

BRISTOL CITY COUNCIL

PUBLIC RIGHTS OF WAYS AND GREENS COMMITTEE

Date 2 April 2012

Report of: Commons Registration Authority

Title: Application for land known as The Green, Bracey Drive, Downend to be registered as a town or village green Bristol made under the Commons Act 2006

Ward: Frome Vale

Officer Presenting Report: Anne Nugent, Senior Solicitor, Legal Services

Contact Telephone Number: 0117 922 3424

RECOMMENDATION

Before arriving at a final determination of the application to register the land known as The Green, Bracey Drive, Downend as a town and village green it is recommended that as the land is owned by the Council an independent inspector be appointed to consider representations on the interpretation and legal effect of the objector's evidence.

Summary

This report relates to an application for land known as The Green, Bracey Drive, Downend to be registered as a town or village green made under the Commons Act 2006

The significant issues in the report are:

Whether or not the land, the subject of the application, has been used 'by right' or 'as of right'

Policy

1. There are no specific policy implications arising from this report.

Consultation
Internal

2. Not applicable

External

3. Not applicable

Context

4. The Council as registration authority has received an application to register land known as The Green, Bracey Drive, Downend (the application land) to be registered as a town or village green Bristol made under the Commons Act 2006.
5. The plan of the application land is set out in Appendix A to this report. In the application the land is referred to as 'a green' bordered by Frenchay Road, Long Close and Bracey Drive BS16 and is described as the former Masson Thrissell Sports Field.
6. The application in the prescribed form, Form 44, was verified by a statutory declaration of Mr Anthony Thomas (Appendix B to this report – redacted for online publication). The application includes a bundle of signed witness statements and photographs from members of the public relating to the use of the land.
7. In Section 7 of the application the Applicant summarized the justification for the application as follows :
 - *Used by a significant number of inhabitants, witnessed by 25 enclosed signed statements showing the use by a total of 33 inhabitants of the aforementioned neighbourhood who:*
 - *Have indulged as of right, without force, without secrecy and without permission in*
 - *Lawful sports and pastimes for activities including walking, walking the dog, football, cricket, model aircraft flying, dog training and picnicking on the land*
 - *For a period of at least 20 years under section 15(2) of the Commons Act 2006 and*
 - *Continue to do so at the date of the application*
8. An objection to the registration of the application land has been received from the landowner, Bristol City Council (the Objector) as '*the usage of the land by the public for 'lawful sports and pastimes' has not been 'as of right', as required by section 15(2) Commons Act*' and submitted detailed documentary evidence to support its objection. In summary the Objector states that:

- It acquired the land on 19 December 1987 by virtue of a transfer from Tarmac Homes Bristol & West Limited. The transfer stated that the purpose of the transfer was for the purpose of the Open Spaces Act 1906. Within the transfer the Council covenanted to maintain the land “as a *Public Open Space*”.
- The acquisition was reported to the Leisure Services Committee on 10 September 1987 and the Land and General Purposes Committee on 24 September 1987, and that it was “*acquisition of amenity areas for Public Open Space purposes.*”
- The land was known as land at Frenchay Road (Amenity areas at “Barton Meadows”), and given plan reference of G29/13 and held by the Leisure Services Committee.
- That the Council is obliged to permit members of the public who wished to use the application land for recreation and given that the Council was obliged to permit recreational user, there was no alternative explanation for the user claimed by the applicant in this case.
- That the consequence of such acquisition is that land is held on a statutory trust to allow the public to exercise their right of recreation under Section 10 of the 1906 Act. It states that there has been no further dealings or appropriations with the land since the original acquisition in 1987 and it continues to be held for the purposes as an open space.

9. The Applicant was given, and accepted, an opportunity to make representations on the Objector’s submissions/evidence. In summary (which is not exhaustive):

- The Applicants do not accept the Council’s statutory trust interpretation. They state that the issues raised in the Open Spaces Act 2006 were not relevant for the purposes of their decision in *Beresford* case and cannot be regarded as providing any sort of legal authority for the Council’s position in respect of the application land.
- The Applicants view is that the Open Spaces Act 1906 issue has not been determined at a judicial level.

Proposal

10. PROWG Committee on behalf of the Council (as statutory Commons Registration Authority) has a statutory duty under the Commons Act

2006 and the regulations made thereunder to determine objectively whether or not the land in question should be registered as a Town or Village Green within the meaning of the Act.

11. The documentary evidence submitted by the Objector has been assessed. Report of CRA officer is attached as Appendix C. The assessment shows that the Council holds the land for public open space purposes.
12. The Open Spaces Act 1906 is an act designed to facilitate the provision of public open spaces by local authorities. "Open space" is defined by s. 20 of the 1906 Act. So far as material for present purposes it means land which is not built on and is used for recreation. Section 7 gives power to any landowner to sell any land (whether already an open space or not) to a local authority for use as a public open space. Section 9 gives power to a local authority to acquire any existing open space. Section 10 provides that a local authority that has acquired open space under the 1906 Act should:
"...hold and administer the open space...in trust to allow, and with a view to, the enjoyment thereof by the public as an open space within the meaning of this Act...and for no other purpose..."
13. The Applicant has not disputed the authenticity of the documentary evidence. To that extent it is undisputed evidence. However the Applicant does dispute that if the application land was held at any point during the relevant 20 year period under section 10 of the Open Spaces Act 1906, use for recreation by members of the public (local or not) would be "by right" and not "as of right" for the purposes of the legislation relating to the registration of new greens. The case turns on the interpretation and legal effect of the objector's evidence.
14. Before arriving at a final determination of the application to register the land known as The Green, Bracey Drive, Downend as a town and village green it is recommended that as the land is owned by the Council an independent inspector be appointed to consider representations on the interpretation and legal effect of the objector's evidence. The inspector will then report back to the Commons Registration Authority with recommendations. CRA will then bring the matter back to PROWG.

Other Options Considered

15. The other options considered are:
 - 15.1 Refer the application to an independent inspector for a public inquiry on all the issues;
 - 15.2 Reject the application on the papers.

16. The referral for a full inquiry will put the Council to additional unnecessary expense if the land is held for public open space or recreation.
17. Rejecting the application on the papers without allowing the applicant an opportunity to first make representations to an independent inspector could be considered to be unfair as the Council owns the land and puts the Council at risk of legal challenge.

Risk Assessment

18. The options leave the Council open to legal challenge. In spite of the fact that legal challenge in cases of this nature is the exception rather than the norm, it must be pointed out to members that there are, nonetheless, legal risks associated with this decision. There could be questions the fairness of the proceedings.
19. These risks are mitigated against by the Council's demonstration of a fair and transparent process in its determination of the application and a decision based on detailed consideration of the evidence.

Public Sector Equality Duties

20. Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
 - i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to

participate in public life or in any other activity in which participation by such persons is disproportionately low.

- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.

Legal and Resources Implications

Legal

- 21. The City Council in its capacity as Commons Registration Authority has responsibility under the Commons Act 2006 to determine whether the land or a part thereof should be registered as a green.

The Law

- 22. Section 15 of the Commons Act 2006 enables any person to apply to a Commons Registration Authority (CRA) to register land as a town or village where it can be shown that:

“A significant number of inhabitants of any locality, or any neighbour within the locality, having indulged as of right in law sports and past times on the land for a period of at least 20 years”

- 23. In addition to the above, the application must meet the test under Section 15(2) of the Act in particular that use of land has continued “as of right” until at least the date of the application.

- 24. The applicant must establish that the land in question comes entirely within the definition of a town or village green, in Section 15(2) of the Act. The Registration Authority must consider on the balance of probabilities whether or not the applicants have shown that:

a significant number of inhabitants of the locality or neighbourhood indulged in lawful sports and pastimes as of right on the land for a period of at least twenty years; and they continue to do so at the time of the application.

- 25. In its capacity as Registration Authority the City Council has to consider objectively and impartially all applications to register greens on their merits taking account of any objections and of any other relevant considerations. Wholly irrelevant considerations such as the potential use of the land in the future must be left out.

“As of right”

- 26. User “as of right” means user without force, secrecy or permission (*nec*

vi nec clam nec precario). User as of right is sometimes referred to “as if by right” and must be contrasted with use “by right”.

“By right”

27. User “by right” means that users already have a statutory or other legal right to use the land for those purposes. Such users are not trespassers. Land is not used “as if right” for lawful sports and pastimes if user is by right. If land is held on trust for the purpose of recreational use and enjoyment by the general public or a section of the public including the users of the land it has been suggested (although not definitively decided) that the beneficiaries of the trust are entitled to use the land for sports and pastimes and cannot be regarded as trespassers. It has also been suggested but not yet decided by the courts that a trust may be implied.

“Appropriation”

28. Local authorities are creatures of statute. They can only lawfully act for the purposes and in the ways that statute permits them to act.
29. Local authorities have been given powers to appropriate, or re-allocate, land from one statutory purpose to another – see section 163 Local Government Act 1933.
30. The current provisions are those found in section 122 Local Government Act 1972, as amended by the Local Government, Planning and Land Act 1980. The Act gives a local authority power to appropriate land that is no longer required for the purpose for which it was held immediately before the appropriation.

Procedure

31. The application has been made under Section 15(2) of the Act 2006. The regulations that govern the procedure are the (Commons Registration of Town or Village Greens) Interim Arrangements (England) Regulations 2007. The Committee has recently approved a written procedure which provides that where the Council is the landowner an independent inspector will automatically be appointed to conduct the inquiry. Appointing an independent inspector to consider the representations before determination on the papers in cases where the Council is the landowner will address any suggestion of bias in the decision-making process.

Legal advice provided by: Anne Nugent, Senior Solicitor, Legal Services.

Financial

- 32.

(a) Revenue

In the event of any subsequent legal challenge any costs over and above those normally met from existing revenue budgets can be met from the central contingency.

(b) Capital

If the Land is registered as Town and Village Green, this will prevent a development opportunity and therefore a potential loss of a Capital Receipt.

Financial advice (Revenue) from Tony Whitlock, Corporate Finance
Financial advice (Capital) from Jon Clayton, Corporate Finance.

Land

There are no specific policy implications arising from this report.

Personnel

Nil

Appendices

Appendix A – Map of Application Land

Appendix B- Application Form 44 (redacted due to online publication)

Appendix C- Officer Assessment of evidence

Local Government (Access to Information) Act 1985

Background Papers:

Application papers/ statement of objections/ response available at the Council House, College Green.

Section 15 Commons Act 2006

Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2007



EXHIBIT A



GREEN IN BLUE

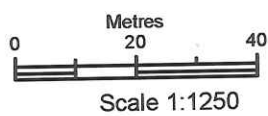
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The representation of features as lines is no evidence of a property boundary.



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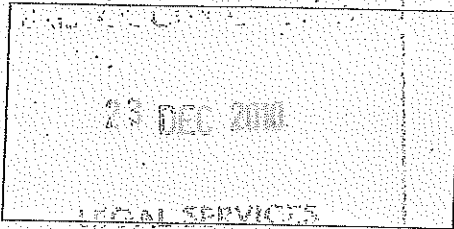
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www.ordnancesurvey.co.uk

Commons Act 2006: Section 15

FORM 44

Application for the registration of land as a Town or Village Green

Official stamp of registration authority
indicating valid date of receipt:



Application number:

No 19

Amended

Register unit No(s):

VG number allocated at registration:

(CRA to complete only if application is successful)

Applicants are advised to read the 'Guidance Notes for the completion of an Application for the Registration of land as a Town or Village Green' and to note the following:

- All applicants should complete questions 1-6 and 10-11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7-8. Section 15(1) enables any person to apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete question 9.

Note 1
Insert name of
registration
authority.

1. Registration Authority

To the

Legal Division, Bristol City Council. P.O. Box 2156. Bristol. BS99 7PH.

For the attention of Tom Dunsden, Solicitor

Note 2

If there is more than one applicant, list all names. Please use a separate sheet if necessary. State the full title of the organisation if a body corporate or unincorporate.

If question 3 is not completed all correspondence and notices will be sent to the first named applicant.

