

Upton Bishop Parish Council (UBPC)

Drainage, Ditch and Grit Bin Survey with Balfour Beatty (BB)

15th February 2021

Introduction – Ditches and Grips

On Friday 15th January, Balfour Beatty representatives Paul Hunter and Neil James met with members of the Upton Bishop Parish Council, Keith Cornwall, Alison Feist, Mike Robins and Brian Spencer. The purpose of the visit was to:

a) Highlight to BB the lack of maintenance that has been carried out around just a section of the Parish (as an example of our problems) that has contributed to flooding during recent heavy rainfall. This flooding has been made worse due to water not being able to enter ditches and gullies because of the lack of grips and the lack of cleaning and jetting of gullies.

See Appendix

- b) Review the condition of the drains and gullies through Upton Crews, around Crow Hill, at Tanhouse and Phocle Green. Interestingly, only two days prior to the meeting, BB sent a jetting vehicle to attend to some of the issues on the Upton Crews section of road known as Church Road ahead of our walkaround. Despite this many of the gullies were still full and unserviceable on the day.
- c) Discuss the problems encountered at Powell Croft sewage treatment works over Christmas – Paul Hunter originally stated this was nothing to do with him (this was a fair comment as he is part of the Highways Team), but we discussed it on the day, and this clearly is a huge issue that a part of BB is responsible for although it is unclear who.
- d) Review the state of grit bins in light of the 'audit' carried out by BB in 2019

Summary

The meeting did not start well. Paul Hunter and Neil James did not think they needed to introduce themselves when they arrived which created tension from the start. It was left to us to ask for introductions.

From the very first question they were asked about ditch clearance it was apparent that they would not listen to reasonable argument. When asked to discuss the HC/BB document about responsibility for ditch maintenance, Paul Hunter just dogmatically restated the position that all ditches are the responsibility of the adjacent landowner, even though the document referred to clearly does not state this. As we had no representative from HC present, we were just left arguing with the people paid to carry out the work with nobody to act as arbitrator. This caused a lot of tension and frustration during the early part of the meeting and tempers were raised on both sides.

3-Monthly Inspections

All of the work we asked BB to look at should, we understand, be routinely reviewed by the Locality Steward on his 3-monthly inspection of the Parish. It is unclear what the Job Description of the Locality Steward entails. Clearly, if he is

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carrying out a 3-monthly inspection as he tells us, it would seem appropriate that he check the gullies, ditches, grips and salt bins as, after the roads themselves, these are the key assets paid for and owned by HC. None of these assets appear to be on the 3-monthly inspection. Further, any obvious potholes and roadside degradation due to water erosion should be reported but it has become the norm now to simply wait until these are reported by members of the public or the PC. It does rather feel as though we are doing his job for him. There are several examples of severe roadside erosion on B roads that presumably will stay there until we report them.

It is clear from the Locality Steward's report that he is very busy, we are just not sure he is busy doing the job he is paid for by the Parishioners.

Standard of Workmanship and Cost Effectiveness

BB seem to have their own idea on what standard of workmanship and service provision they are required to deliver. This is somewhat at odds with the standards that the people who pay for these services expect. This is a view held by PC Chairmen from across the County and it would be useful if HC gathered feedback from PC's on the performance of BB. We need HC to monitor what BB are doing to ensure that we are getting the service we are paying for; and that BB tendered to deliver. An example of this is the work they have done clearing grips that we identified needed doing. The workmanship was untidy, inconsistent and carried out in an inefficient and costly manner. We invite any Road Engineer from HC to come and inspect some of BB's recent reinstatement. It is not properly compacted nor well finished, and in one recent case may be preventing the road surface water from draining off the carriageway. This constant attention to filling potholes is not attending to the root cause of the problem.

