

# RIBBLE VALLEY BOROUGH COUNCIL

## REPORT TO COMMUNITY SERVICES COMMITTEE

INFORMATION

meeting date: TUESDAY 11th JANUARY 2022  
title: TOOTLE HEIGHTS QUARRY TUNNEL, LONGRIDGE  
submitted by: JOHN HEAP – DIRECTOR OF COMMUNITY SERVICES  
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### 1 PURPOSE

1.1 To provide Members with some background of the above tunnel.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – To sustain a strong and prosperous Ribble Valley.
- Corporate Priorities – To protect and enhance the existing environmental quality of our area.

### 2 BACKGROUND

2.1 The entrance to the tunnel is located at the edge of John Smiths playing fields, the site of a former sidings for the Tootle Quarry railway. The site, including the tunnel was conveyed between British Transport Commission and The Urban District Council of Longridge.

It was originally considered that Ribble Valley BC were responsible for the maintenance of the part of the tunnel which passes from the portal at the edge of the playing fields to the edge of Chaigley Road with the remainder being the responsibility of Lancashire County Council as the tunnel supports their highways.

The structure was built as part of the Preston to Longridge Railway Company's line from Tootle Height Quarry in 1839 and the portal is Grade II listed.

The opposing end is located in a privately-owned caravan park and is currently blocked up and inaccessible to the general public.

Damage to the tunnel was found following a 6 monthly inspection regime by the Council's Engineers Section.

Following a report to CMT it was decided that a specialised company be employed to survey the tunnel and assess the damage and any necessary repairs.

Lancashire County Council were contacted to determine their responsibility for the tunnel as it is located under two adopted highways. They denied any responsibility as in their opinion the whole of the tunnel was the responsibility of the council.

At this point the Councils Legal team were approached to give an opinion. This was as follows:

The part of the tunnel that is within the ownership of RVBC was conveyed by a Conveyance dated 25 July 1960 made between British Transport Commission and The Urban District Council of Longridge, it extends up to the boundary with Higher Road and includes the adopted roadway that is now Chaigley Road and the land adjacent to 84 Chaigley Road that is the extent of RVBC ownership.

The 1960 Conveyance also provides reservation of Mines and Minerals and also “RESERVING to the Vendor a full right and liberty for the Vendor and its Successors in Title with or without workmen at all reasonable times to enter upon the property hereby conveyed and into the tunnel situate at the south easterly end thereof and under the adjoining road as shown by yellow colour on the said plan so long as the said tunnel is still in existence for the purpose of inspecting maintaining repairing and filling in that portion of the said tunnel which is under the adjoining property beyond the said road and also for the purpose of removing railway tracks in existence on the said property”.. this seems to confirm the continuing responsibility of the Vendor to the maintenance of the remainder of the Tunnel at that time.

The part of the tunnel under the adopted Higher Road is not shown as registered at Land Registry and the piece of Land adjacent to and on the east side of Higher Road is also not registered

The tunnel also extends as far as the Caravan Site which is registered under title number LA618599

The Tunnel Portal at the RVBC owned end is Grade 2 Listed by Historic England Former disused Tunnels, Bridges and other Assets of the former British Railways Board that had not been sold off or transferred to other Public Bodies or Public Authorities were previously vested in a Government owned Company called BRB (Residuary) Ltd which was abolished on 30 September 2013 via SI 2314 of 2013 when assets became the responsibility of various bodies such as Highways England Historical Railways Estate and others.

Historically parts of Assets that are not owned by Public Bodies / Authorities have been the responsibility of Highways England Historical Railways Estate.

Unfortunately, when Highways England Historical Railways Estates were contacted it was clear that they believed that they don't have any responsibility for the Tunnel and that the responsibility for the Tunnel is with RVBC for part of the Tunnel and some other unknown owner for the eastern part nearest the Caravan site and the council don't have any other evidence that it can put forward.

We have now concluded that the eastern end of the tunnel including the portal are the responsibility of the caravan site and we have written to them informing them of this fact. We have to date had no response.

As well as the eastern end of the tunnel and the portal being someone else's we have concluded that the retaining walls above the portal are the responsibility of either LCC or the caravan park. We have not yet notified them of this, but the walls need some attention.

### 3 ISSUES

#### 3.1 The original inspection of the tunnel was carried out by the specialist consultant on the 5<sup>th</sup> June 2020.

The survey stated that if the elements of the tunnel belonging to others is removed then the costs for the works being the responsibility of the council would be in the region of £10k.

From the previous report there was also identified a potential problem with the portal foundation at the John Smiths end of the tunnel which would be the council's responsibility.

Following the CMT in July it was decided that the tunnel consultancy should be approached again, and a price obtained for the reinspection of the tunnel and also any investigation works that might be needed for the listed portal.

A quotation for another inspection to review the previous defects; the production of scheme drawings and specification in sufficient detail for the council to go out to tender for the remediation works was sought.

This will include the works necessary to the portal. It is noted that the remedial works required may affect the appearance of the portal and therefore may require listed building consent. The cost does not include the cost of the listed building consent application.

The costs for the above have been given as £4790.

Obviously, this does not include the actual works required to the tunnel and the portal, but it is the first step required to sort out the current issues.

The quotation does qualify that the works could be carried out in a years' time, but the recommendation is that the works go out to tender as soon as the council is able to secure the necessary funds to carry the works.

The follow up investigation works started on the 9<sup>th</sup> December 2021.

#### 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources –The cost of the next inspection and works outlined above which will have to be found from existing budgets.
- Technical, Environmental and Legal – The Council are responsible for the integrity of the quarry tunnel and would be liable for any damages should it collapse.
- Political – None arising as a direct result of this report.
- Reputation –None arising as a direct result of this report.

#### 5 CONCLUSION

5.1 Committee will note the contents of the report and the possibility of further works being necessary to keep the tunnel and the area of land it supports safe and sound.

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