

Meeting of:	<b>Public Rights of Way Sub Committee</b>
Date of Meeting:	<b>Thursday, 13 January 2022</b>
Relevant Scrutiny Committee:	Environment and Regeneration
Report Title:	Application for Modification of Definitive Map and Statement Wildlife and Countryside Act 1981 s53(3)(c)(i) - Caradoc Avenue to Dyfan Road, Barry
Purpose of Report:	This report deals with a claim that a route running from Caradoc Avenue to Dyfan Road should be recorded as a public footpath on the Definitive Map and Statement with a width of 1.7 meters
Report Owner:	Gwyn Teague, Public Rights of Way Officer
Responsible Officer:	Marcus Goldsworthy - Head of Regeneration and Planning
Elected Member and Officer Consultation:	Councillor Burnett - Cabinet Member Marcus Goldsworthy - Head of Regeneration and Planning Adam Sargent - Neighbourhood Services Manager Phil Chappell – Operational Manager, Regeneration Irene Thornton - Senior Lawyer
Policy Framework:	This report is a matter for decision by the Public Rights of Way Sub-Committee
<p>Executive Summary:</p> <ul style="list-style-type: none"> <li>• The report details a claim that a route running from Caradoc Avenue to Dyfan Road (see appendix) should be recorded as a public footpath in the Definitive Map and Statement with a width of 1.7 meters.</li> <li>• The report sets out the relevant evidence and legal tests, including the weight that can be given to that evidence, to inform a determination on whether or not to make a Definitive Map Modification Order (DMMO).</li> <li>• The relevant sub-committee is required to assess the evidence and determine whether to make an appropriate Definitive Map modification order capable of giving effect to that evidence, or to decline the application. In making the determination the sub-committee must base its consideration on the legal tests outlined in the appended investigation report.</li> </ul>	

## **Recommendation**

1. That the Vale of Glamorgan Council decline to make a Definitive Map Modification Order in respect of the application

## **Reason for Recommendation**

1. As set out within the appended investigation report

## **1. Background**

- 1.1 As set out within the appended investigation report

## **2. Key Issues for Consideration**

- 2.1 The sub-committee is required to assess evidence and determine whether to make an appropriate definitive map modification order capable of giving effect to that evidence, or to decline the application.
- 2.2 In making the determination the sub-committee must base its consideration on the legal tests outlined in the appended investigation report.
- 2.3 The determination should be based upon the evidence provided and examine whether rights have already been established at some point in the past. The sub-committee is unable to take into factors relevant to the creation of new rights such as amenity, desirability or practicality of the routes.

## **3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

- 3.1 The Well-being of Future Generations (Wales) Act 2015 is about sustainable development. The Act sets out a 'sustainable development principle' which specifies that the public bodies listed in the Act must act in a manner which seeks to ensure the needs of the present are met without compromising the ability of future generations to meet their own needs. In meeting their sustainability duty, each body must set objectives that highlight the work the body will undertake to contribute to meeting the seven Well-being Goals for Wales.
- 3.2 The activities set out in this report will contribute to the national well-being goals and help ensure we have a resilient Wales the five ways of working will be embedded throughout the response to determine the claim that a route running from Caradoc Avenue to Dyfan Road should be recorded as a public footpath in the Definitive Map and Statements. We have worked collaboratively with other

partners and consultation has taken place with the community in order to shape our response.

## **4. Resources and Legal Considerations**

### **Financial**

- 4.1** Resource implications are unable to be taken into account when determining Definitive Map Modification Order applications.

### **Employment**

- 4.2** Resource implications are unable to be taken into account when determining Definitive Map Modification Order applications.

### **Legal (Including Equalities)**

- 4.3** Determination of DMMO applications under s53 of the Wildlife and Countryside Act 1981 is a statutory duty. The authority have received a direction from the Welsh Ministers to reach a determination before the 21st January 2022.
- 4.4** The applicants are entitled to seek appeal of a decision not to make an order by serving notice of appeal on the National Assembly for Wales (Planning Inspectorate) and the Authority.

## **5. Background Papers**

Investigation report and associated documents (appended).



**The Vale of Glamorgan Council**

**PROW Sub Committee:**

**Report of the Head of Regeneration and Planning**

**Definitive Map Modification Order  
Wildlife and Countryside Act 1981 Section 53(2)  
Caradoc Avenue to Dyfan Road, Barry**

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# Vale of Glamorgan Council Investigation Report

The Vale of Glamorgan Council

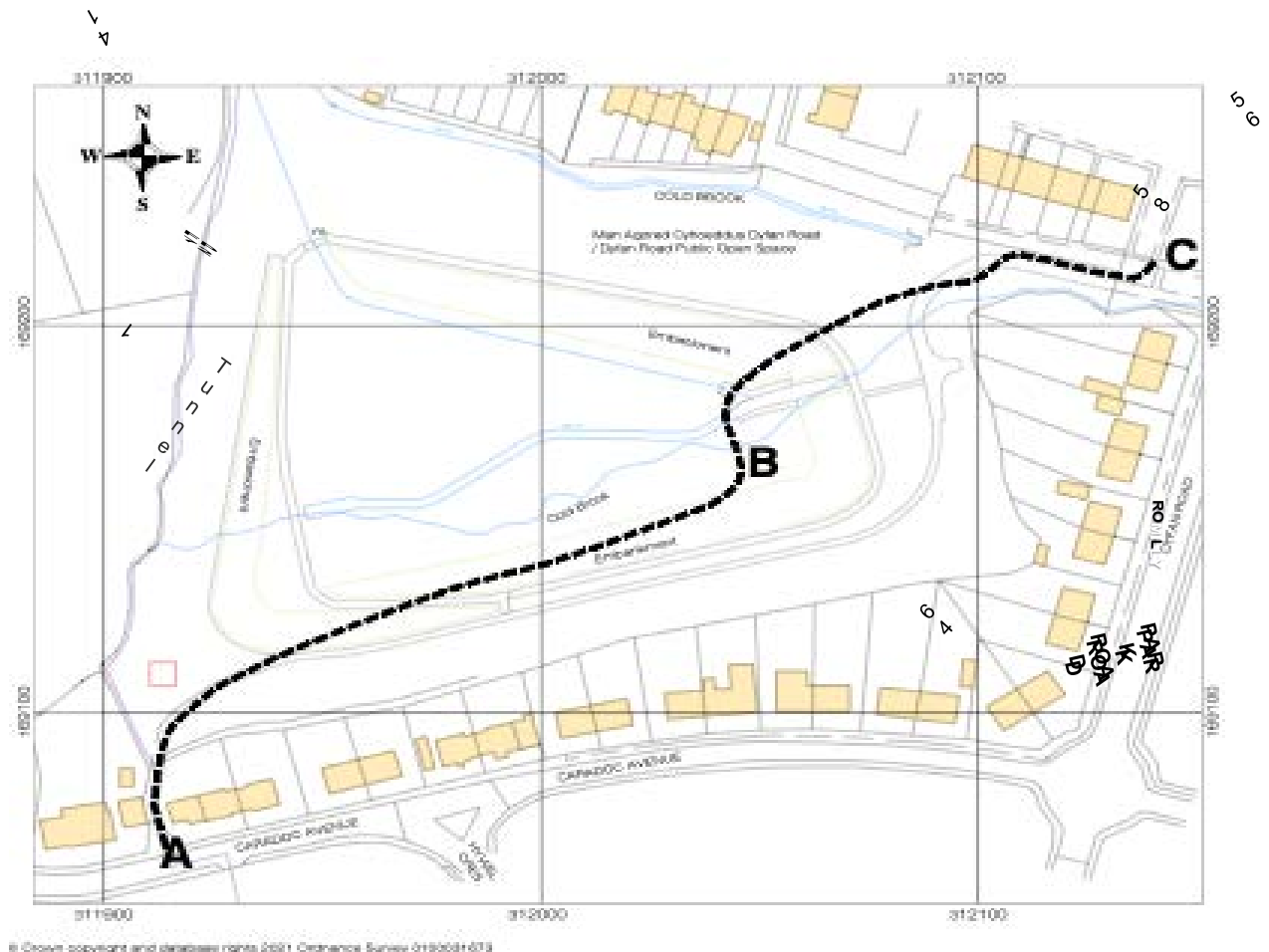
PROW Sub Committee:

Report of the Director of Environmental and Economic Regeneration

Definitive Map Modification Order  
Wildlife and Countryside Act 1981 Section 53(2)  
Caradoc Avenue to Dyfan Road, Barry

## 1. AIM OF REPORT

- 1.1. This report deals with a claim that a route running from Caradoc Avenue to Dyfan Road should be recorded as a public footpath in the Definitive Map and Statement with a width of 1.7 meters.
- 1.2. The effect sought by the application, if successful, is therefore to add the footpath A-B-C as shown below (*Note: Indicative only. Full draft plan in Appendix 2 should be referred to for correct scaling etc.*):



- 1.3. The aim of this report is to set out the relevant evidence and legal tests including the weight that can be given to that evidence pursuant to informing a determination on whether to make a Definitive Map Modification Order (DMMO).

## 2. LEGAL FRAMEWORK

- 2.1 Section 56 of the Wildlife and Countryside Act 1981 provides that the Definitive Map and Statement are conclusive evidence of the particulars contained therein to the extents detailed in section 56(1)(a) to 56(1)(e).
- 2.2 Section 53(2) of the Wildlife and Countryside Act requires the Vale of Glamorgan Council, as a surveying authority, to keep the Definitive Map under continuous review. This process of continuous review is carried out through the investigation of discovered evidence and determination of Modification Order Applications as required.
- 2.3 Section 53(2) states:
- (2) *As regards every definitive map and statement, the surveying authority shall-*
    - (a) *as soon as reasonably practicable after the commencement date, by order make such modifications to the map and statement as appear to them to be requisite in consequence of the occurrence, before that date, of any of the events specified in subsection (3); and*
    - (b) *as from that date, keep the map and statement under continuous review and as soon as reasonably practicable after the occurrence on or after that date, of any of those events, 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*
- 2.4 The events giving rise to the need for an order under 53(2) are set out in subsections of 53(3) of the Wildlife and Countryside. The basis for an addition of a way to the Definitive Map events are set out in sections 53(3)(b) & 53(3)(c)(i) of the Wildlife and Countryside Act.

*Wildlife and Countryside Act 1981 s53*

*(2) The events referred to in subsection (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 in 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;...*

## Addition

- 2.5 The current application is made on the basis of discovery of evidence. Discovery of evidence may be documentary or otherwise (including user evidence) and can be considered alternatively to continuous use or alongside it.
- 2.6 The council is required to assess whether an event giving rise to the need to modify the map has occurred by identifying an instance whereby the existence of the right was challenged (i.e. called into question) and applying the statutory foundation included in the Highways Act 1980 s31 (HA s31) or by identifying an inference of dedication at common law.

*Highways Act 1980 s31:*

*(1) Where a way over any 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 been actually enjoyed by the public as of right and without interruption for a full period of 20 years, the way is to be deemed to have been dedicated as a Highway unless there is sufficient evidence that there was no intention during that period to dedicate it.*

- 2.7 The above section contains numerous considerations that should be applied in determining the application by reference to s53(3)(b). The sub-committee should be guided by the considerations that may be relevant to this application. As such extracts from the section and a brief outline as to their effect are clarified below:

*...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...*

- 2.8 It is a principle of Common Law that use cannot give rise to acquisition of rights if that use has been on the basis of a criminal offence (e.g. where use has been criminal as a result of Rail ownership).

*...actually enjoyed...*

- 2.9 Sufficient use of the way must be shown for the required period.

*...by the public...*

- 2.10 The use must be shown to have been by the public at large. Private use by employees, tenants or landowners cannot qualify

*... as of right...*

- 2.11 For use to give rise to a presumption of dedication it must be 'as of right'. This means that use must be without force, secrecy or permission (*nec vi, nec clam, nec precario*).

*... without interruption...*

- 2.12 Interruption means actual and physical stopping by the landowner or someone acting on their behalf. This interruption must have been made with the intent to prevent the public using the way; interruption occurring for an unrelated purpose, such as building works or car parking, will not qualify.

*... for a full period of 20 years...*

- 2.13 The time period to be considered under the Highways Act 1980 is 20 years use prior to the date the way was called into question.

*... no intention during that period to dedicate it.*

- 2.14 The intention not to dedicate must be supported by demonstration of overt acts that have been taken and sufficiently communicated to the public so that the public at large are aware. Circumstances such as a letter between a landowner and the Council or a clause in a tenancy agreement would not be sufficient to show a lack of intention to dedicate.

- 2.15 If the criteria under section 31 (above) are not met, the Council should consider whether it can be reasonably alleged that a route has been dedicated under Common Law.

- 2.16 Common Law dedication differs from the statutory provision in so much as it does not require a minimum 20 years to be shown. Instead the shorter the period under consideration the more compelling the evidence of overt public use and acquiescence of the owner need be shown. Capacity to dedicate must also be shown at Common Law (i.e. a landowner must be identified who was able to dedicate).

- 2.17 Documentary evidence may be useful in determining whether the route was ever previously considered to be public. Section 32 of the Highways Act 1980 states:

*Highways Act s32*

*A court or other tribunal, before determining whether a way has or has not been dedicated as a highway, or the date on which such dedication, if any, took place, shall take into consideration any map, plan or history of the locality or other relevant document which is tendered in evidence, and shall give such weight thereto as the court or tribunal considers justified by the circumstances, including the antiquity of the tendered document, the status of the person by whom and the purpose for which it was made or compiled, and the custody in which it has been kept and from which it is produced.*

### DMMO Process

- 2.18 It should be noted that the DMMO process seeks to ensure rights are correctly recorded as they exist and is an exercise in modifying the definitive map to reflect such a position. It is not within the remit of the order to give consideration to other factors such as need, nuisance or suitability (though aspects of these factors may assist where they constitute evidence of past

use). The effect of amenity, antisocial behaviour or other such circumstances relating to the route are also unable to be taken into account. The process is not deciding whether a footpath is desirable at a given location but whether a footpath has been established by dedication and acceptance by the public.

- 2.19 In determining the current Application, consideration must therefore be given to whether the documentary evidence and user evidence provided is sufficient to show that the way is, or is reasonably alleged to be, a public Right of Way based on the discovery of evidence under Section 53(3)(c)(i) of the Wildlife and Countryside Act 1981
- 2.20 In *Todd v Secretary of State for the Environment, Food and Rural Affairs* (2004) it was held that in the case of an Application under Section 53(3)(c) (i) (addition of a way to the map), in deciding whether to make an Order, the test to be applied is not whether the evidence establishes that a right of way exists, but whether a right of way can from the evidence reasonably be alleged to exist. If it can, the Authority must make the Order, i.e. notwithstanding that it may not consider that the evidence is sufficient to establish that the right of way does exist
- 2.21 Other case law to take into account with this specific application is *R (Barkas) vs North Yorkshire CC & another* (2014). This piece of case law was related to a village green case but has implications for public rights of way cases and concerns the consideration of the type of public use and whether the use is exercised “as of right” (ie by trespassing) or “by right” (where a right can already be demonstrated to be in place) eg on public land. This caselaw has implications for public rights of way cases like this one on areas of land where there is already a public right of use and is discussed further in section titled: Case Assessment of this report.

