

SWAVESEY BYEWAYS ADVISORY COMMITTEE

TUESDAY 2 FEBRUARY 2010 AT 7.30 PM

SWAVESEY MEMORIAL HALL

A G E N D A

1. Apologies
2. Minutes
3. Chief Executive's Report
4. Report of the Corporate Manager for Health and Environmental Services
5. Any other business

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

SWAVESEY BYE-WAYS ADVISORY COMMITTEE

MINUTES OF THE MEETING HELD IN THE MEMORIAL HALL, SWAVESEY ON

THURSDAY 29 JANUARY 2009 AT 7.30 PM

Present:

Councillor Mrs S Ellington	South Cambridgeshire District Council
Councillor Topping	South Cambridgeshire District Council
Mr J Dodson	Charge-payers' Representative
Mr J W M Johnson	Charge-payers' Representative
Mr G Wedd	Charge-payers' Representative
Mr A Day	Charge-payers' Representative
Mr D Morgan	Charge-payers' Representative
Mr K Wilderspin	Charge-payers' Representative
Ms Sue Rogers	Parish Council Representative
Mr A Clayton	Parish Representative
Mr T Parish	Parish Council Representative

In Attendance Mr P C Matthews – South Cambridgeshire District Council's Drainage Manager

Apologies: Mr G Jones

1. Introduction by Chairman

1.1. Councillor Topping agreed to act as chair for the meeting.

2. Minutes of the previous meeting

2.1. The minutes of the previous meeting of 24 January 2008 had already been circulated. It was unanimously accepted that the contents should be confirmed as an accurate record of the meeting.

3. Report of the Chief Executive

3.1. The meeting received a report on expenditure for the year 2008/09 (to 29 January 2009).

3.2. The Council's Chief Executive had shown, in his report, that there would be a balance of £6695 in the contingency account at the end of 2008/09 and suggested that £917 should be added to the contingency account in 2009-2010.

3.3. If £2,400 was allowed for maintenance in 2009/10, then a rate of 90p per hectare could be levied. The Drainage Manager again indicated that the contingency figure had reached a reasonable level and it would, therefore, be possible to spend all of the £2,400 in the budget on "materials" throughout the coming year. He also expected that a contractor would be used on certain byeways for re-shaping works – this to be agreed with the local chargepayers later in the year.

3.4. A continuation of the current levels of maintenance would, therefore, give a breakdown of income and expenditure as indicated in the report.

4. **Report of the Corporate Manager for Health and Environmental Services**

- 4.1. This report indicated the current year's expenditure and the last five years' average annual expenditure per byeway (see appendix 1).
- 4.2. The contents of the report were discussed and there was agreement among members that Charge-payers' costs should be limited to 90p per hectare for the forthcoming year. It was proposed by Mr Wedd and seconded by Ms Rogers that the above rate should be levied for the coming year and this was formally agreed by the meeting.
- 4.3. It was reported that Councillor Ellington and the Drainage Manager carried out an inspection of all byeways on 28 January 2009 in order to assess their current condition and the likely level of maintenance for the forthcoming year. It was anticipated that the following bye-ways would require allocations of materials:

❖ Cow Fen	–
❖ Hale Road	–
❖ Mow Fen	–
❖ Uttons/Tiplers Drove	–
❖ Middle Fen/River Fen	–

- 4.4. It was proposed by Mr Wedd and seconded by Mr Johnson that the above allocations should be accepted and this was unanimously agreed by the meeting.

5. **Voluntary Maintenance**

- 5.1. Members were reminded that the voluntary arrangements whereby the Charge-payers provide labour and plant to spread materials enables the maximum amount to be spent on materials. All were in agreement that this approach has worked very well in the past and that the current voluntary arrangements should continue.
- 5.2. The Charge-payers' Representatives will undertake periodic monitoring of the Bye-ways and ordering and spreading of materials as follows:

Bye-way	Charge-payer responsible
Cow Fen	Mr Wilderspin
Hale/Mow Fen	Mr Hodson and Mr Johnson
Scotland Drove	Mr Hodson
Uttons/Tiplers Drove	Mr Wedd
Middle/River Fen	Mr Morgan (in conjunction with Messrs Cook and Johnson)

- 5.3. Discussion took place regarding the methods of spreading materials and it was agreed that materials should be spread thinly in order to obtain the maximum value for money. The particular difficulties associated with heavy use and speeding vehicles along Cow Fen were highlighted by Mr Dodson. Suggestions on the use of concrete bollards were also discussed but it was felt that insurance concerns would preclude their use.
- 5.4. It was agreed that the use of a local contractor to carry out re-shaping works along Cow Fen should be investigated and this should be funded from contingencies.
- 5.5. Discussions took place on the possible use of gateways and bollards/speed humps along the Byeways. It was outlined that the Council had been advised that bollards

were not advisable due to possible claims for damage to vehicles. It was agreed that gates would only be suitable for the most isolated sections of Byeway and the Drainage Manager agreed to investigate. Additionally it was agreed to investigate whether the County Council would install a 'NO THROUGH ROAD' sign at the junction of Hale Road and Mow Fen drove.

5.6. The meeting agreed that Brick Kiln, Lairstall and Turnbridge Bye-ways should continue to be maintained only on an "as required" basis.

5.7. It was proposed by Mr Johnson and seconded by Mr Dodson that the voluntary arrangements on the spreading of materials should continue while the District Council would allocate the materials.

