

AGENDA ITEM NO. 5

PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE

3 APRIL 2006

PUBLIC RIGHT OF WAY 464, ST. MARTINS GARDENS TO IMPERIAL WALK

(Report of the Director of Planning, Transport and Sustainable Development)

(Ward: Brislington West)

Purpose of Report

1. To report for information the condition of public right of way 464 which runs from St Martins Gardens to Imperial Walk (See Plan in Appendix A). It does not include public right of way 465N which runs from Imperial Walk to Callington Road through the Nature Reserve.

Background

2. The Council, as Highway Authority, is under a statutory duty imposed under section 41 of the Highways Act 1980 (HA80) to maintain highways fit for the ordinary traffic at all times of the year.
3. Public footpath 464 connects St Martins Gardens to Imperial Walk. The path averages 1.2m wide with two flights of steps at the start and finish with 9 single steps at intervals along its length. The path is bounded on both sides by garden walls
4. The path has a drainage grating in two places to take away the surface water and is lit throughout. The gradient is approximately 1:5. The public footpath is not recorded as adopted highway.
5. The unsatisfactory state of the upper set of steps was brought to the attention of officers from January 2003.
6. In response to both officer inspections and the enquiries an allocation of £15,000 was made in the approved Traffic Management Annual Work Programme 2004-2005. A project brief was drawn up in August 2004 and issued to

the Bristol Engineering Consultancy. This brief covered the following issues

- Topographical and structural surveys of the abutting walls was commissioned and completed.
- Third party occupiers liabilities and issues
- What works are required to comply with the Councils Environmental Access Standard. The intention being to comply wherever possible with Disability Discrimination Act.

A report was received in December 2004 (see Appendix B for summary). Following receipt of the report consideration was given as to the scale of works we could undertake and would be able to fund. In view of the impact of any works on third party owners a decision was taken by the Team Manager, Walking, Cycling, Safer Routes to School and Public Rights of Way that we would need to resolve these legal issues before commencing any construction works. No funding was identified in 2005 for works to this public footpath for this reason.

Summary and Conclusions from Structural Report

7. At the path's junction with St Martins Gardens the upper steps have both uneven tread and risers indicating the whole construction has settled. The only solution is to build new steps. The neighbouring retaining walls have both moved laterally as a result from pressure from the retained soil. These two issues need to be resolved concurrently with the building of the new steps; it cannot be done independently. With this in mind both the Councils Principal Structural Engineer and Team Manager of Walking, Cycling, Safer Routes to School and Public Rights of Way met recently with the owner of the adjacent properties to discuss what remedial measures they will undertake. Both owners have agreed verbally to the removal of their sections of retaining wall and rebuild a substantial replacement. We will be monitoring these replacement works.

The steps at the junction of Imperial Walk are structurally sound but there are minor problems with the surfacing of the steps. Once the retaining wall works have been

completed we intend to carry out the repairs to both those and these steps as one contract.

8. Raising the level of the path to change the gradient would be structurally possible providing that the new levels were not higher than 400mm above the ground level of the adjacent gardens. However in view of the current levels of funding it is not proposed to carry out any works to revise the vertical alignment of the path.
9. Both the northeast and southeast walls have cracks and some movement has occurred. The former has a suggested 21.5m length to be rebuilt and the latter two sections of 18.5m and 8m. The full summary is found in Appendix B. However following a site visit with the Councils Principal Structural Engineer it is not considered that these walls are in a state of imminent or medium term collapse and there are no proposals to take action with respect to these walls in the short term.

Officer Comments

10. Responsibility for the walls lies with the abutting landowners of which there are four. In respect of the upper steps the southwest wall requires to be rebuilt before the step reconstruction commences and the southeast wall may need attention.

Consultation

Martin Ashmead, Building Control

Appendices

Appendix A - Annotated Location Plan for public footpath

464

Appendix B - Photographs

Appendix B – Summary of Structural Survey

Policy Implications

There are no specific policy implications arising from this report.

Resource Implications

None.

Financial

Works to be funded from Traffic Management Annual Work Programme 2006/2007 when approved.

Other Approvals Necessary

None

Recommended: that the report be noted.