### **3. LAND OWNER NOTIFICATION**

- 3.1 The applicant confirms that the requirement of Wildlife and Countryside Act 1981 Schedule 14, Paragraph 2 have been complied with and that affected landowners have been notified. The landowner is the County Council in this case.
- 3.2 A copy of the notice confirming this is included in appendix 4 and accompanying map in appendix 3

#### 4. BACKGROUND

- 3.3 Caradoc Avenue and Dyfan Road surround what has been for many years a Public Open Space area owned by Glamorgan council since 1980 (Land Registry Title: WA145957). The site is approximately 2,500 square meters.
- 3.4 The small access section of the claimed route to the main site from the south from Point A between properties 1 Caradoc Avenue and 2 Collard Crescent was acquired by the council in 2009 (Land Registry Title: CYM443085).
- 3.5 Prior to 1920 the area around the open space was un-developed and there were no housing estates surrounding the Open Space. It was merely open fields with a brook running east to west, mainly grass surface with a track route running in generally north easterly direction across the site and across the brook. It appears from Ordnance Survey mapping that the houses around the Public Open Space were constructed sometime between 1920 & the 1940's.
- 3.6 The Public Open Space land was developed from 2012 onwards with a new lagoon for storm water and embankment being constructed in the central/northern part of the field and the moving of the stream north following a successful planning application in 2012. The reason for the development was to improve the flood catchment in the Coldbrook area. During the development a surfaced path route was also created but mostly to the south of the claimed route within this application but also running northeast across the site along a similar route to the claimed route but not identical.
- 3.7 The map on page 2 of this report shows the claimed route A-B-C (approx. 312 meters long) but also shows the underlying modern mapping with the construction of the lagoon, embankment, and also shows the section of path (by solid bounded lines) on the ground as established now. You will note that the claimed route is what was historically claimed to have been walked and followed an old track feature and now runs through the eastern edge of lagoon site itself.
- 3.8 A Definitive Map Modification Order application was submitted in 2014 along with 12 completed user evidence forms. Very limited documentary evidence was submitted (i) a 1:2500 plan dated around 2012 and (ii) extract from Street Map circa 2005. Later in May 2014 the applicant did also submit a copy of a final planning report for the lagoon etc and the councils' public rights of way response to this. The application was receipted and accepted as duly made.
- 3.9 In 2020 the applicant wrote to the council asking for the application to be withdrawn. A response was sent highlighting that the Wildlife and Countryside Act 1981 does not have a provision for the withdrawal of applications but for the time being it would remain a lower priority on the list of Definitive Map Modification applications waiting to be processed. The applicant subsequently sought a direction requiring the Council to determine the application.



## 4 USER EVIDENCE & STATEMENTS

### User Evidence

#### *Submissions*

- 4.1 Correspondence identifies the submission of twelve user evidence statements (which includes one statement submitted by the applicant and one which is a couple) were submitted with the application in 2014. Copies of the statements have been analysed.

#### *User Statement Evidence*

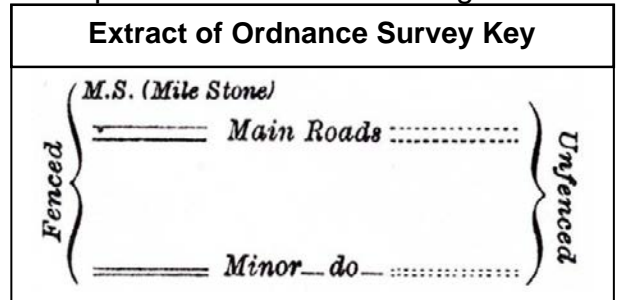
- 4.2 Of the twelve-user evidence forms completed most refer to use from the 1970's/ 1980's onwards although a few go back to the 1940's. Use is described from all users as solely on foot and predominantly for the purposes of recreation, dog walking or as a short cut for visiting friends / graves etc on a high frequency of weekly or greater. All describe the same route but it is clear that some have described using it direct from their particular property surrounding the site before getting to either end of the claimed route. A summary timeline of user evidence is provided for reference at appendix 5.
- 4.3 There is a mixture of widths of the claimed route described by users with some identifying the width in feet and some in meters but the predominate width mentioned is 1.7m.
- 4.4 None of the users claim to have ever been stopped from using the route, sought permission for use, seen any notices or been told the route is not public.
- 4.5 The majority of the users claim to have noticed no gates or stiles on the route whilst using it although one user mentions a gate on right hand side of the bridge at Dyfan Road / Gibbons down Rise and one user mentions a gate on Long Meadow Drive and some horses in a field.
- 4.6 It is clear none of the users have experienced any obstacles whilst using the claimed route until 2014 when three users mention trees being cut down across the route in the spring inhibiting use and interrupting use which is the same year the application was submitted.
- 4.7 Overall, nine of the twelve users have used the claimed route for at least a 20-year period going back to the 1970's/ 80's uninterrupted but more than nine have used the route albeit for shorter times spans each.

## 5 DOCUMENTARY EVIDENCE

### Documentary Evidence of Way & User (Chronological)

*Ordnance Survey Maps 1878 (1:2500), 1885 (1:10560)*

5.1 Nationally, the first Ordnance Survey plans were produced in Southern England to meet military needs in anticipation of the Napoleonic wars. Later, this exercise was extended to the whole of the UK, giving rise to the County Series maps that were, in turn, refined and updated to meet National Grid standards during the mid- late 1800s.



5.2 In conducting the surveying exercise surveyors were charged by legislation to record all features on the ground. Where roads and tracks were observed they were represented by parallel dashed or solid lines. Solid lines would typically represent fencing, walls or hedges and dashed lines delineated features other than a physical structure or boundary.

5.3 In the current case Ordnance Survey mapping published in 1878 and 1885 show the land comprising and surrounding the application route as fields. It may be noted that a brook is shown cutting across the middle of the application site in a roughly northeast direction bounded by a tree line and a footbridge clearly marked as a crossing over the brook known as Cold Brook roughly in the centre. What is interesting on the 1878 map is that a very clear track is marked crossing where the footbridge is marked and continuing into adjacent fields to east and west is but the alignment on the application site is also a more east to west direction and not the same as the claimed route alignment which runs northeasterly from the southwest corner.

5.4 No features that might indicate the existence of a track or route along the alignment claimed in the application are shown at this time.

*Ordnance Survey Maps 1900 (1:2500), 1901 (1:10560)*

5.5 Following the Ordnance Survey plans of the late 1800s, revised editions were produced in 1901 and 1921. In producing these plans surveyors were similarly charged by legislation to record features as observed on the ground.

5.6 There were, however, important distinctions between the later and earlier series particularly concerning the public extent of routes observed. Instructions for Field Examiners issued around 1905 stated that 'The OS does not concern itself with rights of way, and survey employees are not to inquire into them.' However, in the same paragraph a note states that 'A clearly marked track on the ground is not in itself sufficient to justify showing a path, unless it is in obvious use by the public'. As such surveyors compiling the later editions were provided with instruction, albeit somewhat ambiguously, on annotating routes where they believed them to be public.

5.7 It may be seen from the 1900 and 1901 series of maps that a route continues to be a track feature with double pecked lines shown crossing the brook via a Footbridge and is now also annotated FP with bracing marks to the adjacent land. Again, this is shown on the alignment the same as the 1878 map and not along the alignment

of the claimed route

*Ordnance Survey Maps 1920 (1:2500), 1921 (1:10560)*

- 5.8 Ordnance Survey Mapping published in 1920 and 1921 shows a solid double line running east to west across the application site crossing the brook and is annotated with F.P. This is changed slightly from earlier mapping where a double pecked line was shown (see *Ordnance Survey Maps 1900 (1:2500), 1901 (1:10560)* above)
- 5.9 No features that might indicate the existence of a track or route along the alignment of the claimed route in the application are shown at this time

*Ordnance Survey Maps 1942 (1:2500), 1947 (1:10560)*

- 5.10 On the 1940's Ordnance Survey mapping this is the first time the houses along Cardoc Avenue and Dyfan Road appear and continue to be so on later editions going forward. The houses on the northern edge of the application site are not shown at this point but the brook is shown again but the track feature in an east west direction has disappeared. Otherwise, the application site remains as an open field.
- 5.11 No features that might indicate the existence of a track or route along the alignment of the claimed route in the application are shown at this time

*Ordnance Survey Maps 1955 (1:1250), 1955-56 (1:2500), 1965 (1:10000)*

- 5.12 On the mid 1900's Ordnance Survey maps the housing is obviously still present and the brook is shown with a gap for a crossing which seems to be more in alignment with a crossing for the claimed route however

No features are marked on the claimed route that might indicate the existence of a track or route in alignment with the claimed route.

*Ordnance Survey Maps 1970 & 71 (1:1250), 1975 (1:10000) 1984 (1:10000)*

- 5.13 Ordnance survey mapping published in the 1970's & 1980's again shows Cardoc Avenue and Dyfan Road houses surrounding the application site and now for the first time appears to show the housing estate to the northern side of the application site as well. It shows the brook with a gap crossing again.
- 5.14 No features are marked on the claimed route that might indicate the existence of a track or route in alignment with the claimed route.

*Ordnance Survey Maps 1991 (1:10000)*

- 5.15 This is the first Ordnance Survey map to show a route marked very similar to the claimed route shown as a single pecked line running in a northeasterly direction across the application site and crossing Cold Brook and exiting into a housing estate to the north.

*Ordnance Survey Maps / Aerial photos 2000 onwards*

- 5.16 The route continues to be shown by either a double or single pecked line in

2000's in alignment with what the claimed route is. Modern aerial photography and the most recent OS mapping clearly shows the new embankment around the lagoon and also a newly surfaced route along the rough same alignment as the claimed route but a little further south and also directly joining Dyfan road at the north eastern end rather than joining with housing estate to north first as per the claimed route.

## 6 CASE ASSESSMENT

- 6.1 On the face of it the claimed route is clearly defined path heading in a north easterly direction across the open space, crossing a brook via a bridge and joining the housing estate in the northeast corner eventually leading to Dyfan Road.
- 6.2 User evidence appears to support use of the path by a reasonable number of members of the public without permission for well over 20 years. In many cases however this use does not appear to be “as of right” given that the underlying land has been Public Open Space for some time owned by the council.
- 6.3 More specifically *Barkas vs North Yorkshire CC & another* 2014 has implications for this case and on the specific questions of whether the use of the public was “as of right” or “by right”. *Barkas* relates to a village green case though is relevant to the current consideration in terms of the specific “as of right” test.
- 6.4 Lord Neuberger at paragraph 24 of the judgement of *Barkas* stated:

*“I agree with Lord Carnwath that, where the owner of the land is a local, or other public, authority which has lawfully allocated the land for public use (whether for a limited period or an indefinite period), it is impossible to see how, at least in the absence of unusual additional facts, it could be appropriate to infer that members of the public have been using the land “as of right”, simply because the authority has not objected to their using the land. [...] It would not merely be understandable why the local authority had not objected to the public use: it would be positively inconsistent with their allocation decision if they had done so [...]”.*

- 6.5 It is clear that the land in question is a Public Open Space mostly likely dedicated under the Open Spaces Act 1906 and has been held in public ownership for public use by the council for many years (since 1980) and the land has been open and available for the public to use “by right” rather than have to trespass ie” as of right”.
- 6.6 Consequently, therefore irrespective of the quantity of evidence from users, the use claimed cannot qualify for the purposes of establishing a public right of way under the provisions of Section 31 of the Highways Act 1980 as the route was “by right” rather than “as of right” and therefore falls down on this aspect.

## 7 CONCLUSIONS

- 7.1 There is no significant evidence to support the existence of a route of some sort public or otherwise on the ground from Ordnance Survey mapping until later in the 20<sup>th</sup> century on a route similarly aligned to that of the claimed route. The claimed route doesn't appear on Ordnance Survey mapping until around 1991.
- 7.2 Ordnance Survey mapping has always shown the brook known as Cold Brook along the middle of the site with some sort of crossing, although this crossing may have moved slightly east of time. Mapping also shows that the housing around the site did not appear until around the 1940's and prior to this was open fields surrounding it. It is clear that public use only occurred sometime after the housing around the site was built.
- 7.3 Ordnance Survey mapping also shows earlier mapping in the 1800's and early 1900's did have various track features on the site and leading to adjoining fields crossing the brook, but these seemed to be in a different alignment to the claimed route with different start and end points. Whether the status of any of these tracks was public even from the F.P annotation is unclear and cannot be evidenced from these maps alone.
- 7.4 The land over which the claimed route runs is Public Open Space owned by the council and available for the public to use uninterrupted for a significant number of years.
- 7.5 The user evidence from the 12 users who submitted forms is reasonably strong and demonstrates that at least 9 users used the way uninterrupted until 2014 for at least 20-year period (mostly from the 1970's/80' onwards).
- 7.6 However due to the use being "by right" rather than "as of right" (ie being exercised on land already publicly available) the application fails to meet all of the the tests of Section 31 of the Highways Act 1980 which have been discussed in more detail in the Case Assessment in section 6 of this report.

## 8 DOCUMENT LIST

- 1) Application
- 2) Draft Map Dyfan Road Barry
- 3) Notice of Application (Map)
- 4) Notice of Application (Certificate)
- 5) User Evidence Timeline
- 6) User 1 – T Aberly
- 7) User 2 – S Berrow
- 8) User 3 – A Davies
- 9) User 4 – K Gallimore
- 10) User 5 – A Harvey
- 11) User 6 – L James
- 12) User 7 – G Merrifield
- 13) User 8 – S& D Stevens
- 14) User 9 – B Whitlock
- 15) User 10 – G Whittiker
- 16) User 11- S Woodfield
- 17) User 12 – M Wozencroft
- 18) OS1:2500 Plain 1878
- 19) OS 1:10560 Plain 1885
- 20) OS 1:2500 Plain 1900
- 21) OS 1:10560 Plain 1901
- 22) OS 1: 2500 Plain 1920
- 23) OS 1:10560 Plain 1921
- 24) OS 1:2500 Plain 1942
- 25) OS 1:10560 Plain 1947
- 26) OS 1:2500 Plain 1955-56
- 27) OS 1:10000 Plain 1965
- 28) OS 1:1250 Plain 1970&71
- 29) OS 1:10000 Plain 1975
- 30) OS 1:10000 Plain 1984
- 31) OS 1: 10000 Plain 1991
- 32) ST-048-2014 Official Copy (Title Plan) - CYM443085
- 33) ST-046-2014 Official Copy (Register) - WA145957
- 34) ST-046-2014 Official Copy (Title Plan) - WA145957
- 35) ST-048-2014 Official Copy (Register) - CYM443085.pdf

# Wildlife and Countryside Act 1981

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

To: The Vale of Glamorgan Council

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

I / We: KAREN GALLIMORE

Of: 3 GREENLAWNS

BARRY, CF62 9DX

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 DYFAN ROAD

to CARADOC AVENUE

with a width of 1.7 and shown on the map annexed hereto.

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

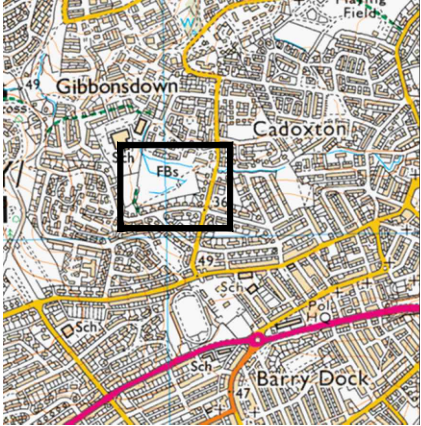
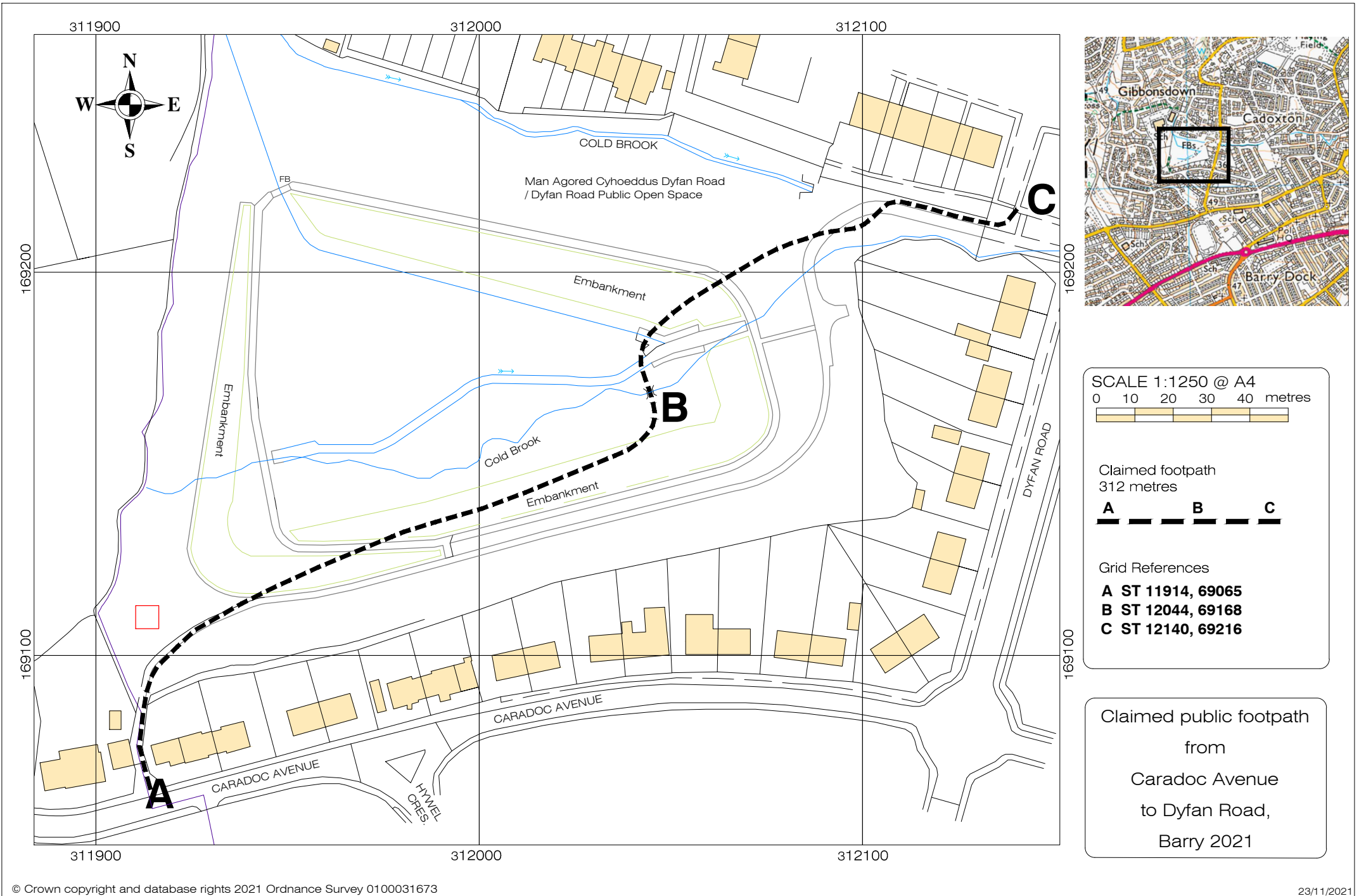
Dated 28th April 2014 Signed K Gallimore

(on behalf of).....

