

APPENDIX E Correspondence Regarding Culvert Trash Screen

Tŷ Tredomen, Parc Tredomen, Ystrad Mynach, Hengoed CF82 7WF

Tredomen House. Tredomen Park, Ystrad Mynach, Hengoed CF82 7WF CAERPUILL

Cyfarwyddwr Corfforaethol Dros Dro - Cymunedau Interim Corporate Director - Communities

www.caerffili.gov.uk | www.caerphilly.gov.uk

Head Office Complaints Department The Co-operative Group 1 Angel Square Manchester M60 0AG

Marcus Lloyd B.Eng. MBA.C.ENG. MICE, MCMI, MCIHT

Pennaeth Isadeiledd

Eich Cyf:

Ein Cyf:

Cysylltwch å:

Ffon:

E Bost:

Dyddiad:

071663/GJ/CD

13/05/2019



Annwyl Syr/Fadam

CEFNFUR CEUFFOS – CYFRIFOLDEB PERCHENOGION GLANNAU AFON Adeiladwaith cefnfur y ceuffos ar yr ochr ddwyreiniol i'r Eiddo [Siop Co-operative, Heol Mabon, Nelson, CF46 6PE]

Gan gyfeirio at nifer o gyfarfodydd ar y safle a sgyrsiau ar y ffôn gyda'ch cynrychiolwyr yn y siop uchod yn Nelson, rwy'n ysgrifennu atoch i gadarnhau bod chwiliad cofrestrfa tir wedi cael ei gynnal o ran adeiladwaith cefnfur y geuffos ar yr ochr ddwyreiniol i'ch siop, ac rydym ar ddeall bod y tir y mae'r adeiladwaith yn sefyll arno yn dod o dan eich perchnogaeth.

O dan Ddeddf Draenio Tir 1991, a chithau'n berchennog glannau afon, mae gennych gyfrifoldeb i drosglwyddo'r llif heb rwystr, derbyn y llif drwy eich tir, a sicrhau nad oes malurion mewn unrhyw adeiladwaith.

Mae Adran Priffyrdd Caerffili wedi cysylltu â chi eisoes ynglŷn â malurion yn rhwystro'r cefnfur. Yn y gorffennol, mae hyn wedi achosi llifogydd difrifol ar briffordd gyhoeddus A472, gan beri perygl i ddefnyddwyr y briffordd.

Mae pob tirfeddiannwr yn gyfrifol am y rhan o'r cwrs dŵr sy'n mynd drwy ei dir. Mae'r cyfrifoldeb hwn yn cynnwys cynnal a chadw'r cwrs dŵr, a'i glirio. Mae'r Cyngor yn gyfrifol yn unig am y rhannau o gyrsiau dŵr/ceuffosydd sy'n mynd drwy'r tir sy'n eiddo iddo neu sy'n mynd o dan y briffordd gyhoeddus - a fyddai'n cynnwys y llwybr troed ac wyneb y ffordd.

Nid yw'r Cyngor yn gyfrifol am waith cynnal a chadw cyrsiau dŵr/ceuffosydd o dan dir preifat, ond, mae ganddo bwerau o dan y Ddeddf Draenio Tir i sicrhau bod y dŵr yn llifo'n ddirwystr.

Byddwch cystal â rhoi'r manylion am eich trefn cynnal a chadw ar gyfer monitro a glanhau'r nodwedd draenio tir bwysig hon i atal llifogydd o fewn y 28 diwrnod nesaf.

.../...

Gall methu â chyflawni dyletswyddau perchnogion glannau afon arwain at y Cyngor yn cymryd y camau priodol o dan Ddeddf Draenio Tir 1991.

Amgaeaf gynllun sy'n dangos lleoliad bras yr adeiladwaith cefnfur ac aliniad tybiedig y geuffos. Nid yw'r Cyngor yn derbyn cyfrifoldeb am ddefnyddio'r wybodaeth hon, ac yn argymell eich bod yn cael cyngor proffesiynol yn hyn o beth.

Ceir rhagor o wybodaeth am y Ddeddf Draenio Tir yn:

www.legislation.gov.uk/cy/ukpga/1991/59/data.htm

Edrychwn ymlaen at glywed oddi wrthych.

on behalf of
Head of Infrastructure

Amg.

Tŷ Tredomen, Parc Tredomen, Ystrad Mynach, Hengoed CF82 7WF

Tredomen House, Tredomen Park, Ystrad Mynach, Hengoed CF82 7WF

Cyfarwyddwr Corfforaethol Dros Dro - Cymunedau **Interim Corporate Director - Communities**



www.caerffili.gov.uk | www.caerphilly.gov.uk

MICE, MCMI, MCIHT

Head of Infrastructure

Head Office Complaints Department The Co-operative Group 1 Angel Square Manchester M60 0AG

Your Ref:

Our Ref: Contact:

Telephone:

E Mail:

Date:

071663/GJ/CD

13/05/2019

Marcus Lloyd B.Eng. MBA.C.ENG.

