

Bristol City Council
Minutes of the Public Rights of Way and Greens
Committee



17 July 2017 at 2.00 pm

Members Present:-

Councillors: Peter Abraham, Donald Alexander, Charlie Bolton, Tim Kent, Mike Langley and Jon Wellington

Officers in Attendance:-

Anne Nugent (Legal Officer), Nancy Rollason (Deputy Monitoring Officer), Duncan Venison (Network Operations Manager) and Jeremy Livitt (Democratic Services Officer)

1. Election of Chair for 2017/18

It was moved by Councillor Tim Kent, duly seconded and upon being put to the vote, it was

Resolved – that Councillor Peter Abraham be elected as Chair for 2017/18 Municipal Year.

2. Election of Vice-Chair for 2017/18

It was moved by Councillor Peter Abraham, duly seconded and upon being put to the vote, it was

Resolved – that Councillor Tim Kent be elected as Vice-Chair for the 2017/18 Municipal Year.

3. Welcome, Introductions and Safety Information

The Chair welcomed all parties to the meeting and requested that officers and Councillors introduce themselves. He reminded all attendees of the arrangements for evacuation of the building in case of an emergency.

4. Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Paul Goggin.



5. Terms of Reference for 2017/18 Municipal Year

The Committee noted their Terms of Reference for 2017/18 Municipal Year as agreed at the Annual meeting of Full Council on Tuesday 23rd May 2017.

6. Dates for Future Meetings for 2017/18 Municipal Year

RESOLVED – that the following dates be approved as future dates for 2017/18 Municipal Year:

(all at 2pm on Mondays)

16th October 2017

22nd January 2018

16th April 2018

7. Minutes of Previous Meeting

The Committee considered whether or not to approve the Minutes of the meeting on Monday 13th March 2017 as a correct record.

Councillor Tim Kent stated that, in his view, the resolution which was agreed under Agenda Item 9 (Guidance and Briefing on Decision Making), was contrary to Standing Order CMR 12.1 (Motion to Rescind a Previous Resolution).

The Deputy Monitoring Officer confirmed that Councillor Kent had raised the matter with her but stated that in her view the proper process was followed in respect of this decision.

It was moved by the Chair, duly seconded and upon being out to the vote,

Resolved (5 for, 1 against – Councillor Tim Kent voting against and his name recorded as doing so in accordance with Standing Order CMR 13.4) that the Minutes of the above meeting be approved as a correct record and signed by the Chair.

8. Declarations of Interest

There were no declarations of interest.

9. Chair's Business

There was no Chair's business to report to the Committee.



10 Public Forum

The Committee heard Public Forum statements from the following:

David Mayer
Alan Preece

11 Current Applications For Registration of Land As Town or Village Greens

The Committee noted that there were no current Town or Village Green (TVG) Applications and that no money had been spent on TVG Applications since 12th November 2016.

12 Current Claims, Inquiries and Miscellaneous Rights of Way Matters

The Committee noted the present position concerning claims made under Section 53 of the Wildlife and Countryside Act 1981, public inquiries and miscellaneous rights of way orders, agreements and legal proceedings.

It was noted that no objections had been received for Public Path Orders (PPO's) 207 and 424 and that these were now both confirmed.

13 Exclusion of Press and Public

The Committee considered whether or not to go into exempt session to discuss the next Agenda Item 14 (Stoke Lodge Playing Fields – Legal Proceedings In Relation To the Committee Decision).

Some Members expressed the view that, since all Councillors who were present had read the report under the Council's managed access procedures, there was no need to go into exempt session and that discussion could be held in open session.

The Deputy Monitoring Officer stressed that the Committee needed to consider confidential legal advice when discussing this item. If Councillors believed that they could discuss the various options set out in the report without discussing this advice, then they might consider it appropriate to have the discussion in open session. However, any discussion of the legal advice would require the Committee to go into exempt session.

The Committee agreed that they should go into exempt session for a short period to discuss the legal advice and then to return to open session for the remainder of the discussion and to vote on any decision.

It was then moved by the Chair, duly seconded and

Resolved – that under Section 1004(A) of the Local Government Act 1972, the public be excluded from the meeting for the consideration of the following item of business on the grounds that it involves the



disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12 A of the Local Government Act (as amended).

14 Stoke Lodge Playing Fields - Legal Proceedings in relation to the Committee Decision - Further Consideration (Containing Exempt Information In Accordance with Paragraph 5 – Information In Respect of Which Claim For Legal Professional Privilege Could Be Maintained In Legal Proceedings)

The Committee considered this report in exempt session and discussed in detail various options.

Members then agreed to move back into open session for the remainder of the item.

Councillor Abraham moved, seconded by Councillor Wellington and upon being put to the vote, it was

Resolved (unanimously) – that the decision of the Public Rights of Way Committee held on Monday 13th March 2017 is noted in principle but that no further action be taken until the Committee meets in approximately 1 month time pending seeking further information.

15 Date of Next Meeting

It was noted that the next scheduled meeting was fixed for **2pm on Monday 16th October 2017.**

However, it was also noted that, following the decision taken in respect of Agenda Item 14, an extraordinary meeting of the Committee would need to be fixed within approximately 1 month to discuss this issue.

Meeting ended at 3.20 pm

CHAIR _____

