



RIGHTS OF WAY CABINET COMMITTEE – 14TH JULY 2009

SUBJECT: TO CONSIDER APPLICATIONS FOR MODIFICATION ORDERS TO AMEND THE MONMOUTHSHIRE COUNTY COUNCIL AND MID GLAMORGAN COUNTY COUNCIL DEFINITIVE MAPS AND STATEMENTS FOR PUBLIC RIGHTS OF WAY

REPORT BY: DIRECTOR OF THE ENVIRONMENT

1. PURPOSE OF REPORT

- 1.1 To consider Modification Order applications in respect of adding new paths to the Definitive Map and Statement at various locations within the county borough.

2. SUMMARY

- 2.1 The following reports attached as Appendix I, II and III set out the evidence regarding applications to claim rights of way at;

Appendix I Gelynos Avenue to Woodville Terrace, Argoed

Appendix II Edgehill to Hill View together with a spur path leading to Fleur-De-Lys Avenue, Blackwood

Appendix III Rear lane of Duffryn Street, Ystrad Mynach to Penalltau Road

3. LINKS TO STRATEGY

- 3.1 There is a duty upon the authority under the Wildlife and Countryside Act to keep the Definitive Map and Statement under continuous review.
- 3.2 Keeping the definitive map and statement under continuous review as detailed within the Rights of Way Improvement Action Plan.

4. THE REPORT

4.1 Background

- i) This Committee has delegated powers to determine applications for Definitive Map Modification Orders under Section 53 of the Wildlife and Countryside Act 1981. The following reports relate to applications to ADD paths to the definitive map and statement.
- ii) The term "public rights of way" is used to mean paths, tracks and unmetalled roads over which the public have the right to walk and in some cases ride horses and possibly drive motor vehicles.

These may be classified as follows:-

- A **footpath**: over which the right of way is on foot only.
- A **bridleway**: over which there is a right of way on foot and on horseback or leading a horse, and also for the use of a pedal cycle.
- A **byway open to all traffic**: this means a highway over which the public have a right of way for vehicular and all other kinds of traffic, but which is used by the public mainly for the purpose for which footpaths and bridleways are so used.

- iii) The Wildlife and Countryside Act 1981 places a duty on the County Borough Council to keep the existing definitive map under continuous review, make Modification Orders as necessary to take account of the occurrence of events requiring the map to be modified and to prepare definitive maps for any part of the area not previously surveyed.
- iv) The definitive map and statement will be modified by means of Orders made by the surveying authority i.e. the County Borough Council. The Wildlife and Countryside Act enables any person to apply to the surveying authority for an order to amend the definitive map.
- v) The procedure for making such an application is detailed in Schedule 14 of the Wildlife and Countryside Act. The application before you has been compiled to these requirements. The said procedures are referred to in the report.
- vi) When determining the applications before you, members will be acting in a quasi-judicial capacity. Before making an order, members must be satisfied that the evidence shows, **on the balance of probabilities**, that a right of way of a particular description exists. Each application must be dealt with on its own merits, noting the interests of both the applicants and the landowners.
- vii) The applications before you are concerned with rights that are alleged to already exist and not as to whether it would be prudent or beneficial to create them. The suitability of a way for users who have a right to use it, for example the nuisance that they are alleged to cause are not factors that should be considered by the Committee.
Members are also required to view the route of the proposed right of way in question.
- viii) When considering the evidence that follows, members must be aware of the provisions of Section 31 of the Highways Act 1980 thus enabling members to determine whether there is sufficient weight of evidence to make an order.

Section 31 of the Highways Act states:-

"where a way over any land other than a way of such a character that use of it by the public could not be given rise at common law to any presumption of dedication, has been actually enjoyed by the public as a right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated a highway unless there is sufficient evidence that there was no intention during that period to dedicate it."

If in the cases before you members are satisfied that the right of way has been used for a period in excess of 20 years, then there arises a presumption that the owner intended to dedicate the path as a right of way. It should be noted by members that the said 20 year period must be calculated retrospectively from the date when the way was first called into question.

- ix) If following the site visit the Committee decides to make an Order, then once this

decision has been reached the County Borough Council has to give notice of its general effect. Following members' decision there is a right of appeal to the National Assembly for Wales. A period of at least 42 days from the date of first publication of the notice must be allowed for objections.

If there are any valid objections the County Borough Council has to refer the Order, together with the objections to the National Assembly for Wales who will then arrange for the Order and the objections to be considered by an independent Inspector. If no valid objections are made within the said objection period then the County Borough Council may confirm the order itself as an unopposed Order.

Members are asked to consider and determine the appended reports

APPENDIX I

Wildlife and Countryside Act 1981 Section 53(3)(c)(iii)

Claimed Right of Way in the Community of Argoed
Leading from Gelynos Avenue to Woodville Terrace, Argoed

4.2 Introduction

- 4.2.1 For identification purposes the location of the path is shown on Document No.1 which is an area north of Woodville Terrace and west of the A4048
- 4.2.2 An application has been received under Section 53(3)(c)(iii) of the Wildlife and Countryside Act 1981 from the Argoed Residents and Tenants Association to modify by ADDING a path to the Definitive Map and Statement for the County of Monmouthshire. The claimed path leads from the southern end of the cul-de-sac known as Gelynos Avenue east of No.25 and proceeds in a south south easterly direction to the top of a flight of steps leading to the Argoed Primary School. The path continues down the steps in an east north easterly direction, then south to its termination on Woodville Terrace, Argoed.
- 4.2.3 The path crosses land controlled by 3 separate landowners.
- 4.2.4 Research has been undertaken to determine the validity of the claim by collating, as far as possible, all **Documentary Evidence** available, together with the crucial **User Evidence** provided by the applicant of the claim.
- 4.2.5 The claimant has confirmed that she has served notice WCA 7 on the known landowners namely;
1. Mr. C. Harrison and J. Roberts, C/o Oakdale Design Services, Regency Buildings, North Road, Newbridge
 2. Mr A. Penny, 19 St Davids Close, Pontllanfraith, NP12 2FV
 3. Mr and Mrs Lees, c/o 29 Greenfield Terrace, Newbridge NP11 4QX
- 4.2.6 The claim has been supported by 52 No. Evidence Forms Document Nos.2-53 completed by persons who have used the path for varying periods some in excess of 20 years. The completed Evidence forms are available for viewing in the Members lounge

4.3 Evidence

- 4.3.1 Evidence of Supporters of Claim to ADD a path has been received and as many of these persons have been interviewed in the course of the investigations. There follows the details of these interviews;

4.4 Interviews

- 4.4.1 Mr D.Baker Interviewed 22nd May 2007
Confirmed that they had known the path since 1942 during which time they had walked the route 3-4 times a week. Recalls gates on the path which had been used by both strangers and locals walking between Gelynos Avenue and Woodville Terrace.
- 4.4.2 Mrs. Baker
The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarised.
Has known path for 65 years, and says the path was a muddy track which was used as access to the allotments as well as the school and Woodville Terrace. Personally used the path for leisure purposes and visiting relatives. Recalls gates at top of steps and onto Woodville Terrace.

