

**ENVIRONMENT AND HIGHWAYS
CABINET BOARD**

REPORT OF HEAD OF LEGAL SERVICES – DAVID MICHAEL

13TH NOVEMBER 2014

SECTION A – MATTER FOR DECISION

WARD AFFECTED: GLYNNEATH

ALLEGED PUBLIC FOOTPATHS FROM PARK AVENUE, ROBERT STREET AND ADDOLDY ROAD, COMMUNITY OF GLYNNEATH

Purpose of Report

To consider making a Modification Order to add three public footpaths at the site of the Miners Welfare Hall Glynneath.

Background

- 1.1. On the 17 February 2011 this Board agreed to make a Modification order to recognise the paths shown on the attached plan as public footpaths. A copy of that report is attached at Appendix 1 and the plan is attached at Appendix 2.
- 1.2 The Land over which the claimed path crosses is subject to an approved planning application granted on the 19th November 2009.(ref P2007/1648)
- 1.3 The drawings of the new layout of the site showed the Developer was going to accommodate the modification order route within the development. Given there were slight variations to its alignment it would have been possible to divert the path without first having to make the modification order. This could be done provided there was general agreement between the path users, the landowner and this Council.

However the possible development did not proceed and so the Modification Order was made on the 21 June 2012 in accordance with the original decision by the Board. However that Order contained some errors and so was never advertised in the local press nor served on the statutory consultees. As such another modification order will have to be made.

The relevant date of a Modification order as determined by this Council cannot be more than six months earlier than its making. Consequently authority will be required to re-make the Order as prescribed and recommended previously.

A site inspection was made on the 14th August 2013 when it was evident that no building or preparatory works have yet started. Therefore the position has not changed since February 2011.

Appendices

Appendix 1 – copy of report of 17th February 2011 and copy of Plan at Appendix 2.

Recommendation

That a Modification Order be made in accordance with the decision of this Board of the 17th February 2011 and if no objection so are made to confirm the same as an unopposed order.

Reasons for Proposed Decision

Sufficient evidence has been provided to reasonably allege that these rights of way subsist and that a Modification Order should be made.

List of Background Papers

None

Officer Contact

Mr. Iwan Davies – Principal Solicitor – Litigation
Tel No: 01639 763151
Email: i.g.davies@npt.gov.uk

COMPLIANCE STATEMENT

ALLEGED PUBLIC FOOTPATHS FROM PARK AVENUE, ROBERT STREET AND ADDOLDY ROAD, COMMUNITY OF GLYNNEATH

(a) Implementation of Decision

The decision is proposed for implementation after the three day call0-in period.

(b) Sustainability Appraisal

Community Plan Impacts

Economic Prosperity	..	No Impact
Education & Lifelong Learning	..	No Impact
Better Health & Wellbeing	..	No Impact
Environment & Transport	..	No Impact
Crime & Disorder	..	No Impact

Other Impacts

Welsh Language	..	No Impact
Sustainable Development	..	No Impact
Equalities	..	No Impact
Social Inclusion	..	No Impact

(c) Consultation

This item has been subject to external consultation

**ENVIRONMENT AND HIGHWAYS CABINET BOARD
17TH FEBRUARY 2011**

**REPORT OF THE HEAD OF LEGAL & DEMOCRATIC SERVICES –
MR. D. MICHAEL**

INDEX OF REPORT ITEM

PART 1 – Doc Code: EHB-170211-REP-FS-DM

SECTION A – MATTER FOR DECISION		
Report Item	Page Nos.	Ward Affected
1. Alleged Public Rights of Way, Park Avenue, Gelliceibryn, Robert Street and Addoldy Road in the Community of Glynneath	2-20	Glynneath

PART 1
SECTION A, ITEM 1

**ALLEGED PUBLIC RIGHTS OF WAY PARK AVENUE,
GELLICEIBRYN, ROBERT STREET AND ADDOLDY ROAD IN THE
COMMUNITY OF GLYNNEATH**

PURPOSE OF REPORT

To consider making a modification order to add three public footpaths at the site of the Miners Welfare Hall in Glynneath.

INTRODUCTION

The application is for a Modification Order to add three public footpaths to the Definitive Map and Statement through the site at the Miners Welfare Hall being (i) Gelliceibryn to the main road, Park Avenue (A-F) (ii) Robert Street to Welfare Hall and Park Avenue (A-E) and (iii) Park Avenue to Addoldy Road (A-C-B1-B). The routes being claimed are shown on the attached plan.

