

SCHEDULE 1

NAME OF CLAIMANT	EVIDENCE SUBMITTED BY CLAIMANT	COMMENTS UPON EVIDENCE
Finnemore - Anne	Has known the path over 50 years and has used it regularly for walking.	Good evidence over a lifetime's use having lived in the area over 50 years.
Williams - Mabel Joyce	Walked the path periodically over 40 years. Remembers it being used for school nature walks.	Brought up in the area and therefore has a lot of local knowledge.
Bryant - William Charles	Although having only used the path on foot regularly every week for approximately 20 years he has known the route for 40 years.	Used the path to go to Nelson to the cinema. Has never seen any signs warning people that the path was private.
James - David Ronald	At present walks the path daily but has known of its existence for over 60 years.	Was born in the area and therefore has excellent local knowledge - his parents lived here before him. Never remembers having seen any signs. Has used the route to go shopping to chapel or for pleasure.
Jenkins - Sydney	Has used the path on foot twice a week for 65 years.	Was born and brought up in the area although he has only lived at Ty Llwyd parc for 7 years. Remembers using the path for pleasure and for getting to Trelewis. Has never been told that he cannot use the path.
Bryant - Cynthia	Since moving into her house two and a half years ago Mrs. Bryant has used the route once or twice a week for pleasure.	Has lived in the area all her life and so has good knowledge of the area.



Copy to: Chairman, H. & T. Committee  
Vice-Chairman, H. & T. Committee  
A1460

County Councillor T. Richards,  
11 Jenkin Street,  
Abercynon,  
Mountain Ash,  
CF45 4UL

A763/4/51-55/AM/KF.

6 September 1991

Dear Councillor Richards,

APPLICATIONS FOR MODIFICATION ORDERS  
TY LLOYD PARC, QUAKERS YARD

Please find enclosed copies of documents relating to six applications made by the Ramblers Association, on behalf of local residents, to add six footpaths to the Blank Map and Statement for the Former County Borough of Merthyr Tydfil.

These applications are to be considered by the Rights of Way Sub-Committee, in the near future, where a decision will be taken as to whether six Modification Orders should be made. To enable the Committee to have as much information as possible, I should be grateful if you would forward your comments on the proposals within 28 days from the date of this letter.

Yours sincerely,

County Engineer and Surveyor

County Planning Officer

County Engineer and Surveyor

A763/4/51-55  
AM/KF.

3673

6 September 1991

APPLICATIONS FOR MODIFICATION ORDERS  
TY LLWYD PARC, QUAKERS YARD

Please find enclosed copies of documents regarding six applications made by the Ramblers Association on behalf of local residents to add six footpaths to the Blank Map and Statement for the Former County Borough of Merthyr Tydfil.

These applications are to be considered by the Rights of Way Sub-Committee in the near future, where a decision will be taken as to whether six Modifications Orders should be made. To enable the Committee to have as much information as possible, I should be grateful if you would forward your comments on the proposals within 28 days from the date of the memorandum.



for County Engineer and Surveyor

Mr. & Mrs. M.A. Jarrold,  
Park Farm,  
NELSON,  
Mid Glamorgan.

Mr. A. Mason

A763/4/51-55/AM/KF.

6th September 1991

Dear Sir,

APPLICATIONS FOR MODIFICATION ORDERS  
TY LLWYD PARC, QUAKERS YARD

Please find enclosed copies of documents relating to six applications made by the Ramblers Association to add six footpaths to the Blank Map and Statement for the Former County Borough of Merthyr Tydfil.

These applications are to be considered by the Rights of Way Sub-Committee, in the near future, where a decision will be taken as to whether six Modifications Orders should be made.

To enable the Committee to have as much information as possible, I should be grateful if you would forward your comments on the proposals within 28 days from the date of this letter. If I have not heard from you by that date, then I will assume you have no objection to the applications.

Yours faithfully,



for County Engineer and Surveyor

County Councillor M.J. Chambers,  
63 Maple Crescent,  
Trafecan,  
Merthyr Tydfil,  
CF48 2EH

A763/4/51-55/AM/KP.