2. Name and address of the applicant

Name:

Full postal address:

Telephone number:

(incl. national dialling code)

Fax number:

(incl. national dialling code)

E-mail address:

3. Name and address of solicitor, if any

Name:

Firm:

Full postal address:

Telephone number:

(incl. national dialling code)

Fax number:

(incl. national dialling code)

E-mail address:

Note 3

This question should be completed if a solicitor is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here.

Note 4

For further advice on the criteria and qualifying dates for registration please see section 4 of the Guidance Notes.

* Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.

4. Basis of application for registration and qualifying criteria

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5.

Application made under section 15(8): ☐

If the application is made under section 15(1) of the Act, please tick one of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

Section 15(2) applies:

☒

Section 15(3) applies:

☐

Section 15(4) applies:

☐

If section 15(3) or (4) applies please indicate the date on which you consider that use as of right ended.

If section 15(6)* applies please indicate the period of statutory closure (if any) which needs to be disregarded.

Note 5

The accompanying map must be at a scale of at least 1:2,500 and show the land by distinctive colouring to enable it to be clearly identified.

* Only complete if the land is already registered as common land.

Note 6

It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village or street). If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly.

5. Description and particulars of the area of land in respect of which application for registration is made

Name by which usually known:

The Green

Location:

Bordered by Frenchay Road, Long Close and Bracey Drive, Bristol BS16.

Shown in colour on the map which is marked and attached to the statutory declaration. Yes – area edged in blue - Exhibit A

Common land register unit number (if relevant) *

6. Locality or neighbourhood within a locality in respect of which the application is made

Please show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching a map on which the area is clearly marked:

Neighbourhood created by the development of 108 houses built on the former Masson, Scott, Thrissell sports ground in 1985, shown edged in red on the attached plan - Exhibit B

X

village green

Note 7

Applicants should provide a summary of the case for registration here and enclose a separate full statement and all other evidence including any witness statements in support of the application.

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

7. Justification for application to register the land as a town or

- * • Used by a significant number of inhabitants, witnessed by the 25 enclosed signed statements showing use by a total of 33 inhabitants of the aforementioned neighbourhood who:
- Have indulged as of right, without force, without secrecy and without permission in
- Lawful sports and pastimes for activities including walking, walking the dog, football, cricket, model aircraft flying, dog training and picnicking on the land
- For a period of at least 20 years under section 15(2) of the Commons Act 2006 and
- Continue to do so at the date of the application.

* Additional signed statements are enclosed.

Note 8

Please use a separate sheet if necessary.

Where relevant include reference to title numbers in the register of title held by the Land Registry.

If no one has been identified in this section you should write "none"

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

8. Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to be a town or village green

Bristol City Council

Note 9

List all such declarations that accompany the application. If none is required, write "none".

This information is not needed if an application is being made to register the land as a green under section 15(1).

9. Voluntary registration – declarations of consent from 'relevant leaseholder', and of the proprietor of any 'relevant charge' over the land

N/A

Note 10

List all supporting documents and maps accompanying the application. If none, write "none"

Please use a separate sheet if necessary.

10. Supporting documentation

See attached list of supporting Documents (Appendix A)

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single

Note 11

If there are any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.

Note 12

The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate.

11. Any other information relating to the application

No

Date:

16th November 2010

Signatures:

W. J. N. (Fandell Loneragan)
P. J. L. (P. J. L.)
D. J. L. (D. J. L.)
H. J. L. (H. J. L.)

REMINDER TO APPLICANT

You are advised to keep a copy of the application and all associated documentation. Applicants should be aware that signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence. The making of a false statement for the purposes of this application may render the maker liable to prosecution.

Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

Statutory Declaration In Support

Appendix C

To be made by the applicant, or by one of the applicants, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, by its solicitor, or by the person who signed the application.

¹ *Insert full name (and address if not given in the application form).*

I... solemnly and sincerely declare as follows:—

² *Delete and adapt as necessary.*

1.² I am ((the person (one of the persons) who (has) (have) signed the foregoing application)) ~~((the solicitor to (the applicant) (one of the applicants).~~

³ *Insert name if Applicable*

Theresa

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

⁴ *Complete only in the case of voluntary registration (strike through if this is not relevant)*

4.⁴ I hereby apply under section 15(8) of the Commons Act 2006 to register as a green the land indicated on the map and that is in my ownership. I have provided the following necessary declarations of consent:

- (i) a declaration of ownership of the land;
- (ii) a declaration that all necessary consents from the relevant leaseholder or proprietor of any relevant charge over the land have

Cont/

⁴ Continued

been received and are exhibited with this declaration; or
(iii) where no such consents are required, a declaration to that effect.

And I make this solemn declaration, conscientiously believing the
same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said

H. H. H. H.

at

[REDACTED]

this

[REDACTED]

day of

December 28th

William H. H.

Signature of Declarant

Before me *

Signature:

J. A. Jesty

Address:

[REDACTED]

Qualification:

JUSTICE OF THE PEACE.

* The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

1. The documentary evidence provided by the Council in relation to its statement, is attached and referred to as 'enclosure' and followed by the number of that enclosure. The objection statement states that the application land is shown edged in red on the plan at (**enclosure 1**).
2. The land is registered under title number AV141934 (**enclosure 2**.)
3. The Council acquired the land by virtue of a transfer dated 18 July 1987 made between Tarmac Homes Bristol & West Limited (1) and The City Council of Bristol (2). (**enclosure 3**).
4. The land was known as land at Frenchay Road (Amenity areas at "Barton Meadows"), and given plan reference of G29/13 (**enclosure 4**) and held by the Leisure Services Committee (**enclosure 5**).
5. The transfer provided for the land on the South side of Frenchay Road, Frenchay Bristol (as edged red on the plan attached to the transfer) to be transferred to the Council and that the transfer was '*for the purpose of the Open Spaces Act 1906*' (see enclosure 3 above).
6. The AGM of the Council 19 May 1987 resolved that the Leisure Services Committee would exercise the powers and duties of the Council under The Local Government Act 1972 and the Local Government and Land Act 1908 and the Open Spaces Act 1906 (see enclosure 5 above).
7. Following the completion of the transfer, the transfer was reported in a report prepared by the Parks Manager and City Clerk regarding transfers of land concerning amenity areas serving residential and non-residential developments dated
8. The report was provided to the Leisure Services Committee on 10 September 1987 (**enclosures 6**) and then to the Land and General Purposes Committee 24 September 1987 (**enclosure 7**).
9. The reports referred to in paragraph 6 stated a standard procedure had been adopted for the adoption of such amenity areas whereby the Parks Manager would negotiate an agreement and the City Clerk would complete a transfer. The acquisition was reported to the committees as '*an area of open space relating to a new housing development at Barton Meadow Road, Downend, which was transferred on 18 July 1987*' and stated that the land was an "*acquisition of amenity areas for Public Open Space purposes.*" The reports were noted by the Committees and the records updated to reflect the relevant acquisition.

Conclusion

10. In my view the effect of the documentation provided by the Council by virtue of the 1987 transfer and of the Leisure Services Committee and the land and General Purposes Committee Reports shows that the land is held for public open space purposes.

EXHIBIT A



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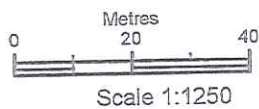
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The representation of features as lines is no evidence of a property boundary.



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H.M. LAND REGISTRY		TITLE NUMBER AV141934	
ORDNANCE SURVEY PLAN REFERENCE	ST 6476	SECTION AD	Scale 1/1250
COUNTY AVON	DISTRICT BRISTOL	© Crown copyright 1985	

The boundaries shown by dotted lines have been plotted from the transfer plan. The title plan may be updated from later survey information.



DATED 13th July 1987

TARMAC HOMES BRISTOL & WEST LIMITED
- to -
THE CITY COUNCIL OF BRISTOL

TRANSFER

601667

- of -

Land at Frenchay Road
Frenchay

AJO/24589

*Certified a true
Copy of Original
Transfer
D. P. Lewis
Att. Clerk
Bristol
13/7/87.*

H.M. Land Registry
Land Registration Acts 1925 to 1971
Transfer of Part

County and District: Avon: Bristol District
Title No: AV91798
Property: Land at Frenchay Road, Frenchay

Date: 13th July 1987

IN CONSIDERATION of one pound (£1.00) the receipt whereof is hereby acknowledged TARMAC HOMES BRISTOL & WEST LIMITED of Crestwood House Birches Rise Willenhall West Midlands ("The Transferor") as Beneficial Owner hereby Transfers to THE CITY COUNCIL OF BRISTOL of The Council House College Green Bristol ("the Council") the land on the South Side of Frenchay Road Frenchay Bristol ("the Land") shown edged red on the plan attached hereto being part of the land comprised in the title above mentioned The Council covenants to indemnify the Transferor against all future costs and responsibility of maintaining the land hereby transferred in reasonable condition by maintaining the land as a Public Open Space

AND it is hereby declared that the present transfer is for the purpose of the Open Spaces Act 1906 (as amended by the Local Government Planning and Land Act 1980)

IT IS HEREBY certified that the transaction hereby effected does not form part of a larger transaction or series of transactions in respect of which the amount or value or aggregate amount or value of the consideration exceeds THIRTY THOUSAND POUNDS (£30,000)

THE COMMON SEAL of TARMAC)
HOMES BRISTOL & WEST)
LIMITED was hereunto affixed)
in the presence of:-)

~~60166~~

R. J. Haynes
R. Jones

Director

Director/Secretary

THE COMMON SEAL of THE CITY COUNCIL)
OF BRISTOL was hereunto)
affixed in the presence of:-)

60166

K. B. Reeves
K. B. REEVES
ASSISTANT CITY CLERK

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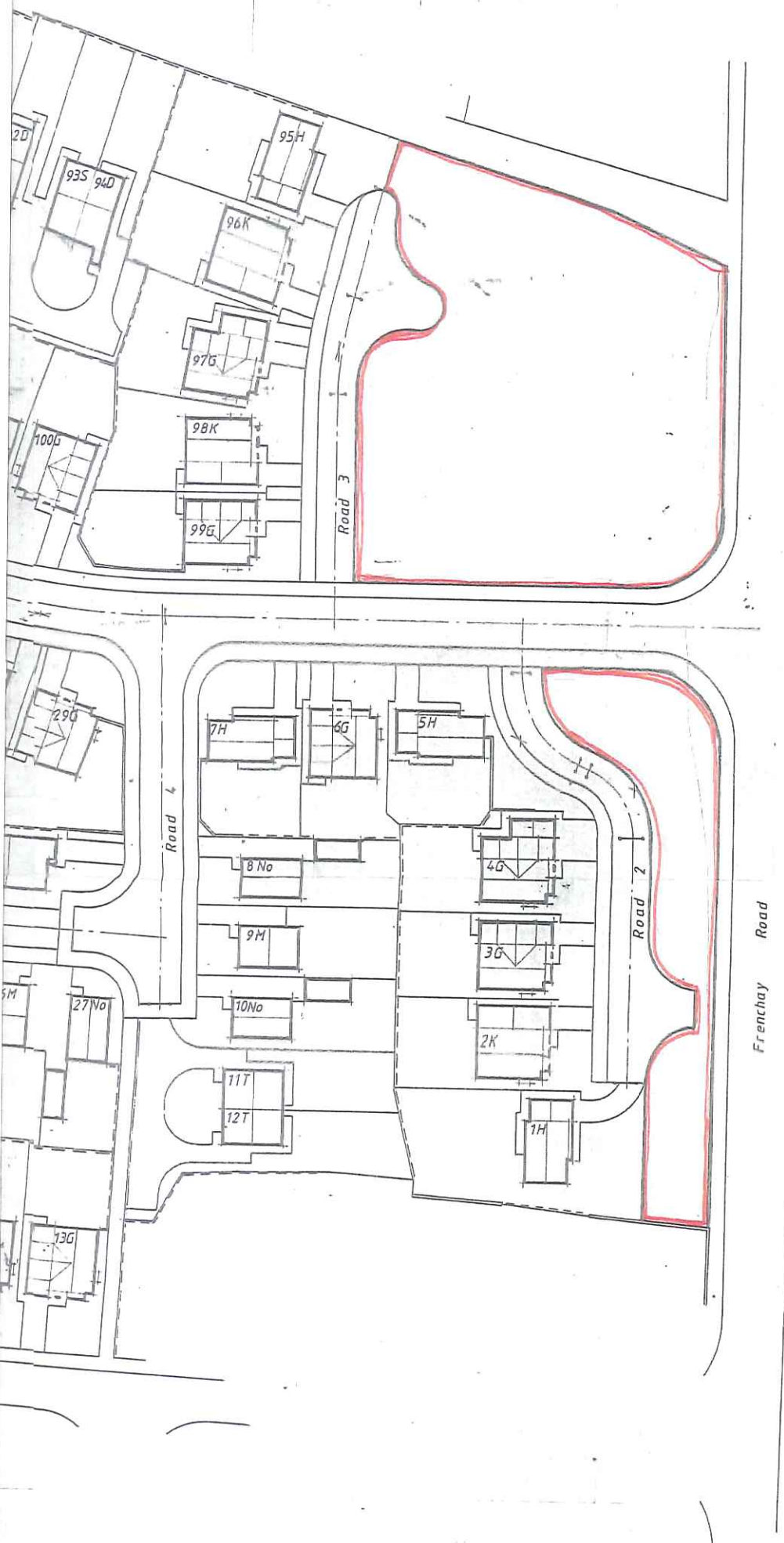
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R. Haynes
R. Haynes

