

BRISTOL CITY COUNCIL

PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE
26 JULY 2010CURRENT CLAIMS, INQUIRIES AND MISCELLANEOUS RIGHTS OF
WAY/TOWN AND VILLAGE GREEN MATTERS.

(Report of Director of City Development)

(Ward: Citywide)

Purpose of Report

- To report for information on the present position with regard to claims under the Wildlife and Countryside Act 1981 Section 53; town or village green applications; public inquiries; and miscellaneous rights of way orders, agreements and legal proceedings.

Background

Item	Ward	Site address/ description	Remarks
CURRENT INVESTIGATIONS- Wildlife and Countryside Act 1980 Section 53			
1	Lockleaze	South Purdown, site of new Fairfield School sports pitches.	Applicant appealed to Defra against determination of the Committee decision made on 1 March 2010 in respect of footpaths G-H-I and J-K. awaiting further response from Defra. Order for route L-M sealed on 27 May 2010 and advertised on 2 June 2010 – deadline for objections 14 July 2010.
PUBLIC PATH ORDERS – Town and Country Planning Act 1990			
2	Lockleaze 10 /01/08	Public Path Diversion Order for FP 223	Ordnance Survey informed. Certification complete and advertised on 8 June 2010 as operational and in force from 5/

		Purdown under Section 257	June 2010. Legal Event Order required to add diversion to Definitive Map.
PUBLIC PATH ORDERS – Highways Act 1980			
5	Avonmouth 23/02/10	S118 extinguishment order – footpath No 553 (part) and 555 (part) Hallen Marsh	Order confirmed on 10 June 2010 – advertised on 18 June 2010. 6 week period for High Court Challenge now running – filed to be closed if no challenges received.
6	Avonmouth 23/02/10	S119 diversion order – footpath No 1a (part) Hallen Marsh	Order confirmed on 10 June 2010 – advertised 18 June 2010 Comes into force 1 month from the date of confirmation. File to be closed.
PUBLIC INQUIRIES			
7	None		
Miscellaneous Rights of Way Matters			
8	Southmead 06/12/04	Dedication of new public path linking FP41 to junction Greystoke Avenue and Cricket Lane	A Legal Event Order is required to add the dedicated route to the Definitive Map.
9	Avonmouth 29/03/06	Public Path Diversion Order for FP5, Wessex Water Works	Legal Event Order required to add diverted route to the Definitive Map.

Consultation None.

Appendices Appendix A - Statutory Orders Progress Report on claims for Modification of the Definitive Map
Appendix B – Current Applications to Register Land as new Town or Village Green

Policy Implications There are no specific policy implications arising from this report.

Resource Implications There are no specific resource implications arising

from this report.

**Other Approvals
Necessary**

None.

Recommended

That the report be noted

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background Papers**

None.

Contact Officers:

For queries relating to rights of way matters:-

Rachel Johnson, Solicitor, Legal Division, Central Resources

Andrew Whitehead, Walking & Cycling, Traffic Management, City Development

For queries relating to village green and commons matters:-

Frances Horner, Senior Solicitor, Legal Division, Central Resources

**APPLICATIONS FOR MODIFICATION OF DEFINITIVE MAP AND
STATEMENT
UNDER SCHEDULE 14 OF WILDLIFE AND COUNTRYSIDE ACT 1981**

PROGRESS REPORT JULY 2010

LOCATION	DATE RECEIVED	CURRENT POSITION**
Old Sneed Park, Sneyd Park, Bristol	07.02.92	Deed of Dedication held pending resolution of safety issues concerning boundary wall at rear of Cavendish Gardens. The responsibility for the upkeep of the wall lies with the adjacent householders.
Claimed footpath at Argyle Place Clifton wood	24.04.98	Leisure (Parks) has approved the dedication of an alternative footpath subject to confirmation that the land has been acquired and adopted by the Council as public open space. Deed of Dedication has approved by the Director of City Development.
Claimed footpath at Fernhill Field, off Little Mead, Kingsweston Road	4.3.00	Agreement to dedicate the claimed route has been received in principal from Leisure Services. However, Parks have advised that they cannot give final approval to the dedication until the land has been reviewed under the Parks & Green Spaces Strategy. This land has not been identified for disposal and the landowning department have therefore been approached again. The Applicant has confirmed in writing that she will withdraw her right of way claim following the sealing of the Deed of Dedication.
Claimed bridleway, Dundridge Farm, St George	6.4.04	Approval to make and seal a Deed of Dedication has been agreed by the Director of City Development. Lead claimants have confirmed in writing that they will withdraw their claim for bridleway following the sealing of the Deed of Dedication.

Claimed footpath at South Hayes and Parkside Gardens, Lockleaze	15.06.06	Awaiting investigation
Claimed footpath at Ridgehill, Henleaze	27.11.06	Awaiting investigation
Claimed footpath at rear of Shaldon Road and Morris Road, Lockleaze	18.05.07	Awaiting investigation.
Blackberry Hill (S Frome Bridge) to FP153	11.07.08	Head Claimant has applied for a direction from DEFRA

** Valid applications will be dealt with in chronological order of receipt, with the exception of those which must be prioritised as a result of development proposals.

APPENDIX (11) B

Current applications for registration of land as new Town or Village Greens.
Progress report for the July 2010 Committee:

Item	Ward	Address	Remarks
1	Hengrove	Whitchurch Park	Inquiry in progress.
2	Windmill Hill	Cotswold Road Open Space	Objection by Bristol City Council under consideration.
3	Bedminster	Ashton Vale Fields	Application on behalf of Ashton Vale Village Green Association received on 28 October 2009 – inquiry concluded 3 June 2010 – Inspector's report expected.
4	Filwood	Filwood Park Open Space	Application by Ms Mil Lusk received 12 November 2009 – objections by Bristol City Council, and the Homes and Communities Agency.
5	Frome Vale	Grove Wood, Stapleton	Application on behalf of the Snuff Mill Action Group received 4 December 2009 – being advertised.