6th September 1991

Dear Councillor Chambers,

APPLICATION FOR MODIFICATION ORDERS  
TY LLOYD PARC, QUAKERS YARD.

I refer to your application in your capacity as Chairman of the Ramblers Association, to add six footpaths to the Blank Map and Statement for the former County Borough of Merthyr Tydfil.

Please find enclosed copies of documents which are to be considered by the Rights of Way Sub-Committee, in the near future, where a decision will be taken as to whether six Modification Orders should be made.

If you have any further information to add to that which you have already provided, I should be grateful if this could be forwarded within 28 days from the date of this letter.

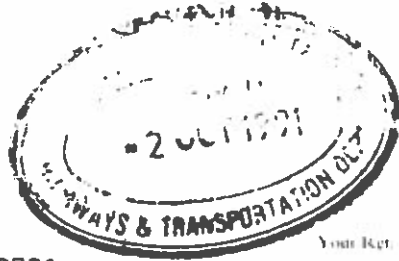
Yours sincerely,

  
County Engineer and Surveyor



County Engineer & Surveyor

County Planning Officer



M. Ref

55W6\DRE\BP

Tel Ext

3731

Your Ref

Date

A763\4\51-55 01.10.91  
\AM\KF

Applications for Modification Orders, Ty Llwyd Parc, Quakers Yard.

I refer to your memo dated 6th September 1991 enclosing copies of documents regarding six applications made by the Ramblers Association on behalf of local residents to add six footpaths to the "Blank Map and Statement" for the Former County Borough of Merthyr Tydfil.

I have no observations to make in particular, but would welcome the updating of definitive rights of way in principle.

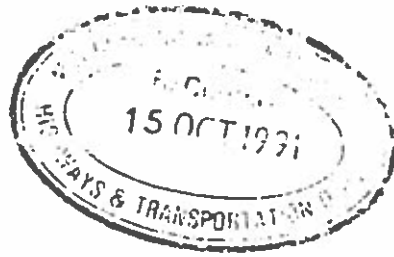
*M. J. Flynn  
JF*

*AJS*

I:\MINS\EDMONDR\TYLLWYD.MEM

late Form

Nelson



11 Oct 1991.

Dear Mr Mason,

please find enclosed  
last letters relating to the line of  
claimed rights of way.