C:- Fence by plot 13 amended 14.10.85
B:- Access to plots 40, 46, 62, 65, 84 & 88 rev. Bdy plot 56 moved 23.11.84
Revision A:- Boundaries plots 1, 12, 18, 29, 37, 40, 47-9 & 70 amended 21.11.84

A MOVE IN THE RIGHT DIRECTION

BRISTOL & WEST Ltd

PROJECT	
Frenchay Road Downend	
TITLE	
Site Layout	
SCALE 1:500	PROJECT No.
DATE 18.5.84	150
DRAWN dcb	

Location of Property FRENCHAY ROAD
Description Amenity areas at "Barton Meadow"
Area
Purchase Price See below

Rateable Value.....

Vendor/s

TRANSFER
Date Purchase Completed 13-7-87

Proposed Use Public open space

Outgoings, Covenants and Remarks

Plan Ref. G-29/13
File No. **Enclosure 4**
Committee
Archives Ref. 102109
Land Cert. No. AN 111934
C.S. No.

Prop Id 7927 & 85940

Site 16434



Other Information

This land transferred to City Council by developer, who contributed £6,000 for first 10 years maintenance costs.

Scale 1:1250

643

644

B M
49-94m

VESTED

Avon

School House

VESTED

In

Avon

SIDELANDS ROAD

A close-up of a road map showing 'FRENCHAY ROAD' and a distance marker '582m'.

BRACEY DRIVE

SHIMSEY CLOSE

Shelter

LONG C

A map of a residential area. A street is labeled 'GRANGEWOOD CLOS' in a curved path. Below it, a street is labeled '2'. The map shows a grid of streets and some building footprints.

19 May 1987

City of Bristol



At the Annual Meeting of the Council of the City of Bristol, held at The Council House, College Green, Bristol, on Tuesday, the nineteenth day of May 1987, at twelve o'clock noon, to take into consideration the following business proposed to be transacted thereat and to make such orders and appointments and adopt such proceedings thereon as may be deemed proper and expedient.

The Election of the Lord Mayor (Part I of the report from the Policy and Resources Committee).

A Resolution of Thanks to the retiring Lord Mayor.

A Resolution of Thanks to the retiring Deputy Lord Mayor.

A Resolution of Thanks to the retiring Lady Mayoress.

The Appointment of the Deputy Lord Mayor (Part II of the report from the Policy and Resources Committee).

Names of Councillors Elected.

The Minutes of the Meeting held on 14 April 1987.

Petitions.

Parts III to V of the report from the Policy and Resources Committee.

A report from the Land and General Purposes Committee.

A report from the Housing Committee.

Councillor Roberston to move—

'That the Council, as a shareholder, considers the items of business as set out on the Agenda for the first Annual General Meeting of Bristol Airport PLC to be held on 8 June 1987, copies of which have been circulated with the Council Agenda, gives its instructions as to any views or decisions which it wishes to be conveyed to that Annual General Meeting and instructs Councillor Tudball as its nominated representative at the Annual General Meeting to vote accordingly.'

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Read Part I of the report of the **POLICY AND RESOURCES COMMITTEE**, namely—

1—Election of Lord Mayor

Your Committee have pleasure in nominating Councillor Mr Christopher Dominic Marmaduke Bellairs Alderson of 312 Canford Lane, Westbury-on-Trym, Bristol BS9 3PL, as Lord Mayor of the City of Bristol for the ensuing municipal year.

On the motion of Mr Robertson, it was unanimously—

RESOLVED—that Councillor Mr Christopher Dominic Marmaduke Bellairs Alderson of 312 Canford Lane, Westbury-on-Trym, Bristol BS9 3PL, be, and is hereby elected, Lord Mayor of the City of Bristol for the ensuing municipal year.

Mr Alderson then made and subscribed his Declaration of Acceptance of the office of Lord Mayor.

On the motion of Mr Abraham, it was—

RESOLVED—that the sincere thanks of the Council be accorded to Councillor Joan Jones for the able and kindly manner in which she has carried out the duties attaching to the office of Lord Mayor of the City of Bristol during the past year; for her sincere concern in all matters affecting the interests and welfare of the citizens; for the courteous and helpful manner in which she has presided over the deliberations of the Council; and for her hospitality.

On the motion of Mr Willcox, it was—

RESOLVED—that the sincere thanks of the Council be accorded to Councillor Claude Draper for the able and willing manner in which he has carried out his duties as Deputy Lord Mayor of the City of Bristol during the past year, so ably assisted by his wife, Mrs Maureen Draper, and for the unfailing support and help which he has given to the Lord Mayor in the discharge of the many duties attaching to her office.

At the Lord Mayor's invitation the retiring Lord Mayor then presented the retiring Deputy Lord Mayor with a token of the Council's appreciation of the services which he had rendered.

On the motion of Mrs Stamper, it was—

RESOLVED—that the sincere thanks of the Council be accorded to Mrs Judith Corbett for the gracious and kindly manner in which she has carried out her duties as Lady Mayoress during the past year, and for the unfailing help and support which she has, at all times, given to the Lord Mayor in the discharge of the many duties attaching to her office.

The Lord Mayor then presented the retiring Lady Mayoress with a token of the Council's appreciation of the services which she had rendered.

Read Part II of the report of the **POLICY AND RESOURCES COMMITTEE**, namely—

Appointment of Deputy Lord Mayor

Your Committee have pleasure in nominating Councillor Mrs Joan Jones of 15 Hamilton Road, Easton, Bristol BS5 0SN, as Deputy Lord Mayor of the City of Bristol for the ensuing municipal year.

RESOLVED—that Councillor Mrs Joan Jones, be, and is hereby appointed, Deputy Lord Mayor of the City of Bristol for the ensuing municipal year.

Mrs Jones then made and subscribed her Declaration of Acceptance of the office of Deputy Lord Mayor.

Adjournment

RESOLVED—that the Council do now adjourn for luncheon, the meeting to be resumed immediately following the Special Meeting.

The Council resumed at approximately 2.45 p.m.

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documents, as may be necessary, incident or relevant to the execution of the functions hereinafter given or committed to them respectively and that the Council delegate to the said committees its functions in relation to or incident or relevant to any of the matters hereinbefore mentioned, except the power to make by-laws, to borrow money or to raise a rate provided always that any standing orders and resolutions of the Council as to capital and other expenditure by committees and as to the conditions of employment and the payment of staff or as to any other matters with respect to which the Council may be from time to time determine or expressly reserve the right of approval, shall be observed by the said committees.

that the City Clerk be and is hereby authorised generally to act as agent on behalf of the Council and in particular to give sign and serve notices (statutory or otherwise) to sign agreements and documents of any kind and to institute defend and undertake on behalf of or in the name of the Council litigation or proceedings of any kind before any court of summary jurisdiction, county court, crown court, high court, or any tribunal, or arbitration, and to appear on behalf of the Council in any such litigation or proceedings before any such court or tribunal or arbitration.

FIRST SCHEDULE

MEMBERS OF COMMITTEES

(to be amended as appropriate at the Council meeting)

DOCKS COMMITTEE (12 Members).

Councillor Blackmore
Crowley
Fisk
Howell
Naysmith
Poole
Pople
Thomas
Trench
Tudball
Wall
Willcox

EMPLOYMENT AND COMMUNITY DEVELOPMENT COMMITTEE (12 Members)

Councillor Bassett
Blanchard
Bromham
Clancy
Herod
Hillman
Mrs Langley
May
Mrs Patterson
Vowles
Wall
C. J. N. Williams

HOUSING COMMITTEE (12 Members)

Councillor Allen
Mrs Gillard
Mrs Goodland
Hicks
Kiely
Knowland
May
Merrett
Micklewright
Mrs Stamper
Tedder
Mrs Warren

LAND AND GENERAL PURPOSES COMMITTEE (12 Members)

Councillor Alderson
Apperley
Bassett
Bromham
Lewis
Pople
Richards
Robertson
Mrs Scantlebury
Mrs Telling
Walton
Willcox

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PUBLIC WORKS COMMITTEE
(8 Members)

Councillor Apperley
Browne
Hammond
Hicks
Hynes
Knowland
Munroe
Mrs Telling

RACE EQUALITY COMMITTEE
(8 Members)

Councillor Alderson
Bashforth
Bassett
D. Fey
Hammond
Shotter
Tatlow
C. J. N. Williams

WOMEN'S COMMITTEE
(8 Members)

EE Councillor Mrs Fey
Mrs Hebblethwaite
Mrs Jackson
Mrs Patterson
Tatlow
Mrs Topham
Walton
Mrs Warren

EMERGENCY COMMITTEE
(3 Members)

Councillor Fisk
Robertson
Wall

NOTE: The Lord Mayor is, by Standing Orders, ex officio a member of every committee appointed by the Council and of every sub-committee.

SECOND SCHEDULE

**Terms of Reference and delegation of matters
and functions of committees**

(A)—POLICY AND RESOURCES COMMITTEE

To carry out the following functions:

- DE
- (1) To advise the City Council on overall strategy, objectives and priorities, the allocation of resources, and the co-ordination of policies and programmes; to monitor and review the operation and effectiveness of all the Council's activities and the standards and levels of service provided; to identify the need for new services and to keep under review the necessity for existing ones; to conduct the external affairs and public relations of the Council in relation to matters of strategic importance.
 - (2) To be responsible for all policy relating to the Council's finances, budget and accounts, and to ensure the most effective use of resources in accordance with the Council's policy objectives.
 - (3) To be responsible for—
the function and role of the Chief Executive.
 - (4) To borrow or raise moneys in any way as authorised by the Council and to deal with all matters relating thereto.
 - (5) To conduct, manage and regulate all Council stocks, mortgages and bonds issued by the Council, any consolidated loans fund and any special funds that may from time to time be created.
 - (6) To receive reports from the City Treasurer on the progress of net expenditure against the rate fund budget.

