

**BRISTOL CITY COUNCIL**

**MINUTES OF A MEETING OF THE  
PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE  
HELD ON 3<sup>RD</sup> OCTOBER 2011 AT 2.00 PM**

- P Councillor Abraham (in the Chair)
- P Councillor Blythe
- P Councillor Davies
- P Councillor Harrison
- P Councillor Khan (substituting for Councillor Pickup)
- P Councillor Main
- P Councillor Jackson
- A Councillor Pickup
- P Councillor Quartley

**PROWG  
13.10/11 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Pickup, who was substituted by Councillor Khan.

**PROWG  
14.10/11 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**PROWG  
15.10/11 MINUTES – PUBLIC RIGHTS OF WAY AND GREENS  
COMMITTEE – 16<sup>TH</sup> JUNE 2011**

The minutes were agreed to be a correct record.

**RESOLVED - that the minutes of the meeting of the Public Rights of Way and Greens Committee held on 16<sup>th</sup> June 2011 be confirmed as a correct record and signed by the Chair.**

**PROWG  
16.10/11**

**PUBLIC PARTICIPATION – QUESTIONS, STATEMENTS AND PETITIONS**

Public forum business was circulated to the Committee in advance of the meeting and a copy placed in the minute book.

Mr Bennett asked a supplementary question relating to Ashton Vale Town Green, querying whether the land registered by the City Council was an accurate reflection of the decision made by the Public Rights of Way and Greens (PROWG) Committee on 16<sup>th</sup> June 2011. Members noted that the Ashton Vale Town Green decision would be judicially reviewed and the plan would be considered as part of that process. However, the Chairman agreed that once the judicial review had concluded the matter could be brought back to the PROWG Committee for further consideration, if necessary.

The Head of Legal services apologised to Mr Button, the applicant for the Whitchurch Town and Village Green application (agenda item no. 5) because he had not been formally advised about the Committee meeting, in line with the City Council's usual procedure. It was agreed that Mr Button would also receive a written apology.

**PROWG  
17.10/11**

**APPLICATION TO REGISTER LAND AT WHITCHURCH AS A TOWN AND VILLAGE GREEN UNDER THE COMMONS ACT 2006, SECTION 15(2)**

The Committee considered a report of the Strategic Director, Corporate Services (agenda item no. 5) regarding the recommendation to register part of the application land as a Town and Village Green (TVG) in pursuance of the Commons Act 2006.

After a brief introduction from the Head of Legal Services, Members considered the advice that the application should only be rejected if the Committee believed that the recommendation of the independent inspector was flawed.

The Committee noted that there was an error on page 147 of the inspector's report because in paragraph 12.3 the word 'highway' should replace 'housing' so the sentence should read 'I therefore conclude that the dark blue land continued to be held for highway purposes throughout the relevant period.'

During the discussion Members agreed that they were satisfied that the conclusion of the independent inspector was sound. Councillor Abraham moved that the recommendation within the report be approved and was seconded by Councillor Davies. On being put to the vote all Members were in favour. It was therefore unanimously;

**RESOLVED - that part of the application land be registered as a Town and Village Green in pursuance with the Commons Act 2006.**

**PROWG  
18.10/11**

## **DEFRA CONSULTATION ON THE REGISTRATION OF NEW TOWN OR VILLAGE GREENS**

The Committee considered a report of the Strategic Director, Corporate Services (agenda item no. 6) noting the consultation document published on the DEFRA website.

The legal advisor to the Committee introduced the report, commenting that Members were welcome to respond to the consultation individually but should be careful that their views couldn't be construed as pre-judging future TVG applications. The consultation period ended on 17<sup>th</sup> October 2011.

Members commented on the questions that formed the basis of DEFRA's consultation (see appendix (6) 1). There was agreement amongst the Committee that they did not support the proposal to set a fee of up to £1000 for TVG applications.

The Committee noted that a response to the consultation had been prepared on behalf of the City Council. Members felt it appropriate to contribute to this response and asked that the words 'the Public Rights of Way and Greens Committee raised a concern about the proposal to charge a fee for Town and Village Green applications, but no other discussion regarding the proposals had taken place' be added. It was agreed that the amended response would be circulated to the Committee for approval as soon as possible.

**RESOLVED - that the City Council's response to DEFRA's consultation on the registration of new town or village greens be amended as detailed above, and sent to Members for approval.**

**PROWG  
19.10/11**

**CURRENT CLAIMS INQUIRIES AND MISCELLANEOUS  
RIGHTS OF WAY**

The Committee considered a report of the Director of City Development (agenda item no. 7) reporting for information on the present position with regard to Wildlife and Countryside Act applications; public inquiries; and miscellaneous rights of way orders, agreements and legal proceedings.

Members were advised that there had been no changes to the report since the last update, provided in June 2011.

It was noted that a report regarding the claim at Old Sneed Park, Sneyd Park, Bristol would be brought to the Committee for consideration at the meeting on 5<sup>th</sup> December 2011.

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

**PROWG  
20.10/11**

**CURRENT APPLICATIONS FOR REGISTRATION OF LAND AS  
TOWN OR VILLAGE GREENS**

The Committee considered a report of the Commons Registration Authority (agenda item no. 8) noting the present position with regard to Town or Village Green applications.

In response to a query, the legal advisor to the Committee confirmed that the independent inspector who was reviewing the Filwood Park TVG application had recently asked for additional information from the landowner (Bristol City Council).

**RESOLVED - that the present position with regard to  
Town or Village Green applications be  
noted.**

**PROWG  
21.10/11**

**URGENT BUSINESS**

There was no urgent business.

**PROWG  
22.10/11**

**DATE OF THE NEXT MEETING**

**RESOLVED - that the next meeting of the Public  
Rights of Way and Greens Committee**

**be held at 2.00 pm on Monday 5<sup>th</sup>  
December 2011.**

(The meeting ended at 3pm)

CHAIR