The applications were made by a Mrs Marion Rees of 17 Rock Street, Glynneath on 10th March 2003 and 14th October 2004.

Ninety-six (96) claimants submitted evidence forms and statements in support of the application alleging an average use of 40.47 years of the paths. The claimants lived in 27 different roads/streets. Plans marked 'No.2' 'No.3' and 'No.4' are attached showing by way of coloured dots the distribution of the claimants and the position of various schools and churches/chapels in the area.

An application for planning permission reference P2007/1648 was submitted on 22nd November 2007 by Mr Malcolm Roe, the former owner, with a Full Plans Approved Decision Date of 19th November 2009. The planning application is to build 18 residential dwellings which implemented would impact on the alleged public rights of way.

INFORMAL CONSULTATIONS

All the usual organisations and consultees have been contacted including Glynneath Community Council and the Local Members. Councillor Dr Morgan has offered his support for the claims and one objection was submitted by Mr Roe, the former landowner.

The land was sold to Bridgend Plant Limited on 18th August 2010. In correspondence from their Architects, Jenkins Gould Partnership, dated 21st December 2010 they have advised that they are in complete agreement with the proposals for the public footpaths. See letter attached at Appendix VI

LEGAL PRINCIPLES

Under the provisions of the Wildlife and Countryside Act 1981 Section 53(2), this Council is obliged to keep the Council's record of public rights of way, known as the Definitive Map and Statement under continuous review. Claims for additions to the Map and Statement are called "Schedule 14 applications" as they are made under this provision to the 1981 Act. They often are based on the public being able to demonstrate their long-term use of the path whether by showing:

- (a) the minimum period of twenty years, as is required by Section 31 of the Highways Act;
- (b) a greater or lesser period than twenty years but under common law;

The Council is also obliged to make amendments to the Map and Statement where it discovers other evidence that shows a public path exists.

The manner by which the Definitive Map and Statement can be changed is by making a Modification Order, which modifies that Map and Statement. That Order will be subject to objections and representations but can only be confirmed by this Council if it is unopposed. If it is opposed the Order has to be referred to the National Assembly for Wales for determination.

In terms of applications to add routes, under the provisions of Section 31 to the Highways Act 1980 (Appendix 1) a public right of way will be deemed to have been dedicated to the public if a minimum period of twenty years uninterrupted use can be shown to have been enjoyed by the public provisions of Section 53(b) to the Wildlife and Countryside Act 1981 therefore apply (Appendix II)

This twenty year period is calculated by counting retrospectively from the first occasion the public's alleged right to use the way was brought into question. This usually happens when the path is blocked by something like a locked gate or fence. When the twenty year period has been identified it is usually termed the "relevant period". If there is no physical barring of the way then the relevant period is counted retrospectively from the date a Schedule 14 application is made.

Another means by which a path may be presumed to have been dedicated is under common law (Appendix III). In these circumstances the landowner

would have to show that he or she had not just acquiesced to public use but in some way facilitated or encouraged that use. The owner of all the land containing the claimed public path would therefore have to be identified but the period of use need not necessarily be twenty years and could be for a lesser period.

In addition, the Council may discover other evidence which suggests a public path exists. Under the provision in Section 53(3)(c)(i) to the Wildlife and Countryside Act 1981, a Council is obliged to make a Modification even if it is only reasonable to allege such a way exists (Appendix II). Such evidence could include user evidence and/or documentary evidence.

In order to decide whether a public right of way exists, it is necessary to identify a minimum period of twenty years' use which will satisfy the provisions of Section 31 of the Highways Act 1980 (Appendix 1). This period is calculated by counting retrospectively from the first occasion the public's alleged right to use the way was brought into question. This usually occurs when the path is blocked or that use is challenged by someone. The evidence suggests that this occurred on 28th August 2004

THE PLANNING CONSENT

The former owner of the land to which the planning is subject, Mr Malcolm Roe, objected to the applications for the registration of the footpaths. However, as previously stated above, the new owner is in complete agreement with the proposals for the public footpaths.