- 11 x Evidence User Forms
- 1 x Plan 1:2500 circa 2012.
- 1 x extract from Street Map. circa 2005

AP 01





SCALE 1:1250 @ A4  
 0 10 20 30 40 metres

Claimed footpath  
 312 metres

**A**      **B**      **C**

Grid References

**A ST 11914, 69065**  
**B ST 12044, 69168**  
**C ST 12140, 69216**

Claimed public footpath  
 from  
 Caradoc Avenue  
 to Dyfan Road,  
 Barry 2021



THE VALE OF  
GLAMORGAN COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990  
**APPROVED**  
SUBJECT TO COMPLIANCE WITH CONDITIONS OF AN...

VALE OF GLAMORGAN  
COUNCIL  
**AMENDED PLANS**  
2012/00614/PL 3  
RECEIVED Date 10/7/12

**KEY**  
— LAND OWNED BY VALE OF GLAMORGAN COUNCIL  
— PLANNING APPLICATION BOUNDARY

© Crown copyright and database rights 2012 Ordnance Survey 100023424  
© Hawffraint a hawliau cronfa ddata'r Goron 2012. Rhif Trwydded yr Arolwg Ordians 100023424

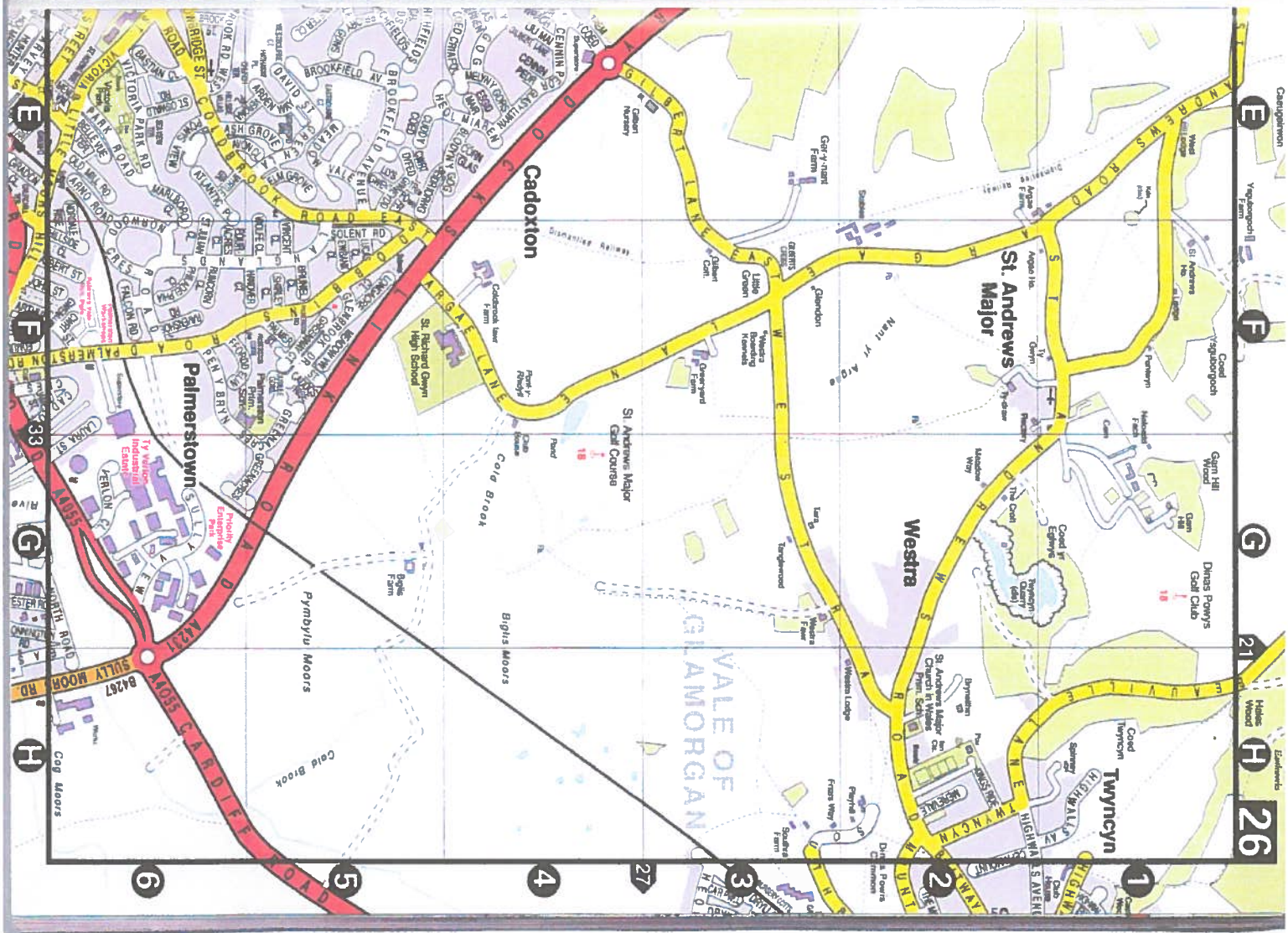
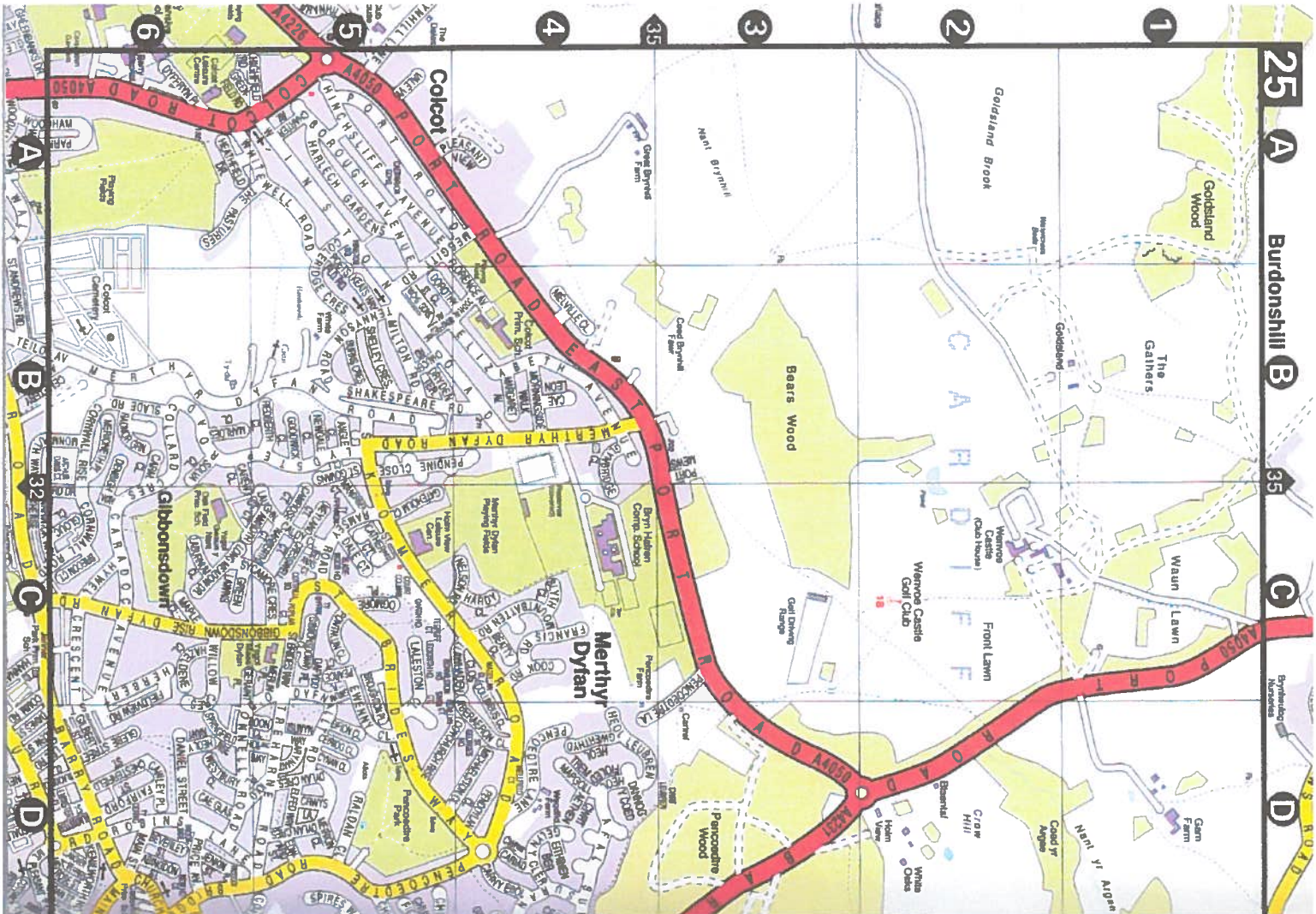
CLIENT:  
  
**THE VALE OF GLAMORGAN COUNCIL**  
**BRO MORGANNWG**  
 ENVIRONMENTAL AND ECONOMIC REGENERATION  
 DIRECTOR: BOB QUICK  
 LEAD OF VISIBLE SERVICES: MILES PUNTER  
 Chester Office,  
 Unit 1, Lea Lane Farm  
 Buildings, Lea Lane,  
 Aldford, Chester, CH3 8JQ  
 Tel: 01244 677 656  
 Web:  
 www.martinwrightassociates.com

  
**Llywodraeth Cymru**  
**Welsh Government**  
  
 European Union  
 Wales is a country in its own right  
 Wales is a country in its own right  
 Wales is a country in its own right

SCHEME:  
**COLDBROOK FLOOD RISK  
MANAGEMENT SCHEME**  
 DRAWING TITLE:  
**PLANNING APPLICATION  
DRAWING**

DRAWN BY: <b>GJ</b>	DATE DRAWN: <b>09.07.12</b>
CHECKED BY: <b>RE</b>	DATE CHECKED: <b>09.07.12</b>
APPROVED BY: <b>RE</b>	DATE APPROVED: <b>09.07.12</b>
SCALE: <b>1:2500</b>	REV <b>A</b>
DRAWING No. <b>MWA/CH054/SK/202</b>	







# Wildlife and Countryside Act 1981

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

To: The Vale of Glamorgan Council

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

I / We: KAREN GALLIMORE

Of: 3 GREENLAWNS

BARRY, CF62 9DX

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 DYFAN ROAD

to CARADOC AVENUE

with a width of 1.7 and shown on the map annexed hereto.

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

Dated 28th April 2014 Signed K Gallimore

(on behalf of).....

- 11 x Evidence User Forms
- 1 x Plan 1:2500 circa 2012.
- 1 x extract from Street Map. circa 2005

AP 01

# Wildlife and Countryside Act 1981

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

To: The Vale of Glamorgan Council

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

I / We: KAREN GALLMORE

Of: 3 GREENLAWNS

BARRY, VOG, CF62 9DX

hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with in connection with my / our application to you dated 28th April 2014 for the modification of the definitive map and statement for the former County of Glamorgan

from DYFAN ROAD

to CARADOC AVENUE

Dated 28th April 2014 Signed [Signature]

(on behalf of).....

Please list the names and addresses of the landowners / ~~occupiers~~ notified. (continue overleaf if necessary).

MANAGING DIRECTOR - VOG COUNCIL  
VOG COUNCIL.  
THE CIVIC OFFICES.  
HOLTON ROAD  
BARRY  
CF63 4RU

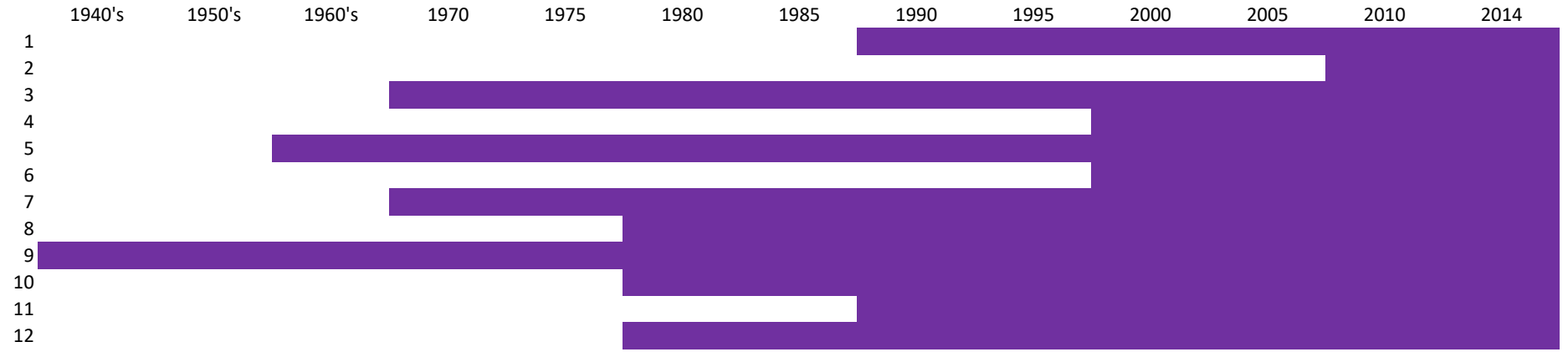
Dyfan Raod User Evidence analysis

Application submitted 2014

No	Description of route	Width	Used route	Years of use	No of years	From/ To	Purpose	Frequency	Use type	Same route	Stille/gates	Connection with landowner instructions of use	Stopped /turned back	Told not public	Locked gates/obs	Notices	Permission	PI
1	Caradoc Avenue to Dyfan Road	7-8ft	YES	1990-2014	24	Walking/running to Bibbonsdown	Taking sport/walking children in field	30 plus/yr	Foot	Yes	no	No	No	No	Feb 2014 trees cut down cutting all trees down	No	No	Yes
2	Caradoc Avenue to Dyfan Road	7ft	Yes	2012-2014	2	?	Dog walking	every day	Foot	Yes	no	no	no	no		no	No	Yes
3	Caradoc Avenue to Collard C	1.7m	Yes	1970-2014	44	Dyfan rd - collard crescent	For walk & visit people in Collard C	52/yr	Foot	Yes	no	no	no	no	only when trees felled feb/march 2014	no	no	Yes
4 (applicant)	Caradoc Avenue to Dyfan Road	1.7m	Yes	2000-2014	14	Dyfan Rd - Caradoc Av & reverse	Walking, Jogging	50 (minus 2077-2010)	Foot	Yes	no	no	no	no		no	no	Yes
5	Dyfan Raod - Collard C	7ft	Yes	? 40 years	40 approx	Walking Dog	Walking dog	most days	Foot	Yes	see note	no	no	no		no	no	Yes
6	Caradoc Avenue to Collard C	1.7m	Yes	1999-2014	15	From Dyfan - Collard Crescent	Shopping etc	When required	Foot	Yes	no	no	no	no		no	no	Yes
7	St Bridew Way - Barry Cemtery	1.7m	Yes	1970-present	44	From house & cemetry to Cornwall rise	Tending graves, visiting & shopping	most weeks	Foot	Yes	no	no	no	no		no	no	Blamk
8 (couple)	Llanburnham Close - Collard C	1.7m	Yes	1983-2014	31	Green lawns to Collard C	Visit sister	most days (52)	Foot	Yes	no	no	n/a	no		no	no	Yes
9	Collard Cresent to Dyfan Road	7.5ft	Yes	1940's to present day	50+ years	Busstop - Dogwalk	Catch Bus - walk dog	most days	Foot	Yes	no mememory	no	no	no		no	no	Blamk
10	Dyfan Road - Heweel Crescent	8ft aprox	Yes	1980-2014	30+	Dog walking to Radnor Green	Dog Walking & see brother	365 dyas a year	Foot	Yes	see note	no	no	no		no	no	Yes
11	Collard Cre - Gibbonsdwon Rise	2m	Yes	1994-2014	20	Home	Dog walk, route to bus stop	60 plus	Foot	Yes	no	no	no	no		no	no	Yes
12	Dyfan Road - Collard Crescent	1.7m	Yes	1980-2014	34	Dyfan Rd - Collard C - ? Walk	Visit parents	1-2 times week	Foot	Yes	no	no	no	no	only when thre tress were cut before 03/2014	no	no	Yes

