

Minutes

of the Meeting of the

Public Rights of Way Sub-Committee

Tuesday 24 November 2020

held virtually via Microsoft Teams

Meeting Commenced: 15:00 Meeting Concluded: 15:30

Councillors:

P Ann Harley (Chairman)

P James Tonkin (Vice Chairman)

P Sandra Hearne (substitute for Timothy Snaden)

P Robert Payne

A Timothy Snaden

P Richard Westwood

P: Present

A: Apologies for absence submitted

Officers in attendance: Elaine Bowman and Lucy Roca (Development & Environment), Roz Hime (Corporate Services)

PRW 1 Public Participation (Standing Order 17, as amended by new Standing Order 5A)

At the request of the Chairman, a representative of the Head of Legal and Democratic Services read out a written submission from Eric Sage regarding Agenda item 6: Mod 41 Hawthorn Gardens. Full details had been published in advance of the meeting.

PRW 2 Declaration of disclosable pecuniary interest (Standing Order 37) (Agenda item 3)

None.

PRW 3 Minutes of the Meeting held on 28 January 2020 (Agenda Item 4)

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

PRW 4 Mod 41 – Hawthorn Gardens (Agenda Item 6)

The Director of Development and Environment reported on an application made on the 20 April 2000 to request that a route, in the ward of Weston-Super-Mare, should be recorded as a Footpath. The original application was submitted supported by 12 user evidence forms, however, following pre-order consultation further user evidence forms have been received. Such application for a Definitive Map Modification Order is submitted under Section 53(5) of the Wildlife and Countryside Act 1981. The effect of this request, should an Order be made and confirmed, would be to amend the Definitive Map and Statement for the area.

The Director of Development and Environment advised the Sub-Committee that the Landowner had made representations that they have had insufficient time to respond to the Report and have requested more time.

In discussion it was

Resolved: that, in order to allow the Landowner sufficient time to respond, consideration of Mod 41 – Hawthorn Gardens would be deferred to the next meeting of the Sub-Committee.

PRW 5 Mod 57 – Ruggs Lane, Cleeve, Secretary of State Direction (Agenda Item 7)

The Director of Development & Environment reported that North Somerset Council (“the Council”) has been directed to make an Order, the effect of which will be to add a Footpath onto the Definitive Map and Statement, and to establish whether the Sub-Committee wish to object, support, or remain neutral to the making of this Order.

Resolved:

(1) that the relevant Officer be authorised to place on record at the time of the making of the Order, that North Somerset Council wish to retain the right to oppose any proposal to change the made Order following receipt of representations or objections; and

(2) that the relevant Officer be authorised to bring a further report back to the Sub-Committee detailing the responses received to the making of the Order. At that time the Sub-Committee will confirm the stance that North Somerset Council will take in any forthcoming procedures; and

(3) that the relevant Officer be authorised to confirm the made Footpath Order if no objections are received.

PRW 6 Mod 60 – Frys Lane to Rickford Farm Burrington Secretary of State Appeal Decision (Agenda Item 8)

The Director of Development & Environment reported that an appeal decision from the Planning Inspectorate was received by North Somerset Council (“the Council”) on 27 August 2019. The decision is based on an appeal made by Woodspring Bridleways Association (now known as Axbridge Bridleways Association) on 7 December 2018 under Section 53(5)

and Paragraph 4(1) of Schedule 14 of the Wildlife and Countryside Act 1981 against the decision of North Somerset Council not to make an Order under Section 53(2) of that Act. The decision of the Planning Inspectorate is that the appeal is **dismissed**.

Resolved: to note the Report.

PRW 7 Mod 63 – Claverham Drove to Kenmoor Road Secretary of State Appeal Decision (Agenda Item 9)

The Director of Development & Environment reported that an appeal decision from the Planning Inspectorate was received by North Somerset Council (“the Council”) on 27 February 2020. The decision is based on an appeal made by Woodspring Bridleways Association (now known as Axbridge Bridleways Association) on 20 June 2019 under Section 53(5) and Paragraph 4(1) of Schedule 14 of the Wildlife and Countryside Act 1981 against the decision of North Somerset Council not to make an Order under Section 53(2) of that Act. The decision of the Planning Inspectorate is that the appeal is **dismissed**.

Resolved: to note the Report.

Chairman
