

AGENDA ITEM NO. 6

BRISTOL CITY COUNCIL

PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE

5TH DECEMBER 2011

CURRENT CLAIMS, INQUIRIES AND MISCELLANEOUS RIGHTS OF WAY/TOWN AND VILLAGE GREEN MATTERS.

(Report of Director of City Development)

(Ward: Citywide)

Purpose of Report

1. 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.

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.	Application for route L-M confirmed on 12 August 2010. Legal Event Order required to add new route to Definitive Map. Appeal Decision received from PINS. Route G – H – I has been allowed and the Council is directed to make an Order in respect of this footpath. Order to be drafted. The appeal in respect of Route J – K failed.

PUBLIC PATH ORDERS – Town and Country Planning Act 1990			
2	Lockleaze 10 /01/08	Public Path Diversion Order for FP 223 Purdown under Section 257	Legal Event Order required to add diversion to Definitive Map.
3	Eastville	Public Path Diversion Order for FP 236, Stapleton under Section 257	Public Path Diversion Order No. 1, 2010 confirmed on 1 February 2011 Path now certified and order operative
PUBLIC PATH ORDERS – Highways Act 1980			
4	Avonmouth 23/02/10	S118 extinguishment order – footpath No 553 (part) and 555 (part) Hallen Marsh	Legal Event Order required to remove footpath from Definitive Map.
5	Avonmouth 23/02/10	S119 diversion order – footpath No 1a (part) Hallen Marsh	Awaiting certification from PROW that footpath is operational to enable Order to be in force. Legal Event Order required to add diversion to Definitive Map.
PUBLIC INQUIRIES			
6	None		
Miscellaneous Rights of Way Matters			
7	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.
8	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.

APPENDIX (6) A

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

PROGRESS REPORT 5TH DECEMBER 2011

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. Approval to make and seal a Deed of Dedication has been sought from the Director of City Development. The land has still not been acquired due to problems with the vendors' title. It is anticipated that these problems will be resolved shortly.
Claimed footpath at Fernhill Field, off Little Mead, Kingsweston Road	4.3.00	Deed of Dedication being drafted.
Claimed bridleway, Dundridge Farm, St George	6.4.04	Deed of Dedication Sealed on 13 January 2011
Claimed footpath at	15.06.06	Under investigation

LOCATION	DATE RECEIVED	CURRENT POSITION**
South Hayes and Parkside Gardens, Lockleaze		
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 (now passed to PINS)

** 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.

**Schedule of current Town or Village Green Applications –
updated 23/11/11**

1. Applications relating to Council owned land

Whitchurch Park (File No. JD5/363)

- **Application No:** 10
- **Date Application received:** 11 February 2008 (Re-dated 4 August 2010)
- **Description of Application land:** The field, Whitchurch Park, Elmtree Park, The Green, Fortfield Green
- **Location of Application land:** Bounded roughly by Brier Leaze Road, Bamfield, Pinks Twist, Asda, Fortfield Road and Cranwell Road
- **Applicant:** Elmtree Park Residents Association, John Button, Chair, 6 Cranwell Grove, Whitchurch, Bristol BS14 9QT
- **State of Application:** Public Inquiry re-opened 28 February 2011. Inspector's report recommends registration of part of the application land.

Okebourne Open Space, Brentry (File No. JD5/435)

- **Application No:** 16
- **Date Application received:** 16 July 2010
- **Description of Application land:** Okebourne Park or Oakwood Park
- **Location of Application land:** Leading of Knole Lane and Chakes Hill Drive, Brentry BS10
- **Applicant:** Mr John Rich on behalf of the Friends of Okebourne Open Space 159 Knole Lane, Brentry, Bristol BS10 6JP
- **State of Application:** Advertised – objection served 31 May 2011, by City Council as land-owner.

