

BRISTOL CITY COUNCIL

**MINUTES OF A MEETING OF THE
PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE
HELD ON 15TH MARCH 2012 AT 2PM**

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

**PROWG
34.3/12**

APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Blythe, Harrison, Main and Quartley. The following substitutions were made;

Councillor Morgan for Councillor Blythe
Councillor Townsend for Councillor Harrison
Councillor Stevenson for Councillor Quartley

The Chairman advised those present that each of the substitute Members had been fully trained on matters relating to both Public Rights of Way (PROW) and Town & Village Greens (TVGs).

**PROWG
35.3/12**

DECLARATIONS OF INTEREST

Councillor Abraham and Councillor Stevenson confirmed that two of the applications to be heard were located in their respective

wards (item 4, TVG at Grove Woods for Councillor Stevenson, and item 5 PROW at Glenavon Park for Councillor Abraham) but they did not need to declare an interest because they did not have pre-determined views.

**PROWG
36.3/12**

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. The Chairman advised that he had accepted two late submissions, which were confirmations from Hazel Durn and Naveed Hashmi that they would like their names to be added to the list of those who were in support of the Grove Woods TVG application.

Members received verbal summaries from those present at the meeting. Councillor Stevenson asked for it to be noted that he objected to the comments made in the statement from John Mair, which suggested that those in opposition were 'motivated by racial hatred' because he had seen no evidence to support that assertion.

The Committee was provided with a tabled document 'Further Legal Advice' which had been prepared by the representative of the Strategic Director, Corporate Resources in response to points made in the public forum statement submitted by Lady Jafari. A copy of the document could be found in the minute book and also on the City Council's website at the following link;

[Committee Papers](#)

**PROWG
37.3/12**

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

The Committee considered a report of the Strategic Director, Corporate Resources (agenda item no. 4) considering the recommendation to register the application land as a Town and Village Green in pursuance of the Commons Act 2006.

The Chairman advised those present that the site map (appendix 3) that had been included with the original published papers was incorrect, so the revised version had been circulated as an

addendum prior to the meeting. The correct version of appendix 3 could be found in the minute book and also on the City Council's website at the following link;

[Committee Papers](#)

The report was introduced by the representative of the Strategic Director, Corporate Resources. The following comments arose during the ensuing debate;

- Some of the comments made by the objectors during their public forum statements had been unfair and regrettable.
- The independent inspector versed in Town and Village Greens, Mr Leslie Blohm QC, had been appointed to conduct the inquiry, during which he had heard a considerable amount of evidence both for and against the TVG application.
- Members were confident that Mr Blohm was impartial and accepted his judgement that the witnesses in support of the TVG application had been credible and honest.
- Mr Blohm had concluded that the TVG application met the statutory test for approval and no evidence had been provided to suggest that Members should overturn his recommendation.

Councillor Abraham moved that the officers' recommendation (to accept the inspector's recommendations to allow the amendment to alter the neighbourhoods and to register the application land as marked on appendix 3 - see paragraph 128 of his report, page 119 in the accompanying committee papers) be approved. He was seconded by Councillor Davies. On being put to the vote there was unanimous support. It was therefore;

- RESOLVED -**
- (1) to allow the amendment to the application to alter the neighbourhoods, as shown on the plan at Annex 3 to the inspector's report (the relevant neighbourhoods should be identified as 'Stapleton' and 'Fishponds'); and**
 - (2) to register the land (as marked in green on Appendix 3 (as revised) to the officer's report in the accompanying committee papers) as a Town or Village**

**Green pursuant to the provisions of the
Commons Act 2006.**

**PROWG
38.3/12**

**DEDICATION OF A PUBLIC RIGHT OF WAY ON FOOT,
GLENAVON PARK TO THE PORTWAY**

The Committee considered a report of the Strategic Director, Neighbourhoods and City Development (agenda item no. 5) regarding the latest proposal concerning the matter of the dedication of a public right of way on foot through Old Sneed Park from Glenavon Park to the Portway, and seeking approval to proceed with a dedication agreement for an alternative route.

The Chairman asked Members to note that public forum business in respect of the application had been submitted when the matter had been considered by the Committee on 5th December 2011 and 20th February 2012. He asked that Members take the comments made in those public forum submissions into account when reaching their decisions.

Following a brief introduction from the representative of the Strategic Director, Neighbourhoods and City Development the Chairman invited Members to comment on the report. The Committee agreed that the site visit (that had taken place prior to the meeting) had helped Members to gain a better understanding of the concerns raised by objectors at previous meetings. The Committee did not share the view that proceeding with the dedication would lead to problem parking in the area.

Members considered that objectors to the PROW had previously expressed concern that the contractor's quote (of £1326) to reinstate the route was unrealistic, but noted that the pathway would only be brought up to leisure route standard, so the scale of the project would not be extensive. Councillor Jackson requested that if the estimated cost of reinstating the path proved to be insufficient, the additional expense be borne by the contractor.

Councillor Jackson moved that the officers' recommendation to proceed with the making of the deed of dedication for the route be approved and was seconded by Councillor Pickup. On being put to the vote there was unanimous support. It was therefore;

RESOLVED - that approval be given to proceed with the making of a deed of dedication for the alternative route from Cavendish Gardens to the Portway.

**PROWG
39.3/12**

DATE OF THE NEXT MEETING

RESOLVED - that the next meeting of the Public Rights of Way and Greens Committee be held on Monday 2nd April 2012 at 2pm.

(The meeting ended at 3.10pm)

CHAIR