

**Minutes from Next Steps – Great Musgrave meeting
6 July 2022 15:00-16:00**

Helene Rossiter, NH (HR)
Fiona Smith, NH (FS)
Colin McNicol, NH (CM)
Ashley Stratford, Jacobs (AS)
Jill Shingler, EDC (JS)

Martin Hardman, CCC (MH)
Yvonne Craig, CCC (YC)
Hollie Wandby, NH (HW) Minutes

1 Welcome and Introductions

HR opened the meeting and welcomed the group.

Attendees introduced themselves.

HR shared the agenda and explained that the purpose of the meeting was to understand:

- what needs to be done with the structure following the EDC planning committee's decision that the infill material must be removed
- what the implications are in terms of timing, ecology restrictions and access etc
- what planning enforcement notices will be issued and the timing of them
- preparations for an agreed scheme

2 Discussion

HR provided a brief summary of the current status of the structure, confirming that the infill needs to be removed. Following removal of the infill, the main priority is that the structure is safe for public use. National Highways (NH) have a statutory obligation to ensure the bridge meets standard BE4 at 17 tonnes. In order to remove the infill and conduct a scheme, a number of steps need to be taken. Access permissions from the private landowners must be sought and additional ecological surveys will likely need to be conducted. Bat interventions were put in place for the original scheme after securing licences from Natural England and these will need to be considered in light of the new scheme that will be necessary.

HR continued, the removal of the infill itself is estimated to take five weeks. However, the infill will not be removed without an agreed scheme to strengthen the structure to at least standard BE4. The local highway authority, Cumbria County Council (CCC), has a responsibility to ensure the structure meets standard CS454 to ensure the structure can carry unrestricted loads (40 tonnes) or has a weight restriction applied. From a public funds point of view, as well as minimising the impact on the local community through necessary road closures, it would make sense for any NH requirement (to ensure BE4 is met) and CCC requirement (to ensure CS454 is met) to be coordinated and form part of the same scheme.

AS agreed that a joint approach, completing a coordinated single scheme of work, would limit the impact on the local highway network (road closure duration) and the local community.

HR confirmed that this joint conversation is an important part of the process and that all of these factors, including timing restrictions and ecological surveys, would affect any planning application and the content/application of the enforcement notice from Eden District Council (EDC).

HR explained that NH have considered some possible scheme options but that a detailed engineering discussion is required between NH and CCC to try and ensure whatever solution is applied meets both organisation's needs.

AS stated that long term maintenance and responsibility for the structure must also be considered. Essentially, certain options will have more durability than others.

JS explained that EDC will be issuing an enforcement notice and understand the constraints with regards timescales. It is likely that the enforcement notice will seek removal and strengthening of the structure within 12 months (6 months - to prepare an approach to infill removal and an alternative scheme to repair the bridge, and a further 6 month to undertake the necessary works), but this period will need to be confirmed by EDC.

AS asked what date the enforcement notice would be issued by.

JS advised it will go to Planning Committee on 21 July 2022 and then there would be six weeks before it takes effect. So, in total approximately one year and 2 months, commencing the end of August 2022. *[NB: 180722: we have subsequently learnt that the enforcement action notice will not be taken to the 21 July EDC Planning Committee. EDC to provide an update in due course]*

MH noted points for consideration and that he would like to:

- understand what the risks and concerns were to the public prior to the infilling of the structure.
- understand how the infill may have affected the structure following its placement - could the infill material affect the geometry of the structure or its foundations.
- understand how removal of the infill could affect the structure and how it interfaces with the masonry arch itself.
- ensure a formal inspection of the structure following removal of the infill.
- understand what the capacity of the structure will be once the infill has been removed.

MH explained CCCs Network Manager, John Banks, would be best placed to confirm any capacity rating that the highways authority required for the structure, knowing the area's traffic movements and requirements.

MH continued by noting that an assessment should be completed following removal of the infill to inform the future strengthening scheme options.

MH questioned whether the structure was listed.

HR advised that EDC refer to the structure as a 'non-designated heritage asset' and it is not a listed structure.

YC questioned whether the assessment of the bridge should be undertaken in accordance with CG300 'Technical Approval of Highway Structures', and CS454 'Assessment of highway bridges and structures'. This would include the preparation of an Approval in Principle document, which would set out the approach to the bridge assessment and it would also include the need for an Inspection for Assessment.

MH believed that this should be the case and stated that a Design and Check Certificates would normally be required for such projects prior to construction works commencing. A Construction Compliance Certificate would be provided by the contractor to confirm that works had been undertaken in accordance with the approved design, prior to the bridge being re-opened to the public.