Wellington Hill Playing Fields (File No: JD5/438)

- **Application No:** 18
- **Date Application received:** 12 October 2010
- **Description of Application land:** Wellington Hill Playing Field

- **Location of Application land:** Wellington Hill, Horfield, Bristol
- **Applicant:** Mr Gavin Boby, 30 St Leonards Road, Bristol BS7 8SH
- **State of Application:** Objection served by City Council as land-owner.

Bracey Drive, Frenchay (File No. JD5/434)

- **Application No:** 19
- **Date Application received:** 13 October 2010
- **Description of application land:** Green
- **Location of Application land:** Bordered by Frenchay Road, Long Close and Bracey Drive, Bristol BS16
- **Applicant:** TBA
- **State of application:** To be advertised.

Higham Street Green, (File No. JD5/441)

- **Application No:** 20
- **Date Application received:** 22 October 2010
- **Description of Application land:** Higham Street Green/Higham Street Open Space
- **Location of Application land:** Higham Street, Totterdown, Bristol BS4 2JB
- **Applicant:** Ms Joanne Fisher, 3 Higham Street, Totterdown, Bristol BS4 2JB
- **State of Application:** Being advertised - objections to be lodged by 31 August 2011.

Elderberry Walk Open Space (File No. JD5/446)

- **Application No:** 21
- **Date Application received:** 10 January 2011
- **Description of Application land:** Elderberry Walk Open Space
- **Location of Application land:** land on the south east side of Charlton Road, Southmead Bristol
- **Applicant:** Mrs Alison E. Devonshire 157 Knole Lane Brentry Bristol BS10 6JP
- **State of Application:** Being advertised – objections to be lodged by 29 July 2011.

Stoke Lodge Playing Fields)file number JD5/450)

- **Application No:** 24
- **Date Application received:** 7 March 2011

- **Description of Application land:** Stoke Lodge Playing Fields, Shirehampton Road, Stoke Bishop, Bristol BS9 1BN
- **Applicant:** Mr David Meyer, "Brockfields", 68A Coombe Lane, Bristol BS9 2AY
- **State of Application:** To be advertised.

2. Applications relating to private land

Filwood Park Open Space (File No. JD5/428)

- **Application No:** 14
- **Date Application received:** 12 November 2009
- **Description of Application land:** Filwood Park Open Space
- **Location of Application land:** Land bounded by Hengrove Way, Creswicke Road and Filwood Playing Fields
- **Applicant:** Mil Lusk, 98 Throgmorton Road, Bristol BS9 1HL
- **Landowner:** Urban Regeneration Agency
- **State of Application:** Public inquiry to open 27 July 2011.

Ashton Vale (File No. JD5/386)

- **Application No:** 12
- **Date Application received:** 26 October 2009
- **Description of Application land:** Ashton Vale Fields
- **Location of Application land:** Ashton Vale Fields, adjoining North Somerset Boundary, Between Ashton Vale Drive Cul-de-sac and The Park and Ride
- **Applicant:** Mr Michael J Peters, 301 Ashton Drive, Ashton Vale, Bristol BS3 2PZ
- **Land owner:** Ashton Vale Project LLP, 70 Prince Street Bristol BS14HU
- **State of Application:** A non statutory Inquiry was held between 26 May – 3 June 2010. The Inspector's Report dated 26 August 2010 recommended that the CRA should grant the application and register the land as a Town or Village Green. Further submissions received from both applicants and objectors November/December 2010.

Grove Wood (File No. JD5/379)

- **Application No:** 15
- **Date Application received:** 26 November 2009
- **Description of Application land:** Grove Wood
- **Location of Application land:** Woodland below Blackberry Hill Hospital next to River Frome, Stapleton Bristol
- **Applicant:** Snuff Mills Action Group C/O Mr Steve Micklewright, Shell Cottage, Ham Lane, Stapleton, Bristol BS16 1EE
- **Land owner:** The Rhino Group Ltd, 19 Downleaze, Bristol BS9 1LT
- **State of Application:** Application duly made. Statement of Objections has been received from landowner. Inquiry opened 4 April 2011.