- \* 9 users with 20 years plus user evidence from around 1970's/80s onwards mainly
- \* BUT this is on Public Open Space land owned by council - check "as of right" "by right" argument

Caradoc Avenue to Dyfan Road User Evidence Chart



# The Vale of Glamorgan Council

## Public rights of way evidence form.

**Important notice** The object of this questionnaire is to reach the truth of the matter whatever that may be. You are requested to answer the questions as fully as possible and not to withhold any information, whether for or against the claim. The information given on this form may be presented at a Public Inquiry therefore information provided cannot be treated as confidential.

Name of witness: TRACEY ABERY

Address: 12 LABURNUM CLOSE BARRY. CF629AZ

### Description of route

From: CARADOC AVENUE Grid reference if known.....

To: DYFAN ROAD Grid reference if known.....

1. How wide is the way? 7-8FT APPROX

2. Have you used the above way? YES

If so: (a) During which years? 1990 TO PRESENT 2014

(b) Where were you going to and from? Walking / Running to Gibbonsdown

(c) For what purpose? TAKING SPORT / WALKING CHILDREN IN FIELD

(d) How many times a year? 30 PLUS REGULARLY

(e) By what means (e.g. on foot, horseback etc)? ON FOOT

3. Has the way always run over the same route? If not, give details of any changes....  
YES

4. Have there ever been any stiles or gates on the way? If so, state (with details of .... location) where the stiles and gates stood.  
NONE I REMEMBER

5. If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'No'.  
NO

6. If so, did you receive any instructions from him as to the use of the way by the public? If so, what were they?  
NO



7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars? ..... No .....

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. .... No .....

9. Have you ever known any locked gates or other obstruction to the way? If so, state when and give particulars. ....  
IN FEB 2014 ONCE WHEN TREE CUTTERS WORKING CUTTING ALL TREES DOWN.

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notice say? .....  
NO

11. Have you ever asked permission to use the way? ..... No .....

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am / am ~~not~~ willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I J. ABERY ..... hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: J. Abery ..... Date: 20<sup>TH</sup> April 2014 .....

Name (print): J. ABERY .....

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: ..... Date: .....

Name (print): .....

If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

.....  
.....

Name of person completing the questionnaire (print): .....

Signed: ..... Date: .....

# The Vale of Glamorgan Council

## Public rights of way evidence form.

**Important notice** The object of this questionnaire is to reach the truth of the matter whatever that may be. You are requested to answer the questions as fully as possible and not to withhold any information, whether for or against the claim. The information given on this form may be presented at a Public Inquiry therefore information provided cannot be treated as confidential.

Name of witness: SHANE BERROW

Address: 28 SYCAMORE CRESCENT, BARRY, CF62 9BU

### Description of route

From: Dyfan Rd Grid reference if known

To: CARADOC AVE Grid reference if known

1. How wide is the way? 7 FOOT

2. Have you used the above way? YES

If so: (a) During which years? 2012 - 2014

(b) Where were you going to and from?

(c) For what purpose? DOGWALKING

(d) How many times a year? 365

(e) By what means (e.g. on foot, horseback etc)? FOOT

3. Has the way always run over the same route? If not, give details of any changes. YES

4. Have there ever been any stiles or gates on the way? If so, state (with details of location) where the stiles and gates stood. NO

5. If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'No'. NO

6. If so, did you receive any instructions from him as to the use of the way by the public? If so, what were they? NO

7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars? NO

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. NO

9. Have you ever known any locked gates or other obstruction to the way? If so, state when and give particulars. NO

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notice say? NO

11. Have you ever asked permission to use the way? NO

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am not willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I .....hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: Shane Berrow Date: 15<sup>th</sup> APRIL 2014

Name (print): SHANE BERROW

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: .....Date:.....

Name (print): .....

If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

.....

Name of person completing the questionnaire (print): .....

Signed:.....Date:.....

# The Vale of Glamorgan Council

## Public rights of way evidence form.

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Name of witness: ANDREW DAVIES

Address: 16 GREEN LAWNS BARRY CF62 9DX

### Description of route

From: DYFAN RD Grid reference if known.....

To: COLLARD CRES Grid reference if known.....

1. How wide is the way? 1 MTR 700

2. Have you used the above way? YES

If so: (a) During which years? 1970 - 2014

(b) Where were you going to and from? DYFAN RD - COLLARD CRES

(c) For what purpose? FOR A WALK & VISIT PEOPLE IN COLLARD CRES

(d) How many times a year? 52

(e) By what means (e.g. on foot, horseback etc)? FOOT

3. Has the way always run over the same route? If not, give details of any changes....  
YES

4. Have there ever been any stiles or gates on the way? If so, state (with details of location) where the stiles and gates stood. ....  
NO

5. If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'No'. ....  
NO

6. If so, did you receive any instructions from him as to the use of the way by the public? If so, what were they? .....

7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars? ..... NO .....

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. .... NO .....

9. Have you ever known any locked gates or other obstruction to the way? If so, state when and give particulars. .... ONLY WHEN TREE'S WERE FELLED FEBRUARY & MARCH 2014 .....

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notice say? .. NO .....

11. Have you ever asked permission to use the way? ..... NO .....

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am / ~~am not~~ willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I Andrew Davies ..... hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: Andrew Davies ..... Date: 13-4-2014 .....

Name (print): ANDREW DAVIES .....

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: ..... Date: .....

Name (print): .....

If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

Name of person completing the questionnaire (print): .....

Signed: ..... Date: .....

# The Vale of Glamorgan Council

## Public rights of way evidence form.

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Name of witness: KAREN GALLIMORE

Address: 3 GREENLAWNS  
BARRY CF62 9DX

Description of route

From: DYFAN ROAD Grid reference if known.....

To: CARADOC AVENUE Grid reference if known.....

1. How wide is the way? 1.7 metres

2. Have you used the above way? YES

If so: (a) During which years? 2000 - 2014

(b) Where were you going to and from? DYFAN ROAD - CARADOC AVENUE

CARADOC AVENUE - DYFAN ROAD

(c) For what purpose? WALKING, JOGGING

(d) How many times a year? 50 (including 2007-2010)

(e) By what means (e.g. on foot, horseback etc)? FOOT

3. Has the way always run over the same route? If not, give details of any changes....  
YES

4. Have there ever been any stiles or gates on the way? If so, state (with details of .... location) where the stiles and gates stood. ....  
NO

5. If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'No'. ....  
NO

6. If so, did you receive any instructions from him as to the use of the way by the public? If so, what were they? ....  
N/A

7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back ? If so, state when the interruption took place and give particulars ? .....  
..... NO .....

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public ? If so, state when and give particulars. ....  
..... NO .....

9. Have you ever known any locked gates or other obstruction to the way ? If so, state when and give particulars. ....  
..... NO .....

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way ? If so, what did the notice say ?.....  
..... NO .....

11. Have you ever asked permission to use the way ? ..... NO .....

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am / ~~am not~~ willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I KAREN GALLIMORE.....hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: ..... K. Gallimore ..... Date: ..... 28/4/2014 .....  
Name (print): ..... KAREN GALLIMORE .....

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: ..... Date:.....

Name (print): .....

If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

Name of person completing the questionnaire (print): .....

Signed:..... Date:.....

# The Vale of Glamorgan Council

## Public rights of way evidence form.

**Important notice** The object of this questionnaire is to reach the truth of the matter whatever that may be. You are requested to answer the questions as fully as possible and not to withhold any information, whether for or against the claim. The information given on this form may be presented at a Public Inquiry therefore information provided cannot be treated as confidential.

Name of witness: Mrs A HARVEY

Address: 19, SYCAMORE CRESCENT

### Description of route

From: DYFAN ROAD Grid reference if known.....

To: COHAR CRES Grid reference if known.....

1. How wide is the way? 7 FT

2. Have you used the above way? YES

If so: (a) During which years? APPROX 20YRS

(b) Where were you going to and from? WALKING DOG

(c) For what purpose? WALKING DOG

(d) How many times a year? MOST DAYS

(e) By what means (e.g. on foot, horseback etc)? FOOT

3. Has the way always run over the same route? If not, give details of any changes....  
YES

4. Have there ever been any stiles or gates on the way? If so, state (with details of location) where the stiles and gates stood. GATE FROM LONG MEADOW DRIVE HORSES KEPT IN FIELD ABOUT 30YS AGO

5. If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'No'. NO

6. If so, did you receive any instructions from him as to the use of the way by the public? If so, what were they? NO



7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars? NO

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. NO

9. Have you ever known any locked gates or other obstruction to the way? If so, state when and give particulars. NO

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notice say? NO

11. Have you ever asked permission to use the way? NO

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am / ~~am not~~ willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I ANNA HARVEY hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: A Harvey Date: 15/4/14

Name (print): ANNA HARVEY

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: ..... Date: .....

Name (print): .....

If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

.....  
.....

Name of person completing the questionnaire (print): .....

Signed: ..... Date: .....

# The Vale of Glamorgan Council

## Public rights of way evidence form.

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Name of witness: LARRY JAMES

Address: 20 MAPLE CLOSE BARRY CF62 9BX

### Description of route

From: DYFAN ROAD Grid reference if known.....

To: COLLARD CRESCENT Grid reference if known.....

1. How wide is the way? 1.7 METERS

2. Have you used the above way? YES

If so: (a) During which years? 1999 -- 2014

(b) Where were you going to and from? FROM DYFAN RD TO COLLARD CRESC

(c) For what purpose? SHOPPING ETC

(d) How many times a year? WHENEVER REQUIRED

(e) By what means (e.g. on foot, horseback etc)? FOOT

3. Has the way always run over the same route? If not, give details of any changes....  
YES

4. Have there ever been any stiles or gates on the way? If so, state (with details of .... location) where the stiles and gates stood. ....  
NO

5. If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'No'. ....  
NO

6. If so, did you receive any instructions from him as to the use of the way by the public? If so, what were they? ....  
N/A

7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars? No

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. No

9. Have you ever known any locked gates or other obstruction to the way? If so, state when and give particulars. No

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notice say? No

11. Have you ever asked permission to use the way? No

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am / ~~am not~~ willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I LARRY JAMES hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: [Signature] Date: 15/4/2014

Name (print): LARRY JAMES

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: ..... Date: .....

Name (print): .....

If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

Name of person completing the questionnaire (print): LARRY JAMES

Signed: [Signature] Date: 15/4/2014

# The Vale of Glamorgan Council

## Public rights of way evidence form.

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Name of witness: GLORIA MERRIFIELD

Address: 21, ST BRIDES WAY, BARRY

### Description of route

From: ST BRIDES WAY Grid reference if known.....

To: BARRY CEMETERY Grid reference if known.....

1. How wide is the way? 1.7

2. Have you used the above way? YES

If so: (a) During which years? 1970 - PRESENT

(b) Where were you going to and from? MY HOUSE TO CORNWALL RISE AND CEMETERY

(c) For what purpose? TENDING PARENTS GRAVES VISITING RELATIVES AND SHOPPING

(d) How many times a year? NEARLY EVERY WEEK

(e) By what means (e.g. on foot, horseback etc)? FOOT

3. Has the way always run over the same route? If not, give details of any changes...  
YES

4. Have there ever been any stiles or gates on the way? If so, state (with details of location) where the stiles and gates stood.  
NO

5. If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'No'.  
NO

6. If so, did you receive any instructions from him as to the use of the way by the public? If so, what were they?  
NO

7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars? ..... NO .....

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. .... NO .....

9. Have you ever known any locked gates or other obstruction to the way? If so, state when and give particulars. .... NO .....

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notice say?..... NO .....

11. Have you ever asked permission to use the way? ..... NO .....

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am / am not willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I Gloria Merrifield hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: G Merrifield Date: 26 APRIL 2014

Name (print): GLORIA MERRIFIELD

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: ..... Date: .....

Name (print): .....

If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

..... N/A .....

Name of person completing the questionnaire (print): GLORIA MERRIFIELD

Signed: G Merrifield Date: 26/4/2014

# The Vale of Glamorgan Council

## Public rights of way evidence form.

**Important notice** The object of this questionnaire is to reach the truth of the matter whatever that may be. You are requested to answer the questions as fully as possible and not to withhold any information, whether for or against the claim. The information given on this form may be presented at a Public Inquiry therefore information provided cannot be treated as confidential.

Name of witness: SANDY & DAVID STEVENS

Address: 13 GREEN LAWNS BARRY CF62 9DX

### Description of route

From: LLABURNHAM CLOSE Grid reference if known

To: COLLARD CRES. Grid reference if known

1. How wide is the way? 1 METER 700 CMS.

2. Have you used the above way? YES

If so: (a) During which years? 1983 - 2014

(b) Where were you going to and from? GREEN LAWNS TO COLLARD CRES.

(c) For what purpose? VISIT MY SISTER

(d) How many times a year? 52

(e) By what means (e.g. on foot, horseback etc)? FOOT

3. Has the way always run over the same route? If not, give details of any changes... YES

4. Have there ever been any stiles or gates on the way? If so, state (with details of location) where the stiles and gates stood. NO

5. If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'No'. NO

6. If so, did you receive any instructions from him as to the use of the way by the public? If so, what were they? N/A

7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars? ..... NO .....

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. .... NO .....

9. Have you ever known any locked gates or other obstruction to the way? If so, state when and give particulars. .... NO .....

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notice say? ..... ONLY WHEN TREE FELLING IN PROGRESS .....

11. Have you ever asked permission to use the way? ..... NO .....

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am / ~~am not~~ willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I SANDY STEVENS.....hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: S. Stevens.....Date: April 13<sup>th</sup> 2014.....

Name (print): MRS SANDY STEVENS.....

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: .....Date:.....

Name (print): .....

If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

Name of person completing the questionnaire (print): .....

Signed:.....Date:.....

The Vale of Glamorgan Council

Public rights of way evidence form.

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Name of witness: B. Whitlock

Address: 20 Collard Crescent Barry

Description of route

From: Collard Crescent Grid reference if known

To: ~~At~~ Hoyle Road Grid reference if known

1. How wide is the way? 7.5 FT

2. Have you used the above way? YES

If so: (a) During which years? 1940s to Present day

(b) Where were you going to and from? BUS STOP - Dogwalk

(c) For what purpose? Catch Bus - walk dog

(d) How many times a year? most days

(e) By what means (e.g. on foot, horseback etc)? Foot

3. Has the way always run over the same route? If not, give details of any changes... YES

4. Have there ever been any stiles or gates on the way? If so, state (with details of location) where the stiles and gates stood. dont remember - possibly

5. If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'No'. NO

6. If so, did you receive any instructions from him as to the use of the way by the public? If so, what were they?



7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars? .....

