

Application to modify the Definitive Map of Public Rights of Way under Section 53B, Wildlife and Countryside Act 1981.

File Reference	53B/0007
Definitive Map path reference	N/A
Description of intended effect on the Definitive Map	The addition of a series of footpaths to the Map, through Cwrt-y-Vil Playing Field exiting on to St. Martins Close, Beechwood Drive, St. Marks Road and Purcell Road..
O.S. grid ref.	317582 170497
Address / postcode	St. Martins Close, CF64 3PN. Beechwood Drive CF64 3QZ, St. Marks Road CF64 3PG, Purcell Road, CF64 3QN.
Nearest Village/Town	Penarth
Locally known name	-
Community / Town Council	Penarth
Applicant	Mrs. T. Alexander Mrs. P. Paul Mrs. B. Jones
Date of application	09.03.2009
Date of receipt of application	31.03.2009
Date when representation made to the National Assembly in accordance with 3(2) of Schedule 14 WCA 1981. As notified by the applicant.	
National Assembly's decision and terms of direction	
Date set for determination of application	September 2010
Date on which the Authority determined the application	15.09.2010
Decision	Application refused
Date when notice of appeal served on the National Assembly and the Authority in accordance with paragraph 4(1) of Schedule 14 to the WCA 1981.	12.10.2010
Date / time and venue of any proposed hearing or inquiry.	
National Assembly's decision and terms of direction	Appeal dismissed
Date of confirmation of order and details of any modification made.	-

Continued overleaf

Related documents attached:

Application
Map
Statement by Applicant

Please contact:

Public Rights of Way Section
Vale of Glamorgan Council
The Dock Offices
Subway Road
Barry
Vale of Glamorgan
CF63 4RT
Email.sathomas@valeofglamorgan.gov.uk

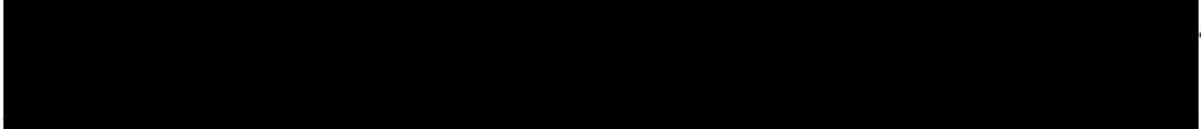
Wildlife and Countryside Act 1981

Notice of application to modify the Definitive Map and Statement for the former County of Glamorgan, Relevant date 14th September, 1954.

To: The Vale of Glamorgan Council

Of: The Civic Offices, Holton Road, Barry, CF63 4RU

~~By~~ We: Tracy Alexander, Patricia Paul, Barbara Jones

Of: 

hereby apply for an order under section 53(2) of the Wildlife and Countryside Act 1981 modifying the definitive map and statement for the area by [delete as appropriate]

adding ~~a~~ footpath / ~~bridleway~~ / ~~restricted byway~~
~~changing the status of the footpath / bridleway / restricted byway~~
~~deletion of the footpath / bridleway / restricted byway~~
~~changing the particulars relating to the footpath / bridleway / restricted byway~~

from DINAS ROAD VIA ST. MARTIN'S CLOSE

to CURT-Y-VILLE PLAYING FIELDS, PENARTH, TO OLD PENARTH AND RUGBY CLUBS, TO KIRCELL RD (AND BACK (ROUTE 1)), TO BEECHWOOD DRIVE (AND BACK) (ROUTE 2) TAKING A CIRCULAR ROUTE AROUND PERIMETER OF FIELDS BACK TO ST. MARTIN'S CLOSE (ROUTE 3)
with a width of and shown on the map annexed hereto.
(SEE COVERING LETTER FOR COMPARISON OF ROUTES)

~~By~~ We attach copies of the documentary evidence (including statements of witnesses) set out overleaf, in support of this application.

