

### Rights of Way Committee

10 June 2014 – At a meeting of the Committee held at County Hall, Chichester.

Present:

Mr Acraman, Mr Barling, Mr Burrett, Mr Clark, Mrs Duncton, Mr Metcalfe, Mr Quinn and Mr Whittington (Chairman).

Apologies for absence were received from Mr Rogers

### Declarations of Interest

1. None.

### Minutes

2. Resolved – That the minutes of the meeting held on 25 February 2014 be approved and be signed by the Chairman as a correct record.

### Previous Rights of Way Decisions

3. The Committee received a report by the Head of Law and Governance setting out the progress on previous decisions made by the Committee (copy attached to the signed minutes).

4. Members requested an update in relation to Worthing Arcade DMMO 10/06. Tanneth Melhuish, Legal Executive, explained that this item had reached the top of the list of issues to be dealt with and so now work was being undertaken to progress this matter.

5. Jon Perks, Principal Rights of Way Officer explained the current position in relation to implementing the works associated with the Bramber Creation Order. A contractor needed to be appointed and it was hoped that once this had occurred the works would be undertaken over the summer.

6. Resolved that: the report be noted.

### Outstanding Applications

7. The Committee received a report from the Director of Communities Commissioning and Head of Law and Governance outlining applications awaiting consideration (copy attached to the signed minutes).

8. Members requested clarification regarding how applications were prioritised. *Jon Perks explained that these were generally dealt with on a first come first served; however applications which either provided a demonstrable public benefit or those which were related to associated planning consent could be prioritised over applications received at an earlier date.*

9. Resolved that: the report be noted.

### Performance Indicators

10. The Committee received and noted a report by the Director of Communities Commissioning on performance indicators relating to public rights of way for the period to the end of March 2014 (copy attached to the signed minutes). It was confirmed that achievement against the target for Public Rights of Way inspections had not been met due to the wet weather over the winter impeding access to some routes.

11. Jon Perks explained that the Rights of Way team had recently obtained the Countryside Access Management Services (CAMS) IT system. It was anticipated that, in time, it would be possible to utilise this system to obtain Performance Indicator data. The Chairman suggested when this occurred it would provide an appropriate opportunity to review what Performance Indicators were used in future.

### Proposed Cabinet Member Decision – Altering the Public Rights of Way Inspection and Maintenance Cycle

12. The Committee received and noted a copy of the Forward Plan entry that set out the proposed decision by the Cabinet Member regarding an alteration to the period of cyclical public rights of way inspection and maintenance (copy attached to the signed minutes).

### Commons Act 2006 Section 15

#### **Application under S.15 of the Commons Act 2006 for the voluntary dedication as a town or village green at land known as Middleton Green and Pond, Middleton.**

13. The Committee considered a report by the Head of Law and Governance regarding an application made under the provisions of Section 15 (8) of the Commons Act 2006 to voluntarily dedicate land known as Middleton Green and Pond, Middleton as a town or village green (copy attached to the signed minutes).

14. The Head of Law and Governance introduced the report and advised the Committee that, as the County Council were transferring the title of the land to another party, it was considered important to ensure its protection as a green and pond. Voluntary dedication was a means of enabling this protection.

15. The following points were raised in discussion. Members:

- Requested clarification regarding the legislation surrounding driveways across village greens. *Peter Jupp, Rights of Way Officer, explained that any driveway in existence prior to dedication of the land was permitted; in this respect required works to maintain or re-surface an existing driveway were also allowed.*
- Received confirmation that the Parish Council maintained the Pond and the surrounding land.

16. The officer recommendation was proposed and seconded and approved by the Committee unanimously.

## **Agenda Item No. 2**

17. Resolved that: the two areas of application land as shown hatched in black on the application plan be registered as town or village green.

### **Secretary of State Decisions**

18. The Committee received reports of the decision of the Secretary of State (copies appended to the signed minutes). The Secretary of State confirmed the Angmering and East Preston FP2127/1 Rail Crossing Extinguishment Order. However the Inspector did not confirm the Upper Beeding Definitive Map Modification Order 14/03.

19. Jon Perks explained to the Committee that, further to the Inspector's decision in relation to the rail crossing extinguishment order, Network Rail had already carried out works to remove structures that allowed access to the trackside.

20. Resolved that: the reports be noted.

### **Date of Next Meeting**

21. The Committee noted that its next scheduled meeting would be held on 21 October 2014.

The meeting ended at 2.50 p.m.

Chairman