

# Minutes

of the Meeting of the

## Public Rights of Way Sub-Committee

**Tuesday, 15th January 2019**

held at the Town Hall, Weston-super-Mare, Somerset.

Meeting Commenced: 2.30pm Meeting Concluded: 14:50pm

### Councillors:

P Ann Harley (Chairman)

A Karen Barclay

P Peter Burden

P Terry Porter

P James Tonkin

P: Present

A: Apologies for absence submitted

**Officers in attendance:** Elaine Bowman (Development & Environment), Heather Sanders (Corporate Services)

### **PRW 15 Public participation (Standing Order 17) Lillypool Drove, Kenn Moor**

Local resident Ann Gawthorpe addressed the Sub-Committee speaking in support of recording Lillypool Drove as a Restricted Byway. Advising that she had ridden horses along the route for many years, Mrs Gawthorpe urged the Sub-Committee to support the officers' recommendation.

### **PRW 16 Declaration of Disclosable Pecuniary Interest (Agenda item 3)**

None.

### **PRW 17 Minutes of the Meeting held on 21 November 2018 (Agenda item 4)**

**Resolved:** that the minutes of the meeting be approved as a correct record.

### **PRW 18 MOD 61 Lillypool Drove, Kenn Moor (Agenda item 6)**

The Director of Development & Environment reported on an application to modify the Definitive Map and Statement by the addition of Lillypool Drove in the Parish of Kenn as a Byway Open to all Traffic. Presenting her report, the Senior Access Officer advised that analysis of the historical documents supported the existence of the claimed route, however no evidence had been found to show that the use by motorised vehicles had been preserved post 2006 and therefore the appropriate classification was that of Restricted Byway.

**Resolved:**

- (1) that the relevant Officer be authorised to make a Definitive Map Modification Order for the route A-B-C on the grounds that there is sufficient evidence that Restricted Byway rights should be recorded on the Definitive Map;
- (2) that if no objections are made and sustained, authorisation be given for the confirmation of this Order; and
- (3) that if objections are made, the Order be forwarded to the Secretary of State for determination and, subject to officers being content that there was no significant change to the balance of evidence, the Order be supported at any subsequent Public Inquiry.

**PRW 19 MOD 62 West Bow via Wharf Road, Uphill (Agenda item 7)**

The Director of Development & Environment reported on an application to modify the Definitive Map and Statement by the addition of the route West Bow via Wharf Road in the Parish of Uphill as a Byway Open to all Traffic. Presenting her report, the Senior Access Officer advised that analysis of the historical documents showed the claimed route to be a public carriage road.

**Resolved:** that the relevant officer be authorised to reject the application on the basis that Public Carriage Roads are not recorded on the Definitive Map.

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Chairman

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