

From: Rod Taplin
To: Alun Owen
Date: 02/09/08 13:51:23
Subject: Fwd: Re: Threatened sale of council land on cycle path

Alun

As you will see both Cllr Rogers and Malik have expressed concern about this case following representations from local residents.

Peter has drafted the attached note which he was proposing to send to both councillors. Are you happy for this to go ? Should we send copies to David Bishop, Simon Caplan and Cllrs Bees and Bradshaw ?

Rod

>>> Rod Taplin 01/09/2008 14:52 >>>

Jon

Copy of plan attached. I will speak to Peter Webb and one of us will get back to you as soon as possible.

Rod

>>> Jon Rogers 01/09/2008 14:47:58 >>>

Hi Rod

Message to Peter.webb bounced.

Please can you help?

Thanks

Jon

>>> "Jon Rogers" <jon.rogers@bristol.gov.uk> 09/01/08 2:44 PM >>>

Dear Peter

I would be grateful for an email on this. Please could I have a copy of the attached plan?

It is causing upset in the community, and I emailed Cllr Bradshaw a news story on the same topic yesterday.

Can I ask that we do not proceed with any sale until consultation?

Thanks

Jon

--

Jon Rogers
Ashley Ward Liberal Democrat Councillor
0117 914 2558
jon.rogers@bristol.gov.uk

>>> Rod Taplin 01/09/2008 12:52 >>>

Amanda

We are currently in negotiations with the developer regarding a possible sale of the land indicated on the attached plan. This area of land has been let to the owners of the Elizabeth Shaw factory for some time and, following consultation with David Bishop, has been circulated under the Council's surplus land procedure. Further consultation was not considered appropriate in this case.

My colleague, Peter Webb, is dealing with this matter and will be happy to provide any further information that may be required.

Rod

>>> Amanda Robinson 01/09/2008 10:40:49 >>>

Dear Mr Taplin

Councillor Abdul Malik has been contacted by several residents about the section of the cycle path next to the old Elizabeth Shaw chocolate factory which has now been purchased by the developer Squarepeg, who intend to build "cycle houses" on the land.

Abdul has been asked by residents to confirm that the land upon which Squarepeg wish to build was owned by the Council, and if this is the case how was the sale agreed without public consultation.

Please can one of your officer advise Abdul regarding this.

Kind Regards
Amanda

Amanda Robinson
Liberal Democrat Members' Support Officer
Tel 0117 9222757
Fax 0117 9223734
Room 206, The Council House
College Green, Bristol BS1 5TR

IMPORTANT NOTICE: Privileged and/or confidential information may be contained in this message and any attachments ("this Email"). If you are not the intended addressee (or responsible for the delivery of this Email), you may not copy or deliver this Email to anyone and you should instead destroy it and are requested to notify the sender of your receipt of the Email immediately. No warranty is given that this Email is free from viruses and/or that this Email or any reply is secure from interception/corruption. Any opinions, recommendations and other information which do not relate to official business of Bristol City Council are included in this Email on the basis that they are personal to the sender and are neither given nor endorsed by Bristol City Council.

'Do it online' with our growing range of online services - <http://www.bristol.gov.uk/services>

Sign-up for our email bulletin giving news, have-your-say and event information at:
<http://www.bristol.gov.uk/newsdirect>

View webcasts of Council meetings at <http://www.bristol.gov.uk/webcast>

CC: Peter Webb

From: Rod Taplin
To: Robinson, Amanda
Date: 01/09/08 12:52:32
Subject: Re: Cllr Malik, cycle path

Amanda

We are currently in negotiations with the developer regarding a possible sale of the land indicated on the attached plan. This area of land has been let to the owners of the Elizabeth Shaw factory for some time and, following consultation with David Bishop, has been circulated under the Council's surplus land procedure. Further consultation was not considered appropriate in this case. My colleague, Peter Webb, is dealing with this matter and will be happy to provide any further information that may be required.

Rod

>>> Amanda Robinson 01/09/2008 10:40:49 >>>
Dear Mr Taplin

Councillor Abdul Malik has been contacted by several residents about the section of the cycle path next to the old Elizabeth Shaw chocolate factory which has now been purchased by the developer Squarepeg, who intend to build "cycle houses" on the land.