4.4.3 Mrs Bayliss

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.

The evidence suggests that they have known the path since 1967 and used the route for exercise on a weekly basis. They consider that the path is needed not only for public use, but also as a safe route to school for the children

4.4.4 Mrs Craig, Interviewed 2nd May 2007

Became aware of the path through her husband when she moved to the area in 1994. Recalls the path as a gravel route which was well used on foot by local and strangers alike. During the interview expressed an opinion that due to the paths gentle gradient, and no conflict with vehicles, which may happen on the alternative via the main highway that the path offered a safe and quiet route for young and old alike.. Personally she used the path for leisure, visiting friends in Gelynos Avenue and beyond. Does not recall any signs that prevented use of the path. Believes the route to be public as during her use of the path she has not been challenged or asked anyone for permission to use the path.

4.4.5 Mrs. E.A. Davies

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.

Has known the path since 1985 and during this period has used the path daily to the school and post office. Recalls a gate at top and bottom of steps. Route used by local and strangers alongside a fence on one side and an embankment on the other

4.4.6 Mr. S. Davies

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.

Has known the path since 1962 and used it daily to the school and post office. Recalls gates at top and bottom of steps. . Route used by local and strangers alongside a fence on one side and an embankment on the other

4.4.7 Mr Glyn Davies

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.

Regularly used the path since 1947 as access to the school and a short cut to the village. Has not been challenged or sort permission of the landowner to use path.

4.4.8 Miss Donovan Interviewed 8th May 2007

Moved to area in 2003 and immediately starting using the path as access to Post Office and main road. This supporter indicates they have never been challenged nor asked permission to use the path. Recalls the path being used by locals and strangers on foot. Has used the path only as a through route and a good vehicle free connection to shops and transport. Does not recall any gates or other structures along the path.

4.4.9 Mr. and Mrs. K.W. and P.A. Edwards

The supporters completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.

Have known the path for 41 years and used route as pedestrians frequently when their children were at the school. Still use path now but not as frequently. Recall the route being used as access to the garages. Do not recall gates along the path. Consider the path as a safe way to school and for access to the nearby facilities of the community Hall.

4.4.10 Mrs S. Edwards Interviewed 8th May 2007

Used path twice a day since the early 1950`s when attending Argoed School. Recalls the path being a 10ft wide two wheel track. No signs along the path preventing access and the gate at the top and bottom of the steps which have never been locked. Observed locals and strangers alike walking along path.

- 4.4.11 Mr Edwards Interviewed 8th may 2007
Known path since 1982 when moving to the area. Used path as a through route accessing The Rock (PH) and area 2-3 times a week. Recalls original path being approximately 10ft wide formed by two wheel tracks. Gates at top and bottom of steps which have never been locked. No signs prevent access and has not asked permission to use path. Not aware of any maps indicating path as he has always accepted the path as a right of way.
- 4.4.12 Mr. D. Garner Interviewed 11th May 2007
Has known and used the path since 1985 as access to local facilities, shops, bus stop avoiding the main road. Describes the path as being of good condition and wide enough for a vehicle. Worked at school for a week when he had an oak tree delivered for sculpting. The delivery lorry used the path as access to school. The path was available in all weathers due to good surface of path. Does not recall any signs preventing access nor asked permission to use path.
- 4.4.13 Mrs. S.E. Garner Interviewed 11th May 2007
Has known path since 1982 when it was used the path frequently as access to local facilities and main road. Describes the path as a lovely clear safe path wide enough to ride a bicycle along and always available for use even in bad weather.
- 4.4.14 Mrs E. Gore Interviewed 11th May 2007
Used path since about 1956 mainly as access to Woodville Terrace but used it once to visit the school. Used path to visit relatives, does not recall any signs along the path preventing access. Did not seek permission given to use path. Recalls vehicles on path but believes these were accessing the garages at the end of the path. Recalls school caretaker putting ash on the path. Path used by locals as access to Woodville Terrace and school.
- 4.4.15 Mrs Haskins Interviewed 10th May 2007
Described path as being cut across the hillside as a two wheeled track that accessed the steps to the school and the garages. Has used the route since 1931 as a through route to community hall and shops. Recalls that the school children were encouraged to use the path as primary access to the school. Recalls gate at top of steps and a second at the access to Woodville Terrace. The school caretaker used to put ash on the path to keep it safe for the children. Her husband used to drive and deliver to the allotments along the path.
- 4.4.16 Mrs Hobbs Interviewed 10th May 2007
Used path to visit relatives and access main road and shops since 1996. Described the path as a single track used by local residents . Recalls gate leading to Woodville Terrace. Does not recall any signs preventing access.
- 4.4.17 Mr A. Howells
The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.
Has known path since 1967 and used the path since 1977 on an occasional basis as access to school, and Argoed. Has seen others using the path and has not sort permission or been challenged at any time when using the path.
- 4.4.18 Mr G. Illsley
The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.
Has known and used the path since 1934 on a regular basis to the school and for leisure purposes. Recalls gates along the route of the path and seeing locals and strangers using the path for the same purpose and accessing the garages at the end of the path. Has not been prevented from using the path and has not sort permission of the owner to use path as they consider route to be public.
- 4.4.19 Mr. M.P. Jayne
The supporter completing the evidence form has been unavailable for interview and

accordingly the information contained in the form has been summarized.

