

DISCLAIMER

The attached minutes are DRAFT minutes. Whilst every effort has been made to ensure the accuracy of the information, statements and decisions recorded in them, their status will remain that of a draft until such time as they are confirmed as a correct record at the subsequent meeting.

BRISTOL CITY COUNCIL

**MINUTES OF A MEETING OF THE
PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE
HELD ON 14TH JANUARY 2013 AT 2PM**

- P Councillor Abraham (in the Chair)
- P Councillor Blythe
- P Councillor Comer
- P Councillor Davies
- P Councillor Harrison (arrived at 2.15pm)
- P Councillor Jackson
- P Councillor Pickup
- A Councillor Quartley

PROWG

28.1/13

APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Quartley.

PROWG

29.1/13

DECLARATIONS OF INTEREST

There were no declarations of interest.

PROWG

30.1/13

**MINUTES – PUBLIC RIGHTS OF WAY AND GREENS
COMMITTEE – 17TH SEPTEMBER 2012**

**RESOLVED - that the minutes of the meeting of the
Public Rights of Way and Greens
Committee held on 17th September 2012
be confirmed as a correct record and
signed by the Chair.**

**PROWG
31.1/13**

PUBLIC PARTICIPATION – QUESTIONS, STATEMENTS AND PETITIONS

The Committee received a question from Mr Peter Gould in relation to a possible pedestrian route between Old Market and Temple Meads, and noted the associated response from the Chair. A copy of the question and answer can be found within the Minute Book. In response to a supplementary question from Peter Gould the Committee confirmed that they were supportive of the initiative to provide a pedestrian route as suggested and the Chair agreed to write to the portfolio holder (Mayor Ferguson) to ask if there were any plans for its implementation. It was confirmed that a copy of the response would be sent to Mr Gould.

RESOLVED - that the Chair write to Mayor Ferguson to add the Committee’s support for a pedestrian route between Old Market and Temple Meads, and to request that a response be provided to confirm if there were any future plans for its implementation.

**PROWG
32.1/13**

APPLICATION FOR LAND KNOWN AS ARNALL DRIVE OPEN SPACE, HENBURY, BRISTOL TO BE REGISTERED AS A TOWN OR VILLAGE GREEN, BRISTOL MADE UNDER THE COMMONS ACT 2006

The Committee received a report of the Commons Registration Authority (agenda item no. 5) considering the recommendations to accept the advice of the Inspector and reject the application to register the land known as Arnall Drive Open Space, Henbury, Bristol as a town and village green (TVG).

Members noted that agenda items 5, 6 and 7 were all similar because they were TVG applications that were being brought back to the Committee for decision following a recommendation from the independent Inspector that they be refused. The Committee made some general observations in relation to all three applications, commenting that the TVG legislation had led to a flurry of applications from local residents who were keen to protect their local open space from development. However, in most cases the land in question was not at threat of alternative use in the near

future so seeking TVG status, which would result in the land being held as open space in perpetuity, was often unnecessary. Members were sympathetic to local residents' concerns about protecting open space but welcomed the planned changes to TVG legislation which would tighten up the eligibility criteria and help to manage expectations.

The Committee went on to consider the officers' recommendation in relation to Arnell Drive and agreed that there was no evidence to warrant departure from the Inspector's advice. Councillor Abraham consequently moved that the application be rejected and was seconded by Councillor Blythe. On being put to the vote there was unanimous support. It was therefore;

RESOLVED - that the advice of the Inspector be accepted and that the application to register the land known as Arnall Drive Open Space, Henbury, Bristol as a town and village green be rejected.

**PROWG
33.1/13**

APPLICATION TO REGISTER LAND KNOWN AS ELDERBERRY WALK, SOUTHMEAD, BRISTOL AS A TOWN OR VILLAGE GREEN PURSUANT TO SECTION 15(1) OF THE COMMONS ACT 2006

The Committee received a report of the Commons Registration Authority (agenda item no. 6) considering the recommendation to accept the advice of the Inspector and reject the application to register the land known as Elderberry Walk, Southmead, Bristol as a town and village green.

