

**BRISTOL CITY COUNCIL**

**MINUTES OF THE ANNUAL MEETING OF THE  
PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE  
HELD ON 21ST JULY 2008 AT 2.00 P.M.**

- A Councillor Brown
- P Councillor Cole
- P Councillor Crew
- A Councillor Daniels
- P Councillor Kitson (substituting for Councillor Brown)
- P Councillor Jackson
- P Councillor Main
- P Councillor Quartley

**PROWG  
1.7/08**

**ELECTION OF CHAIR - MUNICIPAL YEAR 2008/09**

**RESOLVED - that Councillor Quartley  
be elected Chair of the Public  
Rights of Way and Greens  
Committee for the 2008/09  
municipal year.**

**PROWG  
2.7/08**

**ELECTION OF VICE-CHAIR - MUNICIPAL YEAR 2008/09**

**RESOLVED - that Councillor Brown  
be elected Vice-Chair of the Public  
Rights of Way and Greens  
Committee for the 2008/09  
municipal year.**

**PROWG  
3.7/08**

**MEMBERSHIP OF THE COMMITTEE**

**RESOLVED - that membership of the Public  
Rights of Way and Greens  
Committee for the 2008/09  
municipal year be noted as**

**follows:-**

**Councillor Brown  
Councillor Cole  
Councillor Crew  
Councillor Daniels  
Councillor Jackson  
Councillor Main  
Councillor Quartley**

**PROWG  
4.7/08**

**APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies were received from Councillor Brown and Councillor Daniels. Councillor Kitson substituted for Councillor Brown.

**PROWG  
5.7/08**

**DECLARATIONS OF INTEREST**

There were no declarations of interest.

**PROWG  
6.7/08**

**TERMS OF REFERENCE**

**RESOLVED - that the terms of reference for the Public Rights of Way and Greens Committee for the 2008/09 municipal year, as agreed by full Council on 13<sup>th</sup> May 2008, be noted.**

**PROWG  
7.7/08**

**DATES AND TIMES OF MEETINGS 2008/09**

**RESOLVED - that the Public Rights of Way and Greens Committee meet on the following dates and times for the remainder of the 2008/09 municipal year:-**

**2.00 pm on Monday 27<sup>th</sup>  
October 2008  
2.00 pm on Monday 19<sup>th</sup>  
January 2009  
2.00 pm on Monday 6<sup>th</sup> April**

**PROWG  
8.7/08**

**MINUTES - PUBLIC RIGHTS OF WAY AND GREENS  
COMMITTEE - 7TH APRIL 2008**

**RESOLVED - that the minutes of the meeting of the Public Rights of Way and Greens Committee held on 7<sup>th</sup> April 2008 be confirmed as a correct record and signed by the Chair.**

**PROWG  
9.7/08**

**PUBLIC PARTICIPATION - STATEMENTS AND  
PETITIONS**

There was no public forum business.

**PROWG  
10.7/08**

**STRATEGY FOR DEALING WITH OUTSTANDING  
MODIFICATION ORDER APPLICATIONS AFFECTING  
COUNCIL LAND**

The Committee considered a joint report of the Director of Planning, Transport and Sustainable Development and Director of Central Support Services (Head of Legal Services) (Agenda Item No. 10) reporting for information on the current position with regard to Section 53 applications for modification orders affecting Council land and updating on proposals for dealing with such claims.

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

- Officers had been asked to prepare a report to detail the strategy for dealing with the outstanding claims involving Bristol City Council owned land.
- A meeting had taken place where it had been agreed that the departments of Public Rights of Way and Culture and Leisure Services (C&LS) would work together to resolve the outstanding issues.
- If a suitable course of action could be agreed

between Council departments, the head claimant would be consulted to see if they were willing to withdraw their claim.

