

BRISTOL CITY COUNCIL

PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE
OCTOBER 2006**CURRENT CLAIMS, INQUIRIES AND MISCELLANEOUS RIGHTS OF WAY MATTERS**

(Joint report of the Director of Planning Transport and Sustainable Development and
Director of Central Support Services (Head of Legal Services)) (Ward: Citywide)

Purpose of Report

1. To report for information on the present position with regard to claims under the Wildlife and Countryside Act 1981 Section 53; town or village green applications; public inquiries; and miscellaneous rights of way orders, agreements and legal proceedings.

Background

Item	Ward	Site address/ description	Remarks
CURRENT INVESTIGATIONS- Wildlife and Countryside Act 1980 Section 53			
1.	Southmead	Claimed right of way from Parkers Close (East) Brentry to Filton Golf Course (PROW 16)	This Secretary of State has made a decision based on the papers he received and has decided not to confirm the order. File has now been closed.
PUBLIC PATH ORDERS – Town and Country Planning Act 1990			
2.	Bedminster	Public Path Diversion Order for FP 487A (part) Malago Sidings, Bedminster	The Order was confirmed on 27 February 2003. The Developer has by planning application altered the route back to the original course and agreed to construct the steps. The variation to their planning permission gives 6 months from the 14 December 2005 to complete the works. The steps will not be along the route of the advertised order and a further order may be required.
3.	St George West	Stopping Up of part of Footpath BCC/339 (Church Lane), St George.	The Order was advertised on 22 March 2005 and one duly made objection has been received. The matter was referred to the Secretary of State and was dealt with by way of written representations. A site visit was carried out on 25 July 2006 and the inspector confirmed the Order on 2 August 2006. Confirmed Order advertised on 28 August 2006.
PUBLIC PATH ORDERS – Highways Act 1980			
There are no pending investigations			

PUBLIC INQUIRIES			
5.	Southmead	Public Path Extinguishment Order for FP 41 (part) – Highways Act 1980	The Council have resolved to take a neutral stance and the case will be presented by the applicant. The Planning Inspectorate has arranged for an Inquiry to take place at the Council House from 26 to 29 September 2006.

Consultation None.

Appendices Appendix A - Statutory Orders Progress Report on claims for Modification of the Definitive Map

Appendix B – Current Applications to Register Land as New Town or Village Green

Policy Implications There are no specific resource implications arising from this report.

Resource Implications There are no specific resource implications arising from this report.

Other Approvals Necessary None.

Recommended - that the report be noted

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers

None.

Contact Officer: For queries relating to rights of way matters:
Rachel Johnson, Solicitor, Legal Division, Central Support Services
Christine Pouncett, Public Rights of Way, Traffic Management, DETL

For queries relating to village green and commons matters:
Frances Horner, Senior Solicitor, Legal Division, Central Support Services

APPENDIX A

APPLICATIONS FOR MODIFICATION OF DEFINITIVE MAP AND STATEMENT UNDER SCHEDULE 14 OF WILDLIFE AND COUNTRYSIDE ACT 1981

PROGRESS REPORT FOR THE OCTOBER 2006 COMMITTEE

LOCATION	DATE RECEIVED	CURRENT POSITION
Old Sneed Park, Sneyd Park, Bristol	07.02.92	A dedication agreement is proposed for a section of the claimed route. If agreed, the Council will seek a withdrawal of the claim on completion of the Agreement.
Strawberry Lane (Hartcliffe to Dundry)	27.01.93	Bridleway provision is being considered as part of the Dundry Slopes study, and the Council may agree to dedicate bridleway rights along strawberry lane. The claimants have already stated that they will withdraw their claim if such provision was made.
Claimed footpath at Clifton wood	24.04.98	Awaiting investigation
Claimed footpaths at Barracks Lane, Shirehampton	25.11.98	Awaiting investigation
Claimed footpath at Little Mead, Kingsweston Road	4.3.00	Awaiting investigation
Claimed footpath along Friary Road, Bishopston between Berkeley Road and FP 567	19.3.01	Awaiting investigation
Claimed right of way from Hotwell Road to Charles Place Hotwells	7.4.03	Awaiting Investigation
Claimed bridleway, Dundridge Farm, St George	6.4.04	Bridleway provision is currently under consideration. If a dedication agreement is proposed, the Council will seek a withdrawal of the claim on completion of the Agreement.

Appendix B

Current Applications to Register Land as New Town or Village Green

Item	Ward	Address	Remarks
1	Windmill Hill	Zone N, Bushy Park, Totterdown	Application received 18 September 2006