

Cerys Jones

From: Sharon Holman
Sent: 13 May 2019 07:57
To: planning_admin
Subject: FW: P/2019/0314
Attachments: Map for P-2019-0314.pdf

Civ – consultation resp

From: Nicola Holmwood
Sent: 10 May 2019 15:04
To: Sharon Holman
Subject: P/2019/0314

Sharon

To use the new vehicular access the applicant will need to drive over Public Footpath Llay 6 (please see attached pdf). The applicant will need to satisfy themselves that they have a lawful authority to drive over the footpath. Section 34(1)(b) of the Road Traffic Act 1988 states:

'Subject to the provisions of this section, if without lawful authority a person drives a mechanically-propelled vehicle on any road being a footpath, bridleway or restricted byway, he is guilty of an offence.'

It would be up to the parties asserting a right to drive over the footpath to prove they are doing so with lawful authority.

Also if in using the new access the applicants cause any damage to the surface of the public footpath, such as the creation of potholes etc., they will be liable for the cost of repairing any such damage.

Regards

Nicola Holmwood

Swyddog Hawliau Tramwy | Rights of Way Officer



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