The affect on the claimed paths with regard to the planning permission is that there are conditions attached, in particular, Condition 19 which states that *'Prior to commencement of work on site a scheme shall be submitted to and approved in writing by the Local Planning Authority showing safeguarded alleged rights of way within the curtilage of plot 7 and plot 17. Reason In the interests of clarity'*. Plot 7 and Plot 17 relate to the routes marked at Point 'F' and 'D' on plan No.1.

THE USER EVIDENCE IN GENERAL

Of the ninety-six (96) claimants initially supporting the application the evidence of sixty-four (64) cannot be relied upon as there were one or more reasons why their evidence could not be utilised. These include the following reasons: three (3) are now deceased; fourteen (14) no longer live at their address; nine (9) were under twenty years of age; five (5) did not complete their Information Sheet; eleven (11) did not use as a highway to a highway; sixteen (16) have not

responded to correspondence; three (3) did not want to go to an Inquiry; one (1) did not want to be interviewed; one (1) was not a resident; one (1) was not a resident and had insufficient usage.

There are now thirty-two (32) claimants who are continuing to support the application and these allege an average use of 46.63 years. These include twenty-six (26) who have provided interviews, two (2) of which have moved to Cwmgwrach but still support the claim; one (1) is no longer at their address; two (2) include a special user group

The principal claimant said she maintains a section of path immediate west of Rock Street outside her home and cuts back the hedge. She mentioned that Neath Port Talbot Borough Council used to clear the path from Park Avenue (Point A) to Gelliceibryn (Point F). Some claimants were not sure who maintained the paths whilst other claimants stated that maintenance was possibly carried out by Neath Port Talbot Borough Council, or the Miners' Welfare Committee or local villagers. One claimant stated that the Community Council maintained up to 1992.

Four (4) claimants at two addresses in Rock Street have their gardens adjacent to one path. Connections to the path are by way of a gate and the other by open garden although it is stated that they have also accessed the claimed routes from highway to highway. It could be said that they are likely to be exercising a private right of access rather than a public right.

Ten (10) of the twenty-six people interviewed live in close proximity to the lane. The question therefore is whether their use represents that of the general public or whether the claimants could be classed as a special user group. A special user group is defined in more detail in Appendix IV but it means a group of people who live in close proximity to the path and for whom the path provides a useful means of access.

Twenty-six claimants (26) were interviewed of which fourteen (14) live in close proximity to the routes and so could be said to represent a special user group; twelve (12) claimants reside in and around the Glynneath area.

Of the twenty-six (26) claimants interviewed one (1) person no longer lived at their address and two (2) did not wish to attend an Inquiry. All stated that the routes are used and they regularly see others using it on foot, especially schoolchildren and adults to access the various nearby schools. Vehicular access is also used from Point A to access the library and Trem-y-Glyn Nursing Home.

None have said they have ever required permission to use the paths and said they have not been challenged. The first time they have been aware of a challenge was when the Welfare Hall at point D was demolished in 2004 and railings and gates were erected by Mr Roe, the former landowner, preventing access to the area. Gates were placed initially around the Welfare Hall during demolition but later moved to Point C. A gate was also placed at the passageway to Robert Street at Point D. Railings were erected at the entrance to Gelliceibryn at Point F and railings were also placed on the west side of the car park leading up to the gates at Point C. One claimant mentioned seeing 'Private Land' Notices but did not state where these were exactly situated.

All or some of the railings and gates were later removed or opened with sections of the railings being cut out by persons unknown.

All those interviewed stated that there was always open access through the routes. One claimant stated that access was available 'day and night' with a further claimant stating that they had 'midnight picnics' within the area.

It has been stated by many claimants that there used to be a shop (Doyle's shop) adjacent to the passageway at Points D to E which the local community often visited especially on the way to the Welfare Hall Cinema and the Concert Hall in Park Avenue (exiting at Point A).

Claimants stated that even though there were double gates at Park Avenue (Point A) and Addoldy Road (Point B) which may have been locked at certain times there were also kissing/turnstile gates alongside at both points which were always open. Kissing/turnstile gates were also located at Welfare Hall to Robert Street (Points D-E) and at Gelliceibryn (Point F). Details of these by the claimants interviewed are shown in Appendix V with various comments.

A letter received on behalf of Glynneath Town Council dated 3rd September 2009 states that:-

'the gates at the Addoldy Road entrance to the Welfare Park at Glynneath have always been open. They were never closed from mid 1980's up to 2004/5'.

