

BRISTOL CITY COUNCIL

**MINUTES OF THE MEETING OF THE
PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE
HELD ON 23RD JULY 2007 AT 2.00 P.M.**

P Councillor D. Brown
A Councillor Cole
A Councillor Daniels
A Councillor Davies
P Councillor Jackson
P Councillor Quartley
A Councillor C. Smith
P Councillor J. Smith (substituting for
Councillor Daniels)

**PROWG
1.7/07**

ELECTION OF CHAIR - MUNICIPAL YEAR 2007/08

**RESOLVED - that Councillor Quartley be elected
Chair of the Public Rights of Way
and Greens Committee for the
2007/08 municipal year.**

**PROWG
2.7/07**

ELECTION OF VICE-CHAIR - MUNICIPAL YEAR 2007/08

**RESOLVED - that Councillor Brown be elected
Vice-Chair of the Public Rights of
Way and Greens Committee for the
2007/08 municipal year.**

**PROWG
3.7/07**

MEMBERSHIP OF THE COMMITTEE

**RESOLVED - that membership of the Public
Rights of Way and Greens
Committee for the 2007/08
municipal year be as follows:-**

**Councillor D. Brown
Councillor Cole
Councillor Daniels
Councillor Davies
Councillor Jackson
Councillor Quartley
Councillor C. Smith**

**PROWG
4.7/07**

APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Councillors Cole, Davies and Colin Smith. Councillor Jenny Smith was substituting for Councillor Daniels.

**PROWG
5.7/07**

DECLARATIONS OF INTEREST

No declarations of interest were received.

**PROWG
6.7/07**

TERMS OF REFERENCE

RESOLVED - that the terms of reference for the Public Rights of Way and Greens Committee for the 2007/08 municipal year, as agreed by Council on 15th May 2007, be noted.

**PROWG
7.7/07**

DATES AND TIMES OF MEETINGS 2007/08

RESOLVED - that the Public Rights of Way and Greens Committee meet on the following dates at 2.00 p.m. for the 2007/08 municipal year:-

**23rd July 2007
8th October 2007
14th January 2008
7th April 2008**

PROWG**8.7/07****MINUTES - PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE - 9TH OCTOBER 2006**

RESOLVED - that the minutes of the meeting of the Public Rights of Way and Greens Committee held on 9th October 2006 be confirmed as a correct record and signed by the Chair.

PROWG**9.7/07****PUBLIC PARTICIPATION - STATEMENTS AND PETITIONS**

AGENDA ITEM NO.	APPLICATION	NAME
10	Claimed Footpath from Berkeley Road to FP567 (Friary Road)	Roger Cholmondeley
10	Claimed Footpath from Berkeley Road to FP567 (Friary Road)	Elizabeth Mason
10	Claimed Footpath from Berkeley Road to FP567 (Friary Road)	Dorothy O'Farrell
10	Claimed Footpath from Berkeley Road to FP567 (Friary Road)	Christine Blackwell
10	Claimed Footpath from Berkeley Road to FP567 (Friary Road)	Councillor David Kitson
10	Claimed Footpath from Berkeley Road to FP567 (Friary Road)	Mrs M Moseley
10	Claimed Footpath from Berkeley Road to FP567 (Friary Road)	Vivien Harding

The Committee also agreed to accept, as a statement, a letter dated 21 June 2007 from Andrew Donaldson, as whilst his correspondence had been included in the background papers and commented on in the report, it had not been distributed with the other public forum statements.

PROWG**10.7/07****CLAIMED FOOTPATH FROM BERKELEY ROAD TO FP567 (FRIARY ROAD)**

The Committee considered a joint report of the Director of Planning, Transport and Sustainable Development and the Director of Central Support Services (Agenda Item No 10) to determine an application for a Modification Order under the

Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement by the addition of a footpath from Berkeley Road to Public Right of Way No. 567 in Bishopston.

In response to questions asked, Officers stated that;

- (i) documentary evidence, such as the Finance Act plan referred to at Appendix E. and E.5(b) and subsequent Ordnance Survey plans, makes it clear that the original boundary of 111 Berkeley Road did not extend into Friary Road and there is other evidence in the report to show that the boundary had been altered in July 2000.
- (ii) for the purposes of determining this application only evidence relating to the top surface of the road should be considered; arguments citing the location of the septic tank belonging to 111 Berkeley Road were of no relevance.
- (iii) pedestrians did not need to walk along the bank in order to claim public use as standing on it was sufficient.

On being put to the vote it was unanimously -

RESOLVED - that the Head of Legal Services be authorised to make a Definitive Map Modification Order to show a Restricted Byway in the Definitive Map and Statement, as shown on the plan attached to the report.

**PROWG
11.7/07**

UPDATE REPORT - RIGHTS OF WAY

The Committee considered a joint report of the Director of Planning, Transport and Sustainable Development and the Director of Central Support Services (Head of Legal Services) (Agenda Item No 11) reporting for information 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.

RESOLVED - that the report be noted.

**PROWG
12.7/07**

DATE OF THE NEXT MEETING

RESOLVED - that the next meeting of the Public Rights of Way and Greens Committee be held on Monday 8th October 2007 at 2.00 pm.

(The meeting ended at 3pm)

CHAIR