

BRISTOL CITY COUNCIL

**MINUTES OF A MEETING OF THE
PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE
HELD ON 3rd APRIL 2006 AT 2.00 PM**

- P Councillor Christopher Orlik (in the Chair)
- P Councillor Ian Cooper
- A Councillor Christopher Davies
- P Councillor Gary Hopkins (substitute for C Davies)
- P Councillor Evelyn Elworthy
- A Councillor Jack LoPresti
- A Councillor Margaret Shovelton
- P Councillor Claire Warren

**PROWG
26.04/06 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies were received from Councillor's Shovleton and Davies. Councillor Hopkins substituted for Councillor Davies.

**PROWG
27.04/06 DECLARATIONS OF INTEREST**

Cllr Hopkins declared an interest as the ward member for Knowle (agenda item no.5).

**PROWG
28.04/06 MINUTES - PUBLIC RIGHTS OF WAY AND GREENS
COMMITTEE 9TH JANUARY 2006**

RESOLVED - that the minutes of the Public Rights of Way and Greens Committee on 9th January 2006 be confirmed as a correct record and signed by the Chair, subject to the following amendment, Councillor LoPresti was not present at the meeting.

**PROWG
29.04/06 PUBLIC PARTICIPATION - STATEMENTS AND PETITIONS**

None.

**PROWG
30.04/06**

**PUBLIC RIGHT OF WAY 464 ST MARTIN'S GARDEN TO
IMPERIAL WALK**

The committee considered a report of the Director of Planning, Transport & Sustainable Development (agenda item no:5) reporting, for information, the condition of PROW 464.

Team Manager of Walking, Cycling, Safer Routes to School and Public Rights of Way gave a summary of the main points, including the history of public right of way 464, as set out in the report.

He noted that the report incorrectly indicated that public right of way 464 being located in the Brislington area, it was located in Knowle area.

A joint meeting had taken place with himself, the Council's Principal Structural Engineer and the owners of the adjacent properties, to discuss what remedial measures would need to be taken.

Both owners had verbally agreed to undertake the necessary work to remove their sections of retaining walls and rebuild a substantial replacement . This was anticipated to happen within the next month. However no firm date for the work to begin had been agreed.

Building Control had confirmed that there was no imminent danger posed by the walls. Progress made by the owners on the replacement walls would be monitored. As soon as the work on the walls had been completed, work on the steps would begin shortly after.

Councillor Hopkins expressed concern over the length of time this matter had taken to be resolved. He sought assurance that officers would undertake further discussions with the owners to obtain a firm date for when the work would begin.

The Team Manager of Walking, Cycling, Safer Routes to School and Public Rights of Way, agreed to discuss the matter with

Building Control and would approach the owners with a view to obtaining a firm date.

The committee requested a legal view on whether the Council could be held liable if part of the wall was to collapse and injure someone. No representative from legal services was present to clarify the matter. The Team Manager of Walking, Cycling, Safer Routes to School and Public Rights of Way agreed to obtain legal advice on the matter and would report back to the Committee.

Councillor Elworthy was interested to know whether any of the £15,000 allocated to undertake the work was left. The Team Manager of Walking, Cycling, Safer Routes to School and Public Rights of Way was unable to provide that information and would report back to the Committee at the next meeting.

- RESOLVED -**
- (1) that the report be noted,**
 - (2) that the The Team Manager of Walking, Cycling, Safer Routes to School and Public Rights of Way provide the following to the PROWG Committee:**
 - (i) a date for work to begin on the rebuilding and placement of the walls adjacent to the Public Right of Way 464, from the land owners,**
 - (ii) legal advice be sought on whether the Council could be liable if the part of the walls were to collapse and injure someone,**
 - (iii) whether any of the £15,000 funds allocated to carry out the repair work would be left after the work had been completed.**

**PROWG
31.04/06**

UPDATE REPORT - RIGHTS OF WAY

The committee considered a joint report of the Director of Planning, Transport & Sustainable Development and the Director of Central Support Services (Head of Legal Services) (agenda item no:6) on the present position with regard to Wildlife and Countryside Act applications; town or village green applications; public inquiries; and miscellaneous rights of way orders, agreements and legal proceedings.

During the brief discussion that followed, Councillor Cooper requested that the progress report (Appendix A) should contain a brief update on all of the matters listed. The representative from the Team Manager of Walking, Cycling, Safer Routes to School and Public Rights of Way agreed to discuss the matter with Legal Services.

RESOLVED - that the report be noted.

(The meeting ended at 2.40 pm)

CHAIR