Has known and used path since 1957 to the school, visit friends and access the shops and Chapel. Recalls two gates and states that there were no notices, signs or obstructions of any kind that would prevent use of the path. Recalls the path being used by friends at school. Has not sort or been challenged in using the path. Does not recall anyone ever being challenged using the path.

States that "I have used the path without let or hindrance, warning or permission all my childhood and less frequently though regularly in my adult life, and this is well in excess of 20 years"

Submits an aerial photograph showing the line of the path from Gelynos Avenue to Woodville Terrace.

4.4.20 Mr C. Jones Interviewed 10th May 2007

Was born in the area in 1916 and moved to Gelynos Avenue at the age of two. Recalls his father walked the route with him, but believed the route to be a "privilege" rather than of right as he believes his father asked permission or was granted access due to an injury sustained while working in the mine. Has not used path that regularly but believes path used by school children since about 1930.

4.4.21 Mrs. J.E. Jones Interviewed 22nd May 2007

Has known route for 50 years and describes the route as a cinder path. It was never muddy in winter although there were a number of puddles along the path. Recalls the gates on the path leading down the steps and onto Woodville Terrace.

4.4.22 Mr. G.J. Lamb

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.

Has known and used the path since 1951 as access to the school and general use. Recalls a "hand gate" at Woodville Terrace end of path. Seen locals and strangers using path, has not sort permission or been prevented from using path.

4.4.23 Mrs K.G. Lamb Interviewed 10th May 2007

First became aware of route in 1966 and used the path daily to take the children to school daily through the gate at the top of the steps. Path continues to Woodville Terrace.

4.4.24 Mr.M.R. Lamb

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.

Evidence form confirms knowledge of the path for 26 years and 22 years of usage of the path. Initially used path twice daily, but use has reduced to weekly. Used path for walking, recreation and exercise. Refers to gates at top of steps and leading to Woodville Terrace. Used the same route over the 22 years. Has not been employed by landowner or sort permission to use the path

4.4.25 Mr. J. Legg Interviewed 15 February 2008

Has known path since 1961 and used it to access the school and visiting friends. Recalls gates at top of the steps and alongside the school. Recalls also path being used by locals and strangers alike. Path fenced on west side. Believes the path is a necessity for everyone as a safer route instead of main road alternative

4.4.26 Miss J.Legg Interviewed 22nd May 2007

Has known path since 1988 and used the route since 1992 and recalls the route being slightly overgrown, with gates at the top and bottom of the steps. Has not been employed by the landowner or sort permission to use the path. Used path as access to school and going for walks and visiting relatives.

4.4.27 Mrs K. Legg Interviewed 22nd May 2007

Has known path since 1983 since moving to the area and used the path, to access the school,

walks and as an alternative safe path as opposed to alongside a busy road. Recalls gates at the top of the steps and leading into Woodville Terrace. The path also gave access to garages at the southern end of the path. Recalls path being used by the public at large.

4.4.28 Mrs. A.A. Lewis

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.
Has known path since 1947 and used the path regularly to visit friends, shops, and the school. During the use of the path over the 60+ years, no permission was sort and there were no signs to prevent use of the path.

4.4.29 Miss M. Lewis

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.
Has known path since before 1967 and used the path on a regular basis to the playground, community centre shops and post office. Recalls the path to be wide enough for a vehicle. Never been refused access along the path and believes the route to be a safe path due to volume of vehicles on main road. Recalls one side of the path to be fenced along its length.

4.4.30 Mr and Mrs. N.L. and B. Lloyd Interviewed 22nd May 2007

Both known path 50 years going to school shops, chapel. Both recall gates at top of steps and access to Woodville Terrace. Path has always been available and never obstructed. They were only prevented from using the path once the housing development started

4.4.31 Mr S. Lloyd

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.
Known path since 2001 and during this time has used the route as a short cut to main road. Believes the path to be public. Route is now difficult due to builders machinery and building works.

4.4.32 Miss S. Lloyd Interviewed 8th May 2007

Has known path since 1977 when first attending Argoed School. Describes the path as a 10ft wide flat track. Path has reduced in width over the years. Has also used path as through route when accessing playing fields. Path is always available and the gates along the route have never been locked. Path used by locals and strangers and recalls route being used as access to garages at end of path. She recalls her father arranging works on the path through an Employment Training Scheme. Always follows the same route and has never been challenged or asked permission to use the path.

4.4.33 Mr. W.M. Lloyd

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.
Has known path since 1977 and over this period used the route several times a week to access the shops, school and work. Has not sort permission to use the path or been prevented from access along the route. Has only prevented from using path since start of development

4.4.34 Mrs D. Moore

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.
Used the path every day to visit the community centre and walks since moving to the area in 1995. Recalls gate along the path. Does not recall any signs to prevent use of the path and has not asked permission to use the path.

4.4.35 Mrs A. Morgan Interviewed 22nd May 2007

Known path since 1950 and used it every day to go to Lower Argoed, work, post office, chapel and visit friends. Believes the path to be public and has not been stopped from using path or

seen any signs that prevent access. Rent for garages was collected for Gelynos Farm.

4.4.36 Mr. H. Morgan Interviewed 12th February 2008

Has known path since before 1957 and used the path when he was an apprentice working in the school. He previously used the road and accessed the school via steps from the main road, but then believes it was the caretaker who said he could use the path to the rear as it was public. On completion of his apprenticeship he continued to use the path when necessary on foot to visit friends until the building works prevented access. He has not been challenged or sort permission of the landowner to use the path. He recalls a wicket gate at the top of the steps.

4.4.37 Mrs J. Morgan Interviewed 12th February 2008

Has known path since 1982 and used the route several times a week as a short cut. Recalls seeing others using path. Never sort permission from the owners or been challenged when using path.

4.4.38 Mr. M.R. Morgan Interviewed 28th January 2008

Regards the path as public which he has known and used path since mid 1930s the surface at that time being a natural earth Has never been challenged when using path. Recalls seeing others residents using the path. Does not recall any signs prohibiting access.

4.4.39 Mrs J. Newell Interviewed 29th January 2008

Used the path regularly since 1946 when visiting the Centre, school and Chapel. Recalls a gate which has now been removed since the building works commenced. Has never sort permission or been challenged when using the path. Recalls seeing others using path probably for the same reasons. Does not recall any notices that would prevent access at any time

4.4.40 Mrs S. Oldridge

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.

