

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



**20 June 2022 at 2.00 pm**

**Members Present: -**

**Councillors:** Tessa Fitzjohn (Chair), John Goulandris (Vice-Chair), Jude English, Lily Fitzgibbon, Chris Jackson (substitute for Tim Rippington) and Andrew Varney

**Officers in Attendance: -**

Theo Brumhead, Anne Nugent (Legal Officer), Duncan Venison (Network Operations Manager) and Jeremy Livitt (Democratic Services)

**1 Welcome, Introductions and Safety Information**

The Chair welcomed all parties to the meeting and asked them to introduce themselves.

**2 Confirmation of Chair**

It was noted that Councillor Tessa Fitzjohn had been elected Chair of the Public Rights of Way and Greens Committee for 2022/23 Municipal Year at the annual meeting of Full Council on Tuesday 24<sup>th</sup> May 2022.

**3 Confirmation of Vice-Chair**

It was noted that Councillor John Goulandris had been elected Vice-Chair of the Public Rights of Way and Greens Committee for 2022/23 Municipal Year at its meeting on Tuesday 24<sup>th</sup> May 2022

**4 Membership of the Committee**

The membership of the Public Rights of Way and Greens Committee for 2022/23 Municipal Year was noted as follows:

Councillor Tessa Fitzjohn (Chair)

Councillor John Goulandris (Vice-Chair)

Councillor Jude English

Councillor Lily Fitzgibbon



Councillor Paul Goggin  
Councillor Jonathan Hucker  
Councillor Philippa Hulme  
Councillor Tim Rippington  
Councillor Andrew Varney

Councillor Chris Jackson to substitute for the Labour Group if required

## **5 Terms of Reference including Scheme of Delegation**

RESOLVED – that the proposed Terms of Reference and Scheme of Delegation be approved.

## **6 Dates of Meetings for 2022/23 Municipal Year**

The following meetings of Public Rights of Way and Greens Committee were agreed for the remainder of 2022/23 Municipal Year:

(all commencing at 2pm)

Monday 20th June 2022  
Tuesday 27th September 2022  
Tuesday 31st January 2023  
Monday 20th March 2023

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

Apologies for absence were received from Councillor Paul Goggin, Councillor Philippa Hulme, Councillor Jonathan Hucker and Councillor Tim Rippington (Councillor Chris Jackson substituting).

## **8 Declarations of Interest**

There were no Declarations of Interest.

## **9 Minutes of Previous Meeting held on 20th January 2020.**

RESOLVED – that the minutes of the meeting held on 20<sup>th</sup> January 2020 be confirmed as a correct record and signed by the Chair.



## 10 Public Forum

The Committee noted the written responses which had been provided to the following sets of questions:

Q1 – Alan Preece

Q2 – Philip Bird (St George Active Travel Group)

Verbal supplementary questions and answers were made as follows:

Q1 – Alan Preece

Supplementary Question 1 – Since less than a year ago it was obvious that the fence would obstruct routes and entrances, the relevant officer has been requested to collect the relevant evidence of this before the area in question became inaccessible. Has this been done?

Answer: Yes the evidence had been collected. A further assessment would shortly be made.

Q2 – Philip Bird

Supplementary Question 1 (for Written Question 1) – How often are Public Rights of Way checked to ensure they are free of obstruction and why is there apparently no accurate record of how long this PROWG has been obstructed?

Answer: : Officers tried to ensure paths were inspected as regularly as possible and contractors had been requested to do this approximately every three years. A regime was now in place to ensure these inspections took place on a regular basis. The earliest recording of the obstruction is circa 2009. Prior to that time no regular inspections took place, so it is unknown how long the path was previously obstructed. Obstructed paths are reported to the Rights of Way Liaison Group to which the Chair is invited along with other interest groups such as The Ramblers.

Supplementary Question 2 (for Written Question 2) – What progress, if any, has there been since I received the answer to this question in November, and why is progress not included in the report at Agenda Item 12?

Answer: The actions taken by officers depended on progress with each case since these were complicated issues. In certain cases, officers were waiting for planning applications to come through before they could proceed with them. Enforcement isn't a PROWG matter, but a report could be included on currently obstructed rights of way for information only in future papers.

Supplementary Question 3 (for Written Question 3): Where can I and members of this Committee, see the current list of cases being acted upon by the enforcement team.

Answer: Officers could provide this to the Committee, including a list of currently obstructed paths.

**ACTION: Officers to provide this information in an update report for the next meeting – Duncan Venison**



Supplementary Question 4 (for Written Question 4): What action is the Council (in their role as Highway Authority) currently undertaking to “assert and protect the rights of the public to the use and enjoyment” of PROWG BCC/381?

Answer: Inspections were in place to tackle the backlog of work including via the Liaison Group.

Members of the Committee received Public Forum Statements in advance of the meeting. The Statements were heard before the application they related to and were taken fully into consideration by the Committee.