Progress Since Meeting

Four weeks have elapsed since the site meeting. As of 15th February:

1. Neil James does not appear to have visited the two locations he was asked to, or if he has, no jobs have been raised for additional grips
2. On 8th February in a phone call to the Clerk in response to concerns raised with HC, he boasted that BB had dug 24 grips not 11. On review on the 9th February, we counted and photographed 23 grips of which 4 had previously been dug by the PC Chairman and the Lengthsman to avert flooding at Christmas. BB had dug 19. (He told us that water was flowing well through the ditch and was clearly trying to claim credit for someone else's work). It should be highlighted that their work took 6 men half a day using a machine, approximately one every 10 minutes. With one man on the machine and one on a Stop/Go board, it is unclear what the rest were doing. They have been cut inconsistently, some at 90 degrees and some at a more sensible 45 degrees to aid water flow. It is unclear if there is a standard

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size, shape and preferred angle for grips as everyone is different. All spoil has been dumped at the roadside where it will wash back into the ditch or onto the road. In truth, not much to boast about. It is unclear how BB will be paid for this work, but it is a concern they may be paid for work undertaken by others.

3. There appears to have been no logical thinking applied to siting the grips. In one case the grip has been cut only a few feet above a gully which would be there specifically to drain the road. In other cases, areas of severe road edge erosion indicate quite clearly where a grip is required to divert the water off the road, but this has been ignored. It does raise the question as to whether anyone involved in this process has received any proper training
4. There has been no review of grips elsewhere in the Parish. At the very least it would have made sense to compile a full list of missing grips and make a full day's work for the BB team rather than just sending them for half a day which is costly and inefficient for the parishioners who pay for the service
5. Work carried out at Phocle Green was not as agreed with the landowner
6. The PC has started work on a record of the ditches and newly cut grips. As these grips form part of the road drainage system, they should be considered under NRSWA as part of HC records. As far as we know, BB kept no record of the locations, size, depth or angle of the new grips.

Overall, little has been achieved by BB since our meeting in January. Some mediocre work on grips has been carried out but nothing else. Given that 4 PC members gave up their entire afternoon, it would be reasonable to expect the county's paid contractor could have produced some better results.

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Appendix

Grips and Drainage Ditches

The group walked from the Millennium Hall on the edge of Crow Hill along the B4221 to Hilltop identifying a number of issues along the way.

At the Hall, it was identified that a ditch had been cleared and new grips dug by the Parish Chairman and the Lengthsman to alleviate an urgent flooding problem. A disagreement ensued between BB and UBPC about the ownership and responsibility for clearing this particular ditch which is the subject of a separate debate; but suffice to say, water was flowing freely off the road and into the ditches on both sides of the road as a result of the work that they alone had undertaken. It was pointed out, and subsequent video footage has shown, that neither of these ditches were receiving water from the adjacent field. They appear to be there solely for the purposes of draining the highway.

Regardless of this, the Highway Authority (Herefordshire Council not BB as was intimated), have the right to divert surface water into these roadside ditches. The primary problem along the B4221 and the B4224 is that grips (shallow roadside trenches) must be cut through the grass verge to allow this to happen. There is no dispute that these grips should be cut and maintained by BB on behalf of the HA, and it is unclear why this has not been done for many years, probably not for more than 10 years according to residents who have lived here for longer than that.

At this point it should be noted that every 3 months the Locality Steward visits every Parish and is required to make a note of all the jobs that BB need to undertake. Despite this, the grips have remained uncut and, in most cases, barely visible, for many years. If inspecting the grips is not in the job description, then clearly it needs to be. Neil James informed us that he has been doing the job for 6.5 years. At no point in that time has he ever, it appears, reported on the lack of grips; a specific job that BB are supposed to carry out and presumably have been paid for.

Walking from the Millennium Hall to Hilltop, we pointed out time and time again the lack of grips on both sides of the road and the significant damage to the roadside edges that had resulted from surface water not being able to escape into the ditches. The BB attendees were of the opinion that the damage we were pointing out was not to the carriageway but was simply verge erosion. Anyone can freely walk along the B4221 today and see this is most definitely not the case. Photograph 1 gives a perfect example of the point we were making. The edge of the road can be clearly seen eroded but we were told that this is verge erosion.