Has known path since 1957 and used the path since 1962. Recalls gates at the top of the steps leading to the school. Recalls others using the path both on foot and vehicle, but accepts the motorised access was probably private as they were accessing the garages. Does not recall any signs preventing access or being challenged when using the path.

4.4.41 Mrs.J.Parr Interviewed 13th February 2008

Has known and regularly used the path on foot since 1957 to go to the school and after leaving used the path for leisure walking and accessing the local amenities. Recalls gates both at the end of Gelynos Avenue and Woodville Terrace together with a gate at the top of the steps. Recalls path being used by pedestrians, horse riders. In addition recalls vehicles accessing the garages. Has never been challenged or recalls any notices preventing access on path. Describes the path with hedges and fences which have now been destroyed due to building works

4.4.42 Mrs D.A.Phillips Interviewed 29th January 2008

Has used and known path as of right since 1935 as an access to the school, Centre and Chapel. Recalls the path as being fenced and of an earth type surface. Has never been challenged or sort permission to use the path. No longer uses path due to age

4.4.43 Miss J.Stripp

The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.

Has known and used the path every day since 1967 to walk her dogs and ride a horse. States there have never been any signs preventing access or been challenged to use the path until the recent building works commenced. Recalls path used by locals and strangers alike on foot, horse and cycle. Used route to visit family over the years. Considers the path to be public and believes path is shown on Tithe Map.

- 4.4.44 Mr.K.B.Thompson Interviewed 12th February 2008
Has known path since about 1947 and used the route to school and in later years as access to Lower Argoed. Recalls two iron kissing gates, one at Gelynos Avenue alongside a 5 bar gate and one at the top of the steps leading to the school. Does not recall any signs preventing access or being challenged while using the path. Considers the path to be a safe way to the school and an easy access to older people due to gradients involved. Describes the path a stone track with a fence on the upper side
- 4.4.45 Mrs.F.A.Thompson Interviewed 12th February 2008
Has known and used path since 1959 and used it on a daily basis to school and visiting relatives. Considers path as short cut to Lower Argoed. Does not recall any signs preventing access. Never challenged using the path or sort permission to use the path.
- 4.4.46 Mrs.R.M.Thompson Interviewed 12th February 2008
Has known path since 1964 and used the path almost every day to access school post office and Lower Argoed.
- 4.4.47 Mrs Walters Interviewed 2nd May 2007
Started work at Argoed school in 1984 when she became aware of the existence of the path. At that time she recalls gates at the top of the steps and at the end of Woodville Avenue, these gates were never locked. Since 1984 she does not recall any notices along the path which that raised any query that the path was not public. Used route for children's education and nature walks. At no time did this person not seek permission beforehand. The path was gravel and grass almost like an "unmade road". Recalls the path being used by pedestrians, horse riders and vehicles. Thinks the vehicles were private accessing the garages at the end of the path. Is aware that the path is shown on various maps/plans. The gates along the path have never been locked and the path can be used even when the school is closed. The path is a primary access for children to the school which allows access without any vehicular conflict.
- 4.4.48 Mrs K.Williams Interviewed 12th February 2008
Has known and used the path on a daily basis to the school since 1967 and after as a short cut to the amenities in the area. Considers the path to be public as there was a gate at the top of the school steps and no signs indicating that the route was not public. Recalls seeing other people using the path both on foot and horseback. She has not been prevented from using the path by anyone and has not sort permission to use the path.
- 4.4.49 Miss R.B.Williams
The supporter completing the evidence form has been unavailable for interview and accordingly the information contained in the form has been summarized.
Has known the path since 1969 and used the route since 1971 as access to the school and the "rest of Argoed" and visiting family in Woodville Terrace. Recalls gates at school access at far ends of path. Has seen both locals and strangers using the path as an alternative to the main road. Has been prevented from using the path by the current builders who told her to go around to the main road to access school.
- 4.4.50 William Henry Williams Interviewed 2nd May 2007
Has known the path since 1921 and has walked the path since 1962 when he moved to the area. Used path primarily for leisure use and visiting friends. Recalls the path as a gravel and grass track with gates at the top and handrail down the steps, path continuing to Woodville Terrace. Does not recall any signs preventing access along the path
- 4.4.51 Mrs.Prosser Hawthorn Villa, 8 Woodville Terrace, Argoed
Met this person while interviewing another supporter. They explained that they had known the path since 1937 and recalls the path being used by children, locals and strangers alike for access to the school, leisure purposes. She recalls the gates on the path at the top of the steps and at the end of Woodville Terrace. Does not recall any signs preventing access or use

of the path.

4.4.52 In total 34 supporters have been interviewed and 18 have been unavailable for interview

Summary of Use

Total usage from those interviewed = 1140 years, 33 users Average of 34.8 years each

Total usage of all submitting forms = 2268.5 years, 52 users Average of 43.6 years each

Total number of supporters claiming 20+ years usage = 46

Total number of supporters interviewed claiming 20+ years usage = 29

Total of 30 supporters recall gates along the path

4.5 Additional Evidence

4.5.1 Maps

In consideration of the age of the path, the Authority has looked at the existence of the route and whether or not it appears on any old maps. The existence of a route on an ordnance survey map does not give the path public rights only shows that a route of some description existed. The correct status of such a path will have to be disputed by other means.

4.5.2 Attached as Document No.53 is a copy of the ordnance survey map dated 1919-1921 scale 1:2,500 and produced at a scale of 1:1,250 for clarity, which does not show any path along the line of the claimed path

4.5.3 It appears that the claimed path first appeared on ordnance survey maps on 1959-1973 edition attached as Document No.54 Scale 1:2,500 and produced at a scale of 1:1,250 for clarity. This map clearly shows a route between Gelynos Avenue and Woodville Terrace.

4.5.4 Next is an ordnance survey map dated 1960-1965 Document No.55 Scale 1:10,560 and produced at a scale of 1:1,250 for clarity, indicating a path between Gelynos Avenue and Woodville Terrace.

4.6 Photographic Evidence

4.6.01 Attached as Document No.56 is a copy of an aerial photograph indicting the area between Gelynos Avenue and Woodville Terrace. Document No.57 is the same aerial photograph but with the route of the claimed path superimposed.