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- and (1) To administer the accountancy and banking arrangements of the Council.
- ate (2) To arrange, manage and control the fire and other insurances of the Council and any insurance funds belonging to the Council and in particular to make arrangements in connection with the insurance of members of the Council against accidents and any other authorised contingencies.
- tion (3) To deal with all matters relating to rating other than the recommendation as to the general rate to be levied.
- new (4) To make arrangements for the satisfactory audit of the accounts and associated matters of the Council, including the appointment of auditors and to deal with all reports made by any such auditors.
- vac (5) To be responsible for the Council's policy and strategy for new technology and to make arrangements (whether by purchase or lease of equipment or otherwise) to secure for the Council adequate computing services.
- l to (6) To consider the charges made by and other matters relating to statutory undertakings.
- ties (7) To be responsible for the disposal of lost or uncollected property under S.47 County of Avon Act 1982.
- fect (8) With the exception of matters of strategic importance, to develop appropriate relations with Government departments, other local authorities and local authority associations, and with the press, and to make representations as appropriate.
- nt. (9) To be responsible for the Staff Restaurant Sub-Committee and matters in connection therewith.
- nd (10) To be responsible for the following departments:
- | | |
|--|---------------------------|
| City Clerk (including Lord Mayor's Office) | City Valuer |
| City Treasury (excluding the appointment of the City Clerk and City Treasurer) | Printing and Stationery |
| Member Services | Press Office |
| | Publicity and Information |
- ay (11) Subject to and in accordance with the overall policies and procedures of the Personnel Committee to be responsible for matters relating to employees in departments under their control and to ensure that the obligations of the Council as employers are observed and complied with throughout such departments.
- e) (12) Under the general oversight, guidance and direction of the Policy and Resources Committee to be responsible for all policy, functions and operations relating to the purchase, management, maintenance and disposal of all land and buildings belonging to the City Council with the exception of dwellings controlled by the Housing Committee, P.B.A. operational land, and such other exceptions as may be agreed by the Committee or Council from time to time. To ensure the most effective use of land and property resources in accordance with the Council's policy objectives. To this end to formulate overall policies and procedures for application throughout the Council and its departments and to ensure their observance.
- al (13) In conjunction with the responsibilities set out in item 12 above, to exercise the functions of the Council relating to mitigation of dereliction in respect of unoccupied sites and properties with the exception of residential properties.
- ig (14) To be responsible for the appropriation of any land or premises vested in the Council from one statutory purpose to another, subject to any necessary Ministry consents.
- d (15) Except in so far as responsibility for operation and maintenance is delegated to the Public Works Committee and responsibility for leisure activities and events is delegated to the Leisure Services Committee, to be responsible for the City Docks of the City Council (which expression includes Cumberland Basin and the approaches thereto, the Floating Harbour, the Feeder Canal and Netham

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(1) To be responsible for Corporation departments of work study, organisation and methods and other management services functions and to be responsible for the Personnel and Management Services Departments.

(2) To be responsible for matters relating to employees in departments under their control and to ensure that the obligations of the Council as employers are observed and complied with throughout the Council.

(3) To be responsible for the following departments:

Personnel.

Management Services (including Performance Review).

(4) To be responsible for the payment of expenses to the South Western Provincial Council for Local Authorities' Administrative, Professional, Technical and Clerical Services, and to the Western Provincial Council for Local Authorities' Services (Manual Workers) and to appropriate training boards.

(5) Encouraging, assisting or undertaking action with the object of alleviating unemployment or providing employment and/or training (whether in the Council or otherwise).

(6) Generally to institute or defend on behalf of the Council proceedings relative to any function delegated to them, in any court tribunal or arbitration.

(7) To exercise any functions conferred upon the Council by any enactment, regulation, by-law, instrument, rule or order from time to time in force in so far as may be relevant, consequential, supplementary or incidental to any of the matters or functions mentioned or referred to in paragraphs (1)–(14) above or otherwise from time to time delegated to them.

(D)—PERFORMANCE REVIEW COMMITTEE

To examine any policy implementation, operation or aspect of the work of the City Council or any committee or department, and to assess its economic, financial and social effectiveness; to exercise such powers as may be necessary to perform this function; and to make recommendations to the Policy and Resources Committee.

(E)—AIRPORT COMMITTEE

(1) To act on behalf of the shareholder in Bristol Airport PLC ('the Company') and to exercise all the rights and powers of such including reporting where appropriate to the Council in relation to general meetings of the Company.

(2) To receive reports and take such action as is necessary from time to time in relation to any matters agreed by the Company and to report as necessary to the Council and/or any other appropriate committee.

(3) Generally to ensure proper liaison between the Company and the Council.

(4) To take such action as necessary to ensure that any outstanding matters (whether arising before or after 1.4.87) relating to the formation of the Company and its relationship with the City Council are dealt with.

(5) To report to Council on those actions which, by virtue of Article 5(1) of the Articles of Association of the Company, the directors cannot take without the prior approval of the shareholders, namely:

(a) incurring any capital expenditure or entering into any contract which would entail any capital expenditure;

(b) entering into any other contract or series of contracts whereby the amount, or aggregate amount, payable by the Company would exceed £50,000;

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incidental thereto; subject as aforesaid Programme Area Committees are in particular responsible for keeping their services under review and (in conjunction with any other relevant committee or committees of the Council) for proposing programmes to meet needs in their programme areas for discussion and consideration by the Council.

All Programme Area Committees are authorised generally to institute or defend on behalf of the Council proceedings relative to any matter or function delegated to them, in any court, tribunal or arbitration.

Subject always as set out above and to the exclusion from Programme Area Committees of any matters falling to be dealt with by the Policy and Resources Committee, the Land and General Purposes Committee or the Personnel Committee, the programme areas matters and functions delegated to the Programme Area Committees are described in Sections (H) to (S) hereunder under the names of the respective Programme Area Committees including, but without prejudice to the foregoing, the exercise of any functions of the Council arising (whether directly or by virtue of any agency or other agreement or arrangement with another body) under or by virtue of any enactment or provision whether or not mentioned or referred to in Part 2 of the appropriate Section hereunder or any other enactment or provision which now is or which may be from time to time in force and any amendment, modification, re-enactment or consolidation of any such enactment or provision now or hereafter in force and any regulations, by-laws, instruments, rules or orders under any such enactment, provision, amendment, modification, re-enactment or consolidation.

(H)—D.L.O. COMMITTEE

Part 1

- (1) Responsibility for the Council's direct labour organisations (excluding those for which the Docks Committee is responsible) dealing with the following work on behalf of the Council in their capacity as contractors, whether such work is carried out for another committee of the Council, or other bodies:
- (a) construction, maintenance and improvement work in respect of buildings, highways and sewers;
 - (b) provision, maintenance and repair of transport and plant.

In pursuance of the above—

- (1) To establish and keep under review the organisation of structures for the proper control and execution of work by such direct labour organisations.
- (1) To ensure that such direct labour organisations are viable and function effectively, efficiently and competitively as contractors in accordance with (where appropriate) the provisions of Part III of the Local Government Planning and Land Act 1980 and any other relevant statutory provision and to report periodically to the Policy and Resources Committee thereon.
- (1) To be responsible to 'client' committees and bodies for carrying out work in accordance with the terms of any contract or similar arrangement therefor.
- (1) Subject to and in accordance with the overall policies and procedures of the Personnel Committee to be responsible for matters relating to employees in departments under their control and to ensure that the obligations of the Council as employers are observed and complied with throughout such departments.

Part 2

- (1) Local Government Act 1972 and Part III of the Local Government Planning and Land Act 1980.
- (1) Any enactments or provisions relevant to the programme area of the Committee.
- (1) Any enactments or provisions consequential, supplementary or incidental to any of the matters or functions mentioned or referred to in paragraphs (1)–(7) above or otherwise from time to time delegated to the Committee.

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(10) The Local Government Act 1972 and the Local Government Planning and Land Act 1980.

(11) Sections 14-17, 19 and 38 of the Local Government (Miscellaneous Provisions) Act 1976.

(12) Section 17 of the County of Avon Act 1982.

(13) The Merchant Vessels Act 1985 in so far as it relates to a Dock Undertaking.

(14) The Food and Environment Protection Act 1985.

(15) Any enactments or provisions relevant to the programme area of the Committee.

(16) Any enactments or provisions consequential, supplementary or incidental to any of the matters or functions mentioned or referred to in paragraphs (1)-(24) above or otherwise from time to time delegated to the Committee.

(J)—DOWNS COMMITTEE

Part 1

(1) To exercise functions in respect of Clifton and Durdham Downs.

Part 2

(2) Clifton and Durdham Downs (Bristol) Act 1861.

(3) Section 36 of the County of Avon Act 1982.

(4) Any enactments or provisions relevant to the programme area of the Committee.

(5) Any enactments or provisions consequential, supplementary or incidental to any of the matters or functions mentioned or referred to in paragraphs (1)-(4) above or otherwise from time to time delegated to or the responsibility of the Committee.

(K)—EMPLOYMENT AND COMMUNITY DEVELOPMENT COMMITTEE

(1) To supervise and control all matters relating to the City Council's policies, functions and activities in connection with the alleviation of local unemployment, the creation of new jobs and the protection of existing ones, and monitoring, research and intervention in the local economy; to develop policies and programmes and to involve other relevant organisations in the fulfilment of these functions.

(2) To encourage and support self-help employment initiatives and improvement schemes by local community, co-operative and voluntary organisations.

(3) To research and monitor the incidence and distribution of poverty and deprivation in the city, and to formulate appropriate policies and programmes.

(4) To be responsible for the Economic Development Office.

(5) To be responsible for matters relating to employees in departments under their control and to ensure that the obligations of the Council as employers are observed and complied with throughout such departments.

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- (k) Clubs and clubs.
- (l) Public entertainments.
- (m) Public establishments.
- (n) Sexual intercourse, tattooing, ear-piercing and electrolysis.
- (o) Social welfare.
- (p) Public safety arrangements.
- (q) Other miscellaneous matters protecting the public or providing a service for them.
- (r) Cemeteries and crematoria.
- (s) Liaison with health authorities.
- (t) To be responsible for the Environmental Health Department, City Mortuary and the Crematoria and Cemeteries Department.
- (u) Subject to and in accordance with the overall policies and procedures of the Personnel Committee to be responsible for matters relating to employees in departments under their control and to ensure that the obligations of the Council as employers are observed and complied with throughout such departments.

Part 2

- (00) Game Act 1831 and Local Government Act 1894.
- (01) Section 40 of the Public Health Acts Amendment Act 1890 (so far as it relates to shelters for drivers of hackney carriages).
- (02) Sections 37 to 68 of the Town Police Clauses Act 1847, Town Police Clauses Act 1889, Sections 10-17 of the Transport Act 1985 and Part II of the Local Government (Miscellaneous Provisions) Act 1976.
- (1) Public Health Acts (Amendment) Act 1890.
- (11) Sections 75 and 76 of the Public Health Act 1925.
- (12) The House-to-House Collections Act 1939.
- (13) Sections 31 and 38 of the Road Traffic Act 1972.
- (14) Part III of the Road Traffic Act 1972.
- (15) The Vehicles (Excise) Act 1971.
- (16) The Betting Gaming and Lotteries Acts 1963 to 1980, the Gaming Act 1968 and the Lotteries and Amusements Act 1976 (except the provisions relating to local lotteries).
- (17) The Scrap Metal Dealers Act 1964.
- (18) The licensing of refreshment houses under the Late Night Refreshment Houses Act 1969.
- (19) Police, Factories, etc. (Miscellaneous Provisions) Act 1916.
- (2) So much of the provisions of the Theatres Act 1968 as concerns the functions of the Council as the licensing authority.
- (3) Theatres Act 1985.

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- (40) The Shops Acts 1950 to 1965.
- (41) The Young Persons (Employment) Acts 1938 and 1964.
- (42) The Road Act 1984.
- (43) The Food and Environmental Protection Act 1985.
- (44) The Animal Boarding Establishments Act 1963.
- (45) The Agricultural (Safety, Health and Welfare Provisions) Act 1956.
- (46) The Mines and Quarries Act 1954, Section 151.
- (47) The Pet Animals Act 1951.
- (48) The Slaughter of Poultry Act 1967.
- (49) The Riding Establishment Acts 1964 and 1970.
- (50) The Breeding of Dogs Act 1973.
- (51) The Slaughterhouses Act 1974.
- (52) The Agricultural Acts 1937 Part IV.
- (53) The Protection of Birds Acts 1954 to 1976.
- (54) The Rag Flock and Other Filling Materials Act 1951.
- (55) Section 36 Fire Precautions Act 1971.
- (56) Local Government Act 1972 and the Local Government Planning and Land Act 1980.
- (57) Any relevant provisions of the European Communities Act 1972.
- (58) Health and Safety at Work, etc., Act 1974.
- (59) Control of Pollution Act 1974 and the prevention of Oil Pollution Acts 1971 and 1986.
- (60) Road Traffic Act 1974.
- (61) Guard Dogs Act 1975.
- (62) Dangerous Wild Animals Act 1976.
- (63) Part II and Sections 13-16, 20, 21 and 35 of the Local Government (Miscellaneous Provisions) Act 1976.
- (64) Section 64, Transport Act 1980.
- (65) Section 35, Transport Act 1981.
- (66) Zoo Licensing Act 1981.
- (67) Sections 1-8, 13-19, 24, 26, 27 and 42 Local Government (Miscellaneous Provisions) Act 1982.
- (68) Section 25 County of Avon Act 1982.

