



Belfast City Council

Report to:	Parks and Leisure Committee
Subject:	Public Path Creation Agreement on land adjacent to Ligoniel Park
Date:	13 June 2013
Reporting Officer:	Andrew Hassard, Director of Parks & Leisure
Contact Officer:	Anne Reid, Countryside Officer

1.	Relevant Background Information
	<p>The Committee is reminded that at its meeting in September 2011 and subsequently at Strategic Policy & Resources Committee in December 2012 of funding to promote access and recreation within the Belfast Hills. Work in relation to this has already started on Cave Hill Country Park (CHCP) with path improvements being made.</p> <p>Work is due to start in Ligoniel Park to improve the path network and to try to create a walking route linking Ligoniel Dams, Ligoniel Park and CHCP. In order to create this link it is necessary to cross a section of path owned by Northern Ireland Water. It is therefore proposed to enter into a public path creation agreement with NI Water, under the Access to the Countryside (NI) Order 1983.</p>

2.	Key Issues
	<p>The key issues for the committee to note are:</p> <ol style="list-style-type: none">1. Once an agreement has been made the Council has a duty to carry out whatever works are needed to bring the path into a fit state for use and thereafter to maintain the path in that state.2. The agreement shall have effect for a period of 10 years and thereafter until determined by either party giving notice to the other.3. The Council is responsible for the maintenance of the path.4. Any member of the public shall have the right to walk along the path for the purpose of open air recreation.5. The public path is for pedestrian access only.6. There will be 2 public access points onto the path, ie stiles, for which the Council is also responsible.7. The Council shall indemnify NI Water against any public liability.

3.	Resource Implications
	<p><u>Financial</u> This scheme is externally funded and is subject to the receipt of grant funding.</p> <p>It is anticipated that the maintenance liability will be minimal and the path will be included as part of the on-going inspection regime. The budget for maintaining the area exists within the current revenue estimates.</p> <p><u>Human Resources</u> There are no additional human resource implications other than officer time.</p> <p><u>Asset and other implications</u> A pedestrian pathway approx 90 m (length) by 4 m (width) will be maintainable and kept in a fit state of repair by the Council and the Council shall also indemnify NI Water against any claims on the pathway.</p>
4.	Equality Implications
	There are no equality or good relations implications anticipated.
5.	Recommendations
	<p>It is recommended that the committee;</p> <ol style="list-style-type: none"> 1. Agree that the Council enter into a public path creation agreement with NI Water for a period of 10 years.
6.	Decision Tracking
	The decision to be implemented by the Countryside Officer, Park Manager and Legal Services Department.
7.	Key to Abbreviations
	<p>CHCP – Cave Hill Country Park NI Water – Northern Ireland Water</p>
8.	Documents Attached
	Appendix 1 – Map showing location of the path (green) & how it links to the new path through Ligoniel Park (red).