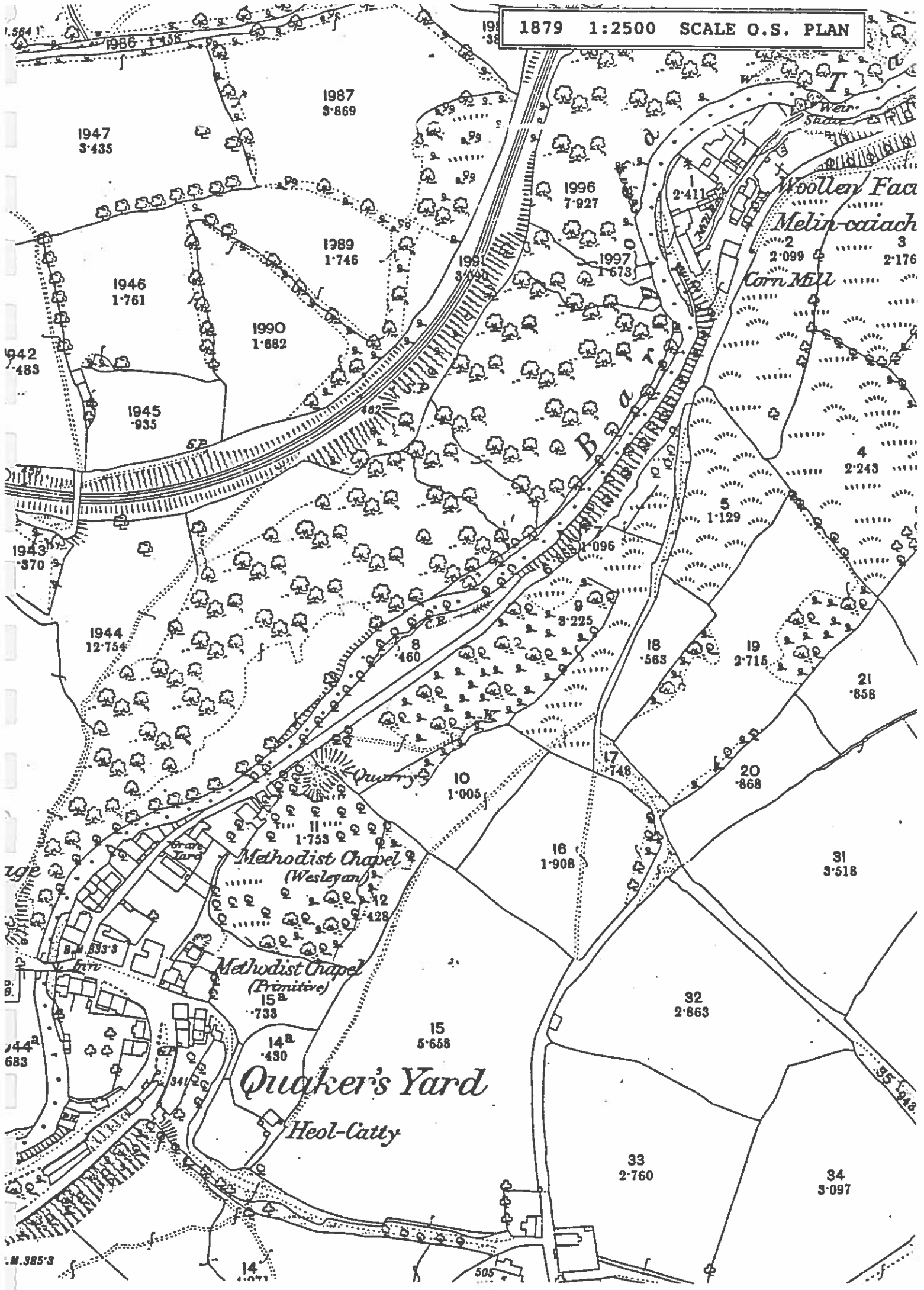
There are objections to  
the line of the 2 remaining paths  
& these objections will be forwarded  
as soon as possible.

Yours faithfully

Eleana Jerrald.

AIS





1947  
3'435

1987  
3'869

1946  
1'761

1989  
1'746

1990  
1'682

1996  
7'927

1997  
1'673

1942  
483

1945  
935

1943  
370

1944  
12'754

1998  
1'096

18  
563

19  
2'715

21  
858

10  
1'005

17  
748

20  
868

16  
1'908

31  
3'518

Methodist Chapel  
(Wesleyan)

12  
428

Methodist Chapel  
(Primitive)

15<sup>a</sup>  
733

15  
5'658

32  
2'863

Quaker's Yard

Heol-Catty

144<sup>a</sup>  
683

14<sup>a</sup>  
430

33  
2'760

34  
3'097

Application for a Modification Order, Quakers Yard.