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(20) Housing Services and Housing Benefits Act 1982 as amended and ancillary provisions.

(21) Building Control Act 1984.

(22) Housing Act 1984.

(23) Housing Act 1969 Schedule 1 as amended.

(24) Housing Act 1974 as amended.

(25) Housing Act 1974 as amended.

(26) Housing Act 1985.

(27) Housing (Consequential Provisions) Act 1985.

(28) Housing Associations Act 1985.

(29) Landlord and Tenant Act 1985.

(30) Housing and Planning Act 1986 in so far as it relates to housing matters.

(31) Any enactments or provisions relevant to the programme area of the Committee.

(32) Any enactments or provisions consequential, supplementary or incidental to any of the matters or functions mentioned or referred to in paragraphs (1)–(31) above or otherwise from time to time delegated to the Committee.

(IV)—LEISURE SERVICES COMMITTEE

Subject to any direction and approval on matters of financial administration and control by the Policy and Resources Committee and with the exception of matters relating to tourism to supervise and control all matters relating to the City Council's policies, functions and activities in the arts, entertainment, leisure, sport and recreation fields, including the provision, operation, promotion and development of facilities and events and the encouragement and assistance of others so to do.

In particular—

(1) to secure, in co-operation with all committees concerned, adequate provision of and optimum use of facilities for all kinds of leisure activities;

(2) to provide, manage and maintain public open spaces, playing fields, play areas, recreation grounds, parks and woodlands, golf courses and other recreational and sporting facilities;

(3) to provide, manage and maintain allotments and leisure gardens;

(4) to assist cultural organisations;

(5) to secure the provision of recreational facilities for children in public open spaces and other sites including adventure playgrounds;

(6) to explore and where possible provide dual-use facilities and joint provision schemes in conjunction with Avon County Council and other appropriate authorities;

to permit the City Council's representatives to serve on the Downs Committee;

to assist sports clubs and other sporting community associations;

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Section 22 and 23 County of Avon Act 1982.

Any enactments or provisions relevant to the programme area of the Committee.

Any enactments or provisions consequential, supplementary or incidental to any of the matters or functions mentioned or referred to in paragraphs (1)–(17) above or otherwise from time to time delegated to the Committee.

(C) — PILOTAGE

Part 1

- (1) To exercise the functions of the Council as pilotage authority.
- (2) To regulate and manage the tidal waters of the port of Bristol including the exercise of the functions of the Council as harbour authority and local lighthouse authority within those waters.
- (3) To be responsible for the Conservancy and Pilotage Department.
- (4) Subject to and in accordance with the overall policies and procedures of the Personnel Committee to be responsible for matters relating to the pilots and employees under their control and to ensure that the obligations of the Council as employers are observed and complied with.
- (5) To establish a Conservancy Sub-Committee consisting of the seven Council representatives on the Pilotage Committee to exercise all those functions of the Committee other than those required to be undertaken as pilotage authority.

Part 2

- (6) The Pilotage Act 1983, the Pilotage Order Confirmation (No. 5) Act 1921, and the Bristol Pilotage Order 1921, as amended, and any pilotage by-laws for the time being in force, except the power to make by-laws or to borrow money.
- (7) The Prevention of Oil Pollution Acts 1971 and 1986.
- (8) Coast Protection Act 1949.
- (9) Harbours Act 1964.
- (10) Explosives Act 1875 and 1923.
- (11) Explosive Substances Act 1883.
- (12) Dangerous Vessels Act 1985.
- (13) Food and Environment Protection Act 1985.
- (14) So much of the provisions of the Bristol Docks Acts and Orders 1848 to 1976, the Bristol Corporation (West Dock) Act 1971, Part VII and Section 93 of the Bristol Corporation (No. 2) Act 1930, Bristol Wharfrage Act 1807, Bristol Corporation Act 1950, Bristol Corporation Act 1960 as concerns the functions of the City as Conservancy and Pilotage Authority.
- (15) Any enactments or provisions relevant to the programme area of the Committee.
- (16) Any enactments or provisions consequential, supplementary or incidental to any of the matters or functions mentioned or referred to in paragraphs (1)–(15) above or otherwise from time to time delegated to or the responsibility of the Committee.

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- (19) Local Government Act 1972 and the Local Government Planning and Land Act 1980.
- (20) Town and Country Amenities Act 1974.
- (21) Sections 13-16, 22, 34 and 37 of the Local Government (Miscellaneous Provisions) Act 1976.
- (22) Roads Works Act 1984.
- (23) Transport Acts 1978-1985.
- (24) Transport Act 1980 (except Section 64).
- (25) Sections 25 to 29, 35, 116, 118 and 287 Highways Act 1980.
- (26) Sections 25, 39, 41 and 50 Wildlife and Countryside Act 1981 and the Wildlife and Countryside (Amendment) Act 1985 and the Wildlife and Countryside (Service of Notices) Act 1985.
- (27) Sections 20, 25, 28-32, 36, 37 Local Government (Miscellaneous Provisions) Act 1982.
- (28) Sections 6, 7, 9 and 23 of the County of Avon Act 1982.
- (29) Building Act 1984 so far as it relates to matters which are the concern of the Committee.
- (30) Housing and Planning Act 1986.
- (31) Any enactments or provisions relevant to the programme area of the Committee.
- (32) Any enactments or provisions consequential, supplementary or incidental to any of the matters or functions mentioned or referred to in paragraphs (1)-(36) above or otherwise from time to time delegated to the Committee.

(Q)—PUBLIC WORKS COMMITTEE

Part 1

- (1) The construction, maintenance and improvement of highways and other highway functions (and any agency arrangements of any kind in respect of highways) including, in particular, the following:
 - (a) rolling programmes of road, pavement and street lighting works based on the needs of the city (with assessment of priorities as may be appropriate); making proposals for inclusion in the programmes as the Committee may think fit; making representations to and pursuing such programmes, proposals or priorities both generally and in particular cases with the principal authority as may be appropriate;
 - (b) to consider and review the implication for the city and its inhabitants of any proposals of the principal authority;
 - (c) arrangements for winter gritting and salting of highways;
 - (d) arrangements for highway inspection and the processing of complaints of defects;
 - (e) street sweeping and gully emptying including, in particular, arrangements for the environmental appearance of roads, pavements and pedestrianised areas including dealing with flyposting and graffiti;
 - (f) trees in streets, including the environmental improvement of the street scene by a programme of work with particular reference to effects on maintenance and cleansing costs.
 - (g) street furniture, including seats, signposting, grit bins, litter bins, statues, memorials, ornamental fountains and the like and the provision or otherwise of haulingsways, including the effect on maintenance and cleansing costs;
 - (h) grass cutting on highway verges;

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(a) shall have regard to the performance of their functions hereunder, to have regard in particular to the following:-

(i) the development of criteria for response to complaints from the public and others;

(ii) the need to have under review their policies relating to the provision of depots having regard, in particular, to the possibility of joint-user arrangements;

(iii) the possibility of joint-user arrangements;

(iv) the participation in a visiting and inspection programme.

(b) shall be responsible for the operation and maintenance of the City Docks of the City Council (which includes the Cumberland Basin and the approaches thereto, the Floating Harbour, the Great Canal and Netham Lock and so much of the River Avon including the New Cut as lies between the Great Canal and the line of the former Pill ferry).

(c) shall be responsible for the City Engineer's Department.

(d) shall be responsible for the operation and maintenance of the City Docks of the City Council (which includes the Cumberland Basin and the approaches thereto, the Floating Harbour, the Great Canal and Netham Lock and so much of the River Avon including the New Cut as lies between the Great Canal and the line of the former Pill ferry).

(e) shall be responsible for the City Engineer's Department.

(f) shall be responsible for the City Engineer's Department.

(g) shall be responsible for the City Engineer's Department.

(h) shall be responsible for the City Engineer's Department.

(i) shall be responsible for the City Engineer's Department.

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(u) shall be responsible for the City Engineer's Department.

(v) shall be responsible for the City Engineer's Department.

(w) shall be responsible for the City Engineer's Department.

(x) shall be responsible for the City Engineer's Department.

(y) shall be responsible for the City Engineer's Department.

(z) shall be responsible for the City Engineer's Department.

Part 2

(1) Sections 14, 18 and 19 of the Public Health Act 1925.

(2) Sections 72 to 78 (inclusive) and Section 87 of the Public Health Act 1936.

(3) Public Utilities Street Works Act 1950.

(4) Sections 4 to 8 of the Local Government (Miscellaneous Provisions) Act 1953.

(5) Sections 22, 34, 45 to 48 (inclusive) and 51 of the Public Health Act 1961.

(6) Part III of the Civic Amenities Act 1967.

(7) Sections 20, 52, and 53 of the Road Traffic Regulations Act 1967.

(8) The various sections and provisions contained in the Public Health Acts 1875 to 1926, 1937 and 1961, the Land Drainage Acts 1930 and 1961; the Land Drainage (Amendment) Act 1976, the Highways Act 1935, the Highways and Locomotives (Amendment) Act 1878, the Pipelines Act 1962 relating to the carrying out of works of highway construction, public lighting and streets; the stopping up, diversion turning or improvement of highways, streets; trees, refuges, shelters (other than shelters for hackney carriage drivers), statues and monuments in streets and public places; sewerage, sewage disposal and drainage (except enforcing the drainage of undrained premises); land drainage; duties in connection with the maintenance and supervision of all watercourses discharging into the Rivers Avon and Frome (other than duties carried out by any other committee); the culverting of watercourses and ditches; obstructions and nuisances in streets; and public pumps, wells, cisterns, etc.

The Local Government Act 1972 and the Local Government Planning and Land Act 1980.

The Water Act 1973.

The Rivers (Safety Provisions) Act 1930.

Sections 13 of the Local Government (Miscellaneous Provisions) Act 1953.

The Control of Pollution Act 1974.

The Road Traffic Act 1974.

19 May 1987

6. To ensure that the Council are responsible for matter relating to employees under their control and to ensure that the obligations of the Council as employers are observed and complied with.

Local Government (Access to Information) Act 1985—Background Papers

1. To read Minutes and Report to the Policy and Resources Committee on 30 April 1987:

Author/Contact Officer for background papers:

Mr R. J. Weston, Committee Services Manager, City Clerk's Department, Ext. 665.

IV—Budgetary Control

2. Attached to the agenda are the Budgetary Control reports made to your Committee for the three months ended 30 April 1987.

3. The Council are recommended to approve the acceptance of this report for information.

Local Government (Access to Information) Act 1985—Background Papers

1. To read

Author/Contact Officer for background papers:

Mr R. J. Weston, Committee Services Manager, City Clerk's Department, Ext. 665.

V—Capital Programme 1987/8

4. Your Committee was advised at its meeting on 26 March 1987 that despite predictions on outturn expenditure for 1986/7 by way of the capital monitoring reports, it was likely that there would be further slippage of about £2 million on General Services and City Docks.

5. The latest figures available for 1986/7, subject to adjustment, indicate further slippage of about £1.94 million on General Services and £0.34 million on the Port Account.

6. In taking account of these adjustments, the revised ongoing Capital Programme for 1987/8 is as follows:

	£m.
General Services/City Docks	8.86
Port of Bristol Authority	2.34
	<hr/> 11.20
Less assumed slippage to 1988/9	2.50
	<hr/> 8.70

7. The latest estimates of available resources for 1987/8 are set out below:

	£m.	£m.
Allocation		
General Services	1.20	
Transport	2.83	
Carry forward from 1986/7	0.40	4.43
	<hr/> 6.43	
Capital Receipts		
In hand 1.4.87	1.42	
Estimated 1987/8	4.17	
Port of Bristol Authority	0.84	
	<hr/> 6.43	
Less required for Sinking Fund	4.00	2.43
Other Miscellaneous		0.05
		<hr/> 6.91

19 May 1987

Local Government (Access to Information) Act 1985—Background Papers:
Report of the City Treasurer to the Policy and Resources Committee on 30 April 1987.

