

# Bristol City Council

## Minutes of the Public Rights of Way and Greens Committee



14 October 2019 at 2.00 pm

### Members Present:-

**Councillors:** Peter Abraham (Chair for the meeting), Donald Alexander, Tony Carey, Fi Hance and Gill Kirk

**Officers in Attendance:-** Theo Brumhead (Public Rights of Way Officer), Corrina Haskins (Democratic Services Officer) and Duncan Venison (Network Operations Team Manager)

### 1. Election of Chair 2019-2020

#### RESOLVED –

- (1) that Councillor Mike Langley be elected Chair of the Public Rights of Way Sub-Committee for 2019-2020;
- (2) that, in the absence of Councillor Mike Langley, Councillor Peter Abraham Chair the meeting.

### 2. Election of Vice-Chair 2019-2020

**RESOLVED** that Councillor Peter Abraham be elected a Vice-Chair for the Public Rights of Way and Greens Committee for 2019-2020.

### 3. Welcome, Introductions and Safety Information

The Chair drew attention to the safety information.

### 4. Membership 2019-2020

**RESOLVED** – that the Membership be noted.

### 5. Terms of Reference 2019-2020



**RESOLVED** – that the Terms of Reference be noted.

## **6. Dates of Meetings 2019-2020**

**RESOLVED** – that the dates of future meetings be noted as follows:

Monday 20 January 2020 at 2pm

Monday 06 April 2020 at 2pm

## **7. Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Paul Goggin. It was noted that Councillor Mike Langley was absent.

## **8. Minutes of Previous Meeting - 15 April 2019**

**RESOLVED** – that the minutes of the meeting of 15th April 2019 be confirmed as a correct record and signed by the Chair.

## **9. Declarations of Interest**

Councillor Don Alexander declared a non-pecuniary interest in agenda item 13 in relation to the new claim for a footpath at Penpole Lane, as he had referred the application.

## **10 Public Forum**

There were no public forum statements.

## **11 Claimed Footpath from Shaldon Road to Morris Road, Lockleaze**

The Network Operations Manager reported that, following the decision at the previous committee to make and advertise a Definitive Map Modification Order, a number of objections had been received and not withdrawn from members of the public.

The Public Rights of Way Officer confirmed that only one of the objections was considered relevant and this related to the width of the path as there was an error in the application which referred to a width of 4 metres rather than 3 metres. Officers therefore recommended that the Committee resolve to submit the Order to the Secretary of State for confirmation with a request that it be modified to correct the recorded width of the path.



In response to a question about whether the public right of way would affect the private vehicular access some residents had to access their garages, officers confirmed that this was not an issue for the Committee to consider, but private vehicle rights were not usually affected by a public right of way.

In response to a further question about the gates, officers responded that the Council would seek to have the gates to be removed if the Secretary of State confirmed the order for the public right of way. Officers confirmed that the Committee would be informed of the decision of the Secretary of State at a future meeting along with any actions that would need to be taken as a result of the decision.

In considering the Officers' recommendation it was;

**RESOLVED** – that the Order be submitted to the Secretary of State for confirmation (with a request that it be modified to correct the recorded width of BCC/611).

## **12 Claimed footpath from Machin Rd to Crow Lane, Henbury**

The Network Operations Manager reported that, following the decision at a previous committee to make and advertise a Definitive Map Modification Order, a number of objections had been received and not withdrawn from members of the public.

The Public Rights of Way Officer advised that the only matter raised which had relevance was the position of point C in the Order of the proposed public footpath as new evidence had been provided to suggest that the unrestricted area of the way was narrower than previously believed between 1992 and 1995 of the relevant claimed period. Officers recommended that this matter should be submitted to the Secretary of State in order that the exact location of point C be determined.

In considering the Officers' recommendation, it was;

**RESOLVED** – that the Order be submitted to the Secretary of State, with the recommendation that the Order is confirmed, with the recorded position of point C modified if deemed necessary by the Secretary of State.

## **13 Current Claims, Inquiries and Miscellaneous Rights of Way Matters**

The Network Operations Manager gave an update on current claims and applications.

Following comments raised by Members, it was;

**RESOLVED**

(1) that the report be noted;



- (2) that training be arranged in advance of the next meeting for all Members of the Public Rights of Way and Greens Committee;
- (3) that a copy of the definitive map be circulated to Members of the Public Rights of Way and Greens Committee.

Meeting ended at 2.30pm

**CHAIR** \_\_\_\_\_