4.7 The Situation at Present

4.7.1 The site is presently being developed and this construction has had a detrimental impact upon the claimed path which is no longer available for use by the public. In an attempt to appease the local walkers the developers have provided an alternative path along the estate footway and then down a newly constructed flight of steps.

4.8 The Landowner's View

4.8.1 The formal notice of the application was served on three landowners namely;

4.8.2 Mr.C.Harrison and J Roberts (developers) , Mr and Mrs Lee and Mr.A.Penny

4.8.3 All parties have been asked for their views and any information they have which they feel relevant to the claim.

4.8.4 Mr.C.Harrison and J Roberts were interviewed on the 26th February 2008. During this meeting they identified an agreement between Viscount Tredegar and Bedwellty Urban District Council in respect of a "Footpath from Gelynos Avenue to Argoed School" dated 30th November 1931. A copy of the agreement is attached as Document No.58 (5 pages)

- 4.8.5 In addition, a second agreement dated 18th April 1972 between William John Boucher and the Urban District Council of Bedwellty was also put forward. This agreement is similar to the previous in that it permits public access through agreement as an additional route over a short distance from Gelynos Avenue. A copy of the this agreement is included as Document No.59 (4 pages)
- 4.8.6 During interview Mr Harrison identified a number of letters he had received from the Authority indicating that there was no right of way crossing the site. All these letters were dated prior to the date of the application and were factually correct with the information available at the time and accordingly bear no impact on the current application.
- 4.8.7 Both agreements allow for payment on a yearly basis the 1931 agreement for 1 shilling, and the 1972 agreement for £1.00 per annum.
- 4.8.8 The Authority has been unable to identify when the last payment was made for either agreement. During correspondence, the Authority has raised the issue of when it was suggested by Mr Harrison that neither of the agreements are longer in force. Mr Harrison states that the agreements in his opinion are no longer in force as the granting of the planning permission superseded and terminated the agreements. The Authority has been unable to identify any evidence to support the statement by Mr Harrison that either agreement has been formally terminated.
- 4.8.9 Neither agreement have received payment over an unspecified period, and have either or both fallen and are no longer in force. Mr Harrison suggests that the agreement was in force until the works commenced on site. The agreement states that it may be terminated on one months notice, in respect of the 1931 agreement and one year in respect of the 1971 agreement in either case no termination of either agreement can be found.
- 4.8.10 It has been suggested that the agreements are Statute Barred. This means that a party to the agreement is unable to claim unpaid amounts beyond a period of 12 years. The developers are also suggesting that as an alternative path exists via the estate footways the agreements are no longer required. The estate footway have been refused previously under Health and Safety grounds as they have not been completed to a safe standard and are therefore not adopted as highways.

4.9 **Summary**

- 4.9.1 An application has been received under Section 53(3)(c)(iii) of the Wildlife and Countryside Act 1981 from the Argoed Residents and Tenants Association to modify by ADDING a path to the Definitive Map and Statement for the County of Monmouthshire. The claimed path leads from the southern end of the cul-de-sac known as Gelynos Avenue east of No.25 and proceeds in a south south easterly direction to the top of a flight of steps leading to the Argoed Primary School. The path continues down the steps in a north easterly direction, then south to its termination on Woodville Terrace, Argoed.
- 4.9.2 The claim is supported by 52 No. Evidence Forms completed by persons who have used the path for varying periods some in excess of 20 years.
- 4.9.3 There are two agreements between landowners and former authority`s which establish a path for public use for the duration of the agreements. These agreements are still in operation although may be terminated by either landowner or Authority at some point in the future.

5. **FINANCIAL IMPLICATIONS**

- 5.1 Following due consideration and weighing the balance of evidence in regard to the agreements and user evidence the cost for the publication of notices is in the region of

£2,500.00 Whatever Members` decision, should representations be received this may result in a public inquiry. This cost may exceed £10,000

6. PERSONNEL IMPLICATIONS

6.1 None

7. CONSULTATIONS

- 7.1 Applicant, Argoed Residents and Tenants Association
- 7.2 3 No. Landowners
 - Mr.C.Harrison and J Roberts (developers) ,
 - Mr and Mrs Lee and
 - Mr.A.Penny
- 7.3 Cabinet Member for Highways Councillor Gough
- 7.4 Councillor Allen Williams
- 7.5 K.Donovan, Ramblers Association local representative
- 7.6 Mr.Gwyn James, Clerk to Argoed Community Council
- 7.7 Mr P Mears Chief Planning officer
- 7.8 Mr Phil Jayne Countryside Manager
- 7.9 D.Perkins, Head of Legal Services

8. RECOMMENDATIONS

- 8.1 On the basis of the evidence and information compiled in the submitted documents, Members are requested to determine the application before them by either: -
 - (i) Supporting the claim as made that the path has been shown to subsist
 - (ii) Rejecting the claim

9. REASONS FOR THE RECOMMENDATIONS

- 9.1 To comply with its duty to keep the definitive map and statement under continuous review

10. STATUTORY POWER

- 10.1 Wildlife and Countryside Act 1981. This is an Executive function delegated to this committee for determination.

Author: Report prepared by A.J. Sander Senior Assistant Engineer Rights of Way
Consultees: As reported

Background Papers: ETP/ROW/Claim158 at Pontllanfraith Offices, Blackwood

Background Papers:

List of Documents in respect of an Application under Section 53 of the Wildlife and Countryside Act 1981 to ADD a footpath from Gelynos Avenue to Woodville Terrace in the Community of Argoed to the Definitive Map and Statement for Monmouthshire prepared by Monmouthshire County Council		
Document No.	Name of Document	Location of Document
1	Location Plan	Caerphilly County Borough Council Offices, Pontllanfraith, Blackwood NP12 2YW
2-53	Completed Evidence forms in support of the claim	Ditto
54	Copy of Ordnance Survey Map dated 1919-1921	Ditto
55	Copy of Ordnance Survey Map dated 1959-1973	Ditto
56	Aerial photograph 04-05	Ditto
57	Aerial photograph 04-05 with claimed route superimposed	Ditto
58	Copy of 1931 agreement	Ditto
59	Copy of 1972 agreement	Ditto