Some claimants mentioned further gates which were located near Earlsfield Close, which leads on to Park Avenue, the remnants of the posts having been incorporated into residential properties. Claimants also mentioned railings along the path from F to D.

Evidence that the park was open at all times prior to 2004 is shown by the Notice on the wall of the park at Addoldy Road (Point B). Although certain letters are missing from the Notice it is still capable of clarity and warns that

‘Members of the public using the footpath through the park after lighting up time do so at their own risk’.

THE CLAIMED ROUTES

As to Gelliceibryn to main road, Park Avenue: Points F-A

The claimed route begins at Point F as a pedestrian path with a concrete surface and heads in a South Easterly direction for approximately 260 metres passing to the east of the site of the former Welfare Hall. At Point D the path passes the entrance to another claimed route before continuing near the Trem-y-Glyn Home. The path then becomes a pedestrian/vehicular route continuing past the Library and finally exiting on to Park Avenue Point A.

The path from Point F to Points D, C and A being registered under Title Numbers CYM37769 and CYM72357 to Bridgend Plant Limited of Brodawel, Coychurch, Bridgend, CF35 5BU.

Thirteen (13) claimants have used this route for an average of 39.92 years their reasons include access for local schools, connecting roads, the bus stop, the chapel, to visit friends, the Post Office, the village, the local club, for walking, to go shopping, dog walking and canvassing.

Routes have also been used to attend the library, park and Trem-y-Glyn Nursing Home.

Two properties with four claimants have gardens backing onto one of the routes and so they could be said to be exercising a private right rather than a public right. One property (one claimant) does not use the routes so much nowadays.

There is evidence from the majority of evidence sheets obtained that the routes have always been open. Even though there were large gates at Point A (Park Avenue) which were locked at certain times there were also kissing/turnstile gates to the side of these which remained open.

Conclusion:

It is evident the period of use needed to show presumed dedication can be satisfied.

No evidence has been forwarded to refute the allegation that such dedications have occurred. In fact, some members of Glynneath Town Council confirm that the routes have been used for a considerable amount of years.

There are a significant number of people living outside the immediate vicinity of the paths to show that the routes have been used by the general public.

Consequently, on the balance of probabilities, there is sufficient evidence to conclude that public footpaths exist via the routes claimed.

As to Robert Street to Welfare Hall and Park Avenue: Points E-A

The claimed route begins at Point E from Robert Street as a pedestrian lane with a concrete surface and heads in a South Westerly direction for approximately 30 metres to Point D being the exit to the lane and the area where the now demolished Miners' Welfare Hall was situated. The pedestrian route continues to Point C where it opens into a pedestrian and vehicular area exiting on to Park Avenue (Point A) being for a further distance of 130 metres.

From Point E to Point D the ownership is unknown but may belong to the Abernant Estate. Enquiries have been made of the Estate's solicitors, however, the solicitors' costs for investigating Estate papers has been considered too costly by the instructing department.

Thirteen (13) claimants have used this route for an average of 43.85 years. Their reasons include to access the school, connecting roads, the bus stop, the chapel, to visit people, for walking, to go shopping and dog walking. It was also stated by one claimant that this route was often used to attend the cinema at the Welfare Hall (E-D) and the Concert Hall situated on Park Avenue (E-A).

It has been stated by many claimants that there used to be a shop (Doyle's shop) adjacent to this passageway which the local community often visited especially on the way to the Welfare Hall Cinema and Concert Hall in Park Avenue.

Some claimants have stated that there was an emergency/fire exit from the Welfare Hall for evacuation to Robert Street or Gelliceibryn.

The route has also been used to attend the library, park and Trem-y-Glyn Nursing Home

Two properties (four claimants) have gardens backing onto one of the routes and so they could be said to be exercising a private right rather than a public right. One property (one claimant) does not use the routes so much nowadays.

There is evidence from the majority of evidence sheets obtained that the routes have always been open. Even though there were large gates at Point A (Park Avenue) which were locked at certain times there were also kissing/turnstile gates to the side, which remained open.

Conclusion:

It is evident the period of use needed to show presumed dedication can be satisfied.

No evidence has been forwarded to refute the allegation that such dedications have occurred. In fact, some members of Glynneath Town Council confirm that the routes have been used for a considerable amount of years.

There are a significant number of people living outside the immediate vicinity of the paths to show that the routes have been used by the public.