No

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. ....

No

9. Have you ever known any locked gates or other obstruction to the way? If so, state when and give particulars. ....

No

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notice say? .....

No

11. Have you ever asked permission to use the way? .....

No

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am / am not willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I BJ Whitlock hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: BJ Whitlock Date: April 2011

Name (print): BJ Whitlock

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: .....Date:.....

Name (print): .....

If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

.....

Name of person completing the questionnaire (print): .....

Signed:.....Date:.....

# The Vale of Glamorgan Council

## Public rights of way evidence form.

**Important notice** The object of this questionnaire is to reach the truth of the matter whatever that may be. You are requested to answer the questions as fully as possible and not to withhold any information, whether for or against the claim. The information given on this form may be presented at a Public Inquiry therefore information provided cannot be treated as confidential.

Name of witness: Ly Whittaker

Address: 4 LONG MEADOW DRIVE

### Description of route

From: ENTRANCE DYFAN ROAD Grid reference if known: ?

To: HEWELL CRESANT Grid reference if known: ?

1. How wide is the way? APPROX 8 FEET WIDE

2. Have you used the above way? YES

If so: (a) During which years? 1980 - TO 2014

(b) Where were you going to and from? DOG WALKING TO RADNOR GREEN

(c) For what purpose? DOG WALKING, AND SEE BROTHER

(d) How many times a year? 365 DAYS A YEAR

(e) By what means (e.g. on foot, horseback etc)? FOOT

3. Has the way always run over the same route? If not, give details of any changes...  
YES

4. Have there ever been any stiles or gates on the way? If so, state (with details of location) where the stiles and gates stood. GATE ON RIGHT SIDE OF BRIDGE D.Y.F.A.N. ROAD GIBBONS DOWN RISE

5. If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'No'. N.O.

6. If so, did you receive any instructions from him as to the use of the way by the public? If so, what were they? N.O.

7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars? .....NO.....

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. ....NO.....

9. Have you ever known any locked gates or other obstruction to the way? If so, state when and give particulars. ....NO.....

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notice say? .....NO.....

11. Have you ever asked permission to use the way? ....NO.....

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am / ~~am not~~ willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I GERALD WHITTAKER.....hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: G. Whittaker.....Date: 9/4/14.....

Name (print): GERALD WHITTAKER.....

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: .....Date:.....

Name (print): .....

If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

.....

Name of person completing the questionnaire (print): .....

Signed:.....Date:.....

# The Vale of Glamorgan Council

## Public rights of way evidence form.

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Name of witness: ... STEWART WOODFIELD .....

Address: ... 31 COLLARD CREP, BARRY .....

### Description of route

From: COLLARD CREP ..... Grid reference if known.....

To: GIBBONSPOIN RISE ..... Grid reference if known.....

1. How wide is the way? ... 2 meters .....

2. Have you used the above way? ... YES .....

If so: (a) During which years? ... 1994 - 2014 I was walking route before it was pathed .....

(b) Where were you going to and from? ... HOME .....

(c) For what purpose? ... DOG WALKING ROUTE & BUS STOP .....

(d) How many times a year? ... FROM SIXTY PLUS .....

(e) By what means (e.g. on foot, horseback etc)? ... FOOT .....

3. Has the way always run over the same route? If not, give details of any changes....  
... YES .....

4. Have there ever been any stiles or gates on the way? If so, state (with details of location) where the stiles and gates stood. ... NO .....

5. If you were working for any owner or occupier of land crossed by the way at the time when you used it, or were then a tenant of any such owner, give particulars and dates. If not, write 'No'. ... NO .....

6. If so, did you receive any instructions from him as to the use of the way by the public? If so, what were they? .....

7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars? ..... No .....

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. .... No .....

9. Have you ever known any locked gates or other obstruction to the way? If so, state when and give particulars. .... No .....

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notice say? ..... No .....

11. Have you ever asked permission to use the way? ..... No .....

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am /am not willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I STEWART WOODFIELD hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: S.M. Woodfield Date: 30-4-14

Name (print): S.M. WOODFIELD

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: ..... Date: .....

Name (print): .....

If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

.....  
.....

Name of person completing the questionnaire (print): .....

Signed: S.M. Woodfield Date: 30-4-14

# The Vale of Glamorgan Council

## Public rights of way evidence form.

**Important notice** The object of this questionnaire is to reach the truth of the matter whatever that may be. You are requested to answer the questions as fully as possible and not to withhold any information, whether for or against the claim. The information given on this form may be presented at a Public Inquiry therefore information provided cannot be treated as confidential.

Name of witness: ..... MARGARET WOZENCROFT .....

Address: ..... 2 GREEN LAWS BARRY CF62 9JX .....

### Description of route

From: ..... DYFAN RD ..... Grid reference if known.....

To: ..... COLWARD CRES ..... Grid reference if known.....

1. How wide is the way? ..... 1 metre 700 .....

2. Have you used the above way? ..... YES .....

If so: (a) During which years? ..... 1960 - 2014 .....

ONTO NORTH WALL

(b) Where were you going to and from? ..... DYFAN RD - COLWARD CRES .....

(c) For what purpose? ..... VISIT MY PARENTS .....

(d) How many times a year? ..... ONCE OR TWICE A WEEK .....

(e) By what means (e.g. on foot, horseback etc)? ..... FOOT .....

3. Has the way always run over the same route? If not, give details of any changes....  
..... YES .....

4. Have there ever been any stiles or gates on the way? If so, state (with details of ....  
location) where the stiles and gates stood. .... NO .....

5. If you were working for any owner or occupier of land crossed by the way at the  
time when you used it, or were then a tenant of any such owner, give particulars and  
dates. If not, write 'No'. .... NO .....

6. If so, did you receive any instructions from him as to the use of the way by the  
public? If so, what were they? .....

7. Have you ever been stopped or turned back when using the way, or do you know or have you heard of anyone else having been stopped or turned back? If so, state when the interruption took place and give particulars? .....NO.....

8. Were you ever told by any owner or tenant of the land crossed by the way, or by anyone in their employment, that the way was not public? If so, state when and give particulars. ....NO.....

9. Have you ever known any locked gates or other obstruction to the way? If so, state when and give particulars. ....ONLY WHEN THE TREES WERE CUT DOWN BEFORE MARCH 13<sup>th</sup> 2014.....

10. Have you ever seen notices such as 'Private', 'No Road', 'No Thoroughfare' or 'Trespassers will be Prosecuted' on or near the way? If so, what did the notice say?.....NO.....

11. Have you ever asked permission to use the way? .....NO.....

Please attach a separate sheet to this form, if you would like to provide any additional information.

I am / ~~am not~~ willing to attend a hearing, public inquiry or court to give evidence on this matter, if this should prove to be necessary.

I MARGARET WOZENCROFT hereby certify that to the best of my knowledge and belief the facts I have stated are true and this questionnaire contains an accurate record of those facts.

Signed: Margaret Wozencroft Date: 13/2/14

Name (print): MARGARET WOZENCROFT

If this form was completed in the presence of the applicant, or the applicant's representative, that person must also sign here.

Signature: ..... Date: .....

Name (print): .....

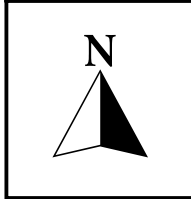
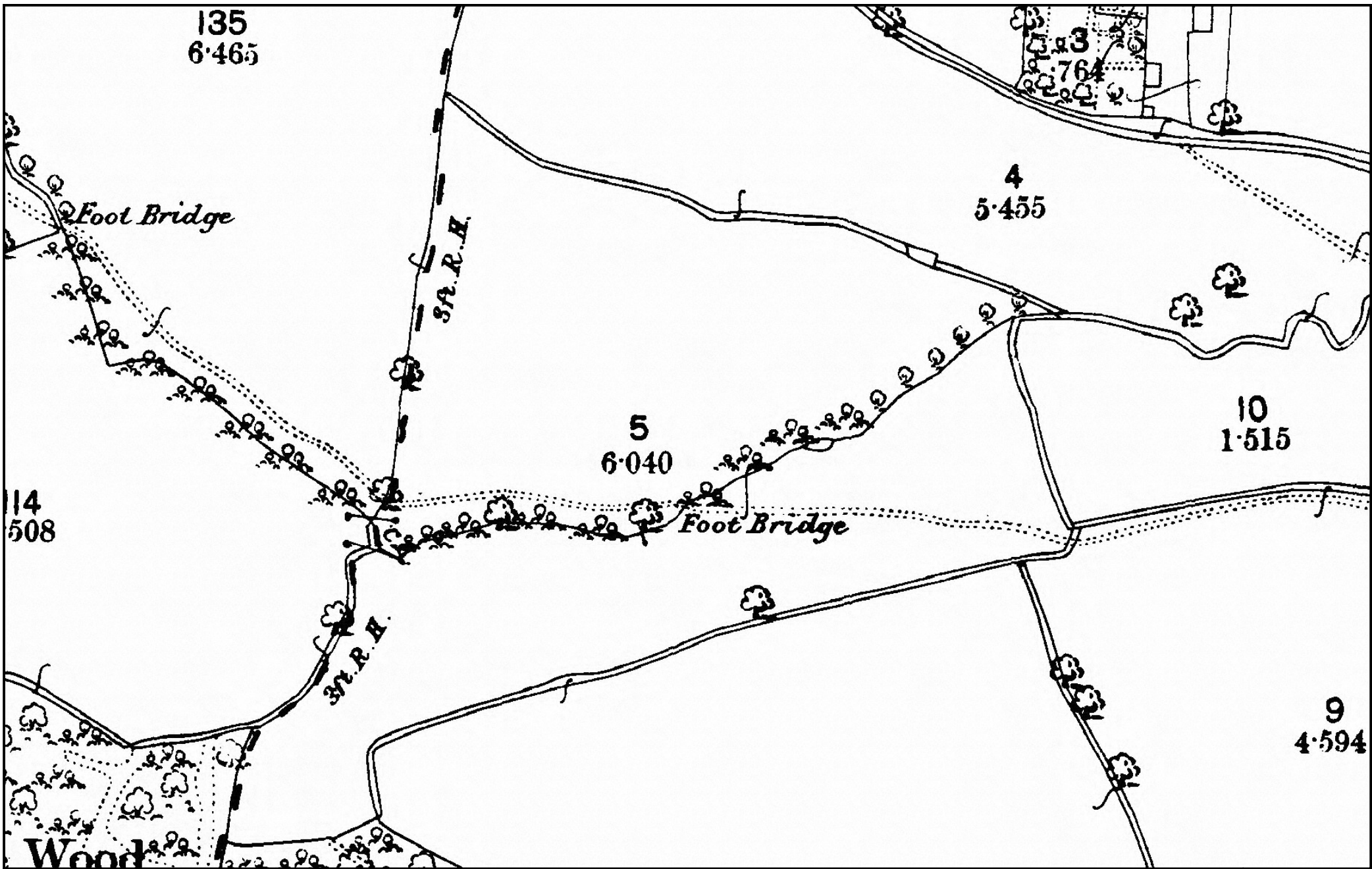
If someone other than the witness is completing this questionnaire or sections of this questionnaire please indicate reasons below.

.....

Name of person completing the questionnaire (print): .....

Signed: ..... Date: .....





OS (1878) Surveyed at 1:2500

Scale: 1:2500

Date: 12/09/2014

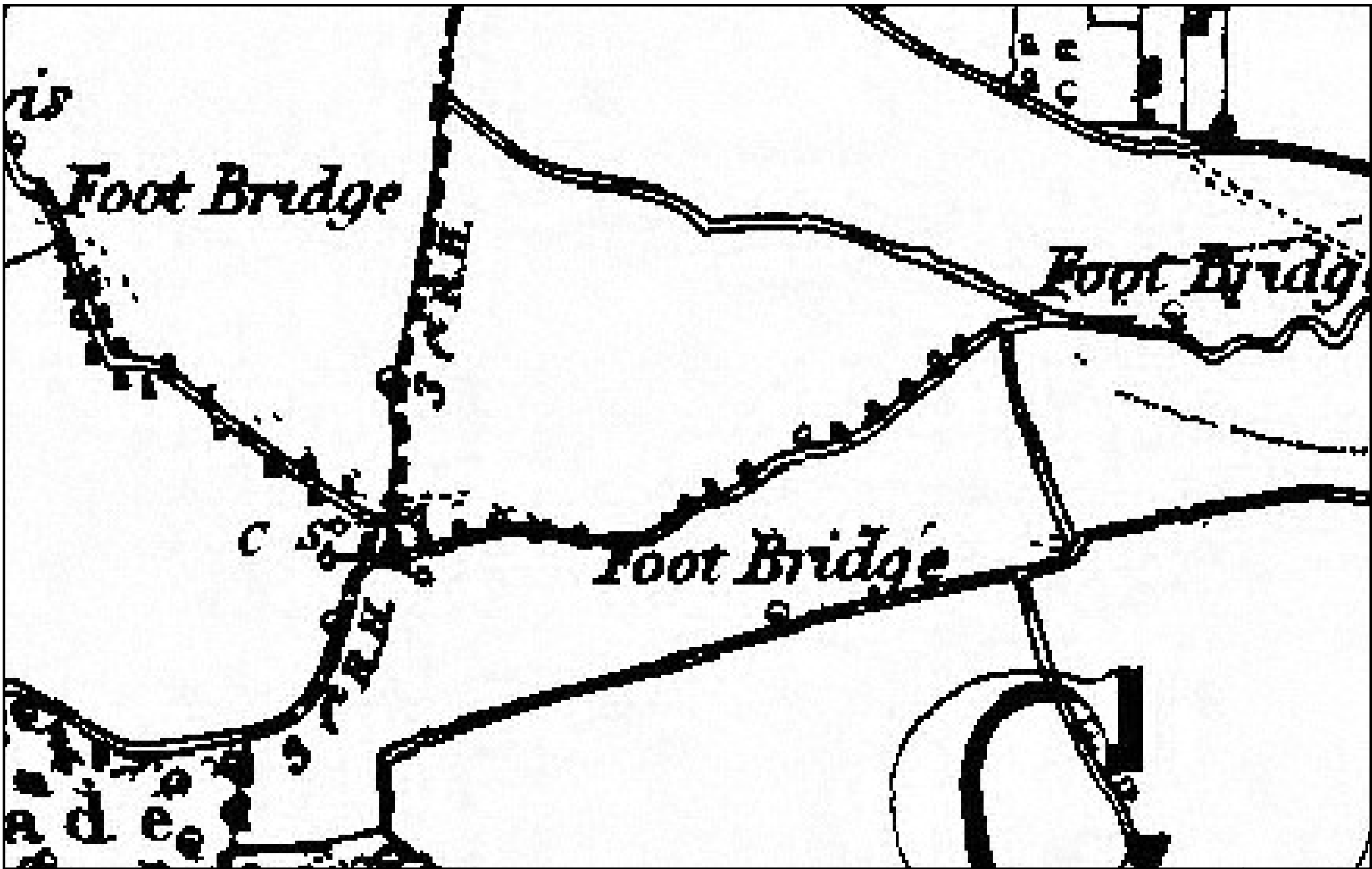
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OS (1885) Surveyed at 1:10560

