

REGULATORY COMMITTEE

8th OCTOBER 2003

CHARLTON: PERMANENT CLOSURE OF C105
BRAYDON POND

Purpose of Report

1. To seek approval for an application to the Secretary of State for Transport for the permanent closure of the classified highway C105 at Braydon Pond, Charlton, until such time as repairs can be effected to the carriageway and structure of the reservoir dam.
2. A location plan is attached at **Appendix 1**.

Background

3. Braydon Pond is a reservoir capable of holding more than 100,000 cubic metres of water (and hence covered by the Reservoirs Act 1975) situated approximately four miles east of Malmesbury. The reservoir dam carries the C105 minor road in the parish of Charlton and there is a County Bridge over the main spillway at the northern end of the dam.
4. The dam is regularly inspected by a specialist consultant appointed by the dam owner in accordance with the Reservoirs Act. Reports over the last 15 years or so have recorded settlement problems along the road carried by the dam and in the last few years the settlement became more severe. Remedial works have been carried out, the costs being shared between the County Council and the dam owner.
5. An inspection report in November 2000 made recommendations in the interests of public safety which included the recommendation that heavy goods vehicles should be prevented from crossing the dam and suggested a physically imposed width restriction. Traffic was initially restricted to narrow single-way working along the affected section, but the continuing development of a landslip within the dam made it necessary to impose a complete temporary closure.
6. There has been a series of "temporary" closures which require extending every six months by application to the Secretary of State for Transport. It is proposed to apply for a closure which will not require extending and on completion of repairs can be rescinded and the highway reopened. It is not proposed to abandon the length of highway or to stop-up permanently.
7. The current temporary Closure Order expires on 3rd March 2004 and the Government Office for the South West (GOSW) has indicated it would look favourably on an application for a permanent closure (see letter dated 18th August 2003 from GOSW attached at **Appendix 2**).

Current Situation

8. Advice on the works necessary to stabilise and repair the earth dam has been obtained from a specialist consultant. Negotiations are in hand with the dam owner and a utility company, which has a redundant main within the dam, concerning the extent and cost of repairs. A preliminary estimate suggests the cost of repairs is likely to be in the region of £100,000.

Main Considerations for the Council

9. As Highway Authority, the main consideration for the Council is to ensure the safety of the travelling public and landowners and occupiers of adjoining land. As Enforcement Authority under the Reservoirs Act, the County Council is responsible for ensuring that recommendations made in the interests of public safety are carried into effect.

Environmental Impact of the Proposal

10. None.

Risk Assessment

11. As Highway Authority, the Council has a duty to ensure the safety of the travelling public. By pursuing a permanent closure the safety of the public can be reasonably protected. When a road is closed a diversion has to be provided. The current diversion is suitable and sufficient for such purpose (**Appendix 3**).

Financial Implications

12. The cost of the permanent closure is expected to be in the order of £2,000 and can be covered from the existing budget. The County Council may have to contribute to the cost of repairing the highway and/or the dam. This issue will be dealt with in a subsequent report when responsibilities are clearer.

Options Considered

13. The other option is to continue to apply for a series of temporary closures. This is time-consuming for both the County Council and GOSW, as well as having an ongoing cost implication.

Reason for Recommendation

14. An ongoing closure of this highway is required. It is deemed appropriate that the closure be made permanent until such time as the repairs to the dam are completed to ensure its long term stability.

Recommendation

15. That the Director of Environmental Services be authorised to:-
- (i) Consult and advertise the intention to apply to the Secretary of State for Transport for a permanent closure of C105 Braydon Pond, Charlton, until necessary repairs are completed; and
 - (ii) Write to the Secretary of State for Transport, following completion of the repairs, notifying him of the intention to rescind the closure and reopen the highway.

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The following unpublished documents have been relied on in the preparation of this Report:

None