

The Brow - Technical Team
 Monthly Report No.2 – JAN 2024

Report No.	02	Author:	Malcolm Perrin
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Circulation:	<p>All members of the Technical Team plus...</p> <p>Chair for KLTC – Paul Cassell (PC) Clerk for KLTC - Kevin Price (KP):</p>
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Aims and Objective:	<p>Kirkby Lonsdale Town Council (KLTC) have set up a Technical Team to review existing technical documentation in its possession, with the aim of re-opening The Brow footpath using a cost-effective approach that is low risk and safe for Public access.</p> <p>The KLTC Technical Team was officially announced at a monthly KLTC meeting on 08NOV23. The team comprises of the following members, each skilled and experienced in their own special field...</p> <ul style="list-style-type: none"> • <i>Malcolm Perrin (Lead) – Civil Engineer & KL Town Councillor;</i> • <i>Robin Ree – Semi-Retired Engineer & KL Town Councillor;</i> • <i>Mike Marczynski – Industrial Chemist & KL Town Councillor;</i> • <i>Nick Hampson – Civil Engineering & Chartered Surveyor;</i> • <i>John Peel – Retired Construction Director</i> <p>The Team will meet regularly to examine a ‘way forward’ and gather evidence to fill gaps in past reports. The Lead will submit a progress report to the KLTC Chair each month detailing costs, progress and evaluations for the Town Council to approve for development.</p>
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Item	Description	Action	Date for completion
1.	Health, Safety, Environment & Quality (HSEQ):		
a.	<p><u>Statement:</u> All work requested by Kirkby Lonsdale Town Council (KLTC) Technical Team will be planned, managed and monitored in accordance with current Health & Safety legislation, including...</p> <ul style="list-style-type: none"> • <i>Health and Safety at Work Act (HSWA) 1974;</i> • <i>Management of Health and Safety at Work Regulations 1999; and</i> • <i>The Construction (Design and Management) Regulations 2015</i> <p>... to ensure the health, safety and welfare at work of their employees and contractors.</p> <p>All Contractors will be asked to prepare a Risk Assessment and Method Statement (RAMS) for approval by a member of the Technical Team before work can commence on site.</p> <p>RAMS will include...</p> <ul style="list-style-type: none"> • <i>Proof of training for the task;</i> • <i>Current certification for any plant and equipment being used;</i> • <i>Proof of adequate Public Liability insurance.</i> 	NOTE	
b.	<p>Does the Town Council have Directors and Officers insurance...?</p> <p><i>Directors' and officers' liability insurance – also known as D&O insurance – covers the cost of compensation claims made against your business's directors and key managers (officers) for alleged wrongful acts.</i></p> <p><i>Action: KP will contact our insurers Zurich Insurance and W&FC for advice and report back at next KLTC meeting.</i></p>	KP	07FEB24
c.	<p><u>Incidents / Adverse events to date:</u> New notices are fixed to each steel gate in an attempt to deter people from walking along The Brow footpath and to exclude KLTC from any liability through injury. The notice reads... UNAUTHORISED ENTRY TO THIS AREA IS ENTIRELY AT YOUR OWN RISK. THE TOWN COUNCIL ARE NOT RESPONSIBLE FOR INJURIES OR ACCIDENTS OF ANY KIND.</p> <p>Locks to The Brow gates were frozen last week when trying to open for the drone survey. They are in poor condition showing signs of corrosion. Action: replace all locks with one single lock attached to a secure chain around the gates. Complete</p>	NOTE	RR 22DEC23