Scale: 1:2500

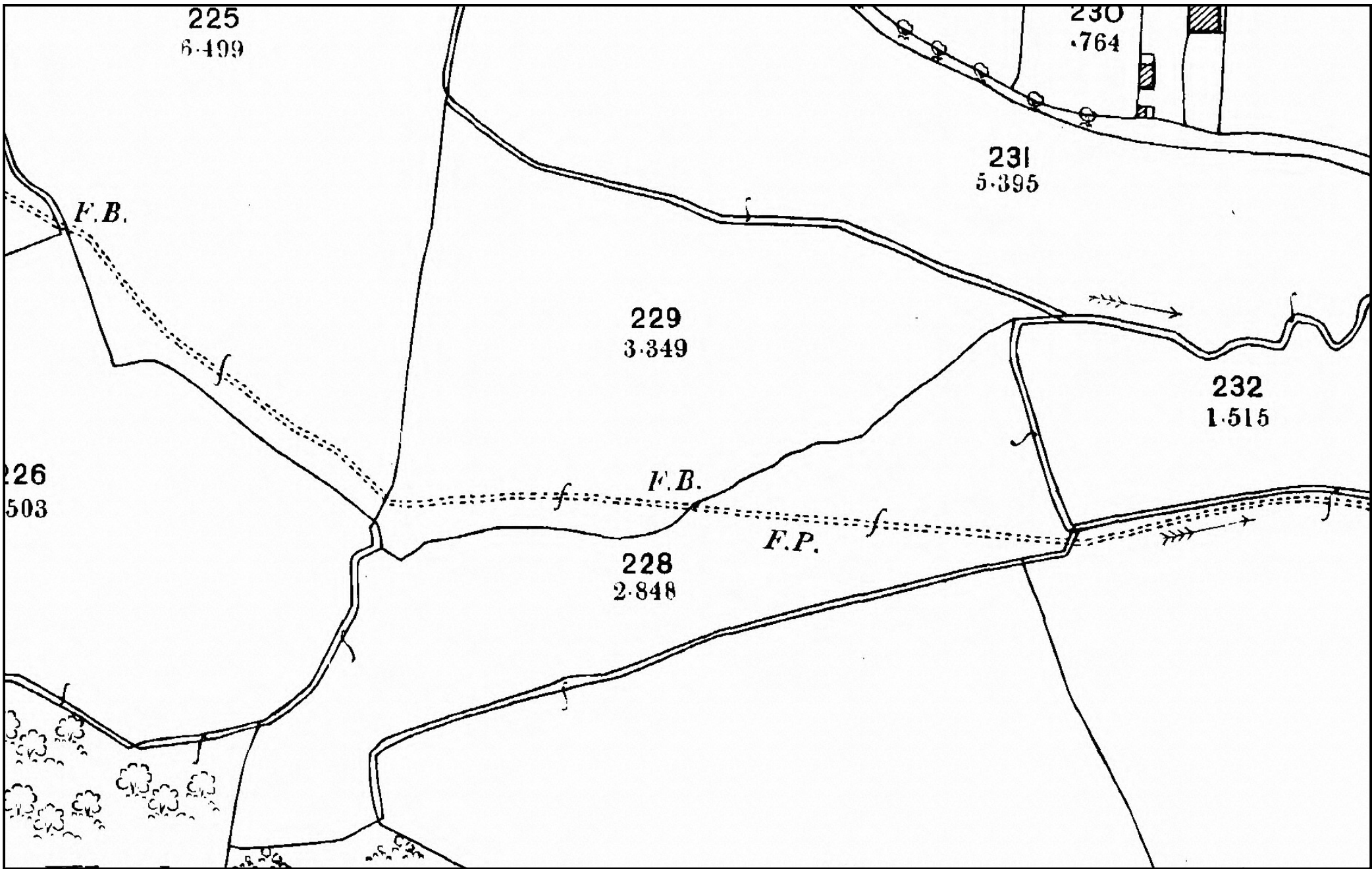
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**OS (1900) Surveyed at 1:2500**

Scale: 1:2500

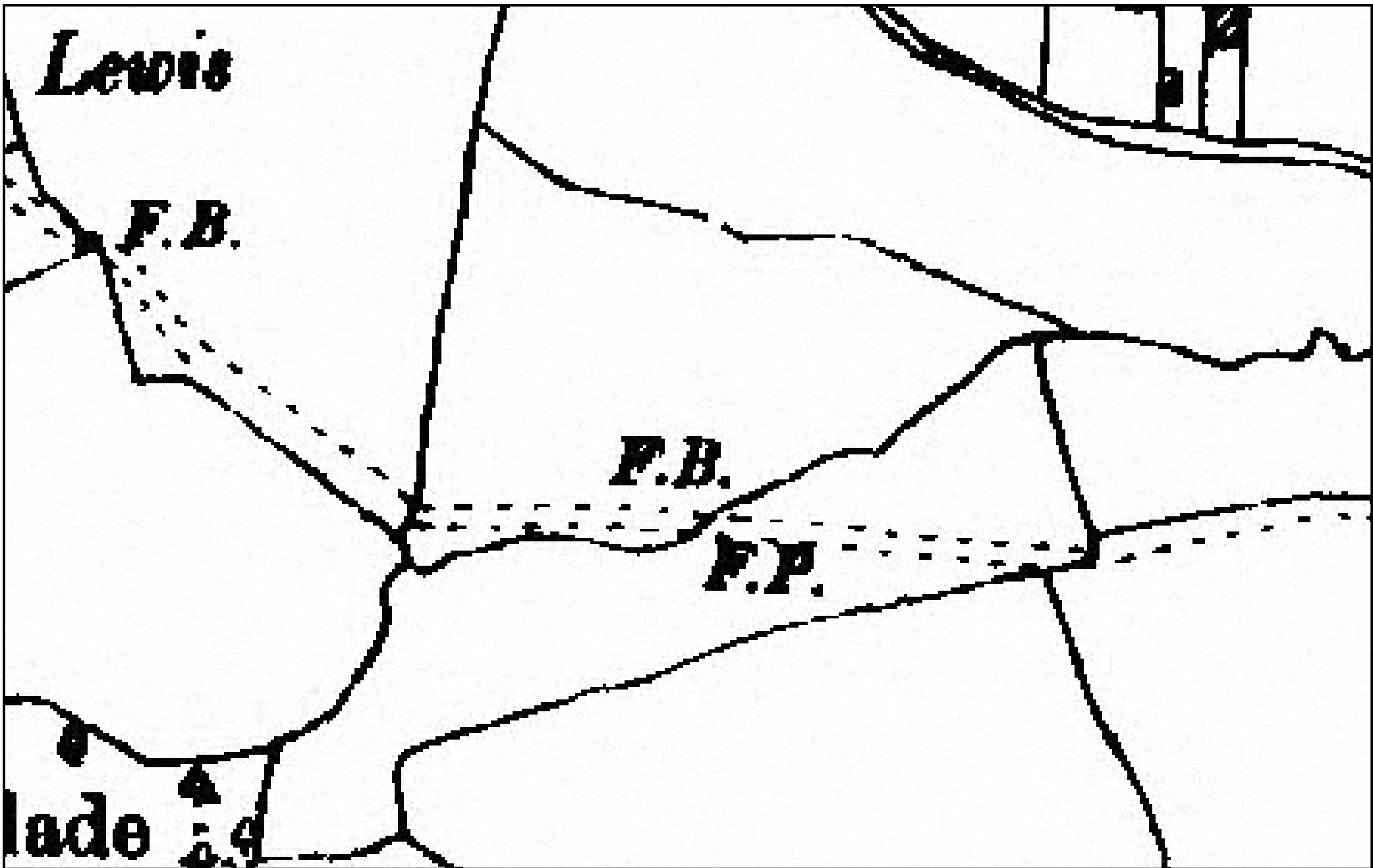
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**OS (1901) Surveyed at 1:10560**

**Scale: 1:2500**

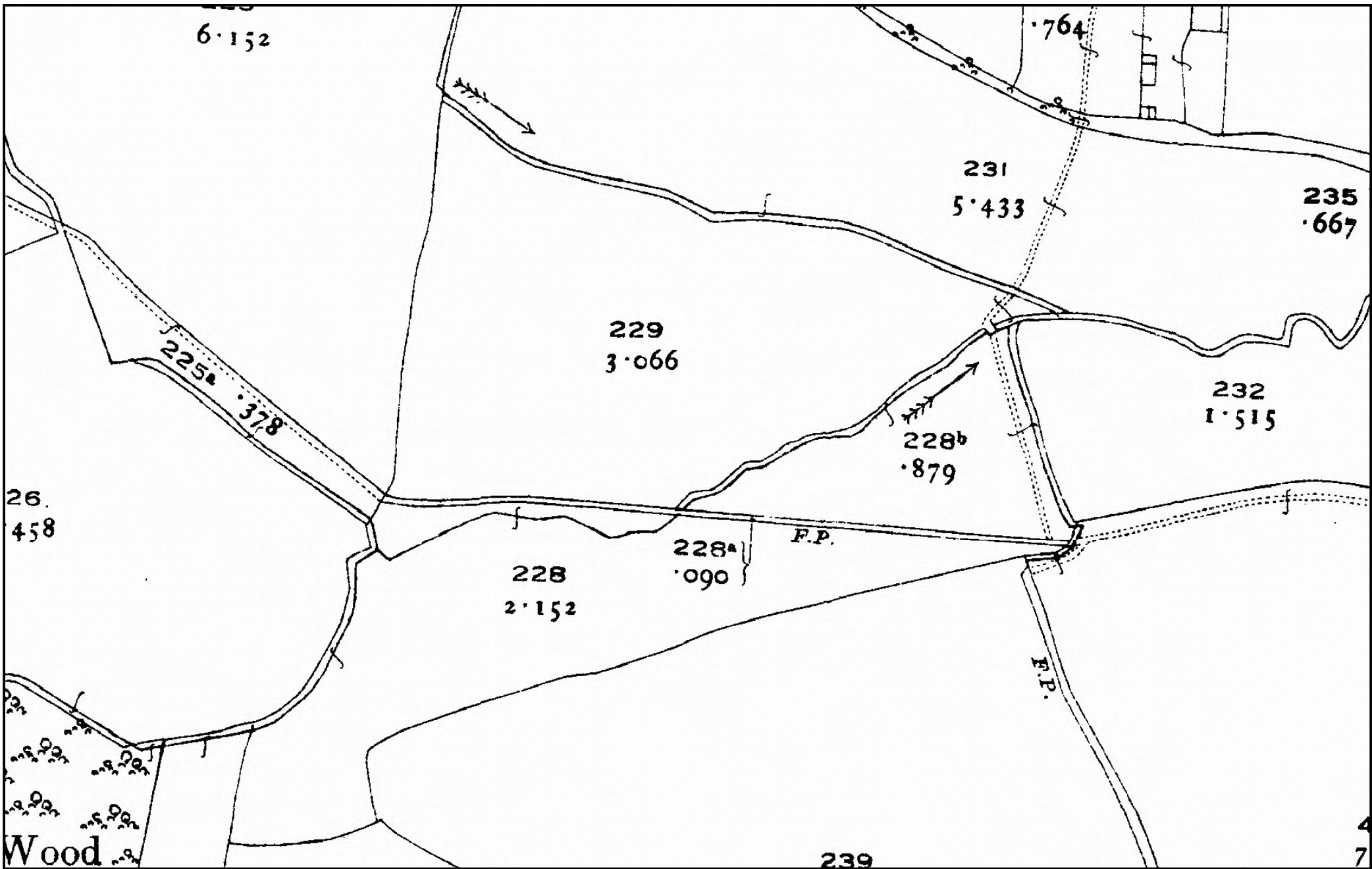
**Date: 12/09/2014**

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**OS (1920) Surveyed at 1:2500**

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**OS (1921) Surveyed at 1:10560**

**Scale: 1:2500**

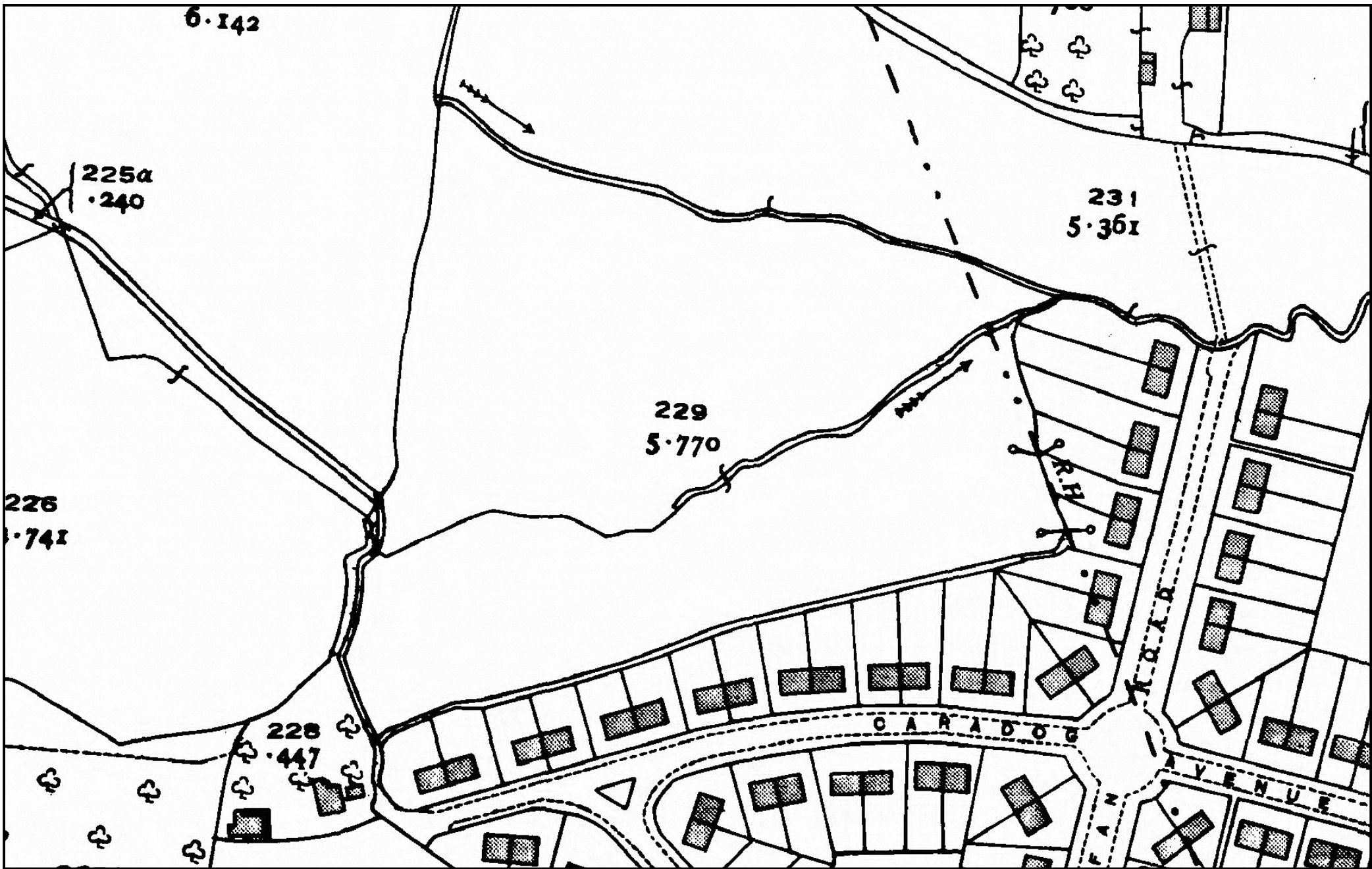
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OS (1942) Surveyed at 1:2500

Scale: 1:2500

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**OS (1947) Surveyed at 1:10560**