The representative of the Head of Planning, Transport and Sustainable Development provided the Committee with a brief summary of the current situation regarding each of the following outstanding claims;

### **Sneyd Park**

The department of C&LS had agreed to dedicate and maintain the claimed route. The claimants would soon be advised.

### **Argyle Place, Clifton Wood**

It had been agreed that the land would shortly be transferred from the developer to the City Council, as open space. Once the land had been transferred, the claimant would be contacted to establish whether they would agree to withdraw the claim.

### **Barracks Lane, Avonmouth**

Following discussion with the claimants, it was hoped that the matter could be resolved by dedicating all of the claimed routes, with the exception of the bridge.

### **Littlemead, Kingsweston**

It was proposed to dedicate the route, with the addition of a kissing gate. The head claimant would shortly be consulted.

### **Dundridge Park, St George**

The claim originated as a result of access to a bridleway being prevented by a locked gate. An officer from C&LS had met with the head claimant and it had been agreed that an alternative route would operate on a trial basis. The trial had commenced around a month ago and it had not been established when it would end. The matter would be continually reviewed, until it was resolved.

In response to questions asked, the representative of the Head of Planning, Transport and Sustainable Development confirmed that;

- It was the City Council's policy to keep Councillors informed of Rights of Way matters relating to their ward.
- The City Council must meet the cost of maintaining all Rights of Way on Council owned land.
- All of the outstanding claims were on land managed by C&LS, with the exception of the one at Clifton Wood.
- Regarding the claim at Barracks Lane, the claimants could chose to pursue the Modification Order, in which case the City Council would have no option but to proceed.
- The meeting with the head claimant to consider the proposed dedication at Little Mead was being actively pursued.
- The situation regarding the temporary route at Dundry Park would be closely monitored, so that the arrangement didn't inadvertently continue as a permissive route.
- It was acknowledged that the outstanding claims had been pending for a considerable length of time, but the Committee was assured that all issues were being actively addressed.

**RESOLVED - that the report be noted.**

**PROWG  
11.7/08**

#### **UPDATE REPORT - RIGHTS OF WAY**

The Committee considered a joint report of the Director of Planning, Transport and Sustainable Development and the Director of Central Support Services (Head of Legal Services) (Agenda Item no. 11) reporting for information on the present position with regard to Wildlife and Countryside

Act applications; town or village green applications; public inquiries and miscellaneous rights of way orders, agreements and legal proceedings.

In response to questions asked, Officers confirmed that;

- The Public Path Diversion Order at Avonmouth had not progressed since the Order was confirmed in 2006, as the City Council were waiting for Wessex Water to make repairs to the path. Officers had been pursuing the matter with Wessex Water.
- The City Council dealt with claims in the order in which they were received, and processed two claims simultaneously.
- It took time to investigate each claim as there were two forms of evidence - documentary and user. Evidence would be checked, for example interviews would be conducted with everyone who submitted information.
- Departmental targets for the time spent processing each claim were in place.
- If claims were not resolved within twelve months, the head claimant could refer the matter to the Secretary of State.
- If a pending planning application was affected by a claim, the matter would be fast tracked.
- The procedure for making modifications to the Definitive Map and statement could be technical at times, which caused delay.
- The hearing to consider the Modification Order relating to Friary Road, Bishopston (item 4) would take place at the Council House.

It was agreed that future reports would include the date that each claim had originated, as well as more information on the location of the claim (as detailed in Appendix A to the report), as Members felt that this would be clearer.

The Committee noted that over the last twelve months the situation regarding outstanding claims had improved considerably.

**RESOLVED - that the report be noted.**

**PROWG  
12.7/08**

**URGENT BUSINESS**

There was no urgent business.

**PROWG  
13.7/08**

**DATE OF THE NEXT MEETING**

**RESOLVED - that the next meeting of the Public Rights of Way and Greens Committee be held on Monday 27<sup>th</sup> October 2008 at 2.00 pm.**

(The meeting ended at 3pm)

CHAIR