

## **Delegated Decision**

**1 May 2019**

**Principal Inspection to Cockton Hill  
Railway Bridge (Overbridge DAE2/10) –  
Road over Rail**



## **Ordinary Decision**

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### **Report of Regeneration and Local Services**

**Brian Buckley, Strategic Highways Manager**

#### **Electoral division(s) affected:**

Bishop Auckland Town and Woodhouse Close.

#### **Purpose of the Report**

- 1 The purpose of this report is to approve a contractual agreement between Network Rail and Durham County Council to allow a principal inspection to be undertaken to Cockton Hill Railway Bridge (Overbridge DAE2/10).

#### **Recommendation**

- 2 To approve a Basic Asset Protection Agreement (BAPA) with Network Rail.

#### **Background**

- 3 The council is responsible for maintaining structures in its ownership across the county. The highway structures are predominantly road over road or road over water but also include a number of road over rail structures.
- 4 In order to carry out the principal inspection to Cockton Hill Railway Bridge access is required to operational railway land.
- 5 The council are required to enter into a BAPA with Network Rail for the provision of safety management to enable the proposed inspection to be carried out in proximity of the operational railway.

- 6 Due to the nature of the works/inspection it will be completed by a specialist sub-contractor appointed and managed by the council's highway services team.

### **Options**

- 7 There are no other options that can be considered as an alternative. To undertake the principal inspection to Cockton Hill Railway Bridge access is required in proximity of the operational railway. To gain access the council has to enter into a BAPA with Network Rail.

### **Main implications**

- 8 Without the BAPA in place the council would be unable to enter Network Rail land to undertake the principal inspection Cockton Hill Railway Bridge.

### **Conclusion**

- 9 Permission granted to enter into a formal agreement with Network Rail through a BAPA to allow the required inspection to be programmed and completed.

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## **Appendix 1: Implications**

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### **Legal Implications**

The council as highway authority has a statutory duty to maintain the highway including its structures. The identified inspection is required to ensure that the bridge remains safe for use and does not present a risk to both highway and rail users. Without the BAPA in place the council would be unable to enter Network Rail land to undertake their statutory duties for inspection purposes.

### **Finance**

Costs for the BAPA are to be met from the council's structures capital budget.

### **Consultation**

None.

### **Equality and Diversity / Public Sector Equality Duty**

None.

### **Human Rights**

None.

### **Crime and Disorder**

None.

### **Staffing**

The inspection would be undertaken by the council's highway services team utilising specialist sub-contractors where necessary. Network Rail staffing/monitoring will be provided as part of the BAPA.

### **Accommodation**

None.

### **Risk**

The non-completion of the inspection may have an impact on the safety of rail users/highway users.

### **Procurement**

A variation to contract has been sought to enable the BAPA to be put in place.