

PRESS RELEASE: Monday 5 December 2022

## **Yorkshire bridge not inspected before emergency infill scheme**

National Highways has been accused of “decision-making by guesswork” after claiming that a historic railway bridge had to be infilled because of a growing public safety risk despite having no recent records of its condition.

Dating from 1846, Rudgate bridge is one of 3,100 legacy structures comprising the Historical Railways Estate, managed by National Highways on the Department for Transport’s behalf. It spanned the dismantled Harrogate-Church Fenton line. To its north-west, the former trackbed is now occupied by Route 665 of the National Cycle Network and there are longstanding plans to continue the route south-eastwards into Tadcaster where it would join Route 66.

On 6 October 2020, consultants acting for the state-owned roads company told Selby District Council that Rudgate bridge presented “an ongoing and increasing risk to public safety” and would be infilled “to prevent an emergency arising”. The structure - which carries a lane that is prohibited to traffic of more than 3 tonnes unladen - had been assessed as having a capacity of 32 tonnes. Work to infill it - costing £133K - began on 8 March 2021 and took five weeks.

However, following a Freedom of Information request, it has emerged that National Highways did not have condition reports for the bridge from either 2019 or 2020, despite being obliged to inspect it every year. The 2018 report described the structure’s overall condition as “Fair”, with some minor defects typical of masonry arches. The examiner’s only recommendation was to repair fencing at a cost of £1K, but a note appended by National Highways’ engineer states “infilling preferable to repairs”.

The work was carried out under permitted development powers that allow temporary interventions in emergency situations threatening “serious damage to human welfare” - avoiding the need for planning permission - but campaigners are questioning how National Highways could invoke them without up-to-date records of the bridge’s condition.

“The structure was fundamentally fine”, said Graeme Bickerdike, a member of The HRE Group of engineers, sustainable transport advocates and greenway developers. “Both the 2017 and 2018 inspections identified some spalled brickwork in the arch, but the photographs are of such poor quality they are worthless for asset management purposes. In any case, spalling is an issue that affects many masonry bridges and can be resolved simply and cheaply, if necessary.

“Without more-recent reports, National Highways had no evidence of deterioration and its claim that urgent work was needed is therefore unsustainable. This was decision-making by guesswork and suggests a destructive culture whereby infrastructure assets were being put beyond use - at great cost to the taxpayer - just to reduce liabilities, rather than on the basis of proportionate risk assessment and value for money.”

Under the powers used by National Highways, any structures built as part of the works should have been removed within 12 months unless the local planning authority had granted written consent for their retention; the land should also have been restored to its previous state. It is understood that National Highways does not have any such consent for the Rudgate scheme and Selby District Council has appointed an enforcement officer to investigate the matter. Nigel Adams, the local MP, has also been contacted.

According to Graeme Bickerdike, "Rudgate bridge was a strong and resilient structure that had been part of the local landscape for more than 170 years. National Highways got rid of it without considering its heritage value or potential for reuse, exploiting inappropriate powers that prevented the public from scrutinising and commenting on the plans. The money wasted on infilling should have been spent on structures genuinely in need of repair."

Since assuming responsibility for the Historical Railways Estate in 2013, National Highways has infilled 51 bridges at a cost of £8.01M. Several were needed for new cycle routes or extensions to heritage railways. The government stepped in to pause the programme in July 2021 after the controversial infilling of a bridge in Cumbria which has to be restored after the local council rejected a retrospective planning application. National Highways has since set up a Stakeholder Advisory Forum to review all proposals for major works to its legacy structures.