**Scale: 1:2500**

**Date: 12/09/2014**

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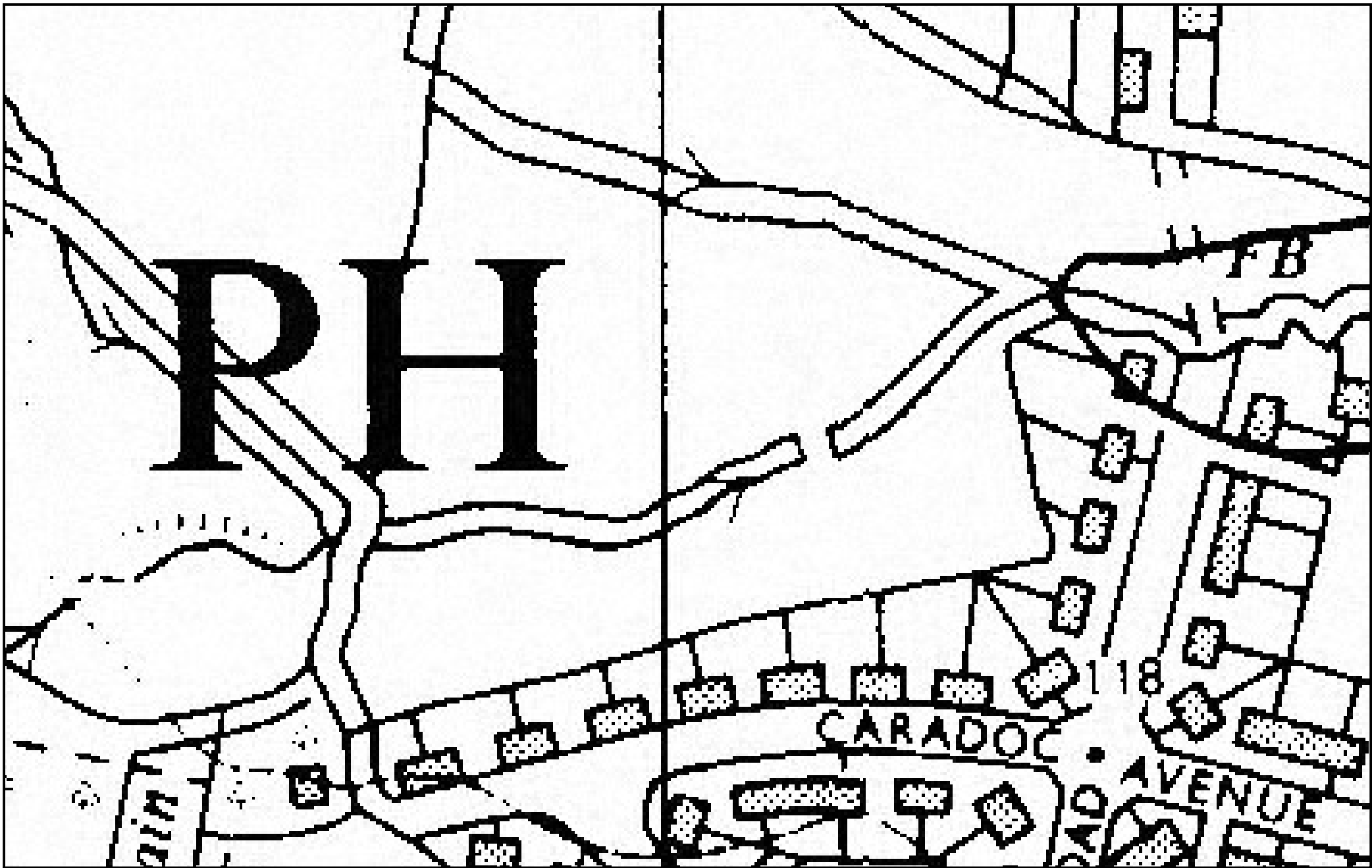
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OS (1965) Surveyed at 1:10000

Scale: 1:2500

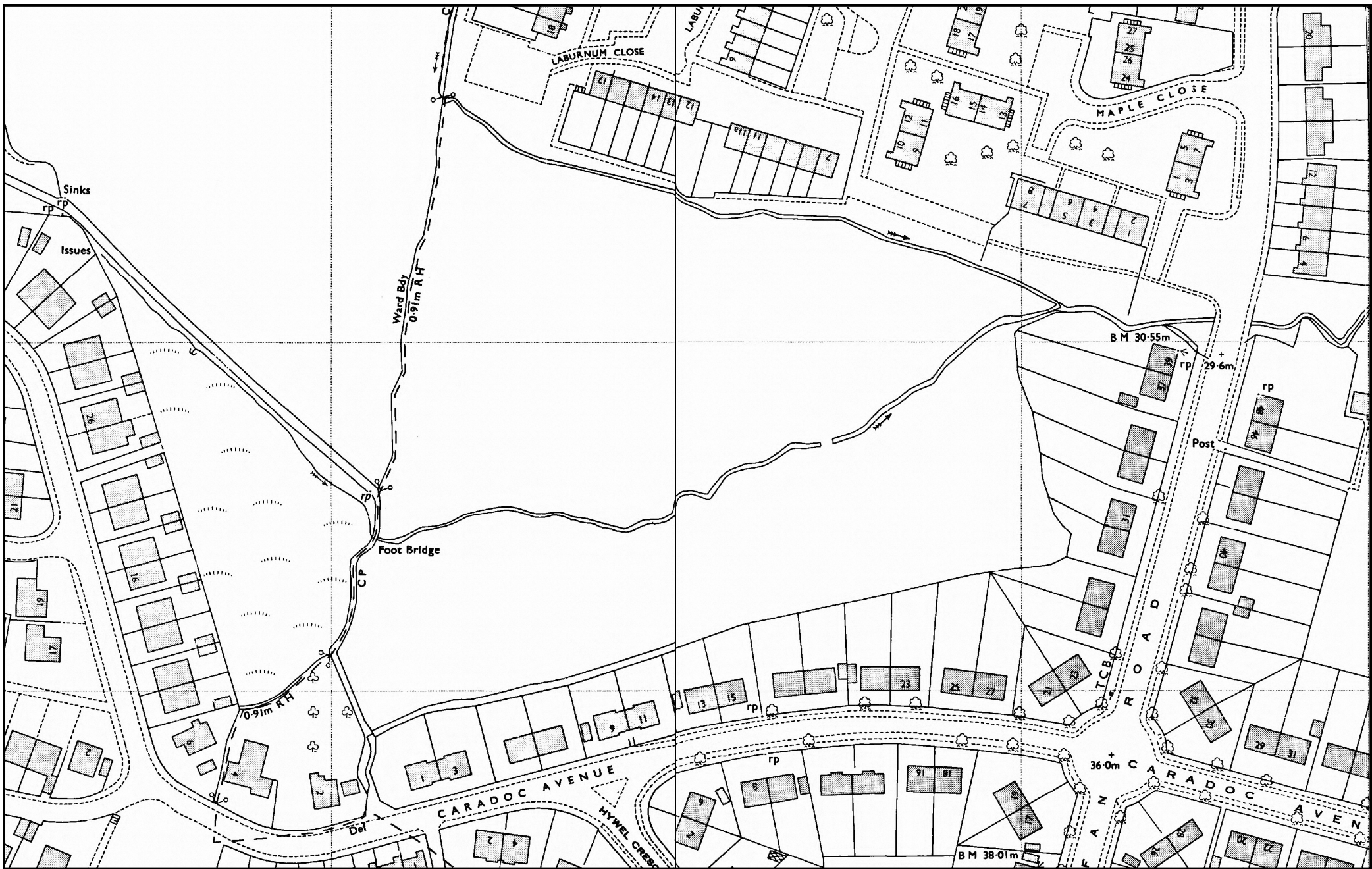
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# OS (1970 & 1971) Surveyed at 1:1250

Scale: 1:2500

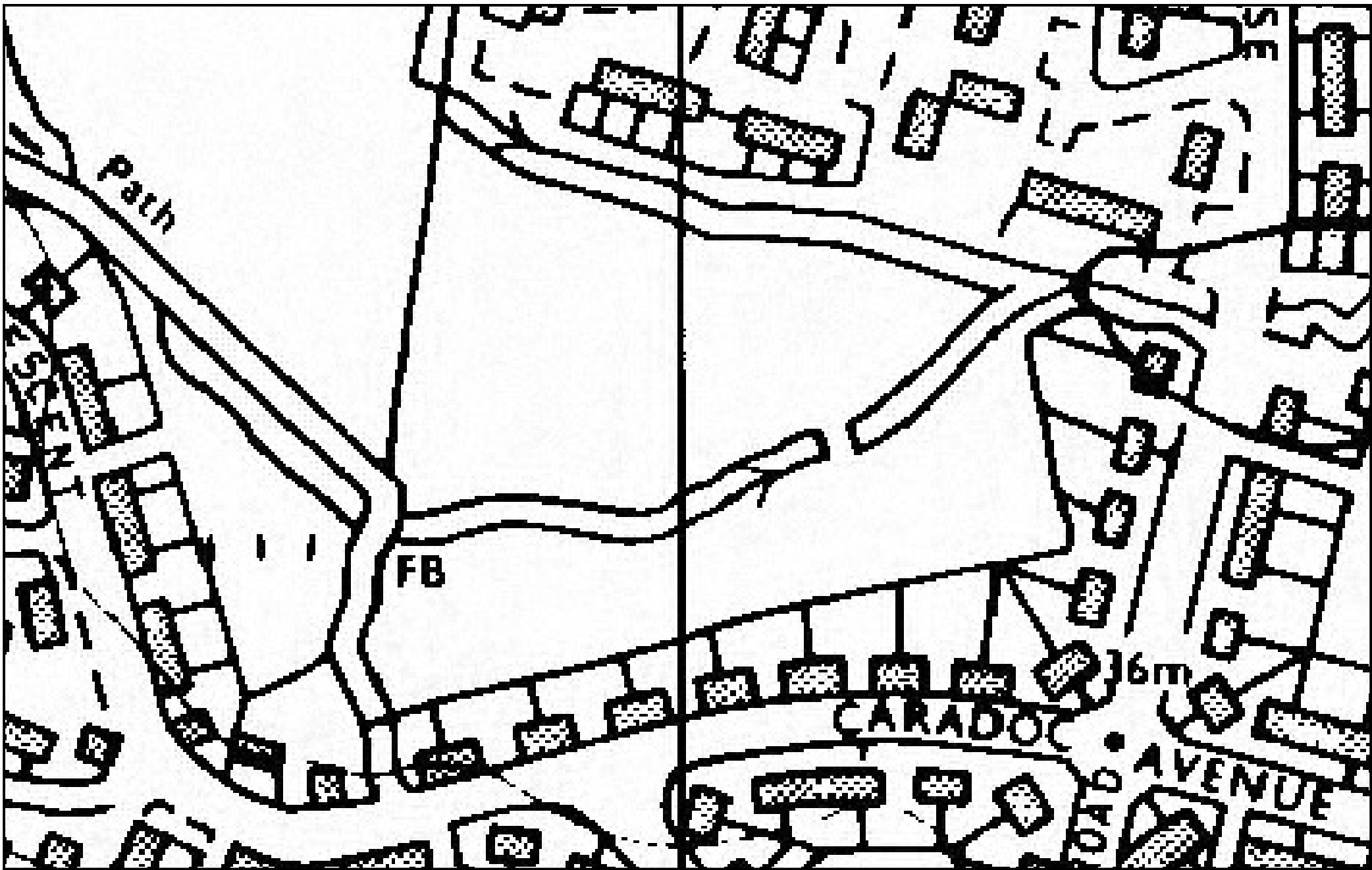
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OS (1975) Surveyed at 1:10000

Scale: 1:2500

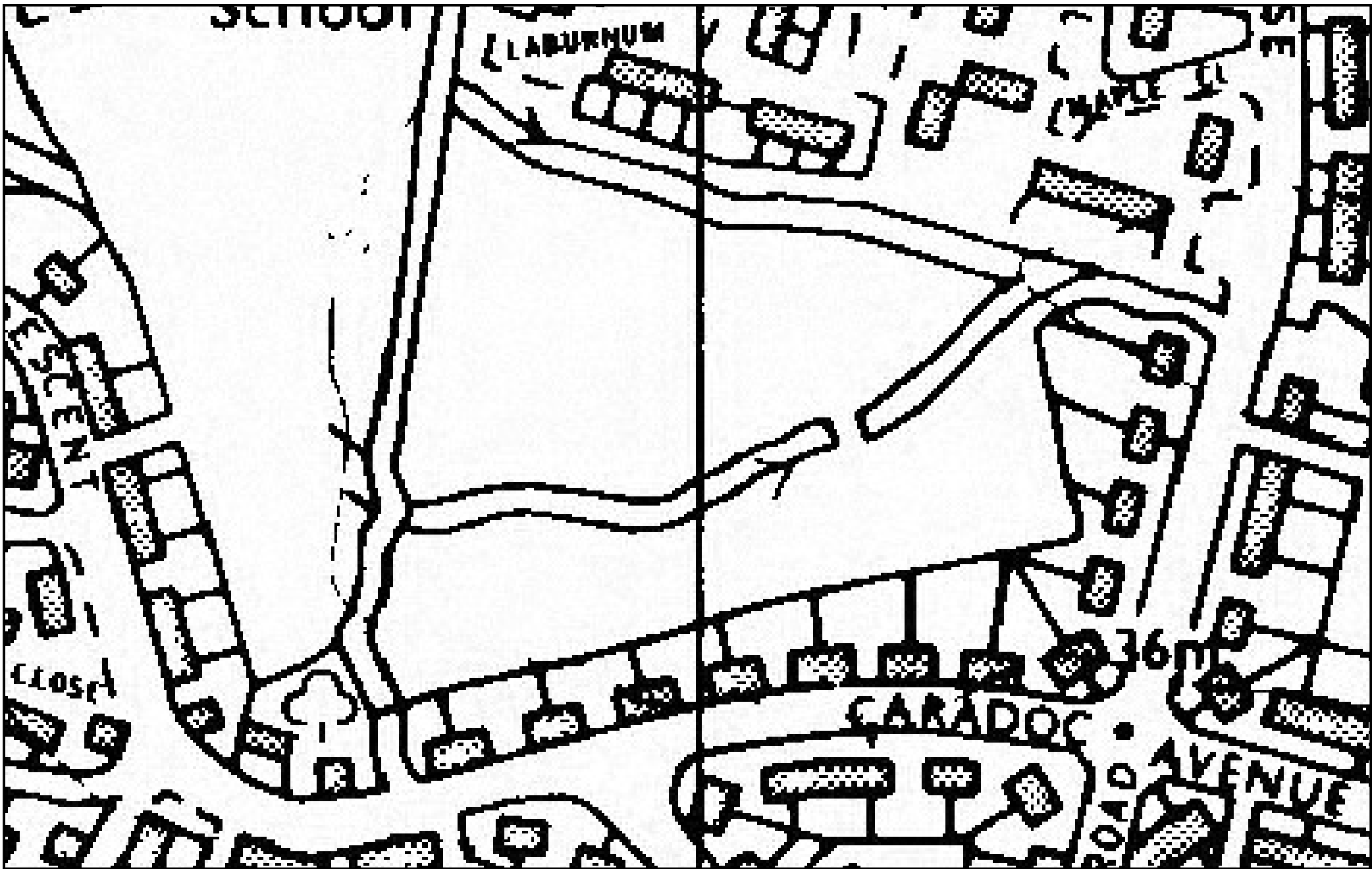
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OS (1984) Surveyed at 1:10000

Scale: 1:2500

Date: 12/09/2014

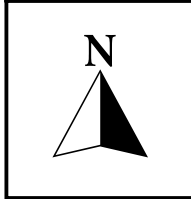
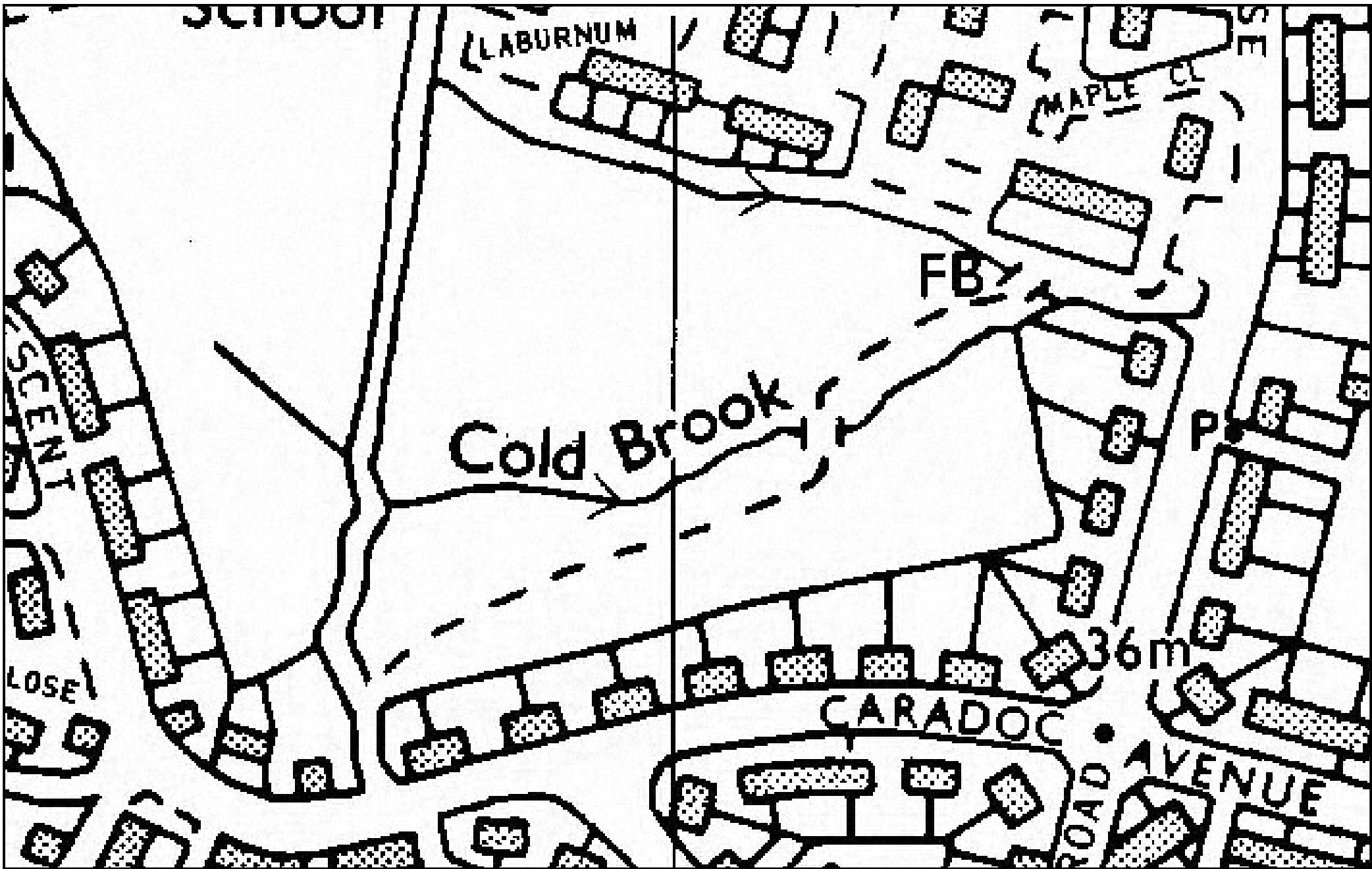
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OS (1991) Surveyed at 1:10000

Scale: 1:2500

Date: 12/09/2014

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These are the notes referred to on the following official copy

Dyma'r nodiadau y cyfeirir atynt ar y copi swyddogol canlynol.

