



Note for the Record: NFR-01-MP (RevB – 12JUN24)

24MAY24

This File Note is a record of a site meeting held between KLTC Technical Team, W&FC Highways / Countryside Access and Local Councillors at The Brow, Kirkby Lonsdale at 10.00am on 22MAY2024.

In attendance:

Malcolm Perrin – KLTC Technical Team Lead;
John Peel – KLTC Technical Team;
Nick Hampson – KLTC Technical Team;
Robin Ree – KLTC Technical Team;

Andy Brown – W&FC Senior Manager Highways Assets and Strategy;
Hazel Wainwright – W&FC Senior Countryside Access Officer;

Ian Mitchell – W&FC Councillor;
Hazel Hodgson – W&FC Councillor.

Introduction:

A meeting between the KLTC Technical Team and W&FC Highways / Countryside Access was arranged to determine what Design criteria and remedial construction is required to satisfy W&FC in the effort to re-open The Brow footpath as soon as practicable.

Items for discussion included, but not limited to:-

- *Survey Monitoring results to date;*
- *Any movement of the footpath and embankment over the past 30 years;*
- *Qualitative v. Quantitative Assessment;*
- *Risk assessment of Public using the footpath – LOW risk;*
- *Remedial works to be carried out;*
- *Resurfacing the footpath;*
- *Can KLTC reassign The Brow footpath a Permissive Path...?*
- *Can KLTC restrict access along the footpath by locking gates during severe weather forecasts...?*
- *Can KLTC re-open part of The Brow – up to the first viewpoint (St Mary's viewpoint).*

Discussion:

1. Andy Brown stated that The Brow was closed under instruction from the incumbent Kirkby Lonsdale Town Council of OCT 2021. It was not Cumbria County Council who closed the footpath – they only completed official paperwork for the closure.

RevB – Email from Andy Brown, 11JUN24 to KLTC Technical Team reads:-

Afternoon all,

Just to clarify – my understanding is that Cumbria County Council were notified of concerns of the safety of the footpath and following receipt of the structural report and recommendations commissioned by the Town Council we progressed with the temporary closure based on safety concerns.

Whilst I am happy to be corrected I understand that following the site meeting on 22nd May 2024 we have an agreed way forward.

Regards

Andy

Andy Brown

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2. KLTC own The Brow land and W&FC are responsible for maintaining the top 150mm of paved surface. W&FC will assist with future costs and resurface the footpath to make it level and free from any existing slips, trips and falls, ie... all tree root heave and small openings along the edge of footpath.
3. Andy Brown stated that W&FC manage many 'Slope Stability' issues for highways and public access paths around South Cumbria. They 'manage' the risk of failure to embankments through a strict monitoring programme along with continual maintenance. Survey data is collated and assessed by the Highways Asset Team, led by Andy Brown.
4. Andy Brown is satisfied with the KLTC monthly monitoring operation carried out on The Brow to date and awaits the results of six months data as evidence of no significant movement along the footpath or boundary stone retaining wall.
5. It was agreed by all parties that a Technical Assurance Report must be commissioned by KLTC and submitted to W&FC before The Brow can be safely re-opened or partially re-opened to the public. Such a report will be written by an independent and accredited Geotechnical Engineer approved by KLTC and W&FC*. It will include but not limited to:-
 - a. A study of the site and review of historical reports and the more recent Fairhurst Options Appraisal;
 - b. All current monitoring data will be analysed and a continuing monitoring regime will be established, ie... from monthly to perhaps quarterly or 6 monthly.
 - c. Current vegetation and tree management to be reviewed and a future programme implemented;
 - d. To recommend, design and detail any remedial construction required to strengthen and correct failing surfaces along the edge of footpath;
 - e. Establish a Risk Management Register and implement a strategy to reduce and manage risk to the Public using the footpath, ie... continual monitoring and perhaps a biennial Geotechnical assessment of the slope stability;
 - f. Ascertain costs for remedial repair works and future management of The Brow.

(*23MAY24 - Andy Brown sent Malcolm Perrin the names of four Geotechnical Engineers approved by W&FC for KLTC to contact for further advise).

6. Hazel Hodgson stated that the Environmental Agency must be informed of any works or monitoring at river level. Also, KLTC must seek advice from other relevant stakeholders to stay informed of any future planned work in the area.
7. Both Andy Brown and Hazel Wainwright stated that The Brow could be re-opened within 24hours if a successful Geotechnical Assurance Report meets with W&FC technical approval. Risk to the public using the footpath must be LOW and managed through continual monitoring, tree vegetation and minor remedial work.
8. Hazel Wainwright stated that The Brow footpath is a public right of way and cannot be changed to a permissive path. Also that KLTC cannot restrict access to a public right of way without incurring legitimate complaints from local residents and visitors.

Malcolm Perrin
KLTC Technical Team Lead

 Kirkby Lonsdale Town Council

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