Pat Mears
Chief Planning Officer,
Caerphilly County Borough Council,
Civic Offices,
Pontllanfraith,
Blackwood
NP12 2YW

11. REPLIES TO REPORT

11. A copy of the Draft Report was sent to the persons identified in paragraphs 7.1 through 7.9 inclusive on the 3rd October 2008, and comments were requested by the 7th November 2008.
- 11.2 Replies were received from;
- Argoed Residents and Tenants Association
Mr.C.Harrison
Councillor Allen Williams
Mr. D.Perkins, Head of Legal Services
Mr.Pat Mears, Chief Planning Officer
Mr T J Broadhurst, Section Head Valuation & Property Information, Corporate Property Group
- 11.3 The letter received from Argoed Residents and Tenants Association dated 2nd November 2008 is attached as Document No.60
- 11.4 The Argoed and Tenants Association are the applicants in this matter. Having considered the draft report at a meeting of the association, it was decided that the information detailed was in support of their application. They wished to thank officers for compiling the draft report in such detail.
- 11.5 Comments were received from Mr.C.Harrison dated 9th October 2008 and attached as Document No.61
- 11.6 Mr Harrison refers to the two agreements of 1931 (Document No.58) and 1971 (Document No.59) that gives a licence for the use of the path. The letter continues that the agreements remained until they were terminated by virtue of payment made to the Council as a consequence of Planning Consent . He continues that the Council also confirmed that no rights of way existed across the site.
- 11.7 Mr Harrison does not accept that the alternative path was provided to appease the Local Walkers.
- 11.8 Mr Harrison refers to paragraph 4.8.8 in that as payment was made to the Planning Authority he believes this included the removal of the footpath subject to the 1931 agreement and that this agreement has thus been terminated.
- 11.9 Mr Harrison explains that the 1971 agreement is incorporated into the public highway and therefore the document seems irrelevant as to whether or not it has been terminated.
Mr Harrison has confirmed that they will not be reclaiming any outstanding licence fees.
- 11.10 E:Mail received from Councillor Allen Williams dated 5th November 2008 and attached as Document No.62
- 11.11 Councillor Williams confirmed that he had used the route for many years and considered it to be a recognised right of way and he fully agreed with the contents of the report.
- 11.12 E:Mail from Geoff Gordon on behalf of D.Perkins, Head of Legal Services dated 5th November 2008 attached as Document No.63
- 11.13 Legal Department refer to the two agreements mentioned in the main report under paragraphs 4.8.4 and 4.8.5.
- 11.14 The Agreement of the 30th November 1931 allows the public to use the footpath shown on the plan annexed to the Agreement but specifically states that the licence in favour of the public to use the footpath created by the Agreement "shall in no way operate as a dedication

of the said path to the public ." The Agreement can be terminated by either party giving one months notice.

- 11.15 The Agreement of the 18th April 1972 provides that it may be terminated by either party giving to the other 12 months notice.
- 11.16 As regards the matter of the planning Consent and the alleged termination of the Agreement the position has been clarified by Carwyn Powells email of the 30th October 2008 and attached as Document No.64.
- 11.17 The existence of the Agreements evidences an absence of any intention on the part of the landowners to dedicate the footpath to the public. In the light of the above and in the absence of any evidence of the termination of the Agreements the user of the footpath by members of the public is on the basis of permission and user by way of permission is not user as of right.
- 11.18 In the circumstances the applicants should be informed of the existence of the Agreements and the position as outlined above .
- 11.19 There would appear to be no reason why this matter should be reported to the Cabinet Committee other than as an information item as the position in law is clear.
- 11.20 E:Mail from Carwyn Powell on behalf of Pat Mears Chief Planning Officer dated 28th October 2008
- 11.21 The email confirms that the Council as Local Planning authority has not received, or indeed requested, any monies from the developer in lieu of works commencing on site. No Legal Agreement under Section 106 of the Town and Country Planning Act 1990 was entered into and there was no payment of a commuted sum for any planning gain as a result of the development.
- 11.22 With regard to the applicants assumption that approval of the planning application in some way terminated the agreements in relation to the use of the Claimed Right of Way I would draw attention to the following note that is attached to all planning consents issued by this authority: -
- 11.23 "THIS IS A PLANNING PERMISSION ONLY and does not convey or imply any approval or consent which may be required under any enactment, byelaw or regulation other than Section 57 of the Town and Country Planning Act 1990."
- 11.24 Mr T J Broadhurst, Section Head Valuation & Property Information, Corporate Property Group, replied via email on the 12th December 2008 suggesting that there may have been a procedural failing in that notice of the application had not been served on the Authority as landowner. It was also suggested that evidence may be found to refute the path crossing council land.
- 11.25 Subsequent communications has confirmed that no information is available and accordingly the authority is unable to challenge the evidence provided through the application and its supporters.
- 11.26 In regard to procedure for the application it was confirmed that no Notice was served upon Caerphilly CBC as landowner at the time of the original application.
- 11.27 This anomaly was rectified when the applicant served a Notice of Application WCA6 (Document No.65) was served on the Chief Executive on the 14th January 2009
- 11.28 A Certificate of Service of the Notice WCA7 (Document No.66) was received from the applicant on the 15th January 2009.

12. CONCLUSION

- 12.01 An application has been received in the prescribed manner under Section 53(3)(c)(iii) of the Wildlife and Countryside Act 1981 from the Argoed Residents and Tenants Association to modify by ADDING a path to the Definitive Map and Statement for the County of Monmouthshire.
- 12.02 The claimed path leads from the southern end of the cul-de-sac known as Gelynos Avenue east of No.25 and proceeds in a south south easterly direction to the top of a flight of steps leading to the Argoed Primary School. The path continues down the steps in a north easterly direction, then south to its termination on Woodville Terrace, Argoed.
- 12.03 The claim is supported by 52 No. Evidence Forms completed by persons who have used the path for varying periods some in excess of 20 years.
- 12.04 There are two agreements between landowners and former authority's which establish a path for public use for the duration of the agreements. These agreements are still in operation although may be terminated by either landowner or Authority at some point in the future. From a legal viewpoint therefore, a claim under the Wildlife and Countryside Act 1981 cannot succeed for the lengths of paths covered by the agreements.
- 12.05 However, there remains a length of path over council land which is not part of the agreements.
- 12.06 It is section of path that may be considered as part of the claim based on the evidence provided within the report.

