

WITHAM AND HUMBER DRAINAGE BOARDS

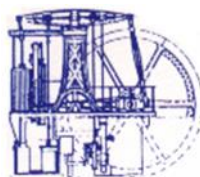
Four independent statutory Land Drainage and Flood Risk Management Authorities working in partnership.



Witham First District IDB



Upper Witham IDB



Witham Third District IDB



North East Lindsey DB

www.witham3idb.gov.uk

Structure Replacement Policy

Background	<p>This document sets out the policy of the four individual boards' concerning the repair or replacement of structures where the integrity of the structure deteriorates to such an extent that it is unable to convey the necessary flow in the drainage channel, or if it becomes unsafe for either vehicle or pedestrian traffic to cross the scheduled watercourse.</p> <p>In the first instance, if a structure has deteriorated to such an extent that it is holding up the flow of water, then the obstruction shall be removed by the Boards.</p>
Statement	<p>The policy formalises the baseline conditions and gives written guidelines for more specific instances. The benefits of the policy are: Fairness and uniformity in the Owner/Occupier contributing to the cost of reconstructing sub-standard structures. The provision of clear guidelines to the Owners/Occupier. Powers are delegated giving a more efficient and timely service.</p>
Responsibilities	<p>Chief Executive for Implementing the scheme Senior management team to review and revision of the policy</p>
Training	<p>As and when required</p>
Equality and Diversity	<p>This policy aims to meet the requirements of the Equality Act 2010 and ensure that no employee receives less favourable treatment on the grounds of gender, sexual orientation, transgender, civil partnership/marital status, appearance, race, nationality, ethnic or national origins, religion/belief or no religion/belief, disability, age, carer, pregnancy or maternity, social status or trade union membership.</p>
Association of Drainage Authorities (ADA)	<p>Local Policy in Line with Lincolnshire Branch Wages and Salaries and Conditions of Service 2020</p>
Dissemination	<p>Board Website</p>
Version	<p>V1</p>
Approval Date	<p>July 2020</p>
Review Date	<p>3 years</p>

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1. PURPOSE

This document sets out the policy of the 4 boards' concerning the repair or replacement of structures where the integrity of the structure deteriorates to such an extent that it is unable to convey the necessary flow in the drainage channel, or if it becomes unsafe for either vehicle or pedestrian traffic to cross the watercourse.

In the first instance, if a structure has deteriorated to such an extent that it is holding up the flow of water, then the obstruction shall be removed by the Board in accordance with the powers within the Land Drainage Act 1991.

2. INTRODUCTION

The structures that will be included in this policy include:

- a) Clear span bridges constructed to take all types of vehicles.
- b) Clear span bridges for pedestrian use only.
- c) Culverts constructed to provide access across the watercourse.
- d) Culverts constructed for the purpose of maintaining the flow in watercourses where there is instability to the banks.

3. THE 4 BOARDS' POLICY

This policy is concerned with the replacement of existing structures only.

The Board has a separate policy which addresses applications to place new structures in/over watercourses.

4. REASONS FOR THE POLICY

The policy formalises the baseline conditions above and gives written guidelines for more specific instances. The benefits of the policy are:

- Fairness and uniformity in the Owner/Occupier contributing to the cost of reconstructing sub-standard structures.
- The provision of clear guidelines to the Owners/Occupier.
- Powers are delegated giving a more efficient and timely service.

However, this policy is not intended to cover every eventuality and the Board (in formal meeting) may waive the policy and make a determination on the basis of reasonable fairness to all parties.

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5. DELEGATED POWERS

Delegated powers are given to the Chief Executive and the relevant Structures or Works Committee Chairmen to reconstruct structures as long as the budgets are not exceeded and the Owner/Occupier pays a contribution towards the cost in line with the guidelines in this policy.

In all other cases, the power to determine applications is delegated to the Structures Committee, the appropriate Works Committee or the Executive Committee, unless a Board meeting is more timely.

6. GUIDELINES

Guidelines are given below on the following types of structures:

- a) Structures carrying Highways maintained by LCC.
- b) Structures used by the Owner/Occupier.
- c) Structures used by both the Board and the Owner/Occupier.
- d) Structures constructed by the Board to allow free drainage of the land.

