

**Report of the Head of Legal, Democratic Services and Procurement**

**Rights of Way and Commons Sub-Committee – 3 December 2014**

**FOOTPATH NO. 64 - COMMUNITY OF LLANRHIDIAN HIGHER**

Purpose: The report presents an update on this issue.

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**FOR INFORMATION**

**1. Background**

- 1.1 On the 17<sup>th</sup> July 2013 this issue was referred back to this Committee as the original Modification Order that was made on the 5<sup>th</sup> November 2009 had been rejected by the Planning Inspectorate on the basis the Order was incorrectly drafted.
- 1.2 This Committee was obliged to confirm it wished a second Modification should be made given the time that had elapsed since the first (as highlighted in paragraph 1.8(a) to that report and as appended).
- 1.3 The second Modification Order was made on the 25<sup>th</sup> July 2013 to which two objections were made.
- 1.4 The Order was not referred to the Planning Inspectorate until the 14<sup>th</sup> May 2014, because the owners of Penyrheol and the neighbouring premises Caerau were attempting to negotiate a mutually acceptable alternative path. Given that was not possible, the Modification has to be determined by the Planning Inspectorate who have decided to hold a Public Inquiry. This is scheduled to be held at the Penclawdd Community Centre, Banc Bach, Penclawdd on the 17<sup>th</sup> December 2014 commencing at 10.00 a.m.

**2. Equality and Engagement Implications**

There are no financial implications associated with this report.

**3. Legal Implications**

There are no legal implications associated with this report.

#### **4. Financial Implications**

There are no financial implications associated with this report.

#### **FOR INFORMATION**

##### **Background papers:**

Bundles 1-3 and Appendix 1 as prepared for the Public Inquiry.

##### **Appendices:**

Appendix 1 - The Report to the Rights of Way and Commons Sub-Committee on the 17 July 2013.