List of Documents in respect of the Draft Report in regard to an Application under Section 53 of the Wildlife and Countryside Act 1981 to ADD a footpath in the Community of Argoed to the Definitive Map and Statement for Monmouthshire prepared by Monmouthshire County Council

Document No.	Name of Document	Location of Document
60	Copy of Argoed Residents and Tenants Association Letter dated 2 nd November 2008	Caerphilly County Borough Council Offices, Pontllanfraith, Blackwood NP12 2YW
61	Copy of letter received from Mr.C.Harrison dated 9 th October 2008	Ditto
62	Copy of E:Mail received from Councillor Allen Williams dated 5 th November 2008	Ditto
63	Copy of E:Mail received from Mr G.Gordon on behalf of D.Perkins, Head of Legal Services dated 5 th November 2008	Ditto
64	Copy of E:mail from Carwyn Powells on behalf of Pat Mears Planning Officer dated 30th October 2008	Ditto
65	Copy of Notice of Application WCA 6, served on the Authority and dated 14 th January 2009	Ditto
66	Copy of Certificate of Service of Notice WCA 7 received by the Authority and dated 14 th January 2009	

APPENDIX II

Wildlife and Countryside Act 1981 Section 53(3)(c)(i)

Claimed Right of Way between Edgehill and Hill View and a spur path leading to Fleur-de-Lys Avenue, Blackwood.

4.2 Introduction

- 4.2.1 For identification purposes the area of concern is identified within the bold black circle on the plan attached as Document No.1
- 4.2.2 Prior to Local Government re-organisation in 1996, Gwent County Council received an application dated 10th October 1988, under the Wildlife and Countryside Act 1981 seeking the registration of two rights of way between Edgehill and Hill View and a spur path leading to Fleur-de-Lys Avenue, Blackwood. For identification purposes the claimed routes are indicated on Document No.2 by bold black lines between points A-C-B and C-D
- 4.2.3 Formal notice of this application was served on Gwent County Council by Councillor James Criddle, "Islwyn", Llanarth Road, Pontllanfraith on the 10th October 1988
- 4.2.4 The application is supported by 20 No. user evidence forms which have been completed by members of the public who allege use the paths over a long period. 16 of the 20 supporters alleged use in excess of 20 years.
- 4.2.5 The claimed path crosses land within the control of this authority and Document No.3.indicates ownership by the hatched blue area. The apparent gap in ownership to the south of the cul-de-sac off St.Andrews Drive is believed to be a typographical error and that the authority control all the land involved.
- 4.2.6 It is apparent that prior the current investigations being undertaken, development has taken place which has physically affected the line of the claimed path. Since this occurrence, the public have used an alternative route unaffected by development. The new routes being indicated on Document No.4
- 4.2.7 The claimed paths run alongside the northern boundary of the Penllwyn Primary School and terminating on Hillview, a second path runs along the and eastern boundary of the Penllwyn Primary School to terminate on Fleur-de-Lys Avenue, all paths being across land which is controlled by Education. The claim was brought to the attention of the Assistant Director Planning & Strategy, Mr Bleddyn Hopkins who in the first instance suggested contacting the Head Teacher Mrs Susan Morrison. The matter being referred to Mrs Morrison via E:mail. Mrs Morrison subsequently replied indicating that she had no objection to the claimed paths.
- 4.2.8 With the support of the Head Teacher contact was made with Mr Bleddyn Hopkins Assistant Director Planning & Strategy who is also in support of the claim and prepared to recommend Dedication of land necessary to establish the claimed paths. Copy of the agreement to dedication is attached as Document No.5. (Note the school has been described as Pentwyn but this should read Penllwyn)
- 4.2.9 In the circumstances the result of dedication will satisfy the claim in establishing two rights of way and saving officers time to pursue other claims.

4.3 Summary

- 4.3.1 Prior to investigating the claim contact was made with the landowners and a Dedication of the routes has been agreed. It will therefore not be necessary to contact the claimants and undertake exhaustive investigations.

5. FINANCIAL IMPLICATIONS

5.1 Cost of advertisement approximately £1,000.00

6. PERSONNEL IMPLICATIONS

6.1 None

7. CONSULTATIONS

7.1 Mr Bleddyn Hopkins Assistant Director Planning & Strategy, Education

7.2 Mrs Susan Morrison Head Teacher, Penllwyn Primary

7.3 Cabinet Member for Highways and Transportation, County Borough Councillor Gough

7.4 County Borough Councillor Michael Adams

7.5 County Borough Councillor Cllr. Jim Criddle

7.6 County Borough Councillor Cllr. Malcolm Parker

7.7 Mr Pat Mears, County Planning Officer

7.8 Mr Phil Jayne, Countryside and Landscape Manager

7.9 Head of Legal Services, Mr. Dan Perkins

7.10 Maggie Thomas Ramblers Association

8. RECOMMENDATIONS

8.1 That Members consider accepting the Dedication of land for use as a highway

9. REASONS FOR THE RECOMMENDATIONS

9.1 To provide an expeditious and satisfactory solution to the claim under the Wildlife and Countryside Act 1981.

10. STATUTORY POWER

10.1 Wildlife and Countryside Act 1981

Author: A.J.Sander Senior Assistant Engineer, Rights of Way

Consultees: As report

Background Papers: ETP/ROW/Claim111 at Pontllanfraith Offices, Blackwood

List of Documents in respect of an Application for a Modification order to amend the Monmouthshire Definitive Mpa and Statement of Public Rights of Way by ADDING Two paths in the Community of Mynyddislwyn from Edgehill to Hill View and a spur path to Fleur-de-Lys Avenue, Blackwood

Document No.	Name of Document	Location of Document
1	Location Plan	Caerphilly County Borough Council Offices, Pontllanfraith, Blackwood NP12 2YW
2	Plan indicating Claimed Route	Ditto
3	Local Authority Land ownership details	Ditto
4	Plan indicating New route of claimed path	Ditto
5	Copy of E:Mail from Bleddyn Hopkins Assistant Director Planning and Strategy, Education	Ditto

Replies to Consultation

Following completion of the report the Authority consulted with all interested parties as detailed in paragraph 7 of the main report on the 8th July 2008 seeking views on the accuracy of the report and its contents and requested replies by the 12th August 2008.