Draft Minutes of the Policy and Resources Committee held on 30 April 1987.

Author/Content: Officer for background papers:

Mr R. J. Weston, Committee Services Manager, City Clerk's Department, Ext. 665.

G. R. ROBERTSON
Chairman

Mr Robertson moved—

that Part III of the report be accepted and the recommendations as set out therein be approved and adopted.

The motion was seconded by Mr Fisk.

Mr Tedder moved the following amendment:

to add to the First Schedule to Part III of the Report of the Policy and Resources Committee and substitute the following:

FIRST SCHEDULE MEMBERSHIP OF COMMITTEES

Policy and Resources Committee.
Land and General Purposes Committee.
Employment and Community Development Committee.
Housing Committee.
Leisure Services Committee.
Personnel Committee.
Planning and Traffic Committee.
Docks Committee.

Each of the above committees shall comprise 12 members as follows:

Seven Labour councillors whose names shall be given to the City Clerk by Councillor D. Tedder by 12.00 noon on 20 May 1987.

Two Conservative councillors whose names shall be given to the City Clerk by Councillor S. C. J. Williams by 12.00 noon on 20 May 1987.

One Liberal councillor whose name shall be given to the City Clerk by Councillor Mrs M. Langley by 12.00 noon on 20 May 1987.

Airport Committee.
D.L.O. Committee.
Health and Public Protection Committee.
Performance Review Committee.
Public Works Committee.
Race Equality Committee.
Women's Committee.

Each of the above committees shall comprise eight members as follows:

Four Labour councillors whose names shall be given to the City Clerk by Councillor D. Tedder by 12.00 noon on 20 May 1987.

Two Conservative councillors whose names shall be given to the City Clerk by Councillor S. C. J. Williams by 12.00 noon on 20 May 1987.

19 May 1987

12.00 The following councillors whose names shall be given to the City Clerk by Councillor D. Tedder by 12.00

19 May 1987.

The following councillors whose names shall be given to the City Clerk by Councillor S. C. J. Williams by 12.00 on 20 May 1987.

The following councillor whose name shall be given to the City Clerk by Councillor Mrs M. Langley by 12.00 on 20 May 1987.

The following Committee shall comprise Councillors Robertson, Fisk and Wall.

Under the provisions of Standing Orders the Lord Mayor is ex officio a member of every committee of the Council and every sub-committee thereof.

Following is the City Council membership of the statutory Downs Committee and Pilotage Committee:

PILOTAGE COMMITTEE

(Seven Council members appointed by the Policy and Resources Committee.)

DOWNS COMMITTEE

(The Lord Mayor and six Council members appointed by the Leisure Services Committee.)

(4) In the case of the Race Equality and Women's Committees the Council have agreed that in addition to the elected members there will be four co-optees.

The names were taken as follows:

For the motion

Mr Beshforth
Mr Bouce
Mr Bromham
Mr Clancy
Mr Draper
Mr Fisk
Mr Hammond
Mr Herald
Mr Mills
Mr Hillman
Mr Howell
Mr Hynds
Mrs Jackson
Mrs Jones

Mr Kantor
Mr Kiely
Mr Knowland
Mr Lamprey
Mrs Langley
Mr Lewis
Mr Mahoney
Mr May
Mr Merrett
Mr Mickewright
Dr Naysmith
Mrs Patterson
Mr Pidgeon
Mrs Pinkerton

Mr Pople
Mr Richards
Mr Robertson
Mr Rumble
Mr Shotter
Cllr Tatlow
Mr Tedder
Cllr Thomas
Mr T. R. D. Thomas
Mr Tudball
Mr Walton
Mrs Warren
Mr Willcox
Mr J. A. Williams

Against the motion

Mr Abraham
Mr Allen
Mr Appleby
Mr Blenheim
Mr Blanchard
Mr Brown
Mr Clark
Mr Clark
Mr Clark
Mr Clark

Mrs Gillard
Mrs Hebblethwaite
Mrs Mountstephen
Mr Poole
Mr Rollings
Mrs Scantlebury
Mrs Stamper
Mr Tasker

Mrs Telling
Mrs Topham
Mr Trench
Mr Vowles
Mr Wall
Mr C. J. N. Williams
Mr S. C. J. Williams
Mr Withers

12.00

The Lord Mayor indicated that he did not wish to vote.

19 May 1987

bsu The names taken as follows:

For the motion

Mr Abraham
Mr Allen
Mr Apperley
Mr Blackmore
Mr Blanchard
Mr Bland
Mr Duckley
Mrs Jones

Mrs Gillard
Mrs Hebblethwaite
Mrs Mountstephen
Mr Poole
Mr Rollings
Mrs Scantlebury
Mrs Stamper
Mr Tasker

Mrs Telling
Mrs Topham
Mr Trench
Mr Vowles
Mr Wall
Mr C. J. N. Williams
Mr S. C. J. Williams
Mr Withers

Total - 21

Against the motion

Mr Bashforth
Mr Bane
Mr Bramham
Mr Clancy
Mr Drapo
Mr Fisk
Mr Hammond
Mr Howell
Mr Hicks
Mr Hillman
Mr Howell
Mr Hyatt
Mrs Jackson
Mrs Jones

Mr Kantor
Mr Kiely
Mr Knowland
Mr Lamprey
Mrs Langley
Mr Lewis
Mr Mahoney
Mr May
Mr Merrett
Mr Micklewright
Dr Naysmith
Mrs Patterson
Mr Pidgeon
Mrs Pinkerton

Mr Pople
Mr Richards
Mr Robertson
Mr Rumble
Mr Shotter
Cllr Tatlow
Mr Tedder
Cllr Thomas
Mr Tudball
Mr Walton
Mrs Warren
Mr Willcox
Mr J. A. Williams

Total - 11

The Lord Mayor indicated that he did not wish to vote.

Mr Howell then moved the following amendment:

In line 34 of the amendment now adopted—delete the word “Liberal”

The amendment was seconded by Mr Lewis.

On being put to the vote, the amendment was declared lost, 29 members voting in favour and 35 against.

The names were taken as follows:

For the motion

Mr Abraham
Mr Allen
Mr Apperley
Mr Blackmore
Mr Blanchard
Mr Bland
Mr Fisk
Mr Howell
Mr Hyatt
Mrs Jones
Mrs Gillard

Mrs Hebblethwaite
Mr Howell
Mr Kiely
Mrs Langley
Mr Lewis
Mrs Mountstephen
Mrs Pinkerton
Mr Poole
Mr Rollings
Mr Scantlebury

Mrs Stamper
Mr Tasker
Mrs Telling
Mrs Topham
Mr Vowles
Mr Wall
Mr C. J. N. Williams
Mr S. C. J. Williams
Mr Withers

Total - 29

19 May 1987

Mr Robertson, it was—

Resolved that Part IV of the report be accepted and the recommendation as set out therein be adopted.

Mr Robertson, it was—

Resolved that Part V of the report be accepted and the recommendation as set out therein be adopted.

Resolved that the report from the **LAND AND GENERAL PURPOSES COMMITTEE**, namely—

1. Arley Hotel, 4 Manarth Villas, Cheltenham Road—Lease Renewal (Cabot Ward)

1. The above property is a three-storey terraced licensed residential hotel situated on Cheltenham Road, and is shaded edged black on the plan exhibited outside the Council Chamber. The property does not have the benefit of on-site car parking and parking on the road is prohibited.

2. The property is let to Mrs I. M. Grant on a 14-year lease from 17 July 1973, the rent is £1,475. Mrs Grant is responsible for payment of rates and for all repairs to the property.

3. It has been provisionally agreed, subject to contract, to grant Mrs Grant a new lease from 17 July 1987, on the following terms:

- (a) The lease term to be 15 years from 17 July 1987.
- (b) Initial rent to be £3,000 per annum exclusive.
- (c) There are to be upwards only rent reviews at five-yearly intervals.
- (d) The lessee to be responsible for all repairs to the property.
- (e) The lessee to pay a surveyor's fee of £25 and in addition the City Clerk's reasonable legal costs.

4. Resource Implications

Financial: the Council will receive an increase in rental income of £1,525 per annum.

Land/Personnel/Economic/Race: none affected by this report.

5. The Council are recommended to approve the terms of the lease to Mrs I. M. Grant or her nominees, subject to contract, on the terms set out.

Local Government (Access to Information) Act 1985—Background Papers:

Minutes of Planning and Traffic Committee—21 March 1973.

Report of City Valuer to Land and General Purposes Committee—23 April 1987.

Minutes of Land and General Purposes Committee—23 April 1987.

Author:

Mrs S. Rae, Committee Services Section.

Contact Officer for background papers:

Mr R. J. Wilson, Committee Services Manager, City Clerk's Department, Ext. 665.

11. Sale of Freehold Reversion—19 Ferndown Close (Kingsweston Ward)

1. The above property, shown edged black on the plan exhibited outside the Council Chamber, is a private dwelling house which is let to Mrs J. T. Wilde on a 99-year lease from 28 March 1963. The rent is £21.37 per annum exclusive.

2. It has been provisionally agreed, subject to contract, to sell the freehold reversion to Mrs Wilde, on the following terms:

3. The land to be sold freehold and free subject to a covenant restricting the use of the property to that of a single private dwellinghouse and curtilage.

4. The purchase price to be £650.

MINUTES OF A MEETING OF THE LEISURE SERVICES COMMITTEE
HELD ON THE 10TH SEPTEMBER 1987

P Councillor Walton (in the Chair)
P Councillor Abraham
P Councillor Bashforth
P Councillor Blanchard
P Councillor Mrs. Patterson
P Councillor Pidgeon
P Councillor Mrs. Pinkerton
A Councillor Richards
P Councillor Rumble
P Councillor Mrs. Topham
P Councillor Withers

131.9/87 MINUTES - LEISURE SERVICES COMMITTEE - 9TH JULY 1987

RESOLVED - that the Minutes of the meeting of the Leisure Services Committee held on 9th July 1987 be confirmed as a correct record and signed by the Chairman.

132.9/87 MINUTES - WOODLAND MANAGEMENT CONSULTATIVE PANEL - 3RD JULY 1987

RESOLVED - that the Minutes of the meeting of the Woodland Management Consultative Panel held on 3rd July 1987 be approved and adopted, confirmed as a correct record and signed by the Chairman.

133.9/87 MINUTES - BRISTOL PLAY CONSULTATIVE COMMITTEE - 7TH JULY 1987

RESOLVED - that the Minutes of the meeting of the Bristol Play Consultative Committee held on 7th July 1987 be approved and adopted, confirmed as a correct record and signed by the Chairman.

134.9/87 MINUTES - BRISTOL REGION SPORTS LIAISON COUNCIL - 21ST JULY 1987

RESOLVED - that the Minutes of the meeting of the Bristol Region Sports Liaison Council held on 21st July 1987 be approved and adopted, confirmed as a correct record and signed by the Chairman.

135.9/87 MINUTES - LEISURE SERVICES (VISITING) COMMITTEE - 27TH JULY 1987

RESOLVED - that the Minutes of the meeting of the Leisure Services (Visiting) Committee held on 27th July 1987 be confirmed as a correct record and signed by the Chairman.

136.9/87 MINUTES - LEISURE SERVICES/ALLOTMENTS CONSULTATIVE VISITING COMMITTEE - 28TH JULY 1987

RESOLVED - that the Minutes of the meeting of the Leisure Services/Allotments Consultative Visiting Committee held on 28th July 1987 be confirmed as a correct record and signed by the Chairman.

Robert Walton

positive response at this stage as to how the St. Aidans Play Group would relate to that play policy, therefore no positive recommendation can be made in respect of this application at this stage.

157.9/87 AMENITY AREAS SERVING RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS - TRANSFERS OF LAND

Read the joint report of the Parks Manager and City Clerk, a copy of which forms Appendix 'I' attached.

The Chair suggested in view of the fact there were several new Members on the Committee, they be provided with a copy of the procedure which had been agreed for the adoption of amenity areas.

RESOLVED - that the report be noted.

158.9/87 PURCHASE OF TREES 1987/88

Read the report of the Parks Manager, item 1 of Appendix 'J' attached.