1. An application has been received to add a footpath to the Definitive Map and Statement of the former County Borough of Merthyr Tydfil as shown by a dashed black line on the plan marked Document 1 in the attached bundle.
2. The Claimed Right of Way runs from a kissing gate on the Boundary of the former County Borough where Public Footpath No. 25 Caerphilly ends, as shown by Point E on the plan at Grid Reference ST10339645 and proceeds in a west-south-westerly direction across O.S. field No. 2847 and through a second kissing gate for 99 metres to Point D at Grid Reference ST10239643 where it turns and runs in a southerly direction for 38 metres to Point C at Grid Reference ST10229639 thence in a general south-westerly direction for 116 metres to Point B at Grid Reference ST10129634 and finally in a general westerly direction for 128 metres to Point A at Grid Reference ST09999635 a total distance of 381 metres or thereabouts.
3. In support of the application the County Council has received 17 Evidence Forms marked as Documents 2 to 18, 11 of which have been completed by people who have used the route regularly over periods ranging from 20 to 65 years. These persons have been interviewed and a summary of the notices of the evidence and the comments thereto are contained in Schedule 1 marked Document 19.
4. In addition whilst interviewing people who have completed Evidence Forms for other claimed paths in the area Andrew Mason was provided with further information from two members of the public who had not completed evidence forms for this path but whose knowledge of the claimed right of way is considerable. A summary of the information is contained in Schedule 1A (Document 20).
5. Notification of the application for the Modification Order Document 21 has been sent to the landowners Mr. and Mrs. M.A.Jarrold, Park Farm, Nelson and to the owners of numbers 83, 86, 87 and 90 – 93 Ty Llwyd Parc (Documents 21A – 21G). When contacted Mr. & Mrs. Jarrold indicated that they did not object to the original line of the claimed path but were unwilling to accept the route should it be diverted. No replies have been received from any of the other landowners.
6. However a complication has arisen in that during a site inspection it was discovered that the western part of the Claimed Right of Way has now been built over and a Diversion Order must be processed to run concurrently with the Modification Order. Plan 2 marked Document 22 shows the Claimed Right of Way by a solid black line and the possible alternatives coloured red, purple and green respectively.
7. The route shown coloured red begins in the yard area of the former farm buildings and runs in a northwesterly direction to a stile and thence along a tarmacadam path which was provided when housing was erected in O.S. Field Number 2353. This path is not maintained by the highway authority.
8. The alternative path shown coloured purple on Document 22 runs in a southerly direction from Point C on the claimed path along a rough track used by maintenance vehicles servicing the television mast in O.S. Field Number 2847. A gate is positioned at Point J but this cannot be used as it must remain locked at all times under the terms of an agreement between the landowner and television company. Should all parties agree to this route it would be necessary to erect a stile or Kissing Gate at this point to allow access onto the estate road.
9. The final alternative shown by a green line on Document 22 would extinguish the whole of the claimed path and divert part of Footpath 25 Caerphilly in a south westerly direction to an estate link path and then along an estate footway to where the Section 38 Agreement ends.
10. In accordance with the provisions of Schedule 14 of the Wildlife and Countryside Act 1981 consultation has taken place with the Merthyr Tydfil Borough Council who support the application for the claimed right of way. No Community Council exists for this area.

11. Further consultations Documents 23A to 23D have been remitted to the local member, county planning officer, landowner and applicant requesting that they forward their comments on the proposals within 28 days so that these may be taken into consideration when the application is being determined. Document 24 is the reply from the County Planning Officer who has raised no objection to the proposal whilst Document 25 is the reply received from the landowner. Whilst not objecting to the original line of the claimed path the landowner would object to any diversion of this route because a link path has been included within the plans for the Oaks estate she feels there are too many paths being created in the area. The local member has welcomed the proposals having lived in the area all his life and the applicant had no further comments to make.
12. An extract from the 1st Edition Ordnance Survey Map 1879 Scale 1:2500 is contained within the bundle marked Document 26.

On the basis of the above and the evidence compiled in the bundles submitted to members, members are asked to:

- a) determine the application before them
- b) determine the need for a diversion/extinguishment order to run concurrently with the Modification Order and if necessary which line the alternative path should take.

