

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE – 9 MAY 2000

DAMAGE TO BRIDGE NO. C104/20, WINDYHILLHILL ROAD RAILWAY BRIDGE, NEWMILNS

Report By Director of Development Services

1. PURPOSE OF REPORT

- 1.1 To advise the Council of the current progress of negotiations with AXA Insurance, acting on behalf of the haulier who caused the damage to Windyhill Road Railway Bridge.

2. BACKGROUND

- 2.1 This bridge spans the dismantled Hurlford/Darvel/Strathaven railway line. It is a two span bridge and is used by Vesuvius UK as an underpass below Windyhill Road to access their stockyard and storage facilities, thereby reducing traffic flow on Brown's Road.

The bridge is owned by East Ayrshire Council as is the area of land directly below the bridge.

- 2.2 As a result of the national assessment programme a weight restriction of 7.5 tonnes was applied to this bridge, although the assessed capacity is only 3 tonnes. The bridge was monitored on a 3 monthly basis as part of the normal procedure for structures that have failed their assessment.
- 2.3 There have been reports of this bridge being struck in the past by vehicles moving below.
- 2.4 Following damage to one span by a vehicle passing below this bridge on 25 August 1999, the road was closed to all traffic except pedestrians. Access below the bridge was also closed. The insecure parts of the deck have been stabilised by temporary propping and pedestrian access has been directed well away from the damaged section of the bridge.
- 2.5 The Council immediately proceeded with Statutory Emergency Road Closure Notices and then applied a Temporary Road Closure Order extending to 18 March 2001 to allow for repairs to be completed.

3. OPTIONS FOR REPAIR

- 3.1 In instances of damage to structures as a result of Road Traffic Accidents, the damage is repaired and the cost is rechargeable to the relevant insurance company. Following immediate enquiries to ascertain the responsible party and

obtain details of their insurers, a response was eventually received on 19th November 1999 from AXA Insurance.

- 3.2** Meanwhile several options for repairing the structure were investigated. One of the options pursued was the design and construction of a replacement bridge, jointly funded by East Ayrshire Council, Vesuvius (UK) Ltd and Enterprise Ayrshire. This option however proved to be unacceptable to Vesuvius (UK) Ltd.
- 3.3** In this case as the damage was more extensive than normal advice was sought from the Risk and Insurance Manager, Finance Department who contacted AXA Insurance. They responded on the 29th February 2000 through the loss adjuster, Cunningham, Ellis and Buckle, who was acting on their behalf, requesting that East Ayrshire Council forward a specification and an estimate of repair costs to them.
- 3.4** There has at present been no admission of liability by the insurance company.
- 3.5** Details of the accident and the claim against the insurance company have been forwarded to the Legal Services, Chief Executive Department, for their advice.
- 3.6** Consulting Engineers Halcrow Crouch were appointed by East Ayrshire Council on the 17th February 2000 to prepare a Designs Options Report which would outline several repair proposals with an estimate of their costs.
- 3.7** The loss adjuster has been sent a copy of the Design Options Report, and has been requested to give permission for the Council to proceed with one of the options which would involve infilling part of the structure.
- 3.8** Once permission has been granted, approximately 4 months will be required for the completion of the design, preparation and issue of tender documents, assessment and award of tender and completion of the works, after which the bridge will be reopened to vehicular traffic.

4 FINANCIAL IMPLICATIONS

- 4.1** If AXA Insurance admit liability then there should be no cost to the Council.

5. LEGAL IMPLICATIONS

- 5.1** The maintenance of this bridge and the roadway carried is the responsibility of the Council.
- 5.2** Legal Services advised that the action taken in 3.3 was to be carried out as soon as the Design Option Report was received.

6. RECOMMENDATION

- 6.1** It is recommended that the Committee note the contents of this report.

Stephen Chorley
Director of Development Services

PL/NP
19th April 2000

LIST OF BACKGROUND PAPERS

- 1 Windyhill Road, Newmilns – Closure at Vesuvius. Development Services Committee – 31 August 1999.**
- 2 Design Options Report, Halcrow Crouch, dated April 2000**

For further information please contact Pete Longman on 01563 576310

AGENDA