6.1 STRUCTURES CARRYING HIGHWAYS

It is generally the case that all clear span bridges and culverts carrying LCC highways are owned and maintained by LCC. If replacement is required because the structure is substandard then LCC will be responsible for the total cost of the reconstruction.

6.2 CLEAR SPAN FOOT BRIDGE

It is generally the case that all clear span footbridges which carry footpaths over Board maintained watercourses are owned and maintained by LCC. If replacement is required because the structure is substandard, then LCC will be responsible for the total cost of the reconstruction.

6.3 CLEAR SPAN ACCESS BRIDGE

These in general provide access for farm machinery to fields or to individual properties. They are mostly constructed in large watercourses.

If refurbishment or replacement is required because the structure is substandard, then the Owner/Occupier will be responsible for the total cost of the reconstruction.

These in general will not be used by Board's machinery to gain access to the opposite side of the watercourse.

6.4 STRUCTURES OWNED BY THE BOARD AND USED FOR ACCESS BY THE OWNER/OCCUPIER

These structures are required by the Board as well as the landowner to gain access for maintenance of watercourses.

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The cost of any reconstruction of substandard structures in this category will be paid for by the Board and the structure will remain as a structure to be maintained by the Board.

6.5 STRUCTURE USED BY ALL PARTIES

- a) These structures are required by the Owner/Occupier to gain access to their land and could be used by the Board for their maintenance activities.
- b) If a structure has been inspected and reported as substandard and in need of reconstruction the landowner will be notified in writing in accordance with the powers of within the Land Drainage Act 1991.
 - (i) Provided there is an accepted need for a structure at this location, the Owner/Occupier and Operations Manager will meet to discuss.
 - (ii) After the structure has been reconstructed, it will be deemed that the landowner will be responsible for its future maintenance.
 - (iii) If a benefit contribution cannot be agreed the Operations Manager will send all the relevant information to the Structures Committee for further review and determination.
- c) Before any consideration is given to the reconstruction of the structure, the Owner/Occupier should be approached to ascertain if there is a future need for the structure. Consideration should be given to removing two or more accesses into a field and the provision of one in the future.
- d) A culvert shall be constructed with a top width of 6.0 metres. If the Owner/Occupier requests a culvert with a wider top width, then they shall pay for the total extra cost of this work.
- e) After the culvert has been replaced, the Owner/Occupier will be responsible for any future maintenance, or reconstruction of the structure.
- f) If a structure has been constructed in a Board maintained watercourse, and there is clear evidence that the Board has written to the Owner/Occupier confirming the future maintenance arrangements, then the Owner/Occupier shall be totally responsible for the reconstruction of the structure.
- g) If a structure is removed by the Board because it is holding up the flow of water, and has not been replaced by a new structure within a period of five years, then the offer of contribution will no longer be applicable and the Owner/Occupier will be required to pay the full cost of the construction of a new structure at this location.
- h) If the Board undertake a watercourse improvement scheme which includes the reconstruction of a structure, the Board will pay the total cost of the reconstruction, but the Owner/Occupier will be required to be responsible for the future maintenance of the structure.

6.6 CULVERTS USED FOR FREE DRAINAGE

Examples of these lengths of culverts are: -

- Lengths of watercourse culverted instead of undertaking revetment works.

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- Lengths of watercourse culverted to allow disposal of excavated soil.

If these are the 4 boards' responsibility, and any reconstruction required will be paid for by the Board. Responsibility for the future maintenance of the asset will remain by the individual Board.

Alternatively, if the structure is the responsibility of the owner/occupier and any reconstruction required will be paid for by the Board. Responsibility for the future maintenance of the asset will remain by the individual Board.

6.7 REDUNDANT STRUCTURES

If the individual Board agrees with the Owner/Occupier that a structure is redundant, the Owner/Occupier will be responsible and required to remove.

6.8 FURTHER GUIDANCE

If the Owner/Occupier is unhappy about the circumstances of a particular structure designation, then this should be referred to the Structures Committee for final determination.

Any culvert or free span bridge constructed or modified by a third party will require a Consent under the Land Drainage Act 1991 from the individual Board.