

## **RUM WALK PATH, TOTTON.**

### **1. BACKGROUND**

- 1.1 New Forest District Council owns a linear open space alongside Bartley Water that runs from the Rumbridge Street car park upstream to Bartley Park. A plan is attached
- 1.2 Along the western bank of this narrow open space, the severe weather of the winter caused the collapse of a substantial part of the bank and the footpath which ran along it. The area where the path ran has been closed off as it is dangerous to pass along. The site lies between Bartley Water and the residential properties that abut it. The bank collapse is close to the boundaries of those properties.

### **2. LIABILITIES**

- 2.1 There are two elements of liability:
  - i. The potential for further bank slips, resulting in adverse impacts on the adjacent properties
  - ii. The loss of public access along a path.
- 2.2 Liability in respect of the properties – there is case law which points to the need for the Council to closely consider its liability to undertake works to protect adjacent properties.
- 2.3 Liability in respect of the footpath – this section is not a Public Right of Way but is well used and it is anticipated that it would be the subject of a claim for regular use for over 20 years, if there were a permanent closure.

### **3. SERVICE OPPORTUNITY**

- 3.1 While the main considerations are to do with liabilities, there is a further aspect to consider. Within the Bartley Water corridor there are areas of Council owned public open space which have not been accessible. Schemes have been considered in the past, but not progressed due their cost. However, Bartley Water Linear Park has been identified as a key mitigation project, to help address recreational impacts from new housing development on European nature conservation sites, in the Council's adopted "Mitigation Strategy for European Sites" Supplementary Planning Document.
- 3.2 Therefore, repair to this area that enables the footpath to continue to be used would be a meaningful contribution to a longer term plan. It would also be worthwhile to ensure that future plans for the wider corridor make the best use of all the elements, with appropriate costings.

- 3.3 It is also worthy of note that the immediately adjacent housing estate has no open space within it and is effectively encircled by Bartley Water and the A35.

#### 4. WORKS

- 4.1 Civil engineering works are required. To effect a sustainable repair, Gabion baskets are needed at the boundary of the properties, then a grading to the stream, where another line of gabion baskets is needed to support the “toe” of the bank. The path will run across the graded area. Some planting will be needed to assist with supporting the slope.
- 4.2 To deliver this significant project, access to the site is extremely constrained, even for small plant, but it is workable. Also, for works at the toe of the construction, there will be a need for Consents to be achieved. It is also necessary to consider the season of the year and ground/river conditions. As a result it is suggested that the project is undertaken in two phases, initially to install measures to protect garden banks during the winter and then to complete the scheme in the spring.

#### 5. FINANCIAL IMPLICATIONS

ITEM	2014/15 (£'000)	2015/16 (£'000)
Works	10.0	65.0
Fees (10%)	3.0	4.5
Prelims-Site survey/soil investigation	2.0	
Site Access		2.0
Contingency		8.5
TOTAL	15.0	80.0

The functional breakdown of the works costs are of this order:

To meet the liability for protection of property:	£70,000
To include a path across these works:	£5,000

#### 6. CONCLUSION

- 6.1 This is a significant investment for a small area of land. However it arises due to the nature of the works required to meet a legal obligation and will benefit a wider area. The alternative of no or minimal works was rejected on the basis of risk (Forest streams are liable to high flow / flood events); the potential cost of any property or personal claims and the fact that the wider area has a distinct and important open space function now and even more so, in future.

#### 7. CRIME AND DISORDER, ENVIRONMENTAL AND EQUALITY IMPLICATIONS

- 7.1 The proposed works will help manage the environment by restoration of the bank in this part of the Bartley Water corridor. There are no particular crime and disorder or equality implications arising from the report.

## **8.0 PORTFOLIO HOLDER'S COMMENTS**

- 8.1 This scheme is supported as it will ensure access to a significant public open space, which is important for local people and will also enable future provision in this area.

## **9. RECOMMENDATION**

It is recommended that Cabinet:

- a) authorises the undertaking of works at Rum Walk, Totton as stated in the report
- b) requests Council to approve supplementary funding of £95,000 (£15,000 in 14/15 and £80,000 in 15/16) in order to undertake the works at Rum Walk as stated in the report.

### **For further information contact:**

On the wider scheme: Martin Devine  
Head of Leisure and Employment  
Tel: 023 8028 5588  
e-mail: [martin.devine@nfdc.gov.uk](mailto:martin.devine@nfdc.gov.uk)

On engineering matters: Geoff Bettle  
Head of Property Services  
Tel: 023 8028 5588  
e-mail: [geoff.bettle@nfdc.gov.uk](mailto:geoff.bettle@nfdc.gov.uk)

### **Background Papers:**

Geotechnical Soil Survey  
by Soil Environmental  
Services

Section of collapsed path  
and area of Land slip

