

BRISTOL CITY COUNCIL

**PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE
23 JULY 2007**

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	Bishopston	Definitive Map Modification Order, Friary Road, Bishopston	A full report on the evidence in respect of this claim has been brought to this Committee.
PUBLIC PATH ORDERS – Town and Country Planning Act 1990			
2.	Bedminster	Public Path Diversion Order for FP 487A (part) Malago Sidings, Bedminster	The steps will not be along the route of the advertised order and a further order will be required under the Highways Act 1980.
3	Brislington East	Public Path Diversion Order for FP 416,	Development completed therefore unable to proceed under TCPA 1990 – instructions

		Eastwood Road	received to continue under Highways Act 1980
PUBLIC PATH ORDERS – Highways Act 1980			
4	Avonmouth	Public Path Diversion Order for FP No. 5, Wessex Water Works, Avonmouth	Order confirmed on 23 November 2006 but is not yet in force - awaiting Certification
5	Brislington East	Public Path Diversion Order for FP 416, Eastwood Road	Instructions received to obtain diversion order under s119 HA1980
PUBLIC INQUIRIES			
None			
Miscellaneous Rights of Way Matters			
5	Southmead	Dedication of new public path linking FP41 to junction Greystoke Avenue and Cricket Lane	A Legal Event modification order is required to add the dedicated route to the Definitive Map.
6	Bishopsworth	Dedication of public bridleway rights over FP335A, Strawberry Lane.	Deed of Dedication completed – constitutes a legal event for addition of the bridleway to the definitive map. File Closed

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 Officers:

For queries relating to rights of way matters:

Rachel Johnson, Solicitor, Legal Division, Central Support Services
Andy Whitehead, Walking & Cycling, Traffic Management, PTSD

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 JULY 2007 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. Discussions taking place between PTSD and CLS – awaiting further instructions.
Claimed footpath at Argyle Place 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 right of way from Hotwell Road to Charles Place Hotwells	7.4.03	Awaiting Investigation
Claimed bridleway, Dundridge Farm, St George	6.4.04	Discussions taking place between PTSD and CLS on possible dedication. Awaiting Investigation
Claimed footpath at Ridgehill, Henleaze	27.11.06	Awaiting Investigation
Claimed footpath at South Hayes and Parkside Gardens,	15.06.06	Awaiting Investigation

Lockleaze		
Claimed footpath at rear of Shaldon Road and Morris Road, Lockleaze	18.05.07	Awaiting Investigation

APPENDIX B

**CURRENT APPLICATIONS TO REGISTER LAND AS NEW TOWN
OR VILLAGE GREEN**

PROGRESS REPORT FOR THE JULY 2007 COMMITTEE

Item	Ward	Address	Remarks
1	Lockleaze	South Purdown, off Muller Road, Lockleaze	Application received 19 July 2006, supplemental objection statement awaited.