The electronic official copy of the title plan follows this message.

Mae'r copi swyddogol electronig o'r cynllun teitl yn dilyn y neges hon.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

Sylwch mai dyma'r unig gopi swyddogol y byddwn yn ei ddarparu. Ni fyddwn yn darparu copi swyddogol papur.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from Land Registry.

Anfonwyd y copi swyddogol hwn yn electronig a phan gaiff ei argraffu ni fydd i raddfa. Gallwch gael copi swyddogol papur trwy archebu un o'r Gofrestrfa Tir.

This official copy is issued on 01 September 2014 shows the state of this title plan on 01 September 2014 at 10:46:08. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide *19 - Title Plans and Boundaries*.

Mae'r copi swyddogol hwn a gyhoeddir ar 01 Medi 2014 yn dangos sefyllfa'r cynllun teitl hwn ar 01 Medi 2014 am 10:46:08. Mae'n dderbyniol fel tystiolaeth i'r un graddau â'r gwreiddiol (adran 67 Deddf Cofrestru Tir 2002). Mae'r cynllun teitl hwn yn dangos safle cyffredinol, nid union linell, y terfynau. Gall fod gwyriadau yn y raddfa. Mae'n bosibl na fydd mesuriadau wedi eu graddio o'r cynllun hwn yn cyfateb â mesuriadau rhwng yr un pwyntiau ar y llawr. Gweler *Cyfarwyddyd Cyhoeddus 19 – Cynlluniau Teitl a Therfynau*.

This title is dealt with by the Land Registry, Wales Office .

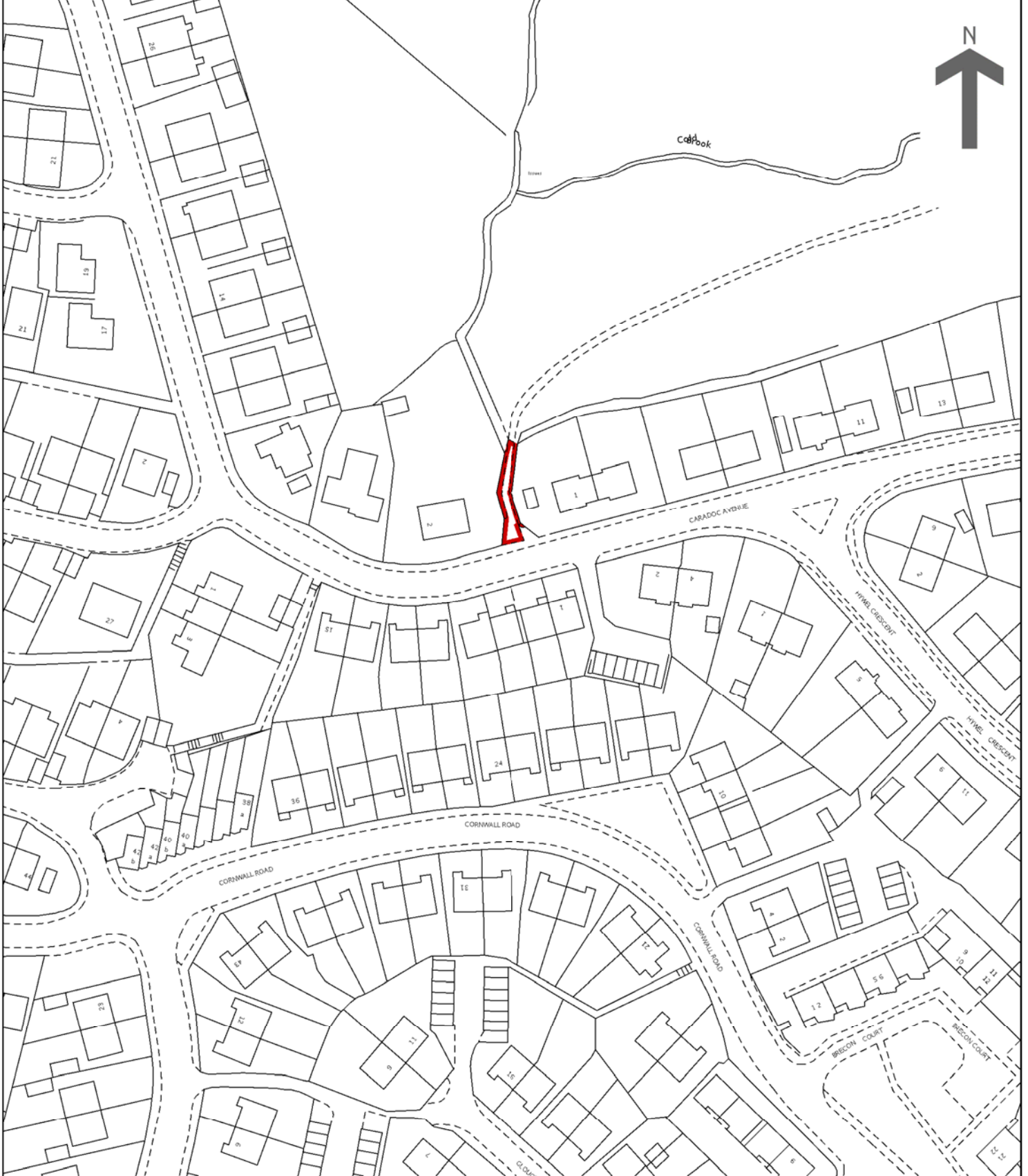
Gweinyddir y teitl hwn gan Gofrestrfa Tir, swyddfa Cymru.

# Land Registry Official copy of title plan

Title number **CYM443085**  
Ordnance Survey map reference **ST1169SE**  
Scale **1:1250**  
Administrative area **The Vale of Glamorgan /  
Bro Morgannwg**



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The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

Mae'r copi swyddogol electronig o'r gofrestr yn dilyn y neges hon.

Sylwch mai hwn yw'r unig gopi swyddogol a ddarparwn. Ni fyddwn yn darparu copi swyddogol papur.



Official copy  
of register of  
title  
Copi  
swyddogol o  
gofrestr teitl

Title number / Rhif teitl  
WA145957

Edition date / Dyddiad yr  
argraffiad 25.09.2008

- This official copy shows the entries on the register of title on 01 SEP 2014 at 10:40:14.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 01 Sep 2014.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website [www.landregistry.gov.uk](http://www.landregistry.gov.uk) or Land Registry Public Guide *1-A guide to the information we keep and how you can obtain it*.
- This title is dealt with by Land Registry, Wales Office.
- Mae'r copi swyddogol hwn yn dangos y cofnodion yn y gofrestr teitl ar 01 SEP 2014 at 10:40:14.
- Rhaid dyfynnu'r dyddiad hwn fel y "dyddiad y chwilir ohono" mewn unrhyw gais am chwiliad swyddogol sy'n seiliedig ar y copi hwn.
- Y dyddiad ar ddechrau cofnod yw'r dyddiad y gwnaethpwyd y cofnod yn y gofrestr.
- Cyhoeddwyd ar 01 Sep 2014.
- Dan adran 67 Deddf Cofrestru Tir 2002, mae'r copi hwn yn dderbyniol fel tystiolaeth i'r un graddau â'r gwreiddiol.
- I gael gwybodaeth am y gofrestr teitl gweler gwefan y Gofrestrfa Tir [www.cofrestrfatir.gov.uk](http://www.cofrestrfatir.gov.uk) neu Gyfarwyddyd Cyhoeddus *1-Cyfarwyddyd i'r wybodaeth rydym yn ei chadw a sut y gallwch ei chael*.
- Gweinyddir t teitl hwn gan Gofrestrfa Tir Swyddfa Cymru.

## A: Property Register / Cofrestr Eiddo

This register describes the land and estate comprised in the title.

Mae'r gofrestr hon yn disgrifio'r tir a'r ystad a gynhwysir yn y teitl.

THE VALE OF GLAMORGAN/BRO MORGANNWG

- 1 (27.03.1980) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land lying to the North of Caradoc Avenue, Barry.

Title number / Rhif teitl WA145957

## B: Proprietorship Register / Cofrestr Perchnogaeth

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Mae'r gofrestr hon yn nodi'r math o deitl ac yn enwi'r perchennog. Mae'n cynnwys unrhyw gofnodion sy'n effeithio ar yr hawl i waredu.

### Title absolute/Teitl llwyr

- 1 (27.03.1980) PROPRIETOR: THE VALE OF GLAMORGAN COUNCIL of Civic Offices, Holton Road, Barry CF63 4RU.
- 2 (27.03.1980) RESTRICTION:-Except under an order of the registrar no disposition by the proprietor of the land is to be registered unless made in accordance with the Local Government Act 1972 or some other Act or Authority.

End of register / Diwedd y gofrestr

These are the notes referred to on the following official copy

Dyma'r nodiadau y cyfeirir atynt ar y copi swyddogol canlynol.

The electronic official copy of the title plan follows this message.

Mae'r copi swyddogol electronig o'r cynllun teitl yn dilyn y neges hon.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

Sylwch mai dyma'r unig gopi swyddogol y byddwn yn ei ddarparu. Ni fyddwn yn darparu copi swyddogol papur.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from Land Registry.

Anfonwyd y copi swyddogol hwn yn electronig a phan gaiff ei argraffu ni fydd i raddfa. Gallwch gael copi swyddogol papur trwy archebu un o'r Gofrestrfa Tir.

This official copy is issued on 01 September 2014 shows the state of this title plan on 01 September 2014 at 10:40:14. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide *19 - Title Plans and Boundaries*.

Mae'r copi swyddogol hwn a gyhoeddir ar 01 Medi 2014 yn dangos sefyllfa'r cynllun teitl hwn ar 01 Medi 2014 am 10:40:14. Mae'n dderbyniol fel tystiolaeth i'r un graddau â'r gwreiddiol (adran 67 Deddf Cofrestru Tir 2002). Mae'r cynllun teitl hwn yn dangos safle cyffredinol, nid union linell, y terfynau. Gall fod gwyriadau yn y raddfa. Mae'n bosibl na fydd mesuriadau wedi eu graddio o'r cynllun hwn yn cyfateb â mesuriadau rhwng yr un pwyntiau ar y llawr. Gweler *Cyfarwyddyd Cyhoeddus 19 – Cynlluniau Teitl a Therfynau*.

This title is dealt with by the Land Registry, Wales Office .

Gweinyddir y teitl hwn gan Gofrestrfa Tir, swyddfa Cymru.

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© Hawlfraint y Goron. Cynhyrchwyd gan y Gofrestrfa Tir. Gwaherddir atgynhyrchu'r cyfan neu ran heb ganiatâd ysgrifenedig blaenorol yr Arolwg Ordnans. Rhif Trwydded 100026316.



H.M. LAND REGISTRY		TITLE NUMBER	
		WA 145957	
ORDNANCE SURVEY PLAN REFERENCE	ST 1269	SECTION G	Scale 1/1250
<del>COUNTY SOUTH GLAMORGAN DISTRICT VALE OF GLAMORGAN</del>			© Crown copyright 1975

ADMINISTRATIVE AREA  
THE VALE OF GLAMORGAN  
BRO MORGANNWG



The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

Mae'r copi swyddogol electronig o'r gofrestr yn dilyn y neges hon.

Sylwch mai hwn yw'r unig gopi swyddogol a ddarparwn. Ni fyddwn yn darparu copi swyddogol papur.



Official copy  
of register of  
title  
Copi  
swyddogol o  
gofrestr teitl

Title number / Rhif teitl  
CYM443085

Edition date / Dyddiad yr  
argraffiad 14.04.2009

- This official copy shows the entries on the register of title on 01 SEP 2014 at 10:46:07.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 01 Sep 2014.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website [www.landregistry.gov.uk](http://www.landregistry.gov.uk) or Land Registry Public Guide *1-A guide to the information we keep and how you can obtain it*.
- This title is dealt with by Land Registry, Wales Office.
- Mae'r copi swyddogol hwn yn dangos y cofnodion yn y gofrestr teitl ar 01 SEP 2014 at 10:46:07.
- Rhaid dyfynnu'r dyddiad hwn fel y "dyddiad y chwilir ohono" mewn unrhyw gais am chwiliad swyddogol sy'n seiliedig ar y copi hwn.
- Y dyddiad ar ddechrau cofnod yw'r dyddiad y gwnaethpwyd y cofnod yn y gofrestr.
- Cyhoeddwyd ar 01 Sep 2014.
- Dan adran 67 Deddf Cofrestru Tir 2002, mae'r copi hwn yn dderbyniol fel tystiolaeth i'r un graddau â'r gwreiddiol.
- I gael gwybodaeth am y gofrestr teitl gweler gwefan y Gofrestrfa Tir [www.cofrestrfatir.gov.uk](http://www.cofrestrfatir.gov.uk) neu Gyfarwyddyd Cyhoeddus *1-Cyfarwyddyd i'r wybodaeth rydym yn ei chadw a sut y gallwch ei chael*.
- Gweinyddir t teitl hwn gan Gofrestrfa Tir Swyddfa Cymru.

## A: Property Register / Cofrestr Eiddo

This register describes the land and estate comprised in the title.

Mae'r gofrestr hon yn disgrifio'r tir a'r ystad a gynhwysir yn y teitl.

THE VALE OF GLAMORGAN/BRO MORGANNWG

- 1 (14.04.2009) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land on the west side of 1 Caradoc Avenue, Barry.
- 2 (14.04.2009) A new title plan based on the latest revision of the Ordnance Survey Map has been prepared.



Title number / Rhif teitl CYM443085

## B: Proprietorship Register / Cofrestr Perchnogaeth

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Mae'r gofrestr hon yn nodi'r math o deitl ac yn enwi'r perchennog. Mae'n cynnwys unrhyw gofnodion sy'n effeithio ar yr hawl i waredu.

### Title possessory/Teitl meddiannol

1 (14.04.2009) PROPRIETOR: VALE OF GLAMORGAN COUNCIL of Civic Offices, Holton Road, Barry, The Vale Of Glamorgan CF63 4RU.

## C: Charges Register / Cofrestr Arwystlon

This register contains any charges and other matters that affect the land.

Mae'r gofrestr hon yn cynnwys unrhyw arwystlon a materion eraill sy'n effeithio ar y tir.

1 (14.04.2009) The land is subject to such restrictive covenants as may have been imposed thereon before 14 April 2009 and are still subsisting and capable of being enforced.

## End of register / Diwedd y gofrestr