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.

Report Author: M. J. Workman

Finance Officer: S. Willis

Legal Officer: S. Richards

Access to Services Officer: P Couch

FOR INFORMATION

1.   Background

1.1   On the 17th July 2013 this issue was referred back to this Committee as the original Modification Order that was made on the 5th 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 25th July 2013 to which two objections were made.

1.4   The Order was not referred to the Planning Inspectorate until the 14th 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 17th 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.

ROW-000092/MJW

EJF - 31.10.2014