RESOLVED - that the purchase of trees as follows be approved:-

Exbury Trees Ltd	430 Trees	£12,920.00
Specimen Trees Ltd	40 Trees	£1,660.00
J.A. Jones & Sons	170 Trees	£4,635.00
Hillier Nurseries Ltd	360 Trees	£9,007.50.

159.9/87 STOKE CLIFFE HOUSE, STAPLETON - DEDICATION OF OPEN SPACE (EASTVILLE WARD)

Read the report of the Parks Manager, item 2 of Appendix 'J' attached.

- RESOLVED - (1) that the dedication of the open space at Stoke Cliffe House, Stapleton be not pursued for the reasons outlined in the report;
- (2) that the Parks Manager inform the developers, John Malpass Construction of the Committee's decision; and
- (3) that the Parks Manager refer the report to the Planning and Traffic Committee for information.

160.9/87 PETITION - RESIDENTS OF ROADS SURROUNDING BARTON HILL OLD BOYS RUGBY FOOTBALL CLUB (HILLFIELDS WARD)

Read the report of the Parks Manager, item 3 of Appendix 'J' attached.

The Parks Manager reported that the pitches which had been re-sited on land subject to the proposed re-levelling operation would not be available for use for at least two years.

BRISTOL CITY COUNCIL

LEISURE SERVICES COMMITTEE - 10TH SEPTEMBER 1987

LAND AND GENERAL PURPOSES COMMITTEE - 24TH SEPTEMBER 1987

JOINT REPORT OF THE PARKS MANAGER AND CITY CLERK

REPORT FOR INFORMATION

AMENITY AREAS SERVING RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS - TRANSFERS OF LAND

Purpose of Report

To inform the Committee of amenity areas transferred to the City Council as public open space within the last six months.

Background

In the past the Committee has approved a standard procedure for the adoption of amenity areas, authorised the Parks Manager to negotiate agreements with developers for such adoptions and authorised the City Clerk to complete such agreements and resulting transfers of land, for both residential and non-residential developments. It has also resolved that the land acquired under this procedure should be reported to this Committee on a six monthly basis.

Over the last six months two such areas of land have been acquired. One, an area of open space relating to the new B & Q retail development off Muller Road, formerly the Ashley Hill Goods depot, which was transferred on 1st June 1987. The other, an area of open space relating to a new housing development at Barton Meadow, Frenchay Road, Downend, which was transferred on 1st July 1987.

Resource Implications

Finance

The receipt of the first 10 years maintenance costs from the developers; £5,000 for Muller Road and £6,000 for Barton Meadow.

The cost of maintaining the amenity areas after the first 10 years.

Land

The acquisition of amenity areas for public open space purposes.

Economic/Personnel/Race - Nil

RECOMMENDED that the report be noted.

Local Government (Access to Information) Act 1985

Background Papers

Memo from the City Clerk to the Parks Manager dated 19th June 1987.

Memo from the City Clerk to the Parks Manager dated 13th July 1987.

Author: Mr.D.Evans, Parks Department

Contact Officer for Background Papers: Mrs. N. E. Pelmear, Committee Services
Section, City Clerk's Department, Ext. 389.

0369C

Robert G. Allen 1093

Dovercourt Road

Jack Knight House

rp

Tanks

Public Open Space

Depot

rp

Former Goods Depot

New B&Q Development

Area Offered For Adoption

WB

Stone
Issues

Path

MULLER ROAD

ASHLEY HILL GOODS DEPOT SITE

MULLER ROAD

AREA OFFERED FOR ADOPTION

094

MINUTES OF A MEETING OF THE LAND AND GENERAL PURPOSES COMMITTEE
HELD ON THE 24TH SEPTEMBER 1987

P Councillor Mrs. Warren (in the Chair)
 P Councillor Apperley
 P Councillor Clancy
 P Councillor Hillman
 P Councillor Lewis
 P Councillor Robertson
 P Councillor Mrs. Scantlebury
 A Councillor Tedder
 P Councillor Mrs. Telling
 P Councillor Walton
 P Councillor Willcox
 P Councillor C. Williams

151.9/87 MINUTES - LAND AND GENERAL PURPOSES COMMITTEE - 20TH AUGUST 1987

RESOLVED - that the Minutes of the meeting of the Land and General Purposes Committee held on 20th August 1987 be confirmed as a correct record and signed by the Chair.

152.9/87 MINUTES - LAND AND GENERAL PURPOSES (SPECIAL PURPOSES) SUB-COMMITTEE
- 20TH AUGUST 1987

RESOLVED - that the Minutes of the meeting of the Land and General Purposes (Special Purposes) Sub-Committee be confirmed as a correct record and signed by the Chair.

153.9/87 REPORTS TO POLICY AND RESOURCES COMMITTEE

Read the report of the City Clerk, item 1 of Appendix 'A' attached hereto.

RESOLVED - that the report be noted for information.

154.9/87 APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES
- BRISTOL COMMUNITY HEALTH COUNCIL

Read the report of the City Clerk, item 2 of Appendix 'A' attached hereto.

RESOLVED - that the appointment of Councillor Mrs. O.B. Scantlebury to serve in the place of Councillor Mrs. M.A. Stamper on the Bristol Community Health Council as a Bristol City Council nomination to complete the existing four year term of office until 31st August, 1990 be approved.

155.9/87 LEISURE SERVICES COMMITTEE - DECISIONS

Read the report of the City Clerk, item 3 of Appendix 'A' attached hereto.

E.M.W.

seek permission to carry out development comprising fencing and gates at Albion Dry Dock as shown on plan no. 38551/2.

168.9/87 TELECOMMUNICATIONS SYSTEMS REVIEW

Read the joint report of the City Clerk and Manager, Management Services, attached as Appendix 'G' hereto.

RESOLVED - that the Land and General Purposes (Special Purposes) Sub-Committee be authorised to approve a shortlist of companies to tender for the various elements of the work associated with the Telecommunications Systems Review and the subsequent selection of preferred tenders.

169.9/87 AMENITY AREAS SERVING RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS - TRANSFERS OF LAND

Read the joint report of the Parks Manager and City Clerk attached as Appendix 'H' hereto.

In response to comments made by members, Mr. Evans, on behalf of the Parks Manager, indicated that amenity areas transferred to the City Council for public open space purposes were required to reach a specified standard before the City Council would accept them.

RESOLVED - that the report be noted for information.

170.9/87 LOSS OF RECREATIONAL LAND - BUDGET

Read the joint report of the Parks Manager, City Planning Officer and City Valuer attached as Appendix 'I' hereto.

RESOLVED - (1) that the principle of including the provision of sums within future capital expenditure budgets for the purchase of recreational land and for its retention and use be agreed;

(2) that a budgetary aspiration be included in future capital expenditure programmes for the acquisition of sports grounds to cope with any emergency.

171.9/87 CAR PARK AT REAR OF BRIDGE HOUSE, QUEEN CHARLOTTE STREET - NEW LEASE

Read the report of the City Valuer, item 1 of Appendix 'J' attached hereto.

RESOLVED - that the surrender of the present car park lease be approved and the Council be recommended to approve the grant of a new lease to Pearl Assurance PLC or their nominees, subject to contract and on the terms set out in the report.

H

BRISTOL CITY COUNCIL

LEISURE SERVICES COMMITTEE - 10TH SEPTEMBER 1987

LAND AND GENERAL PURPOSES COMMITTEE - 24TH SEPTEMBER 1987

JOINT REPORT OF THE PARKS MANAGER AND CITY CLERK

REPORT FOR INFORMATION

AMENITY AREAS SERVING RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS - TRANSFERS OF LAND

Purpose of Report

To inform the Committee of amenity areas transferred to the City Council as public open space within the last six months.

Background

In the past the Committee has approved a standard procedure for the adoption of amenity areas, authorised the Parks Manager to negotiate agreements with developers for such adoptions and authorised the City Clerk to complete such agreements and resulting transfers of land, for both residential and non-residential developments. It has also resolved that the land acquired under this procedure should be reported to this Committee on a six monthly basis.

Over the last six months two such areas of land have been acquired. One, an area of open space relating to the new B & Q retail development off Muller Road, formerly the Ashley Hill Goods depot, which was transferred on 12th June 1987. The other, an area of open space relating to a new housing development at Barton Meadow, Frenchay Road, Downend, which was transferred on 13th July 1987.

Resource Implications

Finance

1. The receipt of the first 10 years maintenance costs from the developers; £5,000 for Muller Road and £6,000 for Barton Meadow.
2. The cost of maintaining the amenity areas after the first 10 years.

Land

The acquisition of amenity areas for public open space purposes.

Economic/Personnel/Race - Nil

RECOMMENDED that the report be noted.

E.M.W.

Local Government (Access to Information) Act 1985

Background Papers

Memo from the City Clerk to the Parks Manager dated 19th June 1987.

Memo from the City Clerk to the Parks Manager dated 13th July 1987.

Author: Mr.D.Evans, Parks Department

Contact Officer for Background Papers: Mrs. S. Rae, Committee Services
Section, City Clerk's Department, Ext. 386.

0369C

G.M.W.

Dovercourt Road

Jack Knight House

rp

Tanks

Public Open Space

Depot

rp

Issues

Former Goods Depot

Path
Stone
Issues

New B&Q Development

Area Offered for Adoption

WB

G.M.W.

ASHLEY HILL GOODS DEPOT SITE

MULLER ROAD

AREA OFFERED FOR ADOPTION

MULLER ROAD

963

DECISION

Min. No.

169 9/87

BRISTOL CITY COUNCIL

Committee to note
if need or
necessary

H

Agreed

LEISURE SERVICES COMMITTEE - 10TH SEPTEMBER 1987

LAND AND GENERAL PURPOSES COMMITTEE - 24TH SEPTEMBER 1987

JOINT REPORT OF THE PARKS MANAGER AND CITY CLERK

REPORT FOR INFORMATION

AMENITY AREAS SERVING RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS - TRANSFERS OF LAND

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Over the last six months two such areas of land have been acquired. One, an area of open space relating to the new B & Q retail development off Muller Road, formerly the Ashley Hill Goods depot, which was transferred on 12th June 1987. The other, an area of open space relating to a new housing development at Barton Meadow, Frenchay Road, Downend, which was transferred on 13th July 1987.

Resource Implications

Finance

1. The receipt of the first 10 years maintenance costs from the developers; £5,000 for Muller Road and £6,000 for Barton Meadow.
2. The cost of maintaining the amenity areas after the first 10 years.

Land

The acquisition of amenity areas for public open space purposes.

Economic/Personnel/Race - Nil

RECOMMENDED that the report be noted.

PERMANENT	MC

Local Government (Access to Information) Act 1985

Background Papers

Memo from the City Clerk to the Parks Manager dated 19th June 1987.
Memo from the City Clerk to the Parks Manager dated 13th July 1987.

Author: Mr.D.Evans, Parks Department

Contact Officer for Background Papers: Mrs. S. Rae, Committee Services
Section, City Clerk's Department, Ext. 386.

