

Mr Huw Merriman MP
Chair, Transport Committee
House of Commons
London
SW1A 0AA

3 June 2021

Dear Mr Merriman

Historical Railways Estate

Further to our previous correspondence, we are writing to inform you of ongoing events relating to a disused railway bridge in Cumbria which serve to demonstrate the unwarranted, reckless and adversarial actions of Highways England (HE) in managing the Historical Railway Estate (HRE) and the impacts these are now having on good people working hard to make a positive difference for their communities.

The Eden Valley and Stainmore railways are heritage operations separated by five miles of disused trackbed. Their longstanding ambition is to unite and extend their lines, creating an 11-mile route between Appleby and Kirkby Stephen, boosting the local economy and introducing tourists to the fabulous landscape thereabouts. This section of trackbed is spanned by a bridge at Great Musgrave.

In 1998, this single-span masonry structure - dating from 1862 - was calculated to have a capacity of only 17 tonnes, but this has no particular consequence as the road which crosses it is narrow throughout, with frequent sharp bends and three humped crossings of the River Eden. It is therefore very lightly used. To prevent heavy vehicles entering nearby Kirkby Stephen, there is already a weight limit of 18 tonnes on a local A-road which has the effect of pushing most heavy traffic onto better/faster alternative routes.

The last detailed examination of the bridge (August 2017) records it as being in Fair condition. The last visual inspection (February 2020) states that it presents "No significant risk" and that "long-standing defects show no evidence of change". These defects are minor, comprising a collection of open mortar joints. The inspector recommended the repointing of these joints at a cost of £5,000. Doing so would increase the bridge's capacity.

However, on Monday 24 May 2021, contractors engaged by Highways England set up site at Great Musgrave and began infilling the bridge. Once complete, the trackbed will be blocked and the railways' plans jeopardised. I have appended two photographs for your reference. The cost of the work is £124,000.

In her letter to the Committee of 16 April, Baroness Vere made a number of comments (reproduced in italics) regarding Highways England's infilling programme. The events in Cumbria reflect an entirely different reality.

"HE's ongoing programme is developed using a risk assessment carried out by its expert engineers."

As Highways England's own evidence reveals, the condition of the structure remains Fair and stable. Despite its reduced capacity, which has been known for the past 23 years, the bridge shows no signs of distress. The inspector's only recommendation was for minor repairs.

There is no engineering or public safety justification for infilling.

"During the course of this [risk assessment] process, where there is an interest to retain access, HE will work to retain this access. Its engagement with local authorities and other stakeholders is part of uncovering that interest where it exists."

Although stakeholders were aware of the threat to the bridge, Highways England has not entered into any dialogue with officers from either the Eden Valley or Stainmore railways with a view to retaining access beneath it. The news that infilling was underway came as a shock both to officers and the dozens of volunteers who have invested time and energy over many years developing plans for the reconnection.

Eden District Council (EDC), the Local Planning Authority, was also unaware of work starting.

"Standard infilling is not irreversible and has been successfully done in the past. If plans in the future emerge to reuse a closed branch line for example, the infill can be dug out."

The planned infilling at Great Musgrave will involve tonnes of aggregate and a 1.5-metre deep foamed concrete plug. The latter will be pumped beneath the bridge soffit and **cannot** be "dug out". It could be removed with breakers, but doing so would likely result in spalling to the bridge's stonework bonded to the concrete. The operation would be difficult, costly, damaging and potentially involve heightened risk if hidden critical elements have deteriorated, transferring load onto the infill material.

When asked about the possibility of removing the infill in the future, the contractor's site manager laughed and said "Good luck with that!"

Raising the funds needed for the railways' reconnection already represents a considerable challenge. The establishment of another obstacle imposes a substantial and unnecessary financial burden, jeopardising the scheme's viability.

"Permitted Development Orders exist in order to prevent an emergency from occurring and it is within this principle that HE would use such powers."

"HE uses permitted development rights (where appropriate) to undertake some but not all of the infilling & demolition schemes where issues of overriding public safety are in play. Most work completed to date has been granted full planning permission."

There is demonstrably no evidence to suggest that an emergency might arise at Great Musgrave bridge. However, Highways England does not have planning permission for the infilling work. Planning officers from EDC have contacted Highways England and asked them to stop, but HE refused citing their right to continue under Permitted Development powers.

A planning application would have exposed the scheme to appropriate public scrutiny, allowing stakeholders to make the case for refusal. EDC has adopted policies to resist development that "leads to direct loss, fragmentation or degradation of green infrastructure" and development that would "prevent the future opening of any road or rail schemes under consideration".

Highways England has circumvented this process through its unilateral actions.

"In HE's experience to date, the difference in cost between strengthening and infilling is marginal. Additionally, strengthening leaves an ongoing maintenance liability which then further increases cost to the public purse."

In November 2019, minor works were undertaken to a similar single-span masonry bridge near Wells, Somerset, resulting in it being removed from the infilling programme. Those works involved repointing and cost £16,000. This sum would likely cover repointing to the Great Musgrave bridge - increasing its capacity - and represent a ~85% saving over infilling.

Baroness Vere's statement does not consider the economic loss - both to the railways and the wider region - resulting from prejudicial infilling. Appropriate management of public infrastructure should involve officials looking beyond their own silos to see the wider social and economic effects of their actions.

