

BRISTOL CITY COUNCIL

**MINUTES OF THE MEETING OF THE
PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE
HELD ON 14TH JANUARY 2008 AT 2.00 PM**

P Councillor Quartley (in the Chair)
P Councillor D. Brown
P Councillor Cole
A Councillor Daniels
P Councillor Davies
P Councillor Jackson
A Councillor C. Smith

**PROWG
21.01/08**

APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Daniels and Councillor C Smith.

**PROWG
22.01/08**

DECLARATIONS OF INTEREST

There were no declarations of interest.

**PROWG
23.01/08**

**MINUTES – PUBLIC RIGHTS OF WAY AND GREENS
COMMITTEE – 29TH OCTOBER 2007**

Pg 4 - Members noted that the cost of the Inspector's advice relating to the South Purdown Town Green application had been £4,075 plus VAT.

Pg 5 - Regarding the planned report to provide additional information on the relationship between the Public Rights of Way and Greens Committee and the Public Rights of Way Liaison Group, Members noted that this item would no longer be considered as the Public Rights of Way Liaison Group was a non-statutory consultation forum that had no formal link with the Committee.

RESOLVED - that the minutes of the meeting of the Public Rights of Way and Greens Committee, held on 29th October 2007, be confirmed as a correct record and signed by the Chair.

**PROWG
24.01/08 PUBLIC PARTICIPATION - STATEMENTS AND
PETITIONS**

It was agreed that the following two statements be accepted as late submissions;

NUMBER	APPLICATION	NAME	AGENDA ITEM NO
1	Claimed footpath from Berkeley Road to FP567 (Friary Road)	Carmen Grima	6
2	Claimed footpath from Berkeley Road to FP567 (Friary Road)	Carmen Grima, on behalf of Mrs Christine Blackwell	6

**PROWG
25.01/08 DIVERSION OF PUBLIC RIGHT OF WAY NO 226 AT
DUNDRY HILL FARM, WHITCHURCH PARK**

The Committee considered a joint report (Agenda Item No. 5) of the Director of Planning, Transport and Sustainable Development and Director of Central Support Services (Head of Legal Services) to determine an application seeking a Public Path Diversion Order to divert part of Public Footpath 226 in Bristol.

The representative of the Director of Planning, Transport and Sustainable Development introduced the report and informed the Committee that;

- (i) Public Footpath 226 had been well used until 2006, when it had become apparent that an Order processed in 1972/3 contained insufficient wording. This had enabled the landowner to prevent access to parts A to B of the route (as

shown on Appendix (5) A) by removing a style.

- (ii) Local residents were strongly in favour of reinstating access to the route, and after negotiations involving the land owner and both local ward members it had been agreed that the path could be diverted around the edge of his field.
- (iii) It had been agreed that the original proposal for Public Footpath 226 to exit at point D1 (as shown on Appendix (5) A) would be amended to point E (located within Bath and North East Somerset, and also shown on Appendix (5) A) to avoid the path terminating on a blind bend.
- (iv) Should the Order be approved, the diversion to Public Footpath 226 would be arranged with both of the relevant local authorities at the same time.

On being put to the vote it was unanimously -

RESOLVED - (i) that the Head of Legal Services be authorised to make and advertise a Public Path Diversion Order in respect of Public Footpath 226, to divert the path so that it follows the new alignment marked C-D-E (as indicated on Appendix (5) A); and

(ii) that, if no objections are received to the Order, approval be given to confirm it as an unopposed order; and

(ii) that the Head of Legal Services be authorised to enter into an agreement with Bath and North East Somerset Council, under section 101 of the Local Government Act 1972 and all other enabling powers, to exercise the function which that authority has under section 119 of the Highway

Act 1980.

**PROWG
26.01/08**

CLAIMED FOOTPATH FROM BERKELEY ROAD TO FP567 (FRIARY ROAD)

The Committee considered a joint report (Agenda Item No. 6) of the Director of Planning, Transport & Sustainable Development and the Director of Central Support Services (Head of Legal Services) advising members of the responses that had been received to the Notice of Making of a Modification Order relating to the aforementioned path, in order to establish the stance the City Council would take when referring the Order to the Secretary of State.

Members considered the request submitted from Carmen Grima, on behalf of Mrs Christine Blackwell (Public Forum Statement No.2), to defer consideration of the item, but having received advice from the representative of the Head of Legal Services, resolved that there were no grounds to do so.

The representative of the Head of Legal Services introduced the report and advised the Committee that, as the objections received were similar to those previously submitted, there were no grounds to disregard the Officers' recommendation, which was to refer the Order to the Secretary of state with a request that it be confirmed.

Whilst considering the matter, Members requested that a clearer copy of Appendix B to the supplementary information report be provided, so an original, colour copy of the document was circulated. The Chairman also asked Officers to ensure that in future all maps and diagrams be as easy to read as possible.

On being put to the vote it was unanimously -

- RESOLVED -**
- (i) that approval be given to accept the objections received as duly make objections under the Wildlife and Countryside Act 1981; and**
 - (ii) that the Order be referred to the Secretary of State with a request that it be confirmed.**

**PROWG
27.01/08 UPDATE REPORT - RIGHTS OF WAY**

The Committee considered a joint report (Agenda Item No. 7) of the Director of Planning, Transport and Sustainable Development and the Director of Central Support Services (Head of Legal Services) 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.

It was agreed that due to the length of time that some of the applications for modifications to the definitive map and statement had been pending (as detailed in Appendix (7) A), a report to provide additional information on the cause of such delays would be provided to the Committee for consideration at the next meeting.

RESOLVED - (i) that the report be noted; and

(ii) that a report to provide further information on the cause of delays to the pending applications for modifications to the definitive map and statement be provided for the next meeting.

**PROWG
28.01/08 URGENT BUSINESS**

There was no urgent business.

**PROWG
29.01/08 DATE OF THE NEXT MEETING**

The next meeting of the Public Rights of Way and Greens Committee to be held on Monday 7th April 2008 at 2.00 pm.

(The meeting ended at 2.25pm)

CHAIR