

EXECUTIVE BOARD MEMBER DECISION
7TH OCTOBER 2016

Executive Board Member:	Portfolio:
Cllr Meryl Gravell	Regeneration and Leisure

Public Footpath 9/6, Hazelwell House, Whitland

Purpose: Application to divert Registered Public Footpath 9/6 at Hazelwell House, Whitland, under section 119 of the Highways Act (1980) in the interests of the landowner.

Recommendations / key decisions required:

That the application be approved and the Authority make the necessary Public Path Diversion Order.

Reasons:

The application satisfies the tests laid out in section 119 of the Highways Act 1980, namely that it is expedient that the line of the path should be diverted in the interests of the owner of the land crossed by the path and that the proposed diversion is not substantially less convenient to the public and that it does not adversely affect public enjoyment of the path as a whole.

Directorate: Environment Name of Head of Service: Stephen G Pilliner Report Author: Jason Lawday	Designation: Head of Transport & Highways	Tel No: 01267 228150 E Mail Address: SGPilliner@carmarthenshire.gov.uk
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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 subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	

EXECUTIVE SUMMARY

EXECUTIVE BOARD MEMBER DECISION

7TH OCTOBER 2016

Proposal to divert Public Footpath 9/6, Hazelwell House, Whitland

The report is seeking the approval to make an Order to divert a public footpath at Hazelwell House, Whitland. The current path follows an historic route from St. Cyffic's Church to Trevaughan, Whitland. An application has been made by the owners of Hazelwell House to divert the path. If approved the diversion would be made in the interests of the landowner for reasons of improving their privacy and security.

An Order was previously made in 2006 which received objection and remains unconfirmed. All objections have subsequently been addressed and withdrawn. As a result of changes made to the proposed diversion a revised Order now needs to be made.

If the diversion were to be rejected and original Order unconfirmed the path could remain on its original route. This course of action is likely to be unsatisfactory to the applicants.

DETAILED REPORT ATTACHED ?

YES

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 Transport & Highways

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

2. Legal

Subject to approval an Order will be made in accordance with Legal Powers set out in section 119 of the Highways Act 1980.

3. Financial

The cost of making, publishing and confirming the Order will be approximately £1100, depending on fluctuation in advertising costs. The applicant has undertaken to pay the £1100 fee to cover the cost of the cost of the order and they have signed a declaration to that effect.

CONSULTATIONS

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

Signed: S G Pilliner

Head of Transport & Highways

1. Scrutiny Committee - N/A

2. Local Member - Cllr Jane Tremlett – no comments received

3. Community / Town Council - Eglwys Gymyn CC – no comments received

4. Relevant Partners - Applicants, Hazelwell House, Whitland, Carmarthenshire

5. Staff Side Representatives and other Organisations

The Ramblers Association – No comments received

Area Ramblers Representative – no objection / positive response

Carmarthenshire Local Access Forum – No comments received

Open Spaces Society – No comments received

Carmarthenshire Tourist Association – No comments received

6. Other

Objector 1 - objection now withdrawn

Objector 2 - objection now withdrawn

Objector 3 - objection now withdrawn

Objector 4 - objection now withdrawn

Objector 5 - objection to original order, no response to new proposal.

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
FP9/6 Hazelwell House, Whitland, Diversion	RW2/9/ Sub-file	Public Rights of Way, Mynydd Mawr Woodland Park, Heol Hirwaun Olau, Tumble, Carmarthenshire, SA14 6HU