

## **CITY AND COUNTY OF CARDIFF**

### **PLANNING COMMITTEE:**

### **REPORT OF THE CORPORATE DIRECTOR CITY OPERATIONS**

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#### **APPLICATION FOR Section 118, Highways Act 1980. Stopping Up Prow Whitchurch 96**

##### **Background**

This section was a historic short cut to the Crown Hotel public house when first claimed in 1949. The public house has since been demolished, and a proper railway crossing has been built in the subsequent years, 137 metres to the west of the old short cut.

In the current age of faster and more frequent trains and the ongoing electrification process, the PROW team would not wish to validate unchecked crossing of the railway line when there is a safe, level crossing in the immediate vicinity.

In addition the path will be removed from the Definitive Map thus ensuring an accurate reflection of the ground situation.

The stopping up of the highway is required because it is not needed for public use.

##### **Issues**

This highway has not been used for years since the improved level crossing installed in 1990's and it is not in anyone's interest to have random, unchecked crossing of the railway line.

The Stopping Up of the highway is required because it is unnecessary for public use.

##### **Legal Implications**

Under Section 118, Highways Act 1980 the Highway Authority can extinguish highway that is deemed not needed for public use.

**Recommendation**

The recommended decision is: To extinguish a section of Public Right of Way,96 Whitchurch in order that the Definitive Map actually represents the physical feature of the path at ground level and that Chief Officer, City Services requests Legal Services to make a Section 118 Order.

**Background Papers**

1. Plan of location
2. copy of original Draft OS surveyor's work formalising as a PROW.