HR queried whether the assessment and inspections would need to occur post removal of the infill and then any scheme would happen after that. The bridge and road would need to remain closed

throughout this and as such, a closure will be in place for a significant amount of time. NH are keen to ensure as little disruption as possible to the local community.

AS added that this period may be 4-5 months whilst a scheme is prepared and any planning permission necessary secured.

MH recognised this.

HR stated that the continuous road closure during removal of the infill through to assessment, followed by the agreed scheme works will affect the local community and would therefore require clear communication.

AS suggested that in order to try and meet the likely enforcement notice period, that a worst case scenario could be prepared and applied for - in order to avoid an extensive road closure period.

HR invited FS and CM to provide context about the existing issues of the structure and possible next steps from an engineer point of view.

FS advised that the bridge was currently assessed at 17 tonnes. Previous repointing of the structure in 2012 has not prevented movement of stones within the structure and a dropping of the arch. The speed of drop assessed, as well as the lack of weight restriction or load restriction interventions, led to the infilling of the structure. The infill is formed of aggregate and foamed concrete and is a lightweight material that can be removed.

CM advised that a water main pipe is located within the bridge. The structure was assessed by Rail Property Limited as passing BE4 in 1998. The bridge was assessed by CCC in November 1998 to BD21/97 and found to not be suitable for full live loading capacity (40 tonnes). This assessment report states that "the arch barrel has been found to be unsatisfactory for Full Construction and Use loading. A 17 Tonne weight restriction should be applied to the structure". In 2009 Capita produced a Strengthening and Options Report on behalf of CCC. The Options review included an inspection of the structure and review of the 1998 BD21/97 assessment which reinforced that a weight restriction or pointing was needed. Repointing took place in 2012. The repointing was identified to be failing in 2017 and substantial movement of stones in the arch was identified in 2020.

FS suggested a joint visit to the structure by NH and CCC would be beneficial to complete thorough inspections.

HR summarised that NH and CCC will work together, looking at the requirements of both parties to make sure that the entire scheme, including removal of assessment of the structure and necessary strengthening work, meet both authorities' responsibilities, in line with planning regulations outlined by EDC. HR stated that this could not take place during the current meeting, given the need for CCC to review and understand the structural background of the bridge.

MH requested sight of the previous inspection reports completed by NH as this will help to inform next steps.

Action: HR to send inspection reports to MH. [DONE]

MH noted JS had discussed timescales for the enforcement notice and queried whether ecology surveys (that can only be actioned at certain times of year) had been considered within these timescales. MH advised that ecology surveys could impact the scheme timing.

JS advised that EDC members are unlikely to agree to timescales over twelve months. However, as long as they are aware and informed of measures being suitably progressed to rectify the situation then enforcement prosecution route would be unlikely.

HR stated careful planning is necessary to prevent delays and extended road closures.

YC noted that if strengthening works such as saddling are carried out on CCC bridges, planning consent is not normally required and are Permitted Development.

AS mentioned that NH do not have the same Permitted Development powers that a Local Highway Authority has, so we will have to see what is ultimately proposed (and then whether planning permission is required).

HR agreed that hopefully the strengthening scheme will not require planning consent, however this is something to consider, ensuring all possible planning regulations and potential permissions are thought of and met.

JS agreed saddling and repointing is unlikely to require planning permission.

HR noted confirmation of this would need to be made formally, in writing, by EDC.

JS confirmed that an application for Certificate of Lawfulness could be submitted by NH for this once the agreed scheme of work has been agreed.

HR advised it must be agreed who the scheme lead is for any post removal of infill works and the associated costs for this. This will be discussed offline between NH and CCC.

MH advised when John Banks returns from leave this can be discussed with him.

FS queried if a partial removal of the top layer of the infill took place to allow inspection of the top of the structure and, while possible schemes were considered (in order to speed up things), would this temporary state be accepted by EDC.

JS confirmed if it was made clear why only part of the infill had been taken out and a deadline is still being worked towards, this should be ok.

MH advised CCC will use a consultant to support them.

HR confirmed that CM, FS and MH to meet to discuss previous inspection records and assessment findings. Following this, a conversation with JS will take place before any of the infill is removed to agree what planning may or may not be needed. Safety, timing and communications must be factored in, as well as any ecological implications, before implementing road closures and proceeding with removal of the infill.

Action: FS to arrange a further meeting for engineer to engineer conversations following discussion between MH, CM and FS about structure details and previous assessment findings.

HR advised of intent to share outcome of the meeting with the HRE stakeholder advisory forum on 22 July 2022, and to publish the minutes on NHs website, in order to keep stakeholders updated.

All agreed minutes can be published.

HR concluded the meeting.