



RIGHTS OF WAY CABINET COMMITTEE

MINUTES OF THE RECONVENED MEETING HELD AT PENALLTA HOUSE, TREDOMEN, ON WEDNESDAY, 8TH OCTOBER 2014 AT 11.15 AM

PRESENT:

Councillor T.J. Williams - Vice Chair (Presiding)

Councillors:

D.V. Poole (Cabinet Member for Community and Leisure Services), R. Woodyatt (Cabinet Member for Social Services).

Together with:

P. Griffiths (Principal Planner), A. Powell (Countryside Access and Rights of Way Officer), J. Piper (CROW Support Officer), R. Crane (Senior Solicitor), H. Lewis (Legal Assistant), S.M. Kauczok (Committee Services Officer).

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors K. James and Mrs B. Jones and Mrs P. Elliott (Head of Regeneration and Planning).

2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the meeting.

3. APPLICATION FOR A MODIFICATION ORDER TO AMEND THE MONMOUTHSHIRE COUNTY COUNCIL DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY IN RESPECT OF DELETING FOOTPATH 147 IN THE COMMUNITY OF MYNYDDISLWYN.

An application had been received under Section 53(3)(c) (iii) of the Wildlife and Countryside Act 1981 from Mr J. Thomas-Davies to modify the Definitive map and Statement for the County of Monmouthshire by deleting the footpath from Heolddu Lane to Tyle Gwyn Farm. The path is registered on the Definitive Map and Statement for the former County of Monmouthshire as Footpath No. 147 in the Community of Mynyddislwyn and indicated on the plan marked Document No. 3 along the bold black lines A-B. Mr Thomas-Davies had supplied a statutory declaration, dated 8th March 2013, to support his application to delete the footpath on the grounds that it has been included on the Definitive Map and Statement in error.

Prior to the meeting Members and Officers walked and viewed the line of the path from Heolddu Lane at gateway east of Penheolddu and then from Tyle Gwyn Farm and Tyle Gwyn House. The footpath crosses land in the ownership of three separate landowners, one of whom is the applicant and the others are the owners of Tyle Gwyn Farm and Tyle Gwyn House.

Research had been undertaken to determine the validity of the application by collating as far as possible all documentary evidence available together with the evidence provided by the applicant and those other persons who have known the land in question, together with evidence supplied by local users of the footpath in question. A Powerpoint presentation highlighting the evidence received was shown at the meeting. Members were asked to determine the application on the basis of the evidence and information compiled in the submitted documents.

Following the officer's presentation, Ms M. Thomas, representing the Open Spaces Society, was invited to present her objections to the application as outlined in her letter dated 28th June 2014 (Document no. 46).

Following consideration and discussion, on the basis of the evidence and information received, it was moved and seconded that the recommendation at paragraph 9(1) in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that the claim as made to delete the footpath, be supported.

The meeting closed at 11.40 am.