

**BATH AND NORTH EAST SOMERSET  
REGULATORY (ACCESS) COMMITTEE**

Tuesday, 27th July, 2010

Present:- Councillor Neil Butters, Councillor Shaun McGall and Councillor Tim Warren

**37 ELECTION OF CHAIR(PERSON)**

Nominations were sort and it was **RESOLVED** unanimously that Councillor Neil Butters would be Chair(person) for the meeting.

**38 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer drew attention to the emergency evacuation procedure as set out on the Agenda.

**39 ELECTION OF VICE-CHAIRMAN (IF DESIRED)**

**RESOLVED** that a Vice-Chair (person) was not required on this occasion.

**40 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies were received from Councillor Chris Cray, and Councillor Stephen Willcox

**41 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972**

There were none.

**42 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none.

**43 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS**

The Committee noted that there were three members of the public who wished to make statements and that one statement was not related to an Agenda Item so would be taken first and two would be able to do so when reaching the item on agenda.

Rae Harris Statement on proposed Riverside Walkway in Walcot Street:

'This Statement is about the proposed Riverside Walkway in Walcot Street, where for a long time the Council has been trying to make the river more accessible to the public by creating a riverside walkway between Pulteney Bridge and Cleveland Bridge. This is a nearly impossible task, as it depends on the willingness of land-owners to allow the walkway to be built over their land, and the only time that this is likely to happen is when owners are seeking to develop their property and S106 Agreements can be reached.

Remarkably two neighbouring properties on Walcot Street, Walcot Yard and the old Stone Works site at the bottom of Old Orchard, are about to be developed, and with the appropriate agreements a difficult section of the walkway could be built, not only with pedestrian links to Walcot Street but also at no cost to the Council. I have no doubt that the owners and architects concerned would be very supportive of the creation of the walkway on their land, not just as a public- spirited initiative but also because their own tenants and users would be among the main beneficiaries.

The difficulty is that this is a unique opportunity, but the window will only be open for a matter of weeks. The relevant Planning Officers are on the case, but the public - which is at present particularly concerned to see better use made of the city's river - probably has no idea that the possibility even exists.

I will be doing everything I can to spread the word (hence this Statement), and hope that everyone with any interest in the river will help try and persuade the developers what a fantastic gift to the city this would be.'

The Chairman thanked Mr Rae for his statement and asked the Public Rights of Way Mapping Officer to inform the Councils planning Officer concerned of the Regulatory Access Committee support for his Statement.

#### **44 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS**

There was none.

#### **45 MINUTES OF PREVIOUS MEETING**

It was **RESOLVED** that the minutes of the meeting on Tuesday 6<sup>th</sup> April 2010 be confirmed as a correct record and signed by the Chair.

#### **46 PUBLIC PATH ORDER DIVERSION - ABBOTTS BARN FARM, HINTON BLEWETT.**

To consider objections received against the Bath and North East Somerset Council (Public Footpath CL12/9 (part), Abbots Barn Farm, Hinton Blewett) Public Path Diversion Order 2010 ("the Order"), to decide whether to abandon the Order or to send it, along with objections received, to the Secretary of State for determination.

The officer recommendation is that the Regulatory (Access) Committee formally resolve to submit the Order, along with objections received, to the SoS for determination

The Public Rights of Way Mapping Officer introduced the report.

The officer stated that the Committee had received the detailed report with objections against.

The Committee considered two oral statements by Members of the Public:

Bob Taylor (architect on behalf of the Applicant):

- The route has been altered for the last two years and no complaints received
- Applicant did request the diversion two years ago but at the time was informed that there were no officers available to make the order.
- The diversion was not questioned when planning application for swimming pool was approved.
- There appears to be an older path before which goes alongside the wall further inside the properties boundary and halfway across the drive, so which is the true historical path, there are photographs showing the path eighteen years ago which can be produced if required.
- The diverted path has better views of the Manor house.
- Safety and privacy of property.
- Dogs on the footpaths without leads.

Councillor Brimmell from Hinton Blewett Parish Council:

- Feeling this has been done remotely by BANES outside of the local's control.
- Historical significance of path for Hinton Blewett
- The applicants choose to buy the property knowing the footpath already existed.
- The owner has six acres on which he could have situated his swimming pool, why did he choose the location near the existing path
- 13<sup>th</sup> century path in conservation area
- Residents have concerns, but
- Archaeological historical landscape should be preserved

- History and heritage of the area should be preserved
- Ask the committee to abandon the order and save money for the council.
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The councillors then debated the issues with the main points made:

- Felt that nothing had changed from the first meeting on this matter
- The enjoyment of the path has not been lost and has the same start and finish points
- If it was a request to lose the footpath it would be a different situation
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On a motion from Councillor Tim Warren, seconded by Councillor Shaun McGall, and unanimously **RESOLVED** to formally resolve to submit the Order, along with objections received, to the SoS for determination

Voting: All in Favour, Motion carried.

#### **47 UPDATE ON DEFINITIVE MAP MODIFICATIONS ORDERS AND PUBLIC PATH ORDERS WORK**

The Chairman invited the Public Rights of Way Mapping Officer to give an update.

The Public Rights of Way Mapping Officer went through the update with the Committee Members.

The main issue highlighted was the change of focus in the public rights of way team in clearing the backlog by concentrating on Public path order work and the reduced work on modification orders to allow this to occur.

The Chairman thanked the Mapping officer for his report

It was **RESOLVED** to note the report.

#### **48 NOTICE OF ITEMS FOR FUTURE MEETINGS**

Currently there are no planned items for the next scheduled meeting due to the focus on clearing the backlog and reduced staffing in the Public rights of way team.

The meeting ended at 10.45 am

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**