

BRISTOL CITY COUNCIL

**MINUTES OF THE ANNUAL GENERAL MEETING OF THE
PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE
HELD ON 8TH JULY 2013 AT 2PM**

P Councillor Abraham
P Councillor Harrison
P Councillor Kent
P Councillor Khan
P Councillor Langley
P Councillor Main
P Councillor Pickup
P Councillor Quartley

**PROWG
1.7/13**

ELECTION OF CHAIR – MUNICIPAL YEAR 2013/14

**RESOLVED - that Councillor Abraham be elected
Chair of the Public Rights of Way and
Greens Committee for the 2013/14
municipal year.**

**PROWG
2.7/13**

ELECTION OF VICE-CHAIR – MUNICIPAL YEAR 2013/14

**RESOLVED - that Councillor Main be elected
Vice-Chair of the Public Rights of Way
and Greens Committee for the 2013/14
municipal year.**

**PROWG
3.7/13**

MEMBERSHIP OF THE COMMITTEE

**RESOLVED - that membership of the Public Rights of
Way and Greens Committee for the
2013/14 municipal year be as follows:-**

**Councillor Abraham
Councillor Harrison
Councillor Kent
Councillor Khan
Councillor Langley
Councillor Main
Councillor Pickup
Councillor Quartley**

**PROWG
4.7/13**

APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Quartley.

**PROWG
5.7/13**

DECLARATIONS OF INTEREST

There were no declarations of interest.

**PROWG
6.7/13**

TERMS OF REFERENCE

RESOLVED - that the terms of reference of the Public Rights of Way and Greens Committee for the 2013/14 municipal year, as agreed by Full Council on 21st May 2013, be noted.

**PROWG
7.7/13**

DATES AND TIMES OF MEETINGS 2013/14

RESOLVED - that the Public Rights of Way and Greens Committee meet on the following dates for the remainder of the 2013/14 municipal year:-

**2pm on Monday 7th October 2013
2pm on Monday 9th December 2013
2pm on Monday 10th March 2014**

**PROWG
8.7/13**

**MINUTES – PUBLIC RIGHTS OF WAY AND GREENS
COMMITTEE – 8TH APRIL 2013**

RESOLVED - that the minutes of the meeting of the Public Rights of Way and Greens Committee held on 8th April 2013 be confirmed as a correct record and signed by the Chair.

**PROWG
9.7/13**

**PUBLIC PARTICIPATION – QUESTIONS, STATEMENTS AND
PETITIONS**

Public forum business was circulated to the Committee in advance of the meeting and a copy placed in the minute book. The Chair agreed to permit a representative of Pinsent Masons LLP to address the Committee with respect to the Laundry Fields application (agenda item no. 10). James Maurici QC advised that the Homes and Communities Agency were 'willing to consider giving Bristol City Council some form of indemnity to cover the Council's potential exposure to costs should the Council adopt my client's suggested approach (*to proceed with a compromise by where only part of the land is registered as a Town of Village Green (TVG), as outlined in Appendix B, C and D to the report*), and that approach results in the Council's decision (s) being the subject of legal challenge by a third party by way of judicial review.' A full copy of the late submission can be found in the minute book.

**PROWG
10.7/13**

**APPLICATION FOR LAND KNOWN AS LAUNDRY FIELDS TO
BE REGISTERED AS A TOWN OR VILLAGE GREEN, BRISTOL
MADE UNDER THE COMMONS ACT 2006**

The Committee considered a report of the Commons Registration Authority (Agenda Item No. 10) regarding an application for land known as Laundry Fields to be registered as a town or village green, Bristol made under the Commons Act 2006.

Members noted that an agreement had been reached between the applicant and the objector whereby part of the site would be registered as a TVG and the other part of the application

withdrawn (see appendix B, C and D). The Committee considered the advice from the inspector that the application to amend be rejected on the grounds laid out in Appendix E. The key points that arose during the discussion could be summarised as follows:

- As all parties were in agreement regarding the revised application it seemed sensible to accept the solution as a practical way forward.
- It was appropriate to exercise caution when choosing to set aside legal advice, but in this instance the risk of challenge was relatively low.
- The legal argument with regard to public interest, i.e. that there might be other members of the public who would not be satisfied with the suggested amendment was acknowledged but residents living outside the immediate vicinity were unlikely to have strong views.
- It was confirmed that the Public Right of Way running through the site would not be affected by the development proposals.

Bristol City Council's legal advisor confirmed that if Members were minded to accept the amendment the application would be brought back to the Committee for final decision in around 3 months' time.

Councillor Abraham moved that the amendment be allowed and that final decision be made by the Public Rights of Way and Greens Committee at the October meeting. He was seconded by Councillor Main. On being put to the vote there was unanimous support.

RESOLVED - that the amendment be allowed, and that the application be brought back to the Committee for decision at the Committee's meeting on 7th October 2013.*

**PROWG
11.7/13**

APPLICATION TO REGISTER LAND AT STOKE LODGE AS A TOWN AND VILLAGE GREEN UNDER THE COMMONS ACT 2006, SECTION 15(2)

The Committee considered a report of the Commons Registration Authority (agenda item no. 11) concerning an application to register a site in Stoke Lodge as a Town and Village Green. Members expressed concern about the delays that had affected the application and requested that the matter be resolved as soon as possible.

Councillor Abraham moved that the matter be decided at their next meeting on 7th October 2013* and Officers should take all reasonable steps to ensure that there be no further delays. He was seconded by Councillor Langley. On being put to the vote there was unanimous support.

RESOLVED - that the recommendations of the Inspector pending recommendations from the objectors be noted; and that officers ensure the matter be brought back to the Committee for decision on 7th October 2013*.

**PROWG
12.7/13**

CURRENT CLAIMS, INQUIRIES AND MISCELLANEOUS RIGHTS OF WAY

The Committee considered a report of the Director of City Development (Agenda Item No. 12) reporting for information on the present position with regard to Wildlife and Countryside Act applications; public inquiries and miscellaneous rights of way orders, agreements and legal proceedings.

RESOLVED - that the report be noted.

**PROWG
13.7/13**

CURRENT APPLICATIONS FOR REGISTRATION OF LAND AT TOWN OR VILLAGE GREENS

The Committee considered a report of the Commons Registration Authority (Agenda Item No. 13) noting the present position with regard to Town or Village Green applications.

RESOLVED - that the present position with regard to Town or Village Green applications be noted.

PROWG

14.7/13

DATE OF THE NEXT MEETING

RESOLVED - that the next meeting of the Public Rights of Way and Greens Committee be held on Monday 7th October 2013* at 2.00 pm

(The meeting ended at 2.55pm)

CHAIR

** Note – it has subsequently been agreed that the meeting will take place at 2pm on Monday 14th October 2013.*