

<b>Unity Bridge Project</b>	<b>8<sup>th</sup> November 2016</b>
<b>To: The Leisure and Development Committee For Decision</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Accelerating Our Economy & Contributing To Prosperity
<b>Outcome</b>	Completion of Unity Bridge project in Limavady
<b>Lead Officer</b>	Head of Prosperity and Place
<b>Cost: (If applicable)</b>	No capital cost at this time

**The purpose of this report is to outline next stages for the Unity Bridge Programme between Limavady High School and St Mary's Limavady.**

### **Background**

In 2014, the then legacy Council of Limavady undertook to act as applicant for the two schools for a project to build a bridge over a public path to physically join them.

Since then, plans for redevelopment of the schools have been announced and the schools are keen to see the project through to completion. Council remains the lead applicant in the project.

### **Difficulties to date**

There have been several issues in developing the project to fruition. The main problem however has been the fact that the land over which the bridge is to be built is not in any identifiable ownership.

To date the path which leads from Irish Green Street in the town, to the public park known as Blackburn Path, has had no ownership identified. However, the legacy council has traditionally maintained and cleaned the area, and has, in the past, enabled wayleaves for utility providers to work on the area.

### **Current position**

The first stage of moving the project forward has been the development of a memorandum of understanding, between the schools, Council and the Education Authority.

With the exception of one major point to be discussed shortly, this is in place. The bridge will be owned and maintained by Council for a ten year period, with all costs attached to the insurance and maintenance of the bridge covered by the schools and education authority.

The design stage and build will take place within Council's existing framework, and will utilise a budget of around £350,000 which has been provided by the Space and Place fund. Council's financial obligation to the programme has been to undertake a programme of good relations and promotions to the value of £10,000 after the bridge has been constructed. No other funding has been committed to the project by this or the previous legacy Council.

At this point, however, there remains the issue of the land ownership. While the funder has agreed that an indemnity bond can be put in place while the project proceeds, they have requested that the land ownership be established under Council, as the lead body for the project. This is the remaining point within the Memorandum of Understanding which remains unresolved, and without this, the project cannot proceed.

### **Next stage**

Within the Memorandum of Understanding, the following paragraph is the remaining issue which needs a resolution.

"The Council will take all necessary steps within its control to either acquire ownership of the pathway by agreement or compulsory acquisition or will in the alternative provide a suitable title indemnity insurance policy to the value of the costs of the Project up to a maximum of £400,000 or such greater amount (if any) approved by the Funder before the commencement of any work to construct the bridge to satisfy the Funder's requirements with regard to title."

The cost of the bond is projected to be around £1,000, based on examples of previous bonds which Space and Place has funded. However the insurer cannot proceed to issue this bond until planning permission is in place.

This would mean that the process to follow would be issue of tender for design, consideration of tenders and costs, application for planning permission and acquisition of the indemnity bond once that planning permission is in place.

This is a variation from the usual project practices, however the unusual nature of the project and the lack of ownership around the land in question means that the project path has varied from that process.

### **Recommendation**

It is recommended that in line with the general travel of direction within the Memorandum of Understanding, Council undertakes to:

- Finalise work on the memorandum of understanding.
- Continue to design stage, and commence the planning process.
- Dependent on the outcome of planning, enable the project path to proceed through the acquisition of an indemnity bond as directed by the funder, Space and Place.

## Overhead view of the lane between the schools



## Streetview of the area