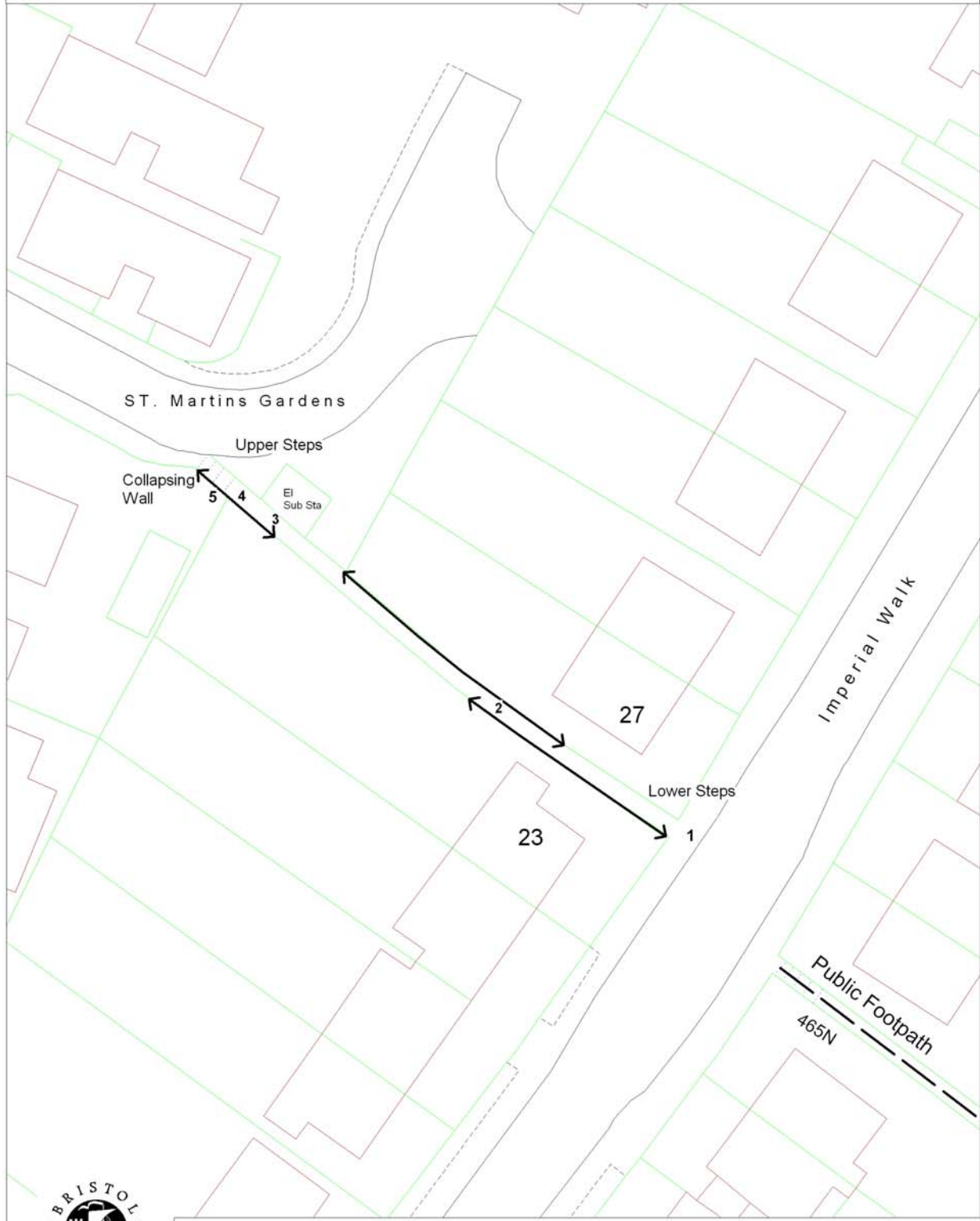
Local Government (Access to Information) Act 1985

Background Papers

1. Highways Act 1980

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SITE LAYOUT OF PUBLIC FOOTPATH 464 APPENDIX A



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 Photograph reference
 from Appendix B