Members agreed that the advice of the Inspector appeared to be sound and Councillor Abraham moved that the application be rejected. He was seconded by Councillor Pickup. On being put to the vote there was unanimous support. It was therefore;

RESOLVED - that the advice of the Inspector be accepted and the application to register the land known as Elderberry Walk, Southmead, Bristol as a town and village green be rejected.

**PROWG
34.1/13**

APPLICATION FOR LAND KNOWN AS OKEBOURNE OPEN SPACE, BRENTRY, BRISTOL TO BE REGISTERED AS A TOWN AND VILLAGE GREEN MADE UNDER THE COMMONS ACT 2006

The Committee received a report of the Commons Registration Authority (agenda item no. 7) considering the recommendation to accept the advice of the Inspector and reject the application to register the land known as Okebourne Open Space, Brentry, Bristol as a town and village green. Members noted that an addendum to the report detailing further comments from the Inspector had been circulated in advance of the meeting, a copy of which was available in the minute book and on the City Council's website at the following link;

[Committee Papers](#)

During consideration of the report the Committee agreed that they accepted the Inspector's recommendation. Councillor Abraham went on to move that the application be rejected and was seconded by Councillor Blythe. On being put to the vote there was unanimous support. It was therefore;

RESOLVED - that the advice of the Inspector be accepted and the application to register the land known as Okebourne Open Space, Brentry, Bristol as a town and village green be rejected.

**PROWG
35.1/13**

CURRENT CLAIMS, INQUIRIES AND MISCELLANEOUS RIGHTS OF WAY

The Committee considered a report of the Director of City Development (agenda item no. 8) detailing the present position with regard to claims under Section 53 of the Wildlife and Countryside Act 1981; public inquiries; and miscellaneous rights of way orders, agreements and legal proceedings.

Members welcomed the news that the claim in relation to Old Sneed Park had now been resolved and congratulated officers on the quality of the adaptations.

The Committee was advised that the appeal in relation to South Purdown (route J to K) had failed because there was insufficient evidence to support that it had been used as a Right of Way. Officers were about to commence investigating the remaining claim in relation to Route B to C. This claim had been prioritised over the others that were outstanding because it was related to a pending planning application (which was in line with Bristol City Council's policy).

With regard to the claimed footpath at Argyle Place, Cliftonwood Members noted that the City Council was in the process of negotiating a Section 25 agreement with the landowner so that the matter could be progressed.

Members were advised that there were three outstanding claims awaiting investigation, and work on those would commence in sequential order after the aforementioned claim at South Purdown had concluded.

RESOLVED - that the report be noted.

**PROWG
36.1/13**

CURRENT APPLICATIONS FOR REGISTRATION OF LAND AS TOWN OR VILLAGE GREENS

The Committee considered a report of the Commons Registration Authority (agenda item no. 9) noting the present position with regard to Town or Village Green applications.

Members enquired about the schedule in relation to the Ashton Vale TVG application and were dissatisfied to hear of the continued delays for resolution of the matter, noting that the date of the public inquiry had been postponed until 7th October 2013. It was agreed that their concerns would be relayed to the Head of Legal Services for comment by the end of January 2013.

The Committee queried the status of the Stoke Lodge Playing Fields application and were advised that further submissions from both parties were required by 31st January 2013.

With respect to the Laundry Fields application, Members were informed that the public inquiry would take place between 14th to 16th May 2013.

- RESOLVED -**
- 1. That the present position with regard to Town or Village Green applications be noted; and**
 - 2. That the Head of Legal Services be advised of the Committee's concerns in relation to the timetable for resolution of the Ashton Vale TVG application, and that he be asked to provide a full response by the end of January 2013.**

PROWG

37.1/13

DATE OF THE NEXT MEETING

- RESOLVED -** that the next meeting of the Public Rights of Way and Greens Committee be held on Monday 8th April 2013 at 2pm.

(The meeting ended at 2.30pm)

CHAIR