### **11 Town or Village Green (TVG) Applications - Tom Dunsdon**

Anne Nugent introduced this report and made the following comments:

- There was one application outstanding for Stoke Lodge
- Bristol City Council had spent £7,000 for external costs, probably related to Inspector’s costs
- The Inspector would give his recommendation to the Commons Registration Authority
- A significant amount of work had already taken place on this
- The Inspector was currently considering the submissions and significant amount of paperwork involved
- The Inspector had observed the site
- Anne Nugent indicated that she would shortly be writing to the Inspector and would be updating the Committee on the situation **ACTION: Anne Nugent**

Anne Nugent left the meeting at this point.

The Committee agreed that, following an informal briefing of the Committee by officers, it would be helpful to visit the Stoke Lodge site, if possible, with other interested parties from the school and transport (growth and regeneration) **Action: Jeremy Livitt to seek legal advice from Anne Nugent on the operation of the site visit**

It was also noted that the local Plan Working group were examining green sites (which might include this one) and that issue needed to be considered.

RESOLVED – that the report be noted.

### **12 Current Claims Inquiries and Miscellaneous Rights of Way Matters (Report of the Executive Director for Transport, Growth and Regeneration) - Duncan Venison and Theo Brumhead**

Duncan Venison introduced this report and made the following points concerning some of the applications listed in Appendix A (Applications for Modification of Definitive map and Statement):



- Claimed footpath at Argyle Place, Cliftonwood – This had been a very complicated case with legal action having been taken. Following this becoming public land, it had stalled and the claim was being investigated
- Claimed footpath at South Hayes and Parkside Gardens, Lockleaze – Public access was still available through this route. However, this was the top priority case to deal with unless cases are reprioritised to deal with newly obstructed claims.
- Claimed footpath from Machin Rd to Crow Lane, Henbury – This matter had been initially resolved in 2019. However, following a legal challenge from the landowner, it had been considered by the Secretary of State which had delayed it for a long time
- Claimed footpath at Ridgehill, Henleaze – Despite repeated attempts, officers had been unable to contact the landowner in this case. The footpath, however, remained open to the public and was being used. If the landowner continued to be difficult to contact, more detailed investigations would be made. In response to a question from Cllr Fitzgibbon regarding what would happen if a landowner couldn't be traced. There had never been a situation when the landowner had not been able to be contacted. It was noted that during COVID records had been closed which had created problems in applications where they were required.
- Claimed footpath from Blackberry Hill (south of Frome Bridge) to FP153 – Whilst this had open access, it still remained to be validated.
- South Purdown, Lockleaze route B-C – This route remained open
- Claimed footpath Trymwood Close, Henbury Hill to Arnall Drive – The route remained open. This was Council owned land
- Claimed footpath Fishponds Road to Laburnum Grove – This was being further investigated and might need to be placed as an application with a high priority
- Claimed footpaths West Dene to Stoke Lodge, Cheyne Rd to Druid Hill, Cheyne Rd to Stoke Lodge, Cheyne Rd to West Dene – This application had previously been discussed under Public Forum and was a high priority
- Claimed footpath Penpole Lane to Public Footpath BCC/565 – This was a high priority application
- Claimed footpath Woodgrove Road to Public Footpath BCC/21 – no work had been carried out on this application yet

**ACTION: that Duncan Venison/Theo Brumhard provide a timeline and reprioritised Appendix A list for the next meeting**

In relation to Appendix B (Miscellaneous Rights of Way Orders, Agreements and Legal Proceedings), Duncan Venison made the following points:

- Most of the work relating to Public Path Orders was delegated to officers to bring the definitive map up to scratch
- A further three cases were being submitted through the legal team.

In relation to Appendix C (Legal Event Modification Orders), he made the following points:

- There was a backlog of 166 cases from between 1966 and 2008 which needed to be put on the definitive map.



- The part time Rights of Way and Greens Officer is working to ensure the map was up to date

The Committee expressed their thanks to this officer for the work they were carrying out.

In relation to the Improvement Programme Summary (Appendix B), he explained the following:

- This programme received a budget of £50,000 per year and set out a list of the works over the last two years – work included kissing gates and styles
- There had been recent success in getting Section 106 grants for PROWG
- City Regional Sustainable Transport Settlement – this had been doubled to £100,000 for the next 5 years. A large number of requests had been received for lighting on paths. Ecology issues remained important, particularly in more rural areas
- There had been a recent article in the PROWG magazine by a Bristol City Council officer (Eddie Procter) concerning rights of way in the urban environment.

In response to members' questions, officers gave the following responses as required:

- It was noted that some Local Authorities (Including Devon) were using drones to assess public Rights of Way and produce photographs which saved time. However, officers explained that this would be more difficult in a largely urban environment like Bristol as there were regulations concerning flying drones near properties. However, they were used on some of the rockfaces on the Avon Gorge.
- It was noted that the Active Travel Guide to London used MESH (a travel payment management system) which enabled active travel from one end of the city to another.

RESOLVED – that the report be noted.

### **13 Date of Next Meeting**

It was noted that the next meeting was scheduled for 2pm on Tuesday 27th September 2022 in a Committee Room, City Hall, College Green, Bristol.

The meeting ended at 3.20 pm

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