One reply was received within the stipulated time period, this was received from;

Maggie Thomas Ramblers Association Doc No 6 by E:Mail received on the 8th August 2008 in which she raised no objection to the application.

List of Documents in respect of an Application for a Modification order to amend the Monmouthshire Definitive Map and Statement of Public Rights of Way by ADDING Two paths in the Community of Mynyddislwyn from Edgehill to Hill View and a spur path to Fleur-de-Lys Avenue, Blackwood

Document No.	Name of Document	Location of Document
6	Copy of reply received from Mrs Maggie Thomas Ramblers Association	Caerphilly County Borough Council Offices, Pontllanfraith, Blackwood NP12 2YW

APPENDIX III

Wildlife and Countryside Act 1981 Section 53(3)(c)(i)

Claimed Right of Way from Duffryn Street to Penalltau Road, Ystrad Mynach

4.2 Introduction

- 4.2.1 For identification purposes the area of concern is identified within the bold black circle on the plan attached as Document No.1
- 4.2.2 An application under the Wildlife and Countryside Act 1981 has been received in regard to ADDING a path to the definitive map and statement prepared by Mid Glamorgan County Council relevant date 1st January 1971.
- 4.2.3 For clarification the route of the claimed path is indicated by a bold black line between points A-B-C-D on the plan attached as Document No.2
- 4.2.4 The application W.C.A. 5 (Document No. 5) dated 30th March 2005 is supported by 28 No. user evidence forms Document Nos.6-33 which have been completed by members of the public who claim use of the route over a long period of time.
- 4.2.5 Of the claimants 12 No. claim use of the path in excess of 20 years and not been prevented from using the path either physically or by notice.
- 4.2.6 Certificate of Service of Notice was also received with the application. This notice advises all the landowners namely CISWO, CCBC and Redrow Homes of the application.**
- 4.2.7 Clarification of the landownership details have concluded that the length of the claimed path not already an existing highway is within the control of Redrow Homes
- 4.2.8 Initial enquiries have indicated that the section of the claimed path between points A-B-C is recorded on the maintainable highway records and have therefore been omitted from the remaining part of this report and the claim process.
- 4.2.9 The section of path indicated on the application plan between points C-D passes through a playground surrounded by a chain link fence. Upon investigation the correct line of path should be between points C1 and D1 indicated by a bold black dashed line on Document No. 3
- 4.2.10 Of the 28 evidence forms received 12 have used the path in excess of the 20 years required under Section 31 (6) to indicate that prescriptive rights have been shown to exist.
- 4.2.11 With this information and through negotiations, the landowners (Redrow) have agreed that they will raise no objection to the registration of the claimed path through the formal Modification Order process.
- 4.2.12 As agreement was reached with the landowner the results of the interviews have not been reproduced in this report
- 4.2.13 Since the original claim was received the main road layout has been re-aligned, but this has not altered the termination point at point D1 which is now at the back of the new footway Document No.4

5. FINANCIAL IMPLICATIONS

- 5.1 If Members resolve to support the claim, the processing of a Modification Order will be between £2,500 and £3,500. The cost to be funded through existing Rights of Way budgets

6. PERSONNEL IMPLICATIONS

- 6.1 None

7. CONSULTATIONS

- 7.1 Redrow Homes (Landowner)
Coal Industry Social Welfare Organisation (CISWO)
Mrs Leslie (Applicant)
Cabinet Member for Highways and Transportation, County Borough Councillor Gough
County Borough Councillor Alan Angel
County Borough Councillor Martyn James
Clerk to Gelligaer Community Council
Ramblers Association,
Pat Mears, Chief Planning Officer
P.Jayne, Countryside Manager
D.Perkins, Head of Legal Services

8. RECOMMENDATIONS

- 8.1 That on the basis of the evidence and information compiled in the submitted documents, Members are requested to determine the application before them by either :-
- i) Supporting the claim as made for a footpath
 - ii) Rejecting the claim

9. REASONS FOR THE RECOMMENDATIONS

- 9.1 To comply with legislative requirements

10. STATUTORY POWER

- 10.1 Wildlife and Countryside Act 1981

Author: A.J.Sander Senior Assistant Engineer Rights of Way
Consultees: As report

Background Papers:
File; ETP/ROW/CROW196
held at;
Pontllanfraith Offices

List of Documents in respect of an Application for a Modification Order to amend the Definitive Map and Statement for the County of Mid Glamorgan in respect of ADDING a path from the rear lane of Duffryn Street, Ystrad Mynach to Penalltau Road in the Community of Gelligaer

Document No.	Name of Document	Location of Document
1	Location Plan	Caerphilly County Borough Council Offices, Pontllanfraith, Blackwood NP12 2YW
2	Plan indicating Claimed Route	Ditto
3	Copy of Plan identifying claimed path not already over a Maintainable Highway	Ditto
4	Plan indicating New road layout	Ditto
5	Copy of Application	Ditto
6-33	Copy of Evidence forms completed by supporters of the claim	Ditto

Replies to Consultation

Following completion of the report the Authority consulted with all interested parties a detailed in paragraph 7 of the main report on the 8th July 2008 seeking views on the accuracy of the reports contents and requested replies by the 12th August 2008.

Three replies were received within the stipulated time period, these were received from;

Coal Industry Social Welfare Organisation, Doc No 34
Ceri Mortimer Clerk to Gelligaer Community Council, via E:Mail, Doc No 35
Tracey Leslie Claimant, via E:Mail, Doc No 36

Redrow Homes (South Wales Ltd) confirmed verbally on the 29th August 2008 that they will not oppose the application

List of Documents in respect of the Consultation of an Application for a Modification Order to amend the Definitive Map and Statement for the County of Mid Glamorgan in respect of ADDING a path from the rear lane of Duffryn Street, Ystrad Mynach to Penalltau Road in the Community of Gelligaer		
Document No.	Name of Document	Location of Document
34	Copy of reply received from Coal Industry Social Welfare Organisation	Caerphilly County Borough Council Offices, Pontllanfraith, Blackwood NP12 2YW
35	Copy of reply received from Ceri Mortimer Clerk to Gelligaer Community Council	Ditto
36	Copy of reply received from Tracey Leslie	Ditto