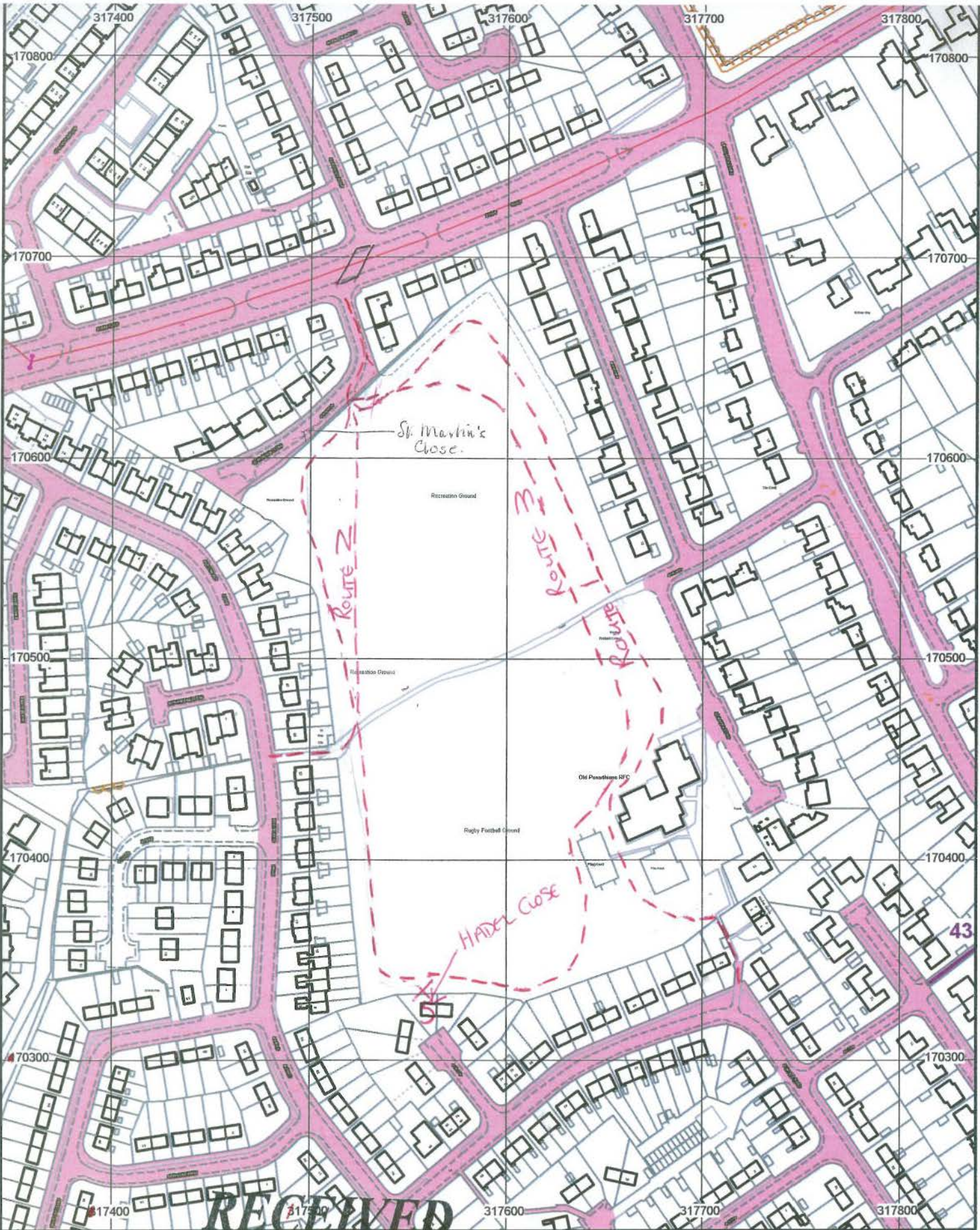
Dated 9/3/09 Signed 

RECEIVED (on behalf of)

31 MAR 2009

AP 01

**ENVIRONMENTAL
AND ECONOMIC
REGENERATION**



RECEIVED

3 Recreation Ground - St. Martin's Close

MAR 2009



Scale: 1:2500
 Date: 19/02/2009
 ENVIRONMENTAL AND ECONOMIC CONSULTATION

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KEY
 (---) --- EXISTING PROPOSED RIGHTS OF WAY

4th March, 2009

Committee members,

Re: Application for Right of Way: Cwrt-y-Vil Playing Field, St. Martin's Close

The attached documentation and witness forms focus on 3 proposed Rights of Way. We have sought advice from the Vale of Glamorgan Council's Countryside and Access Officer and have based this application on three paths trodden to and from the St. Martin's Close entrance/exit from the field.

We realise that a Right of Way is a trodden path, somewhat hard to define on a recreation field, however, we have established, from the Witness Statements:

Route 1

From Dinas Road to St. Martin's Close, onto Cwrt-y-vil Playing Field to the Old Penarthians Rugby Club, through to Purcell Rd. (and back).

Route 2

From Dinas Road to St. Martin's Close, onto Cwrt-y-vil Playing Field to Beechwood Drive (and back).

Route 3

From Dinas Road to St. Martin's Close, onto Cwrt-y-vil Playing Field taking a circular route around the perimeter of the field back to St. Martin's Close.

We have also been informed by [REDACTED], who has provided an Evidence Form on her specific route, that when the central reservation in Dinas Road was built, the current footpath crossing it from St. Peter's Rd. to St. Martin's Close was formed by the Council at the request of a local resident who lived opposite her since this 'trodden path' was already in use. The path links to St. Martin's Close (please see Google picture).

Signage at the bottom of the descent from St. Martin's Close onto the field, (please see photograph), points to the entrance from St. Martin's Close. This was erected by the Council. Previous signage (erected in the same place) was also erected by the Council. The Council should have records of when the original sign was erected, however, almost every Witness using this part of the proposed Right(s) of Way can remember the original signage. These Witnesses are willing to be contacted further.

TO ALL INTERESTED PARTIES:

With reference to our application for Rights of Way through Cwrt-y-vil Playing field, we wish to state that there is **NO application for Right of Way access from Handel Close garden through to St. Martin's Close.**

There are 3 proposals for Right of Way listed in our application and we intend no changes to their current and past use. Our application is solely to protect these trodden paths for the future use of all.

Yours faithfully



TRACEY ALEXANDER
TRISH PAUL
BARBARA JONES