Consequently, on the balance of probabilities, there is sufficient evidence to conclude that public footpaths exist via the routes claimed.

As to Park Avenue to Addoldy Road: Points A-B

The claimed route begins at Point A from Park Avenue as a pedestrian/vehicular route with a concrete/tarmac surface and heads in a North Westerly direction before changing to a Westerly direction for approximately 300 metres to Point B exiting on to Addoldy Road.

From Point A to Point D the land is registered to Bridgend Plant Limited. From Point D to Point B being approximately 215 metres the land is under the ownership of Glynneath Town Council.

All known land owners have been informed of the applications.

Eighteen (18) claimants have used this route for an average of 44.89 years which includes access for connecting routes, the bus stop, the village, the chapel, the local club, the school, to visit people, to go shopping, walking, canvassing and dog walking.

Routes also used to attend the library and park.

There is evidence from the majority of evidence sheets obtained that the routes have always been open. Even though there were large gates at Point A (Park Avenue) and Point B (Addoldy Road) which were locked at certain times there were also kissing/turnstile gates to the side of these which remained open.

Conclusion:

It is evident the period of use needed to show presumed dedication can be satisfied.

No evidence has been forwarded to refute the allegation that such dedications have occurred. In fact, some members of Glynneath Town Council confirm that the routes have been used for a considerable amount of years.

There are a significant number of people living outside the immediate vicinity of the paths to show that the routes have been used by the public.

Consequently, on the balance of probabilities, there is sufficient evidence to conclude that public footpaths exist via the routes claimed.

RECOMMENDATION

That a Modification Order be made under the provisions of Section 53 of the Wildlife and Countryside Act 1981 to register the paths shown F-A, E-A and A-B on the attached plan and if no objections are made to confirm the same as an unopposed Order.

REASON FOR PROPOSED DECISION

Sufficient evidence has been provided to reasonably allege that these rights of way subsist and that a Modification Order should be made.

LIST OF BACKGROUND PAPERS

Relevant Footpaths file.

WARD AFFECTED

Glynneath.

OFFICER CONTACT

Mr. Brian Thorne – Principal Solicitor
Tel No: 01639 763151
Email: b.thorne@npt.gov.uk

COMPLIANCE STATEMENT

ALLEGED PUBLIC RIGHTS OF WAY PARK AVENUE, GELLICEIBRYN, ROBERT STREET AND ADDOLDY ROAD IN THE COMMUNITY OF GLYNNEATH

(a) Implementation of Decision

The decision is proposed for implementation after the three day call-in period.

(b) Sustainability Appraisal

Community Plan Impacts

Economic Prosperity	-	no impact
Education & Lifelong Learning	-	no impact
Better Health & Well Being	-	no impact
Environment & Transport	-	no impact
Crime & Disorder	-	no impact

Other Impacts

Welsh Language	-	no impact
Sustainable Development	-	no impact
Equalities	-	no impact
Social Inclusion	-	no impact

(c) Consultation

There has been no requirement under the Constitution for external consultation on this item. Consultation however has taken place with the Community Council and interested parties.

APPENDIX I

HIGHWAYS ACT, 1980

Section 31. Dedication of way as a highway presumed after public use for 20 years.

Where a public way over land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has actually been enjoyed by the public as of right and without interruption of a full period of 20 years, the way is deemed to have been dedicated as a highway unless there is sufficient that there was no intention during this period to dedicate it.

For Section 31(1) Highways Act, 1981 to operate and give rise to a presumption of dedication the following criteria must be satisfied:

- the physical nature of the path must be such as is capable of being a public right of way
- the use must be 'brought into question', i.e. challenged or disputed in some way
- use must have taken place without interruption over the period of twenty years before the date on which the right is brought into question
- use must be *as of right* i.e. without force, without stealth or without permission and in the belief that the route was public
- there must be insufficient evidence that the landowner did not intend to dedicate a right of type being claimed
- Use must be by the public at large

WILDLIFE AND COUNTRYSIDE ACT, 1981

Section 53 Duty to keep the Definitive Map and Statement under continuous review.

