

REPORT TO: Council 21 February 2023

LEAD CABINET MEMBER: Councillor Henry Batchelor, Leader Cabinet Member
for Waste & Environmental Services

LEAD OFFICER: Head of Waste & Environment

Swavesey Bye-ways Rate 2023/24

Executive Summary

1. To report on the annual meeting of the Swavesey Bye-ways Advisory Committee held on 26th January 2023 and to set the level of the Swavesey Bye-ways rate.

Key Decision

2. No

Recommendations

3. The Swavesey Bye-ways Advisory Committee Recommends to Council that
 - (a) It retains the level of the Swavesey Bye-ways rate at £1.20 per hectare for land within the charge paying area for the period 2023/24 in order to fund the required level of maintenance.

Reasons for Recommendations

4. Since the enactment of the Bye-ways legislation in 1984, local charge payers have agreed to provide labour and plant on a voluntary basis while the Council provides materials for use along the byeways, funded by the Bye-ways rate.
5. The Advisory Committee, having considered the current condition of the Bye-ways and are satisfied that a rate of £1.20 per hectare for land within the charge paying area for the period 2023/24 will be sufficient to fund the required level of maintenance, subject to the availability of suitable material.
6. In addition to the income, the balance of the A14 legacy fund (£6,785.00) will be held in an earmarked reserve fund, held by Swavesey Parish Council and will be regularly drawn down to pay for the running costs and maintenance of the Bye-

ways grader. This grader was purchased from the A14 legacy fund contribution to enable continued maintenance of the Bye-ways top surface.

Details

7. The Swavesey Bye-ways' Act 1984 governs the financial provision for maintenance of the Swavesey Bye-ways. Under the Act, the District Council is required to determine the amount of money necessary for maintenance in each financial year. It can then recover 50% of this amount from the Bye-ways Charge Payers at a uniform amount per hectare of land within the charge paying area and 16% from the Parish Council.
8. The Swavesey Bye-ways Advisory Committee is an informal group comprising representatives of charge payers, parishioners, the Parish and District Council. The Advisory Committee advises the District Council on all matters relating to the discharge of its Bye-ways responsibilities including the level of the byeways rate.
9. The Advisory Committee recommended an order and allocation of suitable surfacing materials to repair Middle Fen Drove and the Hale Fen in preparation for repairs to be carried out by rate payers / landowners. Future repair requirements will be determined throughout 2023/24 and requirements discussed by the advisory committee if necessary.
10. The Advisory Committee discussed the proposed Greenways project in relation to the condition of Lairstall Drove, advising that surfacing considerations are included within that project so it would be advisable to refrain from repairs or improvements at this time.

Options

11. Council could agree the recommendation of the Advisory Committee or opt to set an alternative rate for 2023/24.

Implications

12. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered: -

There are no significant implications.

Consultation responses

13. Consultation has been undertaken with parishioners, the Parish Council and local landowners through the Swavesey Bye-ways Advisory Committee.

Alignment with Council Priority Areas

14. Accepting the advice of, and engaging with, the Advisory Committee contributes towards protecting, maintaining, and improving the natural and built environments, and enhancing local economic activity.

Background Papers

None

Appendices – Available upon request

Head of Finance Report 2023
Head of Environment Report 2023
Bye-way Inspection report LH-SE 2023

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