

BATH AND NORTH EAST SOMERSET

REGULATORY (ACCESS) COMMITTEE

Thursday, 30th July, 2015

Present:—Councillors: Liz Richardson (Chair), Karen Warrington, Geoff Ward and June Player (substituting for Douglas Deacon).

1 EMERGENCY EVACUATION PROCEDURE

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

2 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Councillor Douglas Deacon. Councillor June Player substituted for him.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

Note: Councillor Liz Richardson wanted to put on record that issue at Item 9 fell within her ward but she confirmed that she did not live in the immediate area, had no land there and had an open mind on the matter.

4 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none.

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

There were none.

6 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

Councillor Geoff Ward asked for an assessment on the authority's archive material and maps.

The Chair stated that the Committee would note Councillor Ward's concerns and refer the issue to the relevant PDS Panel.

7 MINUTES OF PREVIOUS MEETING - 8TH OCTOBER 2014

It was **RESOLVED** that the confirmation of the minutes of the meeting held on 8th October 2014 be referred to the next meeting of this Committee when Councillor Douglas Deacon is present as he was in attendance at the October meeting.

8 ROBIN CANDY'S FIELDS - TOWN OR VILLAGE GREEN REGISTRATION APPLICATION

The Chair invited Graeme Stark (Senior Officer – Public Rights of Way) to introduce the item.

The officer informed the Committee that an Application has been received by Bath and North East Somerset Council in its capacity as Commons Registration Authority to register land known as Robin Candy's Field in High Littleton as a Town or Village Green (TVG). The Application was advertised and an objection was received against registration. He further explained that an independent expert was instructed by the Authority to advise as to whether or not Robin Candy's Fields should be registered as TVG. The inspector recommended that the land not be registered as a TVG as the relevant legal test had not been met. Although Greyfield was deemed to constitute a neighbourhood within a locality, the officer advised that it had not been demonstrated that the Application Land had been used by a significant number of inhabitants over a 20 year period for lawful sports and pastimes.

On a motion from Councillor Liz Richardson, seconded by Councillor Karen Warrington, it was unanimously **RESOLVED** to support the officer's recommendation to refuse the application and not register the land cross hatched in blue on the plan attached at Appendix 1 to the report as a TVG.

9 HOLY TRINITY CHURCH - DEFINITIVE MAP MODIFICATION ORDER INVESTIGATION

The Chair invited Graeme Stark (Senior Officer – Public Rights of Way) to introduce the item.

The officer informed the Committee that the Regulatory Access Committee had previously resolved that officers should investigate whether unrecorded public rights exist over a route to the south of Holy Trinity Church in Norton Malreward. The officer reported that the investigation has been carried out and it now falls to the Committee to determine whether a Definitive Map Modification Order (DMMO) should be made to modify the Definitive Map and Statement (the DM&S). based upon the evidence discovered.

The officer stated that the Investigation Route is shown on some Ordnance Survey maps to have physically existed but that there was insufficient evidence to reasonably allege that a public bridleway, or other unrecorded public rights, exist to the south of Holy Trinity Church.

On a motion from Councillor Liz Richardson, seconded by Councillor Karen Warrington, it was unanimously **RESOLVED** to support the officer's recommendation that a DMMO should not be made to record additional public rights to the south of Holy Trinity Church on the DM&S.

The meeting ended at 10.25 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services