- (2) As regards every definitive map and statement, the surveying authority shall keep the map and statement under continuous review and as soon as possible after the occurrence of any of [events specified in sub section (3)] by order make such modifications to the map and statement as appear to them to be requisite in consequence of the occurrence of that event.
- (3) The events referred to in sub section (2) are as follows:-
 - (b) the expiration, in relation to any way in the area to which the map relates of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path or restricted byway;
 - (c) the discovery by the Authority of evidence which (when considered with all other relevant evidence available to them) shows:
 - (i) that a right of way which is not shown on the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A a byway open to all traffic;
 - (ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.
 - (iii) That there is no public right of way over land shown in the map and statement as a highway of any description ,or any other particulars contained in the map and statement require modification.

APPENDIX III

DEDICATION UNDER COMMON LAW

No minimum period of use is required, but the claimants must show that it can be inferred by the landowners' conduct, that he or she had actually dedicated the route. User of right, is not of itself necessarily sufficient. Under statute, twenty years, if proved to have been uninterrupted will be sufficient to show presumed dedication.

Under common law it is still possible that use was due to the landowners' tolerance rather than because that landowner had intended to dedicate. Consequently there needs to be evidence that the landowner (or owners) for whatever period is being considered, acquiesced to that use and took measures to facilitate public use.

Obviously this means the landowners have to be identified and evidence that they wished to have the route dedicated to the public.

SPECIAL USER GROUPS

- (a) The Planning Inspectorate has produced advice on this matter in that they say there is no strict legal interpretation of the term ‘public’. The dictionary definition being ‘the people as a whole’ or ‘the community in general’. Arguably and sensibly that use should be by a number of people who together may be taken to represent the people as a whole/the community.

However, Coleridge LJ in *R –v- Residents of Southampton 1887* said that “‘use by the public’ must not be taken in its widest sense – for it is a common knowledge that in many cases only the local residents ever use a particular road or bridge”. Consequently, use wholly or largely by local people maybe use by the public as depending on the circumstances of the case, that use could be by a number of people who may sensibly be taken to represent the local people as a whole/the local community”.

- (b) In contrast to this view was the decision made by Lord Parke in *Poole –v- Huskinson 1834* who concluded: “there may be dedication to the public for a limited purpose....but there cannot be dedication to a limited part of the public”. This case was quoted by an Inspector in 1997 appointed to consider an application to add a public bridleway to the Definitive Map for North Yorkshire County Council. Here the route had also been in use for 40 to 50 years. That Inspector concluded: “In the case before Lord Parke, residents of the same parish were held to constitute a limited part of the public and I therefore believe the inhabitants of the Parish of Cliffs should also be held to constitute a limited part”. The Inspector refused to confirm the Order.

APPENDIX V

**POSITION OF TURNSTILE/GATES /RAILINGS AT VARIOUS POINTS
ON SITE**

Interviewee Number	POINT 'A' ON PLAN	POINT 'B' ON PLAN	POINT 'C' ON PLAN	POINT 'D' ON PLAN	POINT 'E' ON PLAN	POINT 'F' ON PLAN	COMMENTS
No.1		X				X	
No.2	X	X				X	
No.3		X				X	
No.4	X	X		X		X	Railings D-F on path
No.5	X	X		X	X	X	Remains of turnstile at tennis court area/houses
No.6							Can't remember gates; paths always open; turnstiles taken down prior to 1978. Railings along Gelliceibryn
No.7						X	Not locked at any time; open access
No.8						X	Entrances not locked at any time
No.9	X	X			X	X	
No.10				X		X	Access A-B
No.11		X			X	X	
No.12						X	Handrails to point F
No.13							Paths always open
No.14	X	X				X	Remembers

							entrance also at Earlsfied
No.15						X	Points A and B always open
No.16				X			Paths always open & accessible
No.17							Paths always open & accessible
No.18		X		X		X	Always open access; used to be a kissing gate @ Earlsfield
No.19		X		X			Always open access
No.20		X		X		X	Access always open
No.21		X					Access always open
No.22	X	X					
No.23		X		X		X	
No.24		X		X		X	
No.25		X		X		X	Always open access
No.26	X	X		X		X	



21st December 2010

Our ref. JG / 10.19

Legal & Democratic Services
City & County of Swansea
Civic Centre
Oystermouth Road
Swansea
SA1 3SN