Abdul has been asked by residents to confirm that the land upon which Squarepeg wish to build was owned by the Council, and if this is the case how was the sale agreed without public consultation.

Please can one of your officer advise Abdul regarding this.

Kind Regards
Amanda

Amanda Robinson
Liberal Democrat Members' Support Officer
Tel 0117 9222757
Fax 0117 9223734
Room 206, The Council House
College Green, Bristol BS1 5TR

IMPORTANT NOTICE: Privileged and/or confidential information may be contained in this message and any attachments ("this Email"). If you are not the intended addressee (or responsible for the delivery of this Email), you may not copy or deliver this Email to anyone and you should instead destroy it and are requested to notify the sender of your receipt of the Email immediately. No warranty is given that this Email is free from viruses and/or that this Email or any reply is secure from interception/corruption. Any opinions, recommendations and other information which do not relate to official business of Bristol City Council are included in this Email on the basis that they are personal to the sender and are neither given nor endorsed by Bristol City Council.

CC: Malik, Abdul; Peter Webb

From: Rod Taplin
To: Peter Webb
Date: 01/09/08 10:49:45
Subject: Fwd: Cllr Malik, cycle path

Peter
As discussed.

Rod

>>> Amanda Robinson 01/09/2008 10:40:49 >>>
Dear Mr Taplin

Councillor Abdul Malik has been contacted by several residents about the section of the cycle path next to the old Elizabeth Shaw chocolate factory which has now been purchased by the developer Squarepeg, who intend to build "cycle houses" on the land.

Abdul has been asked by residents to confirm that the land upon which Squarepeg wish to build was owned by the Council, and if this is the case how was the sale agreed without public consultation.

Please can one of your officer advise Abdul regarding this.

Kind Regards
Amanda

Amanda Robinson
Liberal Democrat Members' Support Officer
Tel 0117 9222757
Fax 0117 9223734
Room 206, The Council House
College Green, Bristol BS1 5TR

IMPORTANT NOTICE: Privileged and/or confidential information may be contained in this message and any attachments ("this Email"). If you are not the intended addressee (or responsible for the delivery of this Email), you may not copy or deliver this Email to anyone and you should instead destroy it and are requested to notify the sender of your receipt of the Email immediately. No warranty is given that this Email is free from viruses and/or that this Email or any reply is secure from interception/corruption. Any opinions, recommendations and other information which do not relate to official business of Bristol City Council are included in this Email on the basis that they are personal to the sender and are neither given nor endorsed by Bristol City Council.

From: George Ferguson <gferguson@afm-architects.co.uk>
To: David Bishop <david.bishop@bristol.gov.uk>
Date: Tue, Sep 9, 2008 5:22 pm
Subject: Chocolate Factory

David - I gather there is a bit of stirring going on re the cycle houses. I think you probably realise that it is a load of nonsense and that we have all been extremely open throughout a very thorough consultation exercise, and have received overwhelming support from the community. It seems that Chris Hutt, who I know of old, and who even manages to wind up John Grimshaw and Sustrans, has been busy on the net and that a minority are now trying to make political mischief. It would be good to have the opportunity to talk before I disappear tomorrow afternoon for the Venice Architecture Biennale. I am so convinced of the merits of this scheme and have been impressed by the support we have had from your planning team.

By the way I had a very good session with Thomas Heatherwick last week - and am going to give him support. It could be another great win for Bristol.

All the best - George

George Ferguson PPRIBA
Chairman

Acanthus Ferguson Mann Architects
18 Great George Street Bristol BS1 5RH
T 0117 929 9293 F 0117 929 9295 M +44 (0)7980 750072

E gferguson@afm-architects.co.uk W <http://www.afm-architects.co.uk>

Important This email is intended only for the named recipient and may contain confidential/privileged material. Any retransmission, dissemination, copying or use of this Communication without prior permission of the addressee is strictly prohibited. Whilst Acanthus Ferguson Mann has taken every reasonable precaution to minimise the risk of viruses, we cannot accept liability for any damage which is sustained as a result of software viruses which may be contained in this email. Any attachments are opened at your own risk.