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Photograph 1



Clearly whoever laid the road surface put a kink in the edge deliberately. To clarify, two of the UBPC group are Chartered Engineers and felt reasonably competent to comment on these matters. Despite this, our views were simply dismissed as irrelevant. The two BB personnel who attended revealed that they were both ex-police officers, so it is unclear what qualification or expertise they had to offer. This was a perfect example where on several occasions, they were clearly not going to agree with us regardless of the evidence.

Also noted was the fact that culverts under access tracks to fields were lost and certainly blocked, potentially at three locations; two opposite Felhampton; one at the end of the ditch running down from Hilltop (about 200 metres down) at Woodley Gate; and one at Hilltop itself. At Hilltop and Felhampton Farm the road regularly floods across the entire carriageway adjacent. This results in a serious road traffic risk. Water regularly flows down the sides of the roads causing the damage described.

At Felhampton, Neil James of BB tried to blame the adjacent landowner for the problem. The two Engineers pointed out that there was a perfectly adequate ditch for the landowner's purposes which was, in fact dry. His assertion was that it was

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the landowner's responsibility to make the ditch deeper to drain the road. In other words, this was not BB's problem, something we vehemently disagreed with as this is a road draining issue and not a land draining issue. This arrogant and stubborn attitude is extremely difficult to deal with without an arbitrator and has been referred back to HC with video evidence. They also tried to claim that the ditch adjacent to the new Welsh Water installation was full of spoil dumped by them. This was clearly untrue but again, the ditch needed lowering to allow water to flow freely and a grip needed adjacent to the access. Again, there is video evidence of this.

At Hilltop, it was claimed that 'BB had previously had a look', but never located a culvert under the Tee Junction, a C road that leads to Upton Crews. Given the gullies, drains and ditches around the Parish, it is difficult to understand why there would not be a culvert here and we asked for further investigation.

At the third location, BB noted that they need to look for the culvert.

Neil James noted that 11 grips would be cut although this seemed insufficient at the time given that several grips had already been cut in the vicinity of the Millennium Hall by the Lengthsman during the flooding. However, until there is heavy rainfall, it is difficult to know if this would resolve the flooding problem.

Before BB left, Neil James was asked to visit two other problem spots in the Parish as there was insufficient time to left. These were on the B4224, one between Crow Hill and the M50 underpass and the other at the brook crossing on the B4224 heading to Old Gore. Both these areas have also been flooding badly during heavy rainfall.

On Monday 1st February, BB sent a team to the Parish. We believe 5 to 6 men were sent with a digging machine. One operated the machine, one the stop/go board. It is unclear what the others did. In the afternoon, I took photographs of some of the work as they had finished by lunchtime and left. To say the results were disappointing is an understatement and copies of the photos were sent to HC to make our point following our PC meeting on 2nd February.

1. The grips themselves have been cut but instead of the spoil being removed or spread evenly along the grass verges, it was simply heaped on the grass verges where the next rainfall will wash it back into the ditches or onto the road; neither of these is acceptable, never mind the appearance. Some grips are cut at 90 degrees rather than 45 degrees which are less effective. There seems to be no standard methodology or approach.
2. The ditch at Felhampton remains at the same depth so the road cannot drain properly. As a machine was on site this could have been cleared in a few minutes.
3. The ditch BB claimed had been filled by Welsh Water was emptied but no grip cut.

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4. The culvert under the public footpath at Felhampton was exposed but no attempt made to clear it so no water can possibly flow through it. This means that water flowing down the ditches as a result of the new grips will just flood back onto the road. The second culvert under the field access adjacent to the footpath has not been exposed.
5. At Hilltop, it had been agreed that the top of the ditch would be opened with a grip to allow water to flow into it from the C road. This has not been cut in the way agreed.
6. It was agreed that an attempt to find the culvert across the C road would be made by digging deeper than previously. There is no evidence that any such work has been undertaken.
7. It was agreed that an attempt would be made to find the culvert under the 3rd location, the footpath at Woodley Gate. Whilst a grip has been dug into the ditch at this point, there has been no obvious attempt to find the end of the culvert.
8. No grips were dug into the ditch between this point and Hilltop meaning that all road water would continue to erode the road edges.
9. The B4224 flooding referred to above does not appear to have had any work done on it although grips would probably alleviate the problem. No work details appear to have been raised.
10. Water continues to flood upwards out of the drain system at the brook crossing on the B4221 Old Gore road. No grips have been dug at the brook. No work details appear to have been raised.