For the attention of Mrs J Shoemark

Dear Madam,

**PROPOSED RESIDENTIAL DEVELOPMENT AT OLD WELFARE HALL
SITE OFF PARK AVENUE, GLYNNEATH, NEATH**

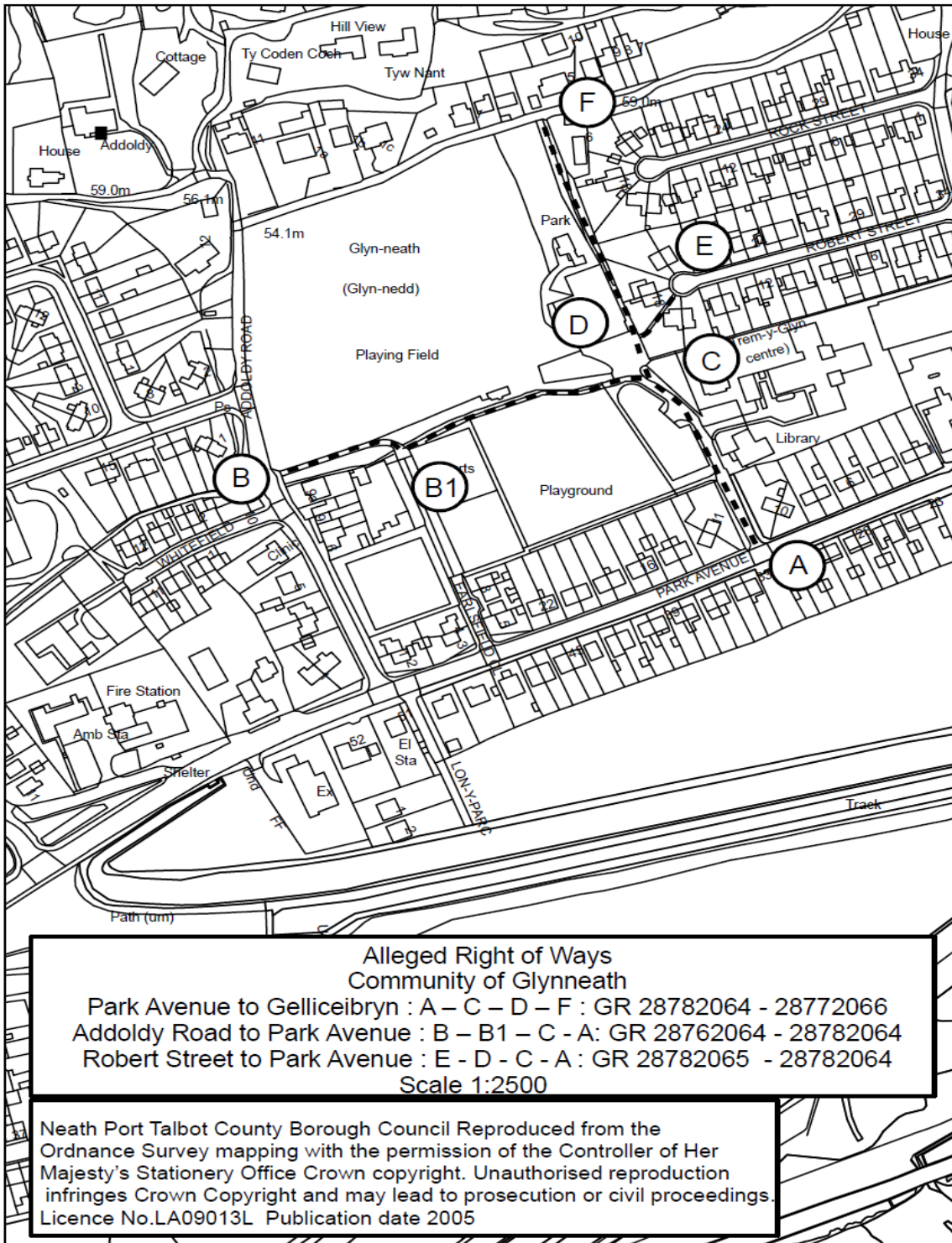
Further to our recent telephone conversation we write to confirm that our clients Bridgend Plant Limited are completely in agreement with the proposals for the public footpaths. We enclose a copy of our proposed layout (that has already been lodged with the Planning Department of Neath Port Talbot Council) indicating the proposed footpath positions.

We trust that this information is satisfactory.

Yours faithfully
for Jenkins Gould Partnership


John Gould

APPENDIX VII



APPENDIX 2