968

967

966

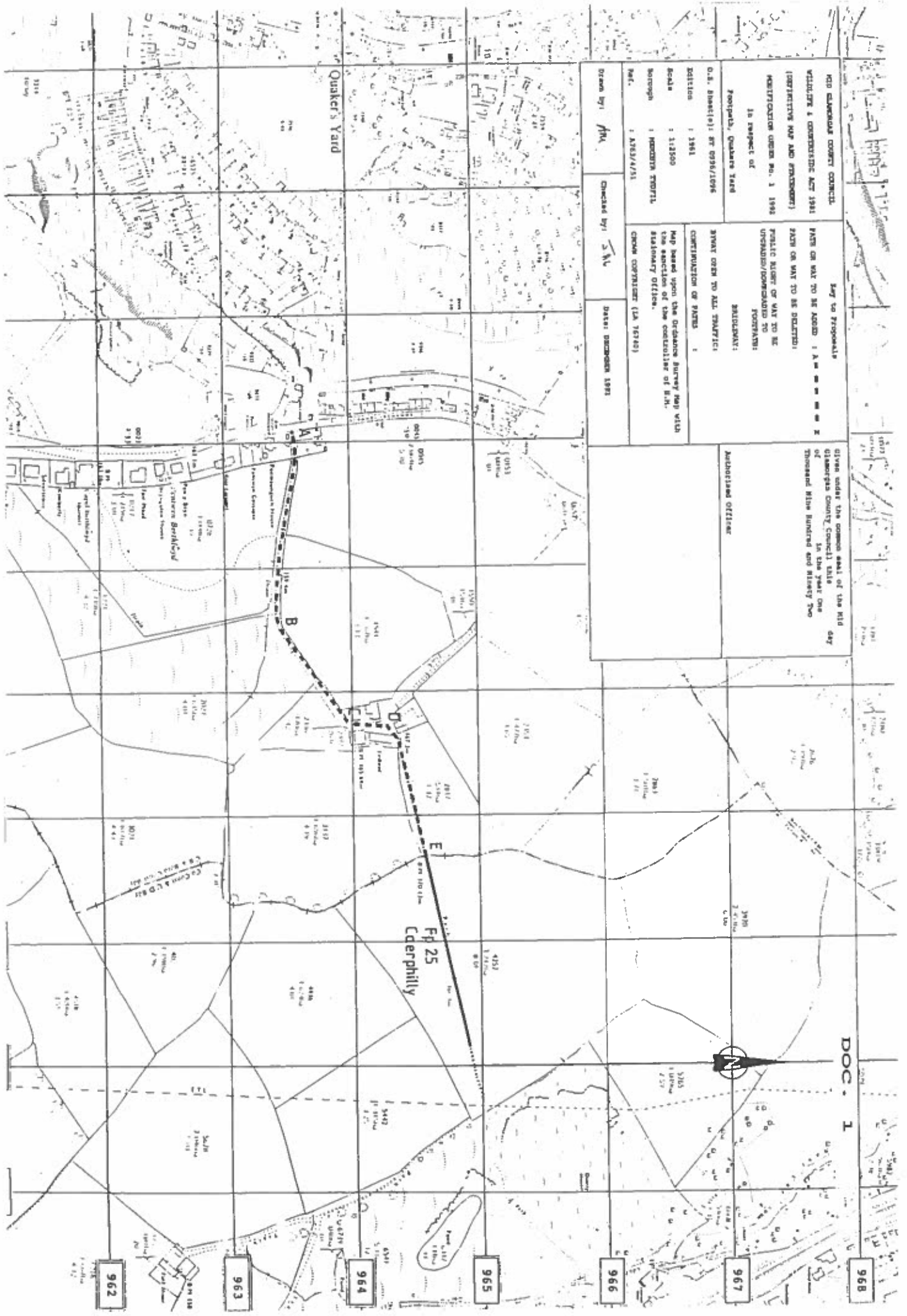
965

964

963

962

DOC - 1



**NO SUBSEQUENT COURT COSTS.**

**WITNESSE & CERTIFICATE ACT 1981**

(DEFINITIVE MAP AND PROCEEDING)

RESOLUTION ORDER NO. 1 1993

In respect of

Proposals, Quaker's Yard

O.S. Sheet(s): 97 0256/1096

DISTRICT : 1981

Scale : 1:2500

Source : RECORDS TROVIL

Map. : A783/A/51

Drawn by: *AM*

Checked by: *SM*

Date: DECEMBER 1991

**Key to Proposals**

PART OR WAY TO BE ADDED : A

PART OR WAY TO BE DEDUCTED : B

PUBLIC RIGHT OR WAY TO BE UPGRADDED/DOWNGRADED TO FOOTWAY: C

REMARKS:

SHOWN OPEN TO ALL TRAFFIC

CONTINUATION OF PARTS : 1

Map based upon the Ordnance Survey Map with the sanction of the controller of H.M. Stationery Office.

CROWN COPYRIGHT (LA 76142)

Given under the common seal of the Mid and West Glamorgan Council, this is the year One Thousand Nine Hundred and Ninety Two

Authorised Officer: