

West Hill Parish Council Meeting 7th May 2024
Agenda Item 24-162
Village Hall Pedestrian Path WG

1. Purpose

The purpose of this paper is to inform the Parish Council of the current position regarding the Village Hall Pedestrian Path project and to seek agreement to :-

- Engage a solicitor to negotiate a lease to be presented to the Council for agreement.
- Request updated quotes from contractors for construction of the path for consideration by the Council to ensure that the quote is competitive and up to date.
- Commission an ecological inspection to confirm the absence of nesting birds prior to the commencement of construction work.
- Consider appointing an Ecological Clerk of Works during the construction of the path.
- Consider appointing a supervising engineer to certify compliance with the specification and relevant standards.
- Consider the means of payment of the costs of construction of the path.

2. Background

The Parish Council and the Village Hall Trustees agreed, following a village survey in 2021, to construct a footpath connecting West Hill Road with the Village Hall to create a shorter and safer walking route for many residents wanting to access the village hall, the school and the pre-school group. Planning approval for a path was granted in 2021 and a variation was approved in 2022. A joint working group comprising members from the Village Hall Trustees and the Parish Council was formed to oversee the project.

Eight potential contractors were invited to submit tenders for the work and three of them actually did so.

An Environmental Impact Assessment was conducted and a report was sent to the Council in May 2021. The Ecologist has informed us that as we have planning permission there is no requirement to update the Ecological Impact Assessment but it would be correct to carry out an inspection to confirm the absence of nesting birds in the hedges if work were to commence before the end of September. He also suggested that we appoint an Ecological Clerk of Works to advise the contractors during the work on the hedge bank.

In the initial discussions between the Council and the Village Hall Trustees it was assumed that the costs of the project would be split between the two organisations. It then transpired that the Village Hall Trustees were unable to obtain a grant to fund the project. Out of concern that this may have happened the Parish Council had earlier agreed that if such an eventuality occurred the Council would cover the full cost of the project. Indicative costs from previous quotes are of the order of £25,000.

The Council has investigated the possibility of using S106 money to fund the construction and, although it is looking less likely that this will be available, the Council has sufficient reserves including CIL money to cover all the construction and associated costs.

The Village Hall Trustees had to obtain approval from the Charities Commission to enter into an agreement to lease part of their land to the Parish Council to build the footpath. This approval has now been granted and expires in January 2025. There is therefore now some urgency to recover momentum in this project and complete construction.

3. For Consideration and Decision

Council is requested to:-

1. Agree to appoint Tozers solicitors to negotiate lease terms for the footpath with the Village Hall Trustees' solicitors for approval by the Council at a future meeting and to approve a budget of £4000 to cover the fees of Tozers and the Village Hall trustees solicitor.

2. Agree to request the potential contractors to update their quotes and, if considered appropriate by the Footpath Working Group, to invite further quotes to be considered at a future meeting of the Council prior to appointment of the selected contractor.
3. Agree to commission Richard Green Ecology at a cost of £150.00 to check for nesting birds prior to the commencement of work on the hedges.
4. Agree to request a quote from Richard Green Ecology to act as an Ecological Clerk Of Works during the work on the hedge banks.
5. Agree that the Council uses its best endeavours to obtain S106 funding and if this is not available then the Council will fund the full project costs from reserves and/or CIL.
6. Agree to request a quote including all associated fees from the previously appointed engineers JRC Engineers for liaising with Highways concerning the S278 agreement and for post-construction sign-off checking the completed path & highways works meet the specification, appropriate regulations and standards.

4. Next Steps

Subject to the points above being agreed, it is anticipated that a proposal for a lease will be brought to the June Council Meeting for approval.

If the potential contractors are prepared to submit updated quotes then at the same meeting a decision could be made to appoint the contractor and we will also know when the contractor is available to start work. This will enable us to agree a work plan and completion date with the Village Hall Trustees.

Before construction is completed the Council will be able to confirm to EDDC that all planning conditions have been met.

Village Hall Path Working Group
26th April 2024