Of real relevance to the taxpayer is not the "cost to the public purse" of ongoing inspection and maintenance (which is unlikely to exceed the immediate one-off infilling cost until 2070), it is the **net** gain/loss, taking into account the benefits that would accrue if the railways were able to connect, attracting tourists to spend money with local businesses.

The ongoing intervention at Great Musgrave is a disproportionate, unjustified and destructive act. It will certainly compromise and potentially thwart the future reconnection of the two railways due to its cost and engineering impacts. This is not just a kick in the teeth for the many volunteers who put their heart and soul into these railways; it also represents a blow to the Eden Valley which will miss out on the recognised benefits that a major heritage line brings.

We again urge the Committee to challenge the approach taken by Highways England to its management of the Historical Railways Estate to ensure that every opportunity to derive benefit from these infrastructure assets is supported and secured.

We look forward to hearing from you.

Yours sincerely



Graeme Bickerdike

on behalf of The HRE Group

The HRE Group is an alliance of walking, cycling and heritage campaigners, engineers and greenway developers who regard the Historical Railways Estate's 3,000+ structures to be strategically valuable in the context of future rail and active travel provision.

Copied to:

Baroness Vere of Norbiton: Minister for Roads, Buses and Places

Dr Neil Hudson MP: Penrith and the Border

Liz Saville Roberts MP: Chair, All-Party Parliamentary Group on Heritage Rail

Jason Gooding: Interim Chief Executive, Eden District Council

Nick Atkinson: Planning Services Development Manager, Eden District Council

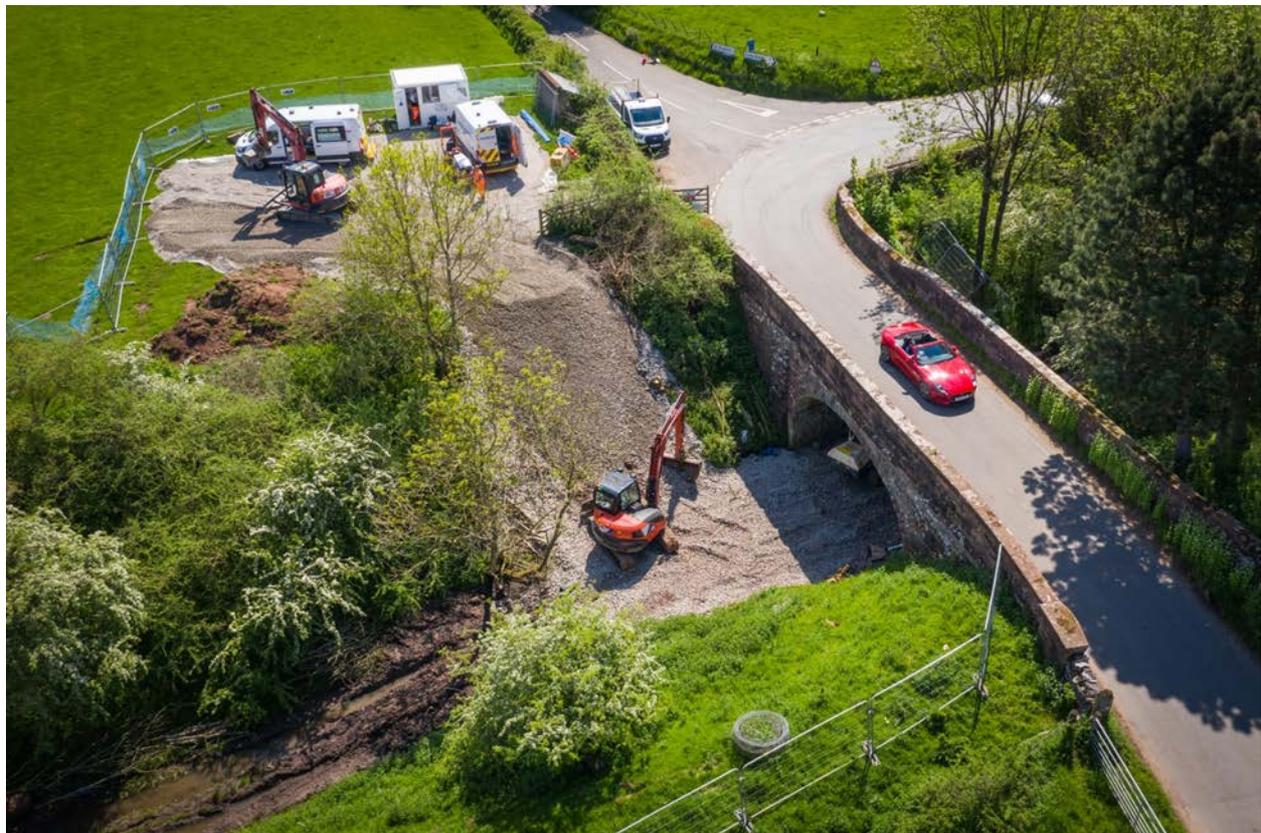
Mike Thompson: Project Manager, Stainmore Railway Company

John Sreeves: Civil Engineering Director, Eden Valley Railway

Cllr Phil Dew: Chair, Upper Eden Railway Heritage Partnership



A photograph showing the bridge, its setting and nature of the road that crosses it.



A photograph showing Highways England's worksite on Tuesday 1 June.