

CARLISLE CITY COUNCIL

Report to:- **Carlisle City Council**

Date of Meeting:- 4th May 2010

Agenda Item No:-

Public

Title:- **PETITION RELATING TO WAVERLY VIADUCT**

Report of:- **Assistant Director (Economic Development)**

Report reference:- **ED.01/10**

Summary:-

A petition has been submitted to the City Council requesting that the City Council and/or Cumbria County Council enter into discussions with the landowner of the Waverly Viaduct with an intention to purchase the viaduct in order to create an environmentally friendly route across the River Eden.

Recommendation:-

That discussions are undertaken with the County Council as to the future options and potential role for the Viaduct in the transport network around Carlisle. The portfolio holder and a representative of the organisers of the petition are to be involved and kept informed of progress.

Contact Officer: Chris Hardman

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Chris Hardman

Assistant Director (Economic Development)

21 April 2010

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: Petition

1. BACKGROUND INFORMATION AND OPTIONS

The Waverly Viaduct was constructed as part of the line from Carlisle to Edinburgh which closed to trains in 1969 and the Waverly route is now disused. The railway track has been removed but the bridge remained and was Listed as of Special Architectural or Historic Interest in 1996, Grade II.

The Viaduct remains in the ownership of the British Railways Board and has been used by local people as an informal crossing point for the River Eden. Parts of the parapet are crumbling and in need of repair which is the owner's responsibility under the requirements of Listed Building legislation but concerns about public access and safety have prompted the owners to fence either end of the bridge in an attempt to deter access.

A retrospective planning application was submitted on the 15th December 2009 for temporary consent for the existing steel palisade security fences located at each end of the Viaduct. Temporary permission was granted after consideration at Development Control Committee on the 15th March and valid until the 31st March 2011. During the Committee's consideration a petition was mentioned and was separately submitted to the Council at the beginning of April.

The petition is attached to this report and comprises 554 signatures. There are additional petition sheets with the organiser as well as an on-line petition.

The petition requests that "Carlisle City Council and/or Cumbria County Council enter into discussions with the owner of the Waverly Viaduct to agree the purchase of this "listed" structure, formerly a railway viaduct on the disused Waverly Route to Edinburgh. This purchase would enable the development and construction of an environmentally friendly route across the River Eden on the western side of Carlisle, and would provide an interim traffic free Connect2 river crossing for walking and cycling." Further, they request "That the viaduct is restored and maintained in a state which befits a Grade 2 listed structure to secure its future use as a means of access. That the Council's do apply for financial assistance from the Heritage Lottery Fund, Sustrans or other Governmental/European Source for funding the restoration or as part of a "Renaissance" scheme. That discussions are held with local landowners to establish suitable approach routes to the viaduct for walking and cycling."

This petition raises a number of issues in relation to who should own the Viaduct and what its future role should be which require further consideration. It highlights the existing condition and future maintenance of the Viaduct alongside whether it forms part of the footpath or Sustrans network. This raises issues for a number of organisations who may

have an interest in the Viaduct many of whom are referred to in the petition. The petition has been submitted to the City Council and an initial stage would be to enter into discussions with the County Council on the future options for the Viaduct. It would be prudent to do this whilst the temporary planning consent is in place to assist in any longer term solution post 31st March 2011.

2. CONSULTATION

2.1 Consultation to Date.

The petition and covering statement has been made available by the organisers with the vast majority of signatories residents of Carlisle.

2.2 Consultation proposed.

No further consultation is proposed.

3. RECOMMENDATIONS

Discussions are undertaken with the County Council as to the future options and potential role for the Viaduct in the transport network around Carlisle. The portfolio holder and a representative of the organisers of the petition are to be involved and kept informed of progress.

4. REASONS FOR RECOMMENDATIONS

In recognition that a longer term solution needs to be found for the Waverly Viaduct

5. IMPLICATIONS

- Staffing/Resources – Some staff resource will have to allocated to continue these discussions and will involve staff in different directorates.
- Financial – Future options arising from any discussions will have to be appraised for their financial implications
- Legal – There is currently an obligation on the owner to ensure that the Listed Building is maintained but no legal obligation to allow public access.
- Corporate – Future consideration will take into account the Council's priorities.
- Risk Management – Risks will have to be identified arising from future discussions

- Equality and Disability – If as requested in the petition access was provided it would have to ensure Access for all.
- Environmental – The petition refers to the provision of a sustainable route and links to the Sustrans route which may generate sustainable travel
- Crime and Disorder – There have been concerns about vandalism to the fences at either end of the Viaduct resulting in the recent planning application
- Impact on Customers – The petition has arisen from the Council's customers and this would take forward concerns they have raised