2.	Technical / Engineering:		
a.	<p>Stage 1a – Tree management and vegetation clearance To proceed without delay. Vegetation clearance started in OCT23.</p> <p>Scope of work – number of trees to cut back will be determined with advice from specialist Arboriculturist and Yorkshire Dales National Park Authority (YDNPA). – Steve Hastie. Action: JP to discuss with Steve Hastie 11DEC23 Consider any Tree Preservation Orders (TPO). Complete</p> <p>YDNPA request a Tree Health & Risk Survey (THREATS) to be carried out and submitted before the end of JAN24. This report will inform KLTC of any dangerous or trees at a high risk to the footpath.</p> <p>Arbtech Consulting Ltd have submitted their fee proposal of £1259 + VAT for a site survey and written report. KLTC will be asked to approve this proposal at the next TC meeting on 10JAN24.</p> <p>Tenders for cutting back trees and vegetation to be sent out to a min. of three Tree Surgeons for costs before end of this year 16FEB24.</p> <p>Any trees must be cut back before this year’s bird nesting season... end of FEB24.</p>	<p>JP</p> <p>MP</p> <p>RR/JP</p>	<p>11DEC23</p> <p>10JAN24</p> <p>12JAN24 16FEB24</p>
b.	<p>Stage 1b. – Survey Monitoring of The Brow Monthly surveys are required for min. 6months to establish any movement in the footpath. Scope of work includes...</p> <ul style="list-style-type: none"> • Level survey required along the footpath for horizontal and vertical movement; • Footpath cracks – to be measured across existing cracks in tarmac; • The Motte stone boundary wall – 3D laser Point Cloud survey for verticality. <p>The Technical Brief was written by NH and sent out to five Surveyors by Town Clerk (KP) for costs. Quotes are due for return by 06DEC23. MP to submit to KLTC for decision.</p> <p>All five quotations now received. Decision to appoint Surveyor at next Council meeting of 13DEC23. Complete</p> <p>Malcolm Hughes Land Surveyors Ltd (MHL) are appointed to carry out the monthly survey monitoring on The Brow as described above.</p> <p>The Baseline survey was established on site - 03JAN24 using high-tech digital equipment. A number of steel pins for taking measurements from are anchored in the tarmac footpath and highlighted with red marker paint.</p> <p>All survey data will be analysed by MHL and presented on drawings, photographs and spreadsheets. Further surveys will be required at the top of the embankment to check the condition of footpath support (existing gabions and concrete edge beams). It is likely that part of the footpath is ‘undercut’ because of drainage issues washing away ‘fines’ in the stone support. To be investigated when good weather allows and vegetation can be cleared.</p> <p>At some stage a monitoring survey is required at river level to assess the state and extent of water erosion along the riverbank. However, this is not within the scope of Stage 1b. monitoring.</p>	<p>MP</p> <p>NOTE</p>	<p>13DEC23</p>

3.	Communication / Request for Information (RFI)		
a.	<p>Ex-Chair (Mike Burchnall) is in possession of 'hard copy' folders, photos and Engineering information of The Brow from past construction and reviews. <i>Note: MM has requested this information be returned to KLTC at the earliest through Clerk KP. Complete</i></p> <p>It is good practice and recommended that all hard copies of archive material be digitised. <i>Action: NH is working hard, turning all hard copy files to .pdf digital files.</i></p>	MM/KP	
		NH	Ongoing
b.	<p>CAN Geotechnics report from 2016 has come to our attention this week. Was this report considered by Fairhurst...? Complete</p> <p>Also... is there a copy of RG Parkins report on file...? Complete</p> <p>Both Geotechnical reports are referenced in the Fairhurst desktop study - (143660-02 The Brow Kirkby Lonsdale - Options Appraisal Rev 2 - 28.08.2023)</p>	JP	10DEC23
		JP	22DEC23
c.	<p>Request information from Fairhurst...</p> <ul style="list-style-type: none"> • Reports and surveys for future Pre-Construction Information (PCI); • Borehole logs, trial pit logs, intrusive work on The Brow; • Topographical survey, condition surveys, drawings – all in AutoCAD format. • Data and details of software used in slope stability assessment. 	MP	22DEC23 On HOLD
d.	<p>Request topographical survey drawings and information from D2R Surveyors <i>Note: Surveys received in digital .dwg format to assist with drone survey</i></p>	NH	Complete
e.	<p>Request costs expended on The Brow to date from Town Clerk Kevin Price. It is our duty as a sub-group of KLTC to record all public monies received and spent on this Project and to remain transparent at all times.</p> <p><i>ACTION: New Town Councillor Nigel Martin (NM), a retired Chartered Accountant will be asked to assist with collating costs for analysis from 2016 – to date.</i></p>	MM/NM	13DEC23 Ongoing
f.	<p>Request survey data and drawings from past two years. <i>Action: NH to contact Commendium to request past survey data. Complete</i></p> <p>MP delivered 1TB hard drive to Richard Walters of Commendium Ltd by hand and requests all survey data from the last two years monitoring of The Brow be downloaded for future use. Download will be ready soon.</p> <p>Terminate Commendium Ltd services for monitoring The Brow.</p>	NH	15DEC23
		MP	15JAN24
		KP	31DEC23
g.	<p>Set up Microsoft SHAREPOINT or DROPBOX to share all information and documents between team members. Complete</p> <p>'Internxt' app is now being used by five members of the Technical team to store and share all information online.</p>	MP	22DEC23
		NOTE	
h.	<p>Open communications with local WFC Councillors Ian Mitchell and Hazel Hodgson to inform and take advice on future contact with WFC.</p>	NOTE	

