

CITY AND COUNTY OF CARDIFF

PLANNING COMMITTEE:

REPORT OF THE CORPORATE DIRECTOR CITY OPERATIONS

APPLICATION FOR Section 53 Application , Wildlife and Countryside Act 1981, applied to Highways Act 1980 to record a public right of way at Radyr Court Road

Background

An application been received to record a Public Right of Way based on 20 years use ,as of right,without hindrance at Radyr Court Road.

Issues

The posting of notices by the landowner indicating private land,and any impending development triggered local users to make an application to have the path recorded as an official highway maintained at public expense.

Legal Implications

Section 53 Wildlife and Countryside Act 1981 as applied to Highways Act 1980 enables a Public Right of Way to be recorded if there has been unhindered use,as of right for a 20 year period prior to the application.

Recommendation

To request Legal Services to make a Public footpath Order and record the claimed route on the Definitive Map and Statement.

Based on evidential documentation and historical research the path has been in existence and used as of right,for 20 years and under presumed dedication it should be recorded as a highway maintained at public expense.

Background Papers

1. Plan of the claimed Route
- 2.Application for recording a Public Right of Way

