

# EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR CULTURE, SPORT AND TOURISM

19<sup>TH</sup> SEPTEMBER 2018

Executive Board Member:	Portfolio:
Cllr Peter Hughes Griffiths	Culture, Sport & Tourism

## PUBLIC RIGHT OF WAY AT CARDI BACH, LLANBOIDY WARD

### Purpose:

Application to Register a Public Right of Way, under section 53 schedule 14 of the Wildlife & Countryside Act (1981).

### Recommendations / key decisions required:

That the application be approved and the Authority make the necessary Definitive Map Modification Order.

### Reasons:

The application satisfies the tests laid out under section 53 of the Wildlife & Countryside Act, 1981, namely that there is sufficient evidence to show that a Public Right of Way exists, and should be added to the Definitive Map & Statement for the County.

Directorate: Environment		
Name of Head of Service: Steve Pilliner	Designation: Head of Highways and Transport	Tel No: 01267 228150 Email Address: <a href="mailto:SGPilliner@carmarthenshire.gov.uk">SGPilliner@carmarthenshire.gov.uk</a>
Report Author: Jason Lawday	Designation: Countryside Access Officer	Tel No: 01554 742214 Email Address: <a href="mailto:jlawday@carmarthenshire.gov.uk">jlawday@carmarthenshire.gov.uk</a>

## Declaration of Personal Interest (if any):

None

## Dispensation Granted to Make Decision (if any):

N/A

## DECISION MADE:

Signed:

DATE: \_\_\_\_\_

EXECUTIVE BOARD MEMBER

**The following section will be completed by the Democratic Services Officer in attendance at the meeting**

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted <b>subject to the amendment(s) and reason(s) specified:</b>	
Reason(s) why the Officer's recommendation was <b>not</b> adopted:	

# EXECUTIVE SUMMARY

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19<sup>TH</sup> SEPTEMBER 2018

### PUBLIC RIGHT OF WAY AT CARDI BACH, LLANBOIDY WARD

#### 1. BRIEF SUMMARY OF PURPOSE OF REPORT.

The report is seeking the approval to make an Order to register a previously unrecorded Public Right of Way by adding it to the Definitive Map & Statement of Public Rights of Way for the County of Carmarthenshire.

The County Council has a statutory duty to ensure that the Definitive Map & Statement for the County is correct, as required by the Wildlife & Countryside Act 1981, section 53(2).

#### 2. OTHER OPTIONS AVAILABLE AND THEIR PROS AND CONS:

Section 53 of the Wildlife & Countryside Act 1981 places a DUTY on the Local Authority to keep the Definitive Map & Statement under continuous review, therefore we have no option but to process the application and make the Order.

The landowner may agree to carry out a Public Path Dedication / Creation Order. This is sometimes done as the most expedient way to record a Public Right of Way. It may also allow for the adjustment of the route, where desired / agreed.

DETAILED REPORT ATTACHED?	YES
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# IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **S. G. Pilliner** Head of Highways and Transport

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
<b>NONE</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## 2. Legal

Subject to approval an Order will be made in accordance with Legal Powers set out in section 53 of the Wildlife & Countryside Act 1981.

## 3. Financial

The cost of making, publishing and confirming the Order will be approximately £1000, depending on fluctuation in advertising costs. As a statutory duty, the County Council is liable for these costs. There may be additional costs if objections are received, and the Order is referred to Welsh Government.

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: S. G. Pilliner Head of Highways and Transport

## 1. Scrutiny Committee – N/A

## 2. Local Member

Cllr. Dorian Phillips – ‘As the County Councillor for the Llanglydwen and Login area, I fully support the proposal of opening the old Cardi Bach railway line, which I believe will be a tremendous attraction for visitors to the area. I can also confirm that I regularly used to walk the line back in the sixties.’

## Community / Town Council

Llanboidy CC – Consulted –

‘The Council strongly support the claim that it should be a right of way.’

Cilymaenllwyd CC – Consulted.

## 4. Relevant Partners

Applicant 1 – Mrs. B. Vessey (deceased)

Applicant 2 – Mrs. P. Kiernan

Mr. G. Dickman (landowner)

## 5. Staff Side Representatives and other Organisations

Auto Cycle Union – no comments received

British Horse Society – no comments received

Byways & Bridleways Trust – no comments received

Cyclists Touring Club – no comments received

Carmarthenshire Riders – no comments received

The Ramblers Association – no comments received

Area Ramblers Representative – no comments received

Carmarthenshire Local Access Forum – no comments received

Open Spaces Society – no comments received

Welsh Trail Riders Association – no comments received

Open Spaces Society – no comments received

## 6. Other

Login Community Association – supports application

## Section 100D Local Government Act, 1972 – Access to Information

### List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Cardi Bach DMMO application 1	RW2/18/J/ sub-file	Public Rights of Way, Mynydd Mawr Woodland Park, Heol Hirwaun Olau, Tumble, Carmarthenshire, SA14 6HU.
Cardi Bach DMMO application 2	As above	As above
Consultant report	As above	As above