Map and Statement of Public Rights of Way	Resolved that: The Guidance be received.
931	Guidance on the Law relating to the extinguishment of Public Rights of Way under the Highways Act 1980	Resolved that: The Guidance be received.

932	Pant 13	<p>Resolved that:</p> <p>The Public Inquiry in February 2016 be noted.</p>
933	Pant 5	<p>The Committee walked Pant 5.</p> <p>Resolved that:</p> <ul style="list-style-type: none"> (a) A Definitive Map Modification Order be made to reflect the change in surface (b) To approve the confirmation of the Definitive Map Modification Order made as a result of (a) above provided no objections or representations are made within the prescribed period or if the objections or representations are withdrawn (c) If any objections or representations are made within the prescribed period and not subsequently withdrawn then to refer the relevant Order to the Planning Inspectorate for determination
934	Pant 6	<p>The Committee walked Pant 6</p> <p>Resolved that:</p> <ul style="list-style-type: none"> (a) A Definitive Map Modification Order be made to reflect the change in surface (b) To approve the confirmation of the Definitive Map Modification Order made as a result of (a) above provided no objections or representations are made within the prescribed period or if the objections or representations are withdrawn (c) If any objections or representations are made within the prescribed period and not subsequently withdrawn then to refer the relevant Order to the Planning Inspectorate for determination
935	Pant 7	<p>The Committee walked Pant 7.</p> <p>Resolved that:</p> <ul style="list-style-type: none"> (a) Definitive Map Modification Orders be made to reflect the change in surface and to record the route as a bridleway (b) To approve the confirmation of the Definitive Map Modification Orders made as a result of (a) above provided no objections or representations are made within the prescribed period or if the objections or representations are withdrawn (c) If any objections or representations are made within the prescribed period and not subsequently withdrawn then to refer the relevant Order(s) to the Planning Inspectorate for determination
936	Pant 8	<p>The Committee walked Pant 8.</p> <p>Resolved that:</p> <ul style="list-style-type: none"> (a) A Definitive Map Modification Order be made to reflect the change in surface

		<p>(b) To approve the confirmation of the Definitive Map Modification Order made as a result of (a) above provided no objections or representations are made within the prescribed period or if the objections or representations are withdrawn</p> <p>(c) 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>
937	Pant 9	<p>The Committee walked Pant 9.</p> <p>Resolved that:</p> <p>(a) A Definitive Map Modification Order be made to reflect the change in surface and to record the route as a bridleway</p> <p>(b) To approve the confirmation of the Definitive Map Modification Order made as a result of (a) above provided no objections or representations are made within the prescribed period or if the objections or representations are withdrawn</p> <p>(c) 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>
938	Pant 10	<p>The Committee walked Pant 10.</p> <p>Resolved that:</p> <p>(a) A Definitive Map Modification Order be made to reflect the change in surface</p> <p>(b) To approve the confirmation of the Definitive Map Modification Order made as a result of (a) above provided no objections or representations are made within the prescribed period or if the objections or representations are withdrawn</p> <p>(c) 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>
939	Pant 14	<p>The Committee walked Pant 14.</p> <p>Resolved that:</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, Pant 14, has been used for such period so as to raise presumption that it has been dedicated as a bridleway, and that the evidence has not been rebutted by other evidence</p> <p>(b) On confirming (a) above to approve the making of a Definitive Map Modification Order to show Pant 14 as a bridleway</p> <p>(c) To approve the confirmation of the Definitive Map Modification Order made as a result of (b) above</p>

		<p>provided no objections or representations are made within the prescribed period of 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>
940	Pant 15	<p>The Committee walked Pant 15.</p> <p>Resolved that:</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, Pant 15, has been used for such period so as to raise presumption that it has been dedicated as a bridleway, and that the evidence has not been rebutted by other evidence</p> <p>(b) On confirming (a) above to approve the making of a Definitive Map Modification Order to show Pant 15 as a bridleway</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>
941	Troedyrhiw 71	<p>The Committee walked Troedyrhiw 71.</p> <p>Resolved that:</p> <p>(a) Taking into account all of the evidence which has been provided to confirm the diversion of Troedyrhiw 71 from the bold line as depicted on the Plan, Treharris 31 (Plan A) between Point A and Point B to the dashed line as depicted on the Plan, Treharris 31 (Plan B), between Point A and Point B</p> <p>(b) That a Public Path Diversion Order be made to divert the footpath</p> <p>(c) To approve the confirmation of the Public Path Diversion 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>
942	Troedyrhiw 125	<p>The Committee walked Troedyrhiw 125.</p> <p>Resolved that:</p> <p>(a) A Definitive Map Modification Order be made to</p>

		<p>reflect the change of gate</p> <p>(b) To approve the confirmation of the Definitive Map Modification Order made as a result of (a) above provided no objections or representations are made within the prescribed period or if the objections or representations are withdrawn</p> <p>(c) 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>
943	Treharris 31	<p>The Committee walked Treharris 31.</p> <p>Resolved that:</p> <p>(a) Taking into account all of the evidence which has been provided to confirm the diversion of Treharris 31 from the bold line as depicted on the plan Treharris 31 (Plan A) between Point A – B – C – D – E – F – G –H –I –J – K to the dashed line as depicted on the Plan Treharris 31 (Plan B) between Point A – B – C – D – E – F – G –H – I – J</p> <p>(b) That a Public Path Diversion Order be made to divert the footpath</p> <p>(c) To approve the confirmation of the public Path Diversion 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>
944	Any other Business as deemed urgent by the Chair	<p>The Chair advised that there was no business deemed urgent.</p>