6. **Any Other Business**

6.1. A letter from the resident at Thorps Farm in Tiplers Drove was presented to the meeting. The letter requested additional works/materials along the section of Utton's Drove between the entrance to Hill Farm and the access to Thorps Farm land at this location. Additionally, there was a request for a 'substantial sum' towards the cost of repairs and re-surfacing along Tiplers Drove immediate adjacent to the main farm entrance.. The meeting agreed that some monies could be spent on materials for Utton's Drove and possibly some works by a local contractor to locally re-grade the byeway. However, substantial sums would not be available to pay towards tarmac resurfacing along Tiplers Drove. The Drainage Manager agreed to meet with the resident for discussions on a possible solution.

6.2. The meeting closed at 21.25

SOUTH CAMBRIDGESHIRE DISTRICT

REPORT OF THE CHIEF EXECUTIVE

To: The Chairman and Members of the
Swavesey Byeways Advisory Committee

2nd February 2010

1. The following background notes are provided as a reminder of the present position and as assistance in determining the amount to provide for maintenance.
 - 1.1 The Swavesey Bye-ways Act 1984 provides for an annual charge to be made to chargepayers expressed as a rate per hectare. The charge for 2009-2010 was set at 90 pence. A similar charge for 2010-2011 is estimated to produce an amount of £1,238.
 - 1.2 The cost of collecting the charge in 2010-2011 is estimated at £185. The cost can be minimised only if all chargepayers pay promptly and without the need for costly reminders.
 - 1.3 There was a credit of £793 in the chargepayers' account at 31st March 2009. An estimated balance of £511 was taken into account when setting this year's charge – this leaves an estimated balance of £282 in the chargepayers' account as at 31st March 2010 to be used to set against the 2010-11 charge.
 - 1.4 There will be an estimated balance of £7,612 in the contingency account at the end of 2009-2010 that is available for any emergency/special works, and it is suggested that £455 be added to the contingency account in 2010-2011.
 - 1.5 It is recommended to provide an amount of £2,400 for maintenance in 2010-2011.
 - 1.6 The budget for 2010-11 would then be:

	£	£
Expenditure		
Maintenance	2,400	
Collection costs	185	
Contingency	<u>455</u>	
		<u>3,040</u>
Income		
Chargepayers		
90 pence per hectare	(1,238)	
Balance in Chargepayers' account	<u>(282)</u>	
		(1,520) 50%
South Cambridgeshire District Council		(1,034) 34%
Swavesey Parish Council		<u>(486) 16%</u>
		<u>(3,040)</u>

- 1.7 The balance on the contingency account had increased in recent years as the maintenance budget had not always needed to be fully utilised and the deferred costs of the Local Act have now been paid.

A. Colyer
Executive Director – Corporate Services

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT OF THE CORPORATE MANAGER FOR HEALTH AND ENVIRONMENTAL SERVICES

TO: Chairman & Members of the Swavesey Byeways
Advisory Committee

2 February 2010

1. Expenditure for 2009/2010 and Five Year Expenditure Summary

- 1.1. Attached as Appendix 1 is a breakdown of the current year's expenditure (including estimates to year end) together with the last five years' average annual expenditure per Byeway.

For Information

2. Review of Maintenance and Anticipated Expenditure for 2010/2011

- 2.1. Councillors Ellington and Topping and the Council's Drainage Manager have arranged an inspection of all the Byeways for 22 January 2010 in order to assess their current state and the likely level of maintenance required in the coming year. All of the Byeways are likely to show signs of deterioration following winter weather. However, Cow Fen, Hale Road, Uttons Drove, Tipplers Drove and Middle Fen in particular have been subjected to excessive use over the past year and are likely to require maintenance.
- 2.2. It is recommended that the Committee advise the District Council to maintain the present level of maintenance and, in view of the report of the Chief Executive, to levy a charge of 90 pence per hectare for the period 2010/2011.

For Discussion and Recommendation

3. Voluntary Maintenance Arrangements

- 3.1. At the meeting of the Advisory Committee in January 2009, it was decided to continue with the voluntary maintenance arrangements for the Byeways whereby the Chargepayers provide labour and plant to spread materials.
- 3.2. Under the current arrangements the District Council manages the maintenance programme and budget, ordering materials, collecting the rate etc, whilst Chargepayers voluntarily provide labour and plant to spread materials. This arrangement has worked reasonably well in the past and it is recommended that the same practices are applied for the coming year.

For Discussion and Recommendation

D S ROBINSON
CORPORATE MANAGER FOR HEALTH & ENVIRONMENTAL SERVICES

SWAVESEY BYEWAYS

Appendix 1

EXPENDITURE 2009/2010			
Date	Byeway	Materials/Loads	Cost £
March 2010	Cow Fen	2 Loads Planings	480*
May 2009	Uttons Drove	2 Loads Planings	462
May 2009	Mow Fen/Hale Road	2 Loads Planings	457
March 2010	River Fen/Middle Fen	1 Load Planings	240*
July 2009	Tipplers Drove	2 Loads Planings	480
		Total	2119

Byeway	2005/06	2006/07	2007/08	2008/09	2009/10	5 Year Average
Cow Fen	539	276	-	480	480*	355
Hale/Mow	180	-	540	465	457	328
Scotland/Boxworth	70	-	-	-	-	14
Uttons/Tipplers	549	533	830	590	942	689
Middle Fen/River Fen	271	263	277	233	240*	257
Brick Kiln						
Lairstall						
Turnbridge						

Note:

* Estimate