



Kilham Lane triangle roundabout repair status report

Prepared for Parish Council meeting 5th March 2024

Councillor Tyler has established that:

1) After extensive research we have discovered The Kilham Lane triangle roundabout has a land registry number: **GR297371**
Land registry record this parcel of land as being owned by The Shipton Parish Council. and we now have the title deeds ,proving what we had always suspected but never had back up paperwork for: ie: Shipton Parish Council are the owners

2) However the tiny parcel of land which was originally a steeply sloping bank has effectively been turned into a Roundabout (triangle) by Highways when they constructed

- a) The High street alignment and pavement
- b) Kilham Lane
- c) The Kilham lane slip road and pavement

We now believe that as part of the construction Highways built the dry stone wall, which regardless of whether they did or did not, it is clearly a key part of supporting structure of the highway above it, which places the wall into the responsibility of Gloucester highways.

3) When the information in (a&b) became apparent Councillor Tyler has written on the 21/02/24 to Highways specifically : Robert Skillern, Daniel Tiffney, & Wendy Grey, copy to our local County Councillors Paul Hodgkinson and Jeremy Theyer stating the following:

Although the tiny triangle of land is actually owned by the Shipton Parish Council land reg ref GR297371, the whole purpose of tiny triangle patch seems to be to support the three Roads that surround it as a sort of roundabout.

The land is steeply sloping and it appears that when the roads were created a retaining wall was made at the same time to prevent land slip in order to secure the roads stability.

We believe that the dry stone wall was built solely for a Highways Purpose to enable the construction of the roads, and thus falls within your Accommodation Works. The local highway authority is usually liable to maintain the walls which are beneath the level of the highway and are necessary to support the highway. The usual exemption would be where a wall has been built to the benefits of the adjoining landowners. Walls retaining land above highway.(which is not the case here)

We thus assume that the dry stone wall in question falls within the category of the Retaining Walls supporting the highway or otherwise affecting the stability or safety of the Highways with a minimum retaining height of 1.35m at any cross section. In particular the case of walls supporting land above highway (Section 167 of the Highways Act) and which are within 3.66m of the highway boundary. We are aware that The Highways Maintenance Handbook Gloucester County Council paragraph 5.3.5 Retaining Wall Strategies states the following "Retaining walls are currently dealt with in a reactive way. There is little or no inventory data and no long term works programme. The best value plan highlights this area as requiring improvement and has recommended the collection of inventory data to establish the location, size, ownership and condition of the Highways retaining walls in the county."

Based on our knowledge, walls supporting Highways provided when the Highways was constructed should be the responsibility of the Highway Authority in this case Gloucestershire County Council. In addition walls supporting adjacent land provided when the highway was constructed should also be the responsibility of the Highways Authority (Gloucestershire County Council).

We look forward to hearing from you at your earliest convenience so that the matter can be resolved and the slip road re-opened.

4) During conversations with Highways Councillor Tyler picked up that Highways are aware that it is more complex than just about who owns the title deeds and that Highways are aware that there could exist some type of shared historic ownership responsibility for what normally would have been Highways verge, which is still being investigated by both Highways and SPC