4.	Programme / Progress		
a.	<p>Drone survey carried out on Friday 01DEC23 with NH and small team. Survey was Free of Charge (FOC). Early results show helpful definition of the slope and footpath for future monitoring for movement. <i>Note: Await download of data and images from NH and team to present to Technical Team for analysis. Complete and being reviewed...</i></p>	NOTE NH	 10DEC23
b.	<p>Monitoring of The Brow to start JAN24. Complete</p> <p>Started 03JAN24 – Baseline survey established on site.</p>	NH/MP	DEC23
c.	<p>Arbtech Ltd to carry out a THREATS arboriculture site survey 18JAN24 and produce a written report on the health & safety of trees requiring attention on The Brow.</p>	NOTE	
5.	Commercial		
a.	<p>Tenders have been sent to five Surveyors for ongoing Monitoring of The Brow. Return date is 06DEC23. All costs to be reviewed and a Surveyor selected at next KLTC meeting on 13DEC23.</p> <p>Malcolm Hughes Land Surveyors Ltd (MHL) submitted a successful bid presenting low cost with an immediate start and are therefore appointed to carry out all survey monitoring for Stage 1b. along The Brow for the next 12months.</p> <p>MHL fees for Stage 1b. only are:- £995 first visit to establish baseline, then £995 / monthly visit to site for 6 months. Costs shown do not include VAT at 20%.</p>	NOTE	
b.	<p>Tenders to be sent out to three Arboriculturists to quote for cutting and trimming mature trees on The Brow sloping bank.</p> <p>Await arboriculturist report and advice from YDNPA.</p>	RR/JP	JAN24 FEB24
c.	<p>Costs expended on The Brow to date Action: Talk to Clerk Kevin Price for a clear breakdown of costs spent on The Brow to date. See Item 3e. above</p>	MM	31DEC23
6.	Legal		
a.	<p>The Title Register and Title Plan was purchased by NH for KLTC. Documents show clear areas of ownership and adjacent land rights.</p> <p>Land known as ‘Ruskins View’ immediately North of the Radical Steps is owned by KLTC but was never registered at the Land Registry. NH recommends to the Council that the property is registered, thus recording and safeguarding the title to the land for future generations.</p> <p>The application cost for this is small (potentially as little as £20), but it will involve getting at minimum a formal copy of the deeds from Kendal Archive Centre (£15 for the copy) and the production of a formal plan to identify the area on current Ordnance Survey Master Map data (which NH will do at just the cost of the OS data, which will probably be < £50.</p> <p>To be approved by KLTC at 10JAN24 meeting.</p>	PC/KLTC	10JAN24

b.	<p>Responsibility for ownership and maintenance of the footpath surface and land 150mm below ground level needs clarification.</p> <p>JP will investigate further... Complete</p> <p>KLTC own the land; WFC have liability for maintenance – (the top two spits – 150mm) YDNPA regulate the area – D2R Survey was commissioned by the NPA.</p> <p><i>Action: NH to discuss issues and responsibilities with known contact Alison Lea, Planning Inspector – specialist in access and rights of way.</i></p>	JP NH	31DEC23 31DEC23 Ongoing
7.	Stakeholders		
a	<p>St Marys – reply to recent letter sent from M Hibbs requesting a meeting with the Technical Team. How can they help us...?</p> <p><i>Note:</i></p> <p><i>Action: MP to reply to recent Email from Merlin Hibbs requesting a meeting with KLTC Technical Team to see how they may help with future plans. A meeting may be premature at this stage, but St Marys are an important Stakeholder on the Project. Complete</i></p> <p><i>MP met with Merlin Hibbs (MH) on 05JAN24 for an informal walk around St Mary's church grounds and along The Brow footpath to discuss issues being raised by St Marys and this Technical Team.</i></p> <p><i>Consideration was given to a future drainage survey and costs, motte retaining wall monitoring for movement and removal of the timber fence near the Gazebo.</i></p> <p><i>MH and MP later exchanged missing survey information via Email (topographical survey, ground investigation reports, geotechnical reports) in a positive effort to collaborate and reopen The Brow footpath as soon as is practicably possible.</i></p>	MP	22DEC23
8.	Friends of Save Ruskins View		
a.	<p>KLTC, the Technical Team and Friends of Save Ruskins View (FSRV) will meet on 11JAN24 to discuss future funding plans.</p> <p>Malcolm Perrin Technical Team Lead 10JAN24</p> <p>End of document</p>		