

## NOTE TO DOWNS COMMITTEE

Re: Proposed gifting of assets of Clifton Down Charitable Trust - Update

The Committee are advised that since the original report was written, Parsons Brinckerhoff (PB) have undertaken their annual inspection of the areas of land owned by Clifton Down Charitable Trust (CDCT) and produced a report for CDCT. The inspection aims to identify any areas of potentially unstable material and to report on the condition and need for any maintenance of existing stabilisation measures, such as rock arrestor fences.

The report gives a number of recommendations for works that it is likely will be required over the next 10 years. The main area of concern that they have identified is with regards to the rock arrestor fences which they have recommended are repaired over the next 5 years. The estimated total cost of these works is £20,000. The Trusts appointed consultants PB have estimated that the total maintenance cost of the rock faces over the next 10 years, including the annual inspection costs, is £50,000.

The City Council also appoints specialist contractors to undertake a thorough inspection of all of the rock faces that are the Council's responsibility. In light of the proposed gifting of assets to the Council, this year the contractors were also requested to carry out an inspection of some of the rock faces currently owned by CDCT. This inspection revealed potential major liabilities and indicated that further investigation of future costs would need to be accurately assessed.

The Council's Engineer has therefore recommended that to be able to make an accurate assessment of future costs and liabilities a independent Geo-Technical consultant is jointly appointed by the CDCT and the Council to provide a comprehensive report on the stability of the two areas of land and rock faces within the Trusts ownership. The estimated timescale for appointing a consultant and obtaining a detailed report is 3 months depending on the scope of the brief.

Whilst the appointment of a specialist consultant would identify future costs and liabilities, the delay in finalising a decision may make it difficult to complete the gifting of the assets to tie in with the 150<sup>th</sup> anniversary of the Downs Act. Therefore, the City Council are also currently investigating options to expedite the process whereby the Council could be indemnified against future costs and liabilities above a agreed level. A meeting has been arranged with the relevant solicitors on 1<sup>st</sup> February 2011 to discuss this further.

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