

Minutes

of the Meeting of

The Public Rights of Way Sub-Committee

Tuesday, 25 July 2023

Kenn Room

Meeting Commenced: 3.05 pm

Meeting Concluded: 3.53 pm

Councillors:

Timothy Snaden (Chairperson)

Peter Burden

Dan Thomas

Absent: Councillor Ian Parker.

Officers in attendance: Elaine Bowman, Harriet Isherwood.

PRW Election of Vice-Chairperson for the Municipal Year 2023-24

1

Resolved: that the item be deferred to the next meeting.

PRW Public Participation (Standing Order 17)

2

None.

PRW Apologies for absence and notification of substitutes

3

PRW Declaration of Disclosable Pecuniary Interest (Standing Order 37)

4

None.

PRW Minutes

5

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

PRW Matters referred by Council, the Executive, other committees etc (if any)

6

None.

PRW Mod 105 - The Uplands Nailsea

7

The Principal Access Officer reported on a Definitive Map Modification Order (Mod 105) under Section 53(5) of the Wildlife and Countryside Act 1981 submitted in November 2017, which requested that four unrecorded routes on land to the south of The Uplands in the Parish of Nailsea should be recorded as Public Footpaths.

The application was based on 15 User Evidence Forms claiming that use of these footpaths had been for a period of more than 20 years. A Location Plan showing the claimed footpaths was included within the report. The land over which these claimed footpaths cross was land within the ownership of the Council and was considered to be Public Open Space until appropriated to planning purposes (DP130 and DP233). This report detailed what was proposed with this land, the consultation that had been ongoing with the applicant and the requirements placed on the Developer in relation to establishment of footpaths and their dedication as public rights of way.

Members were informed that a channelled route around the land's perimeter was to be put in place during the digging process to allow access to the area, and that residents were to be updated with the progress of the scheme and given a final summary as part of a community engagement plan agreed with the Developer. Members also expressed a concern over compliance and accountability for the section 106 should the Developer collapse and the land be sold. It was noted that, having been informed of the contents of the report, the applicant had agreed to the withdrawal and closure of the file, and it was therefore proposed this be authorised by the Committee.

Resolved: that the Public Rights of Way Sub Committee authorise the withdrawal and file closure of the application for Mod 105 The Uplands Nailsea, submitted by Mr R Turvey, on the grounds that the aims of the DMMO application will be met by the developer's obligations in the s106 agreement and Public Path Creation Agreement.

PRW 8 Urgent business permitted by the Local Government Act 1972 (if any)

None.

Chairperson
