

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

ENVIRONMENT AND HIGHWAYS CABINET BOARD

29 October 2015

REPORT OF HEAD OF LEGAL SERVICES – DAVID MICHAEL

SECTION B – MATTER FOR INFORMATION

WARD AFFECTED: MARGAM

**OUTCOME OF THE APPEAL TO THE WELSH MINISTERS -
APPLICATION TO UPGRADE FOOTPATHS 36, 58, 76 AND 97
TO A RESTRICTED BYWAY**

Purpose of report

To inform Members of THE OUTCOME OF THE APPEAL TO THE WELSH MINISTERS regarding the application to upgrade several footpaths as above in the Community of Margam (and to add a restricted byway running parallel with path of footpath no.76) and the outcome of that APPEAL.

Background

On the 18th December 2014, this Board refused the application which was made to upgrade these footpaths to a restricted byway. A restricted byway, being a right of way for the public on foot, on horseback or leading a horse, and a right of way in or on vehicles, other than mechanically propelled vehicles, thereby giving a right of way for pedal cyclists and drivers of horse drawn vehicles.

The basis of the application was that there are historic documents which show that the currently registered public paths should have been given a higher classification when the Definitive map was prepared in 1954. The evidence submitted comprised commercial maps surveyed in the 18th and 19th centuries, Valuation Plans produced by the Margam Estate in 1814, ordnance survey plans showing this route and the relevant extracts from the publication by the Royal Commission on the Ancient and Historical Monuments in Wales.

The application was the subject of an appeal to the Welsh Ministers against this Council's rejection of the claim. On the 24th August 2015, the Inspector appointed by the Welsh Ministers refused the appeal. Consequently, the path retains its status as a footpath only and will remain on the Definitive Map and Statement as originally designated.

List of Background papers

Footpaths file M08/32

Appendices

None

Officer Contact

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