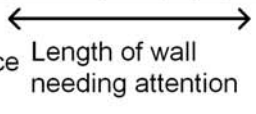




Figure 1 Lower Steps at Imperial Park



Figure 2 Mid-way looking towards St. Martins gardens



Figure 3 Looking towards Imperial Park



Figure 4 Upper Steps at St Martins gardens

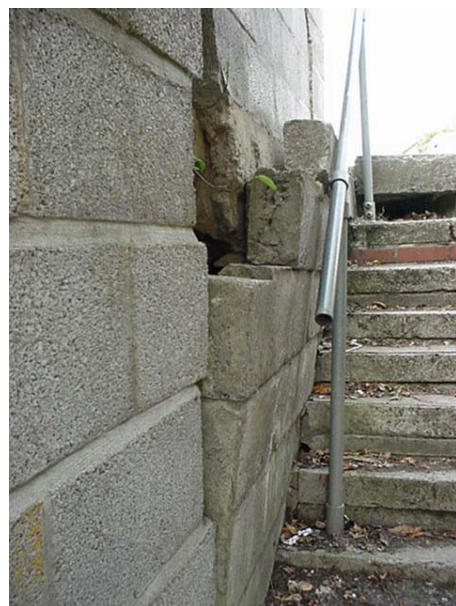


Figure 5 Collapsing wall

1 CONCLUSIONS & RECOMMENDATIONS

1.1 UPPER STEPS

- The uneven treads and risers clearly indicate that the whole steps construction has settled differentially and can only be properly rectified by removal and replacement with new.

1.2 LOWER STEPS

- The construction appears to be sound requiring only minor repairs and then could reasonably be expected to provide many years of useful service.
- However if the treads and risers are outside of the currently accepted standards for public footpaths, removal and rebuilding will be necessary.

1.3 FOOTPATH SURFACE

- There is no structural consideration for this feature .
- If the gradient is satisfactory then local patch repairs would be adequate.
- Reconsideration of the gradient must take account of the adjacent level of the wall foundations, which are likely to be shallow, such that significant lowering of the path level may necessitate removal and rebuilding the affected wall foundations.
- Raising the level of the path would be structurally possible providing that the new levels were not higher than 400mm above the level of the ground in the adjacent gardens.

1.4 NORTH EAST WALL

- The cast insitu concrete length of this wall is structurally sound but the blockwork on top needs remedial works.
- At the lower end of the wall between Section 10 and the joint near to Section 7, the wall is relatively vertical and structurally sound, with only 1 minor vertical crack between Sections 8 and 9.
- Between the joint near to Section 7 and where it abuts the insitu concrete wall, there are 5 vertical cracks and the wall leans towards the path at amounts varying from 1.5% to 3.5%, which considerably exceed the normally accepted

maximum limit of deviation from vertical of 1% used in good building practice.

- This length of wall has moved vertically and laterally such that its stability now gives cause for concern. These movements have probably resulted from a combination of absence of joints and inadequately sized piers. In addition, the foundations may not be of suitable size or depth.
- Removal and replacement with an appropriately proportioned wall would effect a permanent remedy.

1.5 SOUTH WESTWALL

- The top section of this wall adjacent to the upper steps has moved laterally as a result of pressure from retained soil in the adjoining garden. Its condition gives cause for concern and therefore it should be removed and rebuilt in more appropriate material and proportions when the steps are rebuilt.
- Between the joint near Section 6 and Crack 12 near Section 2 there are 3 vertical cracks and the wall deviates from vertical by amounts varying up to 2.1%, where near Section 4 the wall leans away from the path. This is considered to be adequately stable but upwards from Crack 12 the wall leans towards the path and its deviation from vertical at Section 1 is 2.5%. This gives reason to be concerned regarding its structural stability and therefore should be removed and rebuilt.
- Between the joint near Section 6 and Section 10 there are 2 vertical cracks and the wall deviates from vertical by amounts varying from 2.74% to 8.73%. This gives cause for serious concern about the stability of this length of wall and therefore it should be removed and rebuilt.
- Significant vegetation growth has been allowed to develop close to this wall and this undoubtedly would have been a major factor adversely affecting the stability of the wall foundations.
- It would be preferable for this vegetation to be removed before rebuilding works are contemplated, especially the Conifer tree and the Conifer Hedge, but as these are likely to be properties in private ownership, there may be certain legal difficulties in achieving this.

1.6 The recommendations made in the foregoing are set out in broad principle to enable the severity of the defects and the likely causes to be understood. To enable the scope of the repair and remedial works to be better understood, a drawing has been prepared based

on the survey elevations of the two walls and this is included in Appendix C.

- 1.7 Before progressing this matter to the stage of preparing final designs and a cost estimate, it will be necessary for consideration to be given to such fundamental matters as the works within the adjacent gardens, ownership of the walls and whether the walling needs to be replaced in masonry or perhaps a less expensive solution such as timber or post and wire fencing.