--ENDS--

## **Attachments**

RudgateBridgeBefore©TheHREGroup: Rudgate bridge was built in the 1840s and spanned a railway which has been partly converted into a cycle path. (Credit: Robert Matley)

RudgateSign©TheHREGroup: The structure carried a narrow lane which was prohibited to vehicles of more than 3 tonnes unladen. (Credit: The HRE Group)

RudgateBridgeAfter©TheHREGroup: Hundreds of tonnes of aggregate and concrete were used to bury Rudgate bridge in March/April 2021. (Credit: The HRE Group)

RudgateOverview©TheHREGroup: A plan view of the infilled bridge and eastern approach cutting. (Credit: The HRE Group)

RudgateAerial©TheHREGroup: A view looking down the old railway towards Tadcaster. (Credit: The HRE Group)

RudgateInspection©NationalHighways: The 2018 inspection includes one poor photograph of the arch, supposedly showing spalled brickwork. (Credit: National Highways (Public sector information licensed under the Open Government Licence v3.0))

(Higher resolution versions of the above photographs are available on request)

SupportingDocuments (PDF): Jacobs' letter to Selby District Council (SDC) on 6 October 2020; National Highways' 2018 inspection report; Class Q emergency development powers; the letter to The HRE Group from SDC's planning team.

The assessment recording Rudgate bridge's capacity at 32 tonnes is available via this link.

[https://hre.s3.eu-west-2.amazonaws.com/cfh1\\_12\\_Rudgate+Road\\_32+tonnes.pdf](https://hre.s3.eu-west-2.amazonaws.com/cfh1_12_Rudgate+Road_32+tonnes.pdf)

A map showing the 51 structures infilled by National Highways is available via this link. The cost of each scheme and the planning requirements can be found by clicking on the icons.

<https://www.google.com/maps/d/u/1/edit?mid=1owQSnow1Yj5taYxkzBybTFvnHyxIwWc>

## Contact details

Media enquiries: [campaign@thehregroup.org](mailto:campaign@thehregroup.org)

Twitter: @theHREgroup

Facebook: @theHREgroup

## Notes for editors

The Historical Railways Estate (HRE) is owned by the Department for Transport (DfT) and managed on its behalf by National Highways (NH). NH is responsible for inspecting, maintaining and limiting the liability associated with around 3,100 disused railway bridges, abutments, tunnels, culverts and viaducts.

Although transport policy is largely a matter for the devolved administrations, around 19% of the HRE structures are in Scotland and 11% in Wales. These remain under NH's management.

National Highways operates under a Protocol Agreement with the Department for Transport which sets out its obligations in relation to the safety, inspection, maintenance, disposal of the structures, the maximisation of rental income and reduction of risk. Its remit was formerly fulfilled by BRB (Residuary) until its abolition on 30 September 2013.

In 2020, National Highways awarded framework contracts to six companies for works on HRE structures with a headline value of £254M over seven years. It also agreed a professional services contract with Jacobs, worth £31.9M over ten years, and two contracts for inspections/examinations with a value of £18M over ten years.

In January 2021, it was revealed that 134 structures were at risk of demolition or infilling. These were located in East Anglia (12), East Midlands (4), London and the Home Counties (8), Northern England (16), Northern Scotland (8), North-West England (3), South-East England (11), Central/Southern Scotland (19), South-West England (24), Wales (5), West Midlands (16) and Yorkshire & Lincolnshire (8).

National Highways now claims that the threat of infill or demolition has been lifted from all these structures and any future major works will be the subject of review and consultation with its Stakeholder Advisory Forum, established in October 2021.

A map showing the broader threat to HRE structures - including those that have failed assessments - is available via this link...

[https://www.google.com/maps/d/u/0/edit?mid=1LVvKXUS\\_a66LGzG8mPNLZaRpz2hw3ioe](https://www.google.com/maps/d/u/0/edit?mid=1LVvKXUS_a66LGzG8mPNLZaRpz2hw3ioe)

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

The following local authorities have told National Highways that planning permission is required for bridge infilling schemes: Aberdeenshire, Angus, Cheshire West & Chester, Essex, Glasgow, Gloucestershire, Herefordshire, Hertfordshire, Leicestershire, North Ayrshire, North Yorkshire, Northumberland, Perth & Kinross, Powys, Shropshire and Stratford-upon-Avon. Others have raised objections or imposed specific constraints.