0369C

Dovercourt Road

Jack Knight House

Public Open Space

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Tanks

Depot

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Former Goods Depot

New B&Q Development

Area Offered For Adoption

W B

Stone Issues

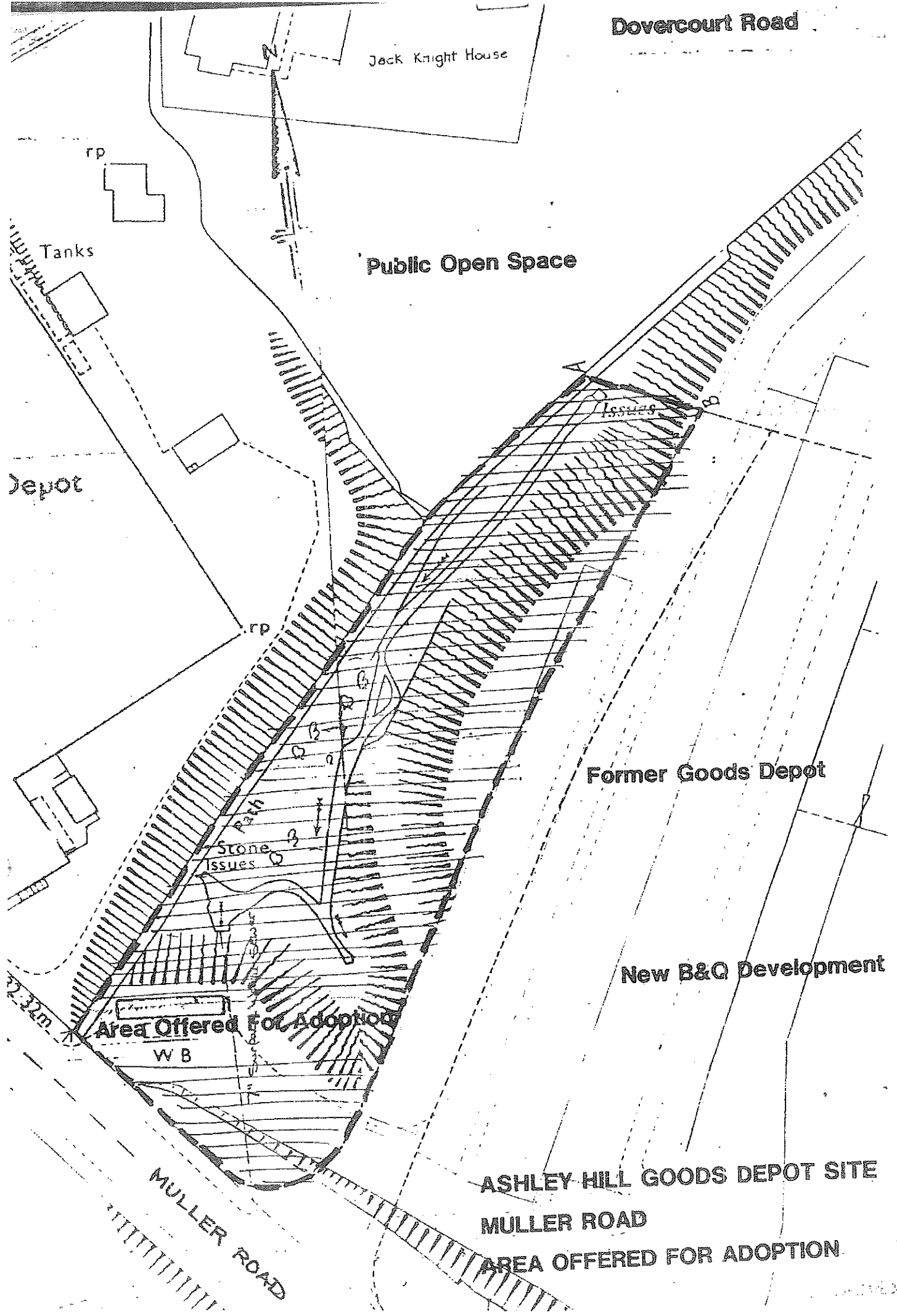
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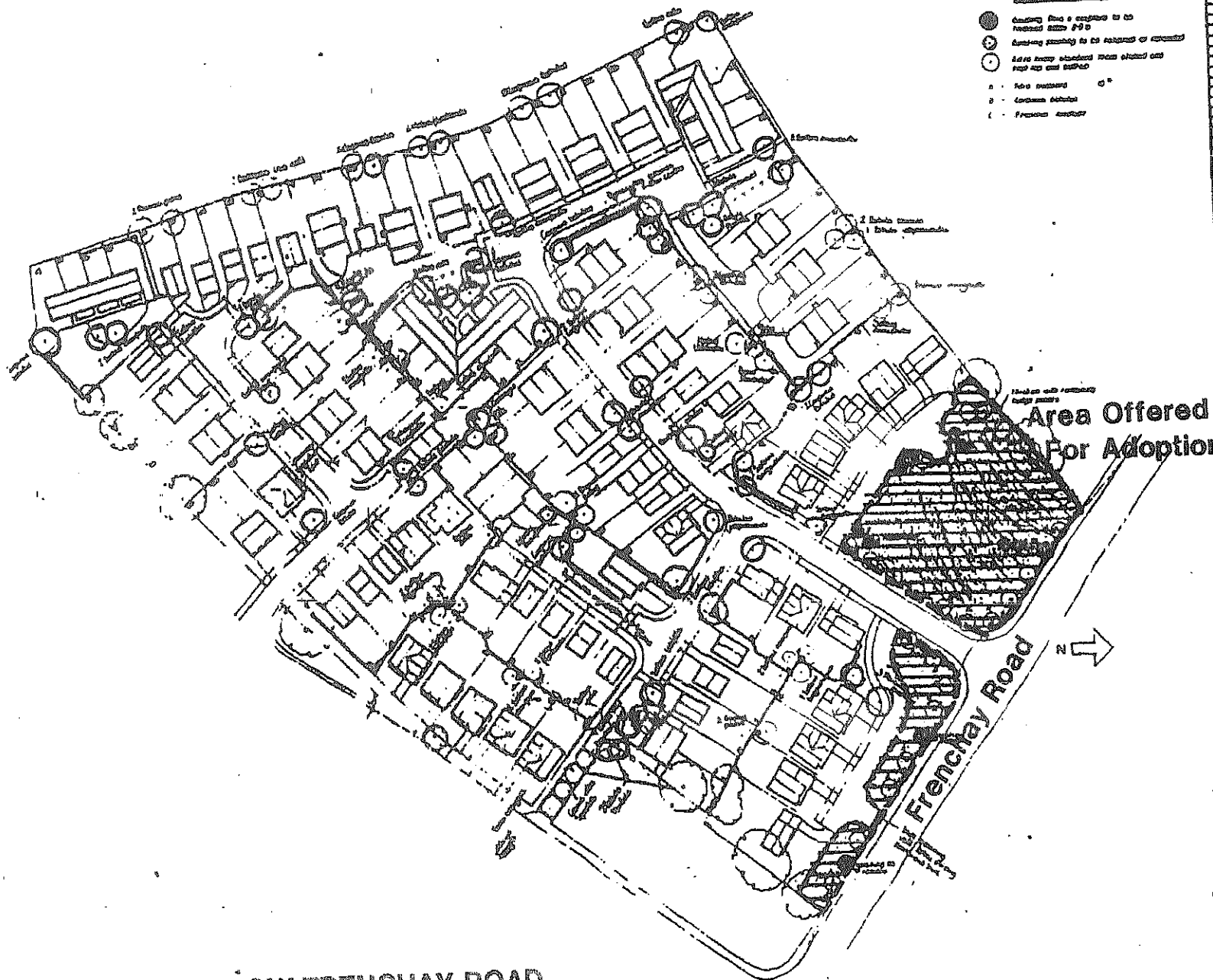
Issues

2.32m

MULLER ROAD

ASHLEY HILL GOODS DEPOT SITE
MULLER ROAD
AREA OFFERED FOR ADOPTION





- LEGEND**
- Building line & boundary to be retained after P.O.
 - Building boundary to be retained or extended
 - Area being considered for adoption and kept as an open space
 - New boundary
 - Existing boundary
 - Proposed boundary

Area Offered For Adoption

BARTON MEADOW, FRENCHAY ROAD
AREA OFFERED FOR ADOPTION

Plot No.	Area	Owner	Remarks
1	1.00	Mr. J. H. Smith	1.00
2	1.00	Mr. J. H. Smith	1.00
3	1.00	Mr. J. H. Smith	1.00
4	1.00	Mr. J. H. Smith	1.00
5	1.00	Mr. J. H. Smith	1.00
6	1.00	Mr. J. H. Smith	1.00
7	1.00	Mr. J. H. Smith	1.00
8	1.00	Mr. J. H. Smith	1.00
9	1.00	Mr. J. H. Smith	1.00
10	1.00	Mr. J. H. Smith	1.00
11	1.00	Mr. J. H. Smith	1.00
12	1.00	Mr. J. H. Smith	1.00
13	1.00	Mr. J. H. Smith	1.00
14	1.00	Mr. J. H. Smith	1.00
15	1.00	Mr. J. H. Smith	1.00
16	1.00	Mr. J. H. Smith	1.00
17	1.00	Mr. J. H. Smith	1.00
18	1.00	Mr. J. H. Smith	1.00
19	1.00	Mr. J. H. Smith	1.00
20	1.00	Mr. J. H. Smith	1.00
21	1.00	Mr. J. H. Smith	1.00
22	1.00	Mr. J. H. Smith	1.00
23	1.00	Mr. J. H. Smith	1.00
24	1.00	Mr. J. H. Smith	1.00
25	1.00	Mr. J. H. Smith	1.00
26	1.00	Mr. J. H. Smith	1.00
27	1.00	Mr. J. H. Smith	1.00
28	1.00	Mr. J. H. Smith	1.00
29	1.00	Mr. J. H. Smith	1.00
30	1.00	Mr. J. H. Smith	1.00
31	1.00	Mr. J. H. Smith	1.00
32	1.00	Mr. J. H. Smith	1.00
33	1.00	Mr. J. H. Smith	1.00
34	1.00	Mr. J. H. Smith	1.00
35	1.00	Mr. J. H. Smith	1.00
36	1.00	Mr. J. H. Smith	1.00
37	1.00	Mr. J. H. Smith	1.00
38	1.00	Mr. J. H. Smith	1.00
39	1.00	Mr. J. H. Smith	1.00
40	1.00	Mr. J. H. Smith	1.00
41	1.00	Mr. J. H. Smith	1.00
42	1.00	Mr. J. H. Smith	1.00
43	1.00	Mr. J. H. Smith	1.00
44	1.00	Mr. J. H. Smith	1.00
45	1.00	Mr. J. H. Smith	1.00
46	1.00	Mr. J. H. Smith	1.00
47	1.00	Mr. J. H. Smith	1.00
48	1.00	Mr. J. H. Smith	1.00
49	1.00	Mr. J. H. Smith	1.00
50	1.00	Mr. J. H. Smith	1.00
51	1.00	Mr. J. H. Smith	1.00
52	1.00	Mr. J. H. Smith	1.00
53	1.00	Mr. J. H. Smith	1.00
54	1.00	Mr. J. H. Smith	1.00
55	1.00	Mr. J. H. Smith	1.00
56	1.00	Mr. J. H. Smith	1.00
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64	1.00	Mr. J. H. Smith	1.00
65	1.00	Mr. J. H. Smith	1.00
66	1.00	Mr. J. H. Smith	1.00
67	1.00	Mr. J. H. Smith	1.00
68	1.00	Mr. J. H. Smith	1.00
69	1.00	Mr. J. H. Smith	1.00
70	1.00	Mr. J. H. Smith	1.00
71	1.00	Mr. J. H. Smith	1.00
72	1.00	Mr. J. H. Smith	1.00
73	1.00	Mr. J. H. Smith	1.00
74	1.00	Mr. J. H. Smith	1.00
75	1.00	Mr. J. H. Smith	1.00
76	1.00	Mr. J. H. Smith	1.00
77	1.00	Mr. J. H. Smith	1.00
78	1.00	Mr. J. H. Smith	1.00
79	1.00	Mr. J. H. Smith	1.00
80	1.00	Mr. J. H. Smith	1.00
81	1.00	Mr. J. H. Smith	1.00
82	1.00	Mr. J. H. Smith	1.00
83	1.00	Mr. J. H. Smith	1.00
84	1.00	Mr. J. H. Smith	1.00
85	1.00	Mr. J. H. Smith	1.00
86	1.00	Mr. J. H. Smith	1.00
87	1.00	Mr. J. H. Smith	1.00
88	1.00	Mr. J. H. Smith	1.00
89	1.00	Mr. J. H. Smith	1.00
90	1.00	Mr. J. H. Smith	1.00
91	1.00	Mr. J. H. Smith	1.00
92	1.00	Mr. J. H. Smith	1.00
93	1.00	Mr. J. H. Smith	1.00
94	1.00	Mr. J. H. Smith	1.00
95	1.00	Mr. J. H. Smith	1.00
96	1.00	Mr. J. H. Smith	1.00
97	1.00	Mr. J. H. Smith	1.00
98	1.00	Mr. J. H. Smith	1.00
99	1.00	Mr. J. H. Smith	1.00
100	1.00	Mr. J. H. Smith	1.00

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