

COUNCIL – 20 JUNE 2023

QUESTIONS FROM COUNCILLORS

QUESTION FROM COUNCILLOR J LEGRYS TO COUNCILLOR A C SAFFELL

Public Right of Way London Road to Stephenson Way Coalville (adjacent to Coalville Park)

“Part of the Right of Way has been closed to the public for some considerable time. Following advice from the Council’s Building Control Team, a closure Order was agreed with LCC as several brick-built boundary walls were unstable and a danger to pedestrians.

The Right of Way forms a boundary between the Coalville West and Coalville East Wards.

As Ward Member I have been fully briefed and I have been working jointly with Cllr Smith CC on trying to get a resolution to reopen the Public Right of Way.

I understand that due to the cost, complex legal responsibilities & required resources, neither LCC nor NWLDC want to take the lead on the re-opening of this Right of Way.

Can the Portfolio Holder please inform me and the local community when and how this Council intends to require the owners of the unstable structures to take action so that the Right of Way can be re-opened?”

RESPONSE FROM COUNCILLOR A C SAFFELL TO COUNCILLOR J LEGRYS

As you know, the footpath was closed by Leicestershire County Council early last year. At that time, following discussions between officers from NWL and LCC, it was agreed that LCC would exercise their powers under the Highways Act 1980, which are similar to those in the Building Act 1984, to serve notice to remove a ‘danger’, in this case to the footpath which is an LCC asset. As such, LCC should be taking such measures to contact the owners of the properties on Bakewell Street that run along the section of the footpath that remains closed with a view to getting any dangerous wall made safe by those owners or they will take such measures to undertake the work in default.

You will be aware that the Council took immediate action last year to take down the dangerous section of wall at the rear of Bakewell Court, a property that NWL own and erected a temporary fence in lieu of a more permanent solution. I understand that LCC commissioned a full report into all other sections of the wall and the report last year concluded that there were three other areas of concern which prevented the footway being reopened. The report recommended that periodic monitoring of the tilting sections of wall be undertaken to help gain a clearer understanding of the rate of movement in the walls and, if required allow an evidence-based repair strategy.

I accept it is disappointing that the footpath has remained closed for so long and our officers have requested updates from LCC on the matter on a number of occasions. In addition, I can confirm that the Infrastructure Portfolio Holder, Cllr Merrie, has contacted his counterpart at LCC to see if some pressure can be exerted on LCC officers to progress this matter to a conclusion in a timely manner and this has already been passed onto the Director of Environment and Transport at LCC.

I can confirm that the matter is being dealt with by LCC and we have now been advised that all adjacent landowners of three worst sections of wall which require repair have been

notified and to date one section has been repaired by an adjacent land owner. LCC continue to monitor the leaning sections and press for repairs where necessary with the adjacent landowners. Unfortunately, LCC cannot give a date at this time when the footpath will reopen but I've asked Cllr Merrie if he could continue to liaise with his counterpart at LCC so they can provide us more certainty as to when the footpath will reopen.

I will of course keep Cllr Legrys update on this issue moving forward.