

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

SWAVESEY BYEWAYS ADVISORY COMMITTEE

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

TUESDAY 7TH FEBRUARY 2017 AT 7.30 PM

Present:

Councillor Mrs Ellington

South Cambridgeshire District Council

Mr J Dodson

Charge-payers' Representative

Mr G Wedd

Charge-payers' Representative

Mrs H Parish

Charge-payers' Representative

Mr A Day

Charge-payers' Representative

Mr K Wilderspin

Charge-payers' Representative

Mr J Johnson

Charge-payers' Representative

Mrs L Boyes

Charge-payers' Representative

Ms H Parish

Parish Representative

In Attendance

Mr R Mungovan, SCDC Awarded Watercourse Supervisor

Apologies: Cllr R Turner, Mr J Shepperson, Ms S Rogers

1. Introduction and Election of Chairman

- 1.1. In the absence of Cllr Turner, it was agreed that the Council's Awarded Watercourse Supervisor should act as chairman for the meeting.

2. Minutes of the previous meeting

- 2.1. The minutes of the previous meeting of 26th January 2016 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 Executive Director – Corporate Services

- 3.1. The meeting received a report on expenditure for the year 2016/17 (to 20th January 2017).
- 3.2. The Executive Director had shown, in his report, that there would be a balance of £5915 in the contingency account at the end of 2016/17 and suggested that £420 should be added to the contingency account in 2017-2018. It was agreed that the contingency fund should remain high due to the limited availability of road planings at times and their subsequent high cost.
- 3.3. Mr K Wilderspin expressed concern that maintenance of the byeways was becoming more expensive. Cllr Ellington enquired if materials could be stockpiled when available at cheaper rates. This would not be advisable as when left for long periods the road planings can consolidate making them very difficult to spread. Mr J Dodgson enquired if it would be appropriate to further increase the levy placed upon Charge-payers. However, this was not felt to be appropriate given that funds

from 2016 had not be fully spent and it is not the purpose of the arrangements to acquire a large contingency.

- 3.4. Mr J Johnson expressed concern that road planings had not been supplied in spring 2016. He emphasised how important it was to maintain the surface layers of the byeways to ensure that they do not crack during the wet periods. This year's low input of material has been compensated for by very good maintenance in previous years. A regular supply of materials is necessary if the byeways are to be maintained in a good condition.
- 3.5. The price of £7.25/T had been paid for the loads delivered in Dec 2016. A price of £17.50 was quoted for purchase of planings at a premium price. It was clear that planings should only be purchased at the cheaper price unless an emergency situation arose.
- 3.6. It was agreed that the Parish Council would be asked to use their contacts with the A14 project to see if there was any likely occurrence of planings in the near future.
- 3.7. If £2,500 was allowed for maintenance in 2017/18, then a rate of £1.10 per hectare could continue to be levied. No increased in the rate for 2017/18 was proposed.
- 3.8. 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, 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. Detailed discussions took place regarding the current levels of expenditure and the potential for a shortage of future funds due to increases in the cost of materials. It was noted that the Charge-payers' rate had been increased to £1.10 for the 2016/17 year. Due to a short fall in expenditure upon materials it was not felt that any further rate increase was appropriate. *It was unanimously agreed that the rate should remain at £1.10 for the year 2016/17, and that that should be the recommendation to South Cambridgeshire District Council.*
- 4.3. It was reported that Councillor Ellington and the Awarded Watercourse Supervisor had carried out an inspection of the byeways on 10th January 2017 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/Lairstall Drove
 - ❖ Hale Road
 - ❖ Mow Fen Drove
 - ❖ Uttons/Tipplers Drove
 - ❖ Middle Fen Drove
- 4.4. A number of Charge-payers expressed the view that following the recent spell of freezing weather after the condition survey had been undertaken in January that further deterioration of some byeways had occurred. *It was the view of those present at the meeting that the above named byeways, and any brought to the attention of SCDC, should be allocated materials.*
- 4.5. General concern was expressed where material provided did not appeared to have been used within the year. However, it was acknowledged that some volunteers have a much reduced capacity to distribute the material locally. Mrs Parish stated that those byeways that were not being maintained in good condition should not be supplied. Mr Johnson suggested that those persons who undertake the work should be compensated or should receive some form of reimbursement from their rate. This point was also supported by Mrs L Boyes. There was general discussion around this point but no resolution at 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. However, there was discussion about how long the voluntary maintenance arrangement could continue as it is felt that the goodwill of a few is now serving a much wider section of their local community. To rely on goodwill arrangements will not last indefinitely.
- 5.3. Mr J Dodgson wished to have the good work of Burgess Brothers' recent maintenance work on Cow Fen Drove noted.
- 5.4. Discussion was had around the expected standard of maintenance. The meeting was reminded that the Act requires the byeways to be maintained to a "farm standard".
- 5.5. 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/Lairstall	Mr Wilderspin
Hale/Mow Fen	Mr Johnson
Mow Fen Drove	Under review
Uttons/Tipplers Drove	Mr Wedd
Middle/River Fen	Ms Rogers

- 5.6. It was agreed by those present that the voluntary arrangements on the spreading of materials should continue while the District Council would order and allocate the materials.

6. Any Other Business

- 6.1. Cllr Ellington raised the concern of Mr Wroot, a resident of Scotland Drove. He maintains his section of drove to a high standard and is concerned that it will deteriorate due to nearby buildings works. The Committee's purpose is to maintain the byeways in a "farm condition". If the builders caused damage beyond the expected standard then they will be pursued on that issue.
- 6.2. Mrs S Rogers had asked that discussion be had around the issue of residential developments accessing onto any byeway and the implications that it had for wear to the byeways, collection of the rates and the arrangements for voluntary maintenance.
- 6.3. Whilst those present at the meeting could appreciate why the issue was being raised it was not considered that any policy could be proposed at the meeting as every development application would have to be reviewed on its own merits and negotiations established with the relevant parties at the time.
- 6.4. Discussion was had around the instances where a person upgrades a byeway and surfaces it. Mr Dodgson and Mr Wilderspin both shared the view that any person upgrading a byeway would also have to accept its future maintenance (i.e. to re-surface it when needed). If a planning application is seeking to upgrade a byeway to improve access, then the Parish Council would become aware at an early stage in the consultation process. The Parish Council could then bring it to the attention of the appropriate SCDC officer in order to establish negotiations as to who is to undertake the improvement, who would continue to maintain the increased standard of maintenance and how that money would be raised in future.

The meeting closed at 21:03

Appendix 1

Expenditure 2016 / 2017			
Date	Byeway	Materials/loads	Cost £
2016	Middle Fen	1 load planings	145
2016	Tipplers Drove	1 load planings	145
2016	Mow Fen / Hale Road	1 load planings	145
		Total	435

Byeway	2012/13	2013/14	2014/15	2015/16	2016/17	5 Year Average
Cow Fen	390	650	560	700	0	460
Hale/Mow	585	780	840	840	145	638
Scotland/Boxworth	0	0	0	0	0	0
Utton/Tipplers	780	1170	1120	980	145	839
Middle Fen/River Fen	265	260	420	140	145	246
Brick Kiln	0	0	0	0	0	0
Lairstall	0	0	0	0	0	0
Turnbridge	0	0	0	0	0	0