Please consider the environment before printing this e-mail

From: Paul Jones
To: Webb, Pete
Date: 12/09/08 10:46:30
Subject: Bristol to Bath Cycle Path - Land near Co-Operation Road/Turley Road - Enquiry from Square Peg.

Peter,

Further to my GroupWise message of the 10th September and your telephone call yesterday in response, I have now had an opportunity of considering this matter and discussing the general position (whether an Easement or a Lease should be granted) with David Budd this morning.

We consider the best way to deal with the grant of rights of pedestrian and cycle access over this land would be by way of an Easement from the Council to Squarepeg. An Easement could contain any conditions the Council would want to attach (e.g. the provisions for altering land levels at any stage in the future). It is possible for the Council to grant a Lease, but it is presumed it would be intended to be a Lease of rights only, rather than a Lease of the land itself. Therefore, an Easement would be more straightforward. As discussed yesterday, the actual rights to be granted would need to be clear, and any provisions to go into the Easement would also need to be clear.

An Easement (or a Lease) would be regarded as a disposal, and we consider the Cycle Path would be regarded as Open Space Land. So, you would need to follow the usual requirements for advertising the disposal of Open Space Land.

I think this should clarify the immediate points you are concerned with, but let me know if any points are unclear or you require further information. I have not yet had an opportunity to discuss the matter with Peter Malarby, as we referred to yesterday, but I will do so and let you know if any further points arise from that discussion.

Whilst writing, I would just mention a point on the Council's Title to this area of land, and attach a copy of an extract from text of the Title details and an extract of the Registered plan. I have highlighted the relevant area on the text, and this refers to points "C" and "D" on the plan. An Easement would refer to these title details in any event, and an Easement would be subject to all relevant title provisions, but the points "C" and "D" could effect what you are doing at the moment as they relate to fencing on a specific area of that land. If there are any points you want to discuss arising from this do not hesitate to come back to me.

Regards,

Paul

Paul Jones
Conveyancing Section
Planning, Property and
Regulatory Services
Bristol City Council
P.O. Box 2156
The Council House
College Green
Bristol
BS99 7PH

[DX 7827, BRISTOL]

e-mail: paul.jones@bristol.gov.uk
Tel : 0117 9222323
Fax : 0117 9223836

(Being the stipulations referred to in Clause 6 hereof)

The Purchaser covenants with the Board as follows:-

(i) At all times to maintain repair and cleanse all drains culverts and watercourses situate on the property

(ii) To pay to the Board in the event of the Purchaser failing to repair and maintain accommodation and other works (including fences) as provided by Clause 4(i) hereof the costs incurred by the Board in themselves carrying out any such work of repair and maintenance

(iii) Forthwith to erect and thereafter maintain to the satisfaction of the Board:-

(a) a weld mesh fence on concrete posts between the points marked A-B on the said plan No. 27715 such fence to be at least 2.28 metres on concrete posts (or on such other posts as approved beforehand by the Board) the weld mesh to be not greater than 30mm square using 3mm wire)

(b) a 4' 6" high chain mesh fence on concrete posts between the points G-F on the said plan No. 27715 with a suitable opening therein at ground level so as to permit the passage of pedestrians and cyclists

(c) 1 4' 6" high chain mesh fence on concrete posts between the points marked H-J on the said plan No. 27746 with a suitable opening therein at ground level so as to permit the passage of pedestrians and cyclists

.....
(v) If so called upon to do by the Board or their successors in title within a period of eighty years from the date hereof to forthwith erect to the satisfaction of the Board or their successors in title a 4' 6" high chain mesh fence on concrete posts between the points marked C-D-E on the said plan No. 27715 PROVIDED THAT if the Purchaser should so dispose of the property before such fence is erected then the Purchaser shall in the Assurance to its successors in title procure a covenant between its successors in title and the Board in the terms as set out in this paragraph"

NOTE:-The points A, B, C, D, E, F, G, H and J have been reproduced on the filed plan.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. (24.09.1990) By a Conveyance of the land tinted pink on the filed plan dated 5 April 1832 made between (1) John Naish Sanders and (2) Bristol and Gloucestershire Railway Company the land was conveyed subject as follows:-

"Whereon no Buildings are to be erected other than for the purpose of the said Railroad"

2. (24.09.1990) A Conveyance of the land tinted blue on the filed