It is unclear if BB visited either location as asked.

We know the team sent to dig the grips left by lunchtime and this is clearly an extremely inefficient and costly way for BB to allocate work. Whilst we highlighted work that needed doing, BB have a duty of care to work efficiently and cost effectively. If this team was sent out specifically to clear grips, then it is reasonable to believe that they would have scheduled a full day's work in the Parish and cleared all of the grips on the B4224 and 4221, not just the ones the Parish Council pointed out to them. It was incumbent on the Locality Steward to identify a full day's work for this team to deliver cost effective service. This is just another example of BB failing to do their job properly and the parishioners of the county are paying for it by inefficient working practices. It is unclear how this team is supervised or how the work was specified given the random way in which it has been undertaken.

After referring our concerns back to HC on 8th February, we received a phone call from Neil James to discuss our comments that we were not happy with the work

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carried out. The conversation was a little acrimonious. It is clear from his attitude that he does not feel we have the right to interfere with BB work and certainly should not be complaining about poor workmanship, even though it is us that are paying for it. I got the impression he felt as though BB were doing us a favour.

In summary our discussion went as follows:

1. I commented that at our PC meeting everyone was concerned about the poor workmanship at the grips. I was told that this is just the way that BB do it and we would just have to accept it. I do not feel this makes it right and it is unclear who is supervising this work; if anyone. As the client, HC should have a view on this and we invite someone to inspect the work.
2. He went on to say that now BB had cleared the grips it was up to our Lengthsman to maintain and keep them clear. Given that we have been told by BB that our Lengthsman is not allowed to work on B roads it is unclear why he believes this to be the case. Neither do we have funds in our precept for this. It is clear that grips on B roads are not our responsibility and should be funded by BB. Despite this, we had to carry out emergency work to alleviate flooding on the B road, something the PC has paid for and should be reimbursed.
3. He made the point that they had not cut 11 grips as 'agreed', but 24. I commented that we were, indeed, incredibly grateful for the work they had done, but if it proved that we needed more the quantity was totally irrelevant. As there is no record of where grips have ever been previously cut, I pointed out that we would need to keep cutting them until our roads stopped flooding, a point he clearly disagreed with. Apparently, we are on some sort of ration scheme the details of which only BB are privy to.
4. He stated it was pointless cutting grips on the Hilltop ditch as they had not been able to locate the culvert under the field access. I do not know how to respond to this. The attempt to find it was woefully insufficient and this used as an excuse not to cut the grips we needed further up. There seems to be no interest in getting the job done properly.
5. When I asked about the culvert at Hilltop, he informed me there was not one. No attempt to find one had been made so I am unclear how he has come to this conclusion. Until a proper deeper excavation is made either side of the C road, it is impossible to make such an assertion and, again, they have just walked away from the problem.

By this time, he was clearly getting very agitated and I stated that we would have to agree to differ on these issues and we would make appropriate representations back to HC. He clearly was not happy with me and the criticisms, but as I pointed out, these were the collective views of our PC, not just my personal opinions.

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He closed the conversation by telling me that he was actually on site outside the Millennium Hall next to the ditches where several grips had been cut and the ditch cleared; water was running freely. I pointed out that these were the ditches and grips cut and cleared by our Chairman and our Lengthsman during the floods and that the work had nothing to do with any contribution by BB. At that point he got extremely defensive and said I would need to send our report to HC. There was no attempt at discussing what they could do better to get us nearer to a solution. He was clearly extremely unhappy about our complaints but was determined to do nothing about them.

A full photographic survey of the work undertaken was completed on 9th February 2021 by the PC. It shows a poor standard of work, at least three more grips that need digging and highlights that some grips are in the wrong place or additional ones will be needed where there is evidence of edge erosion of the carriageway.