Dear Sir/Madam

CULVERT HEADWALL – RIPARIAN RESPONSIBILITY Culvert headwall structure located to eastern side of Property [Co-operative Store, Mabon Road, Nelson, CF46 6PE]

With reference to numerous site meetings and telephone conversations with your representatives at the above store in Nelson, I am writing to confirm that a land registry search has been carried out on the culvert headwall structure located to the eastern side of your store, and it is our understanding that the land the structure is located on comes under your ownership.

Under the Land Drainage Act 1991 as the riparian owner you have a responsibility to pass on flows without obstruction, accept them through your land and maintain/keep any structures free from debris.

You have previously been contacted by Caerphilly's Highways Department regarding the headwall being blocked with debris. This has historically caused serious flooding to the A472 public highway which is a danger to the highway user.

Each landowner is responsible for the section of watercourse running through their land. This responsibility includes maintaining and cleaning watercourses. The council are liable for lengths of culverts/watercourses that pass through land that it owns or as they pass under the public highway which would include the footpath and road surface.

The council are not liable for maintenance of culverts/watercourses under private land but do have powers under the Land Drainage Act to ensure the free flow of water is maintained.

Can you please provide details of your maintenance regime for monitoring and cleansing this important land drainage feature to prevent flooding within the next 28 days.

.../..

Failure to carry out your riparian duties may result in the council taking appropriate action under the Land Drainage Act 1991.

Please find attached a plan, showing the approximate location of the headwall structure and the assumed alignment of the culvert. The council do not accept liability from the use of this information and recommend you obtain professional advice in this regard.

Further information on the Land Drainage Act can be found at:

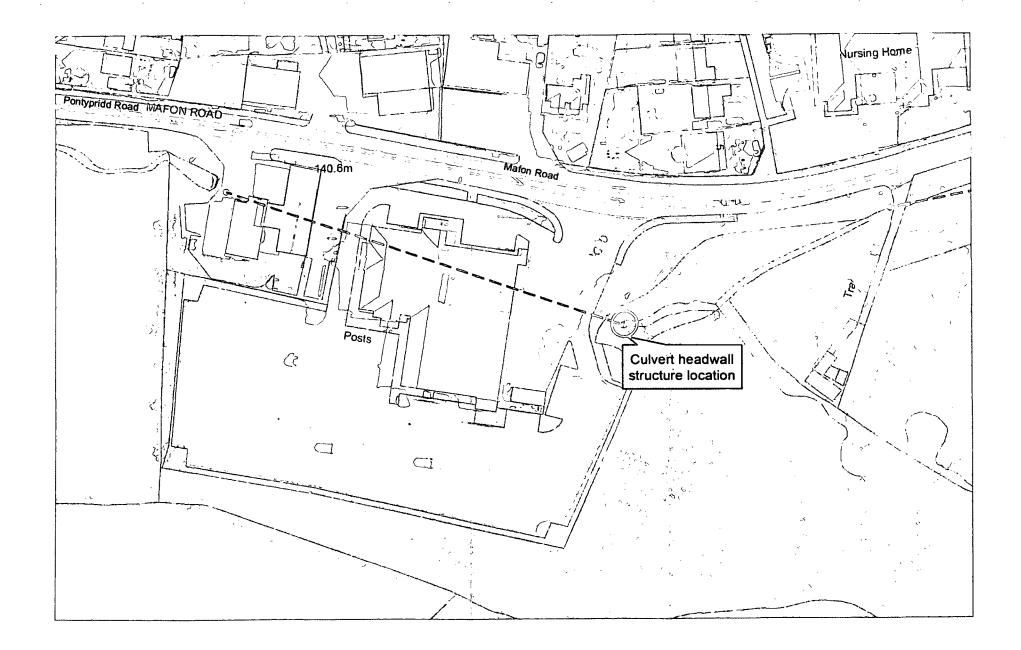
http://legislation.data.gov.uk/ukpga/1991/59/data.htm?wrap=true

We look forward to hearing from you.

Yours sincerely

On behan of Head of Infrastructure

Enc





K/S Nelson C/O Molyneux Rose Ltd 143 New Bond Street London W1S 2TP

Landlord's Consent for replacement Culvert at Co-op Food, Mafon Road, Caerphilly

Dear Sir or Madam

We have been served an enforcement notice by the local authority replace the Culvert at the above property, and under the terms of the lease we will need consent for these works.

Hopefully you will understand that due to the enforcement notice, we would want to move as quickly as possible in this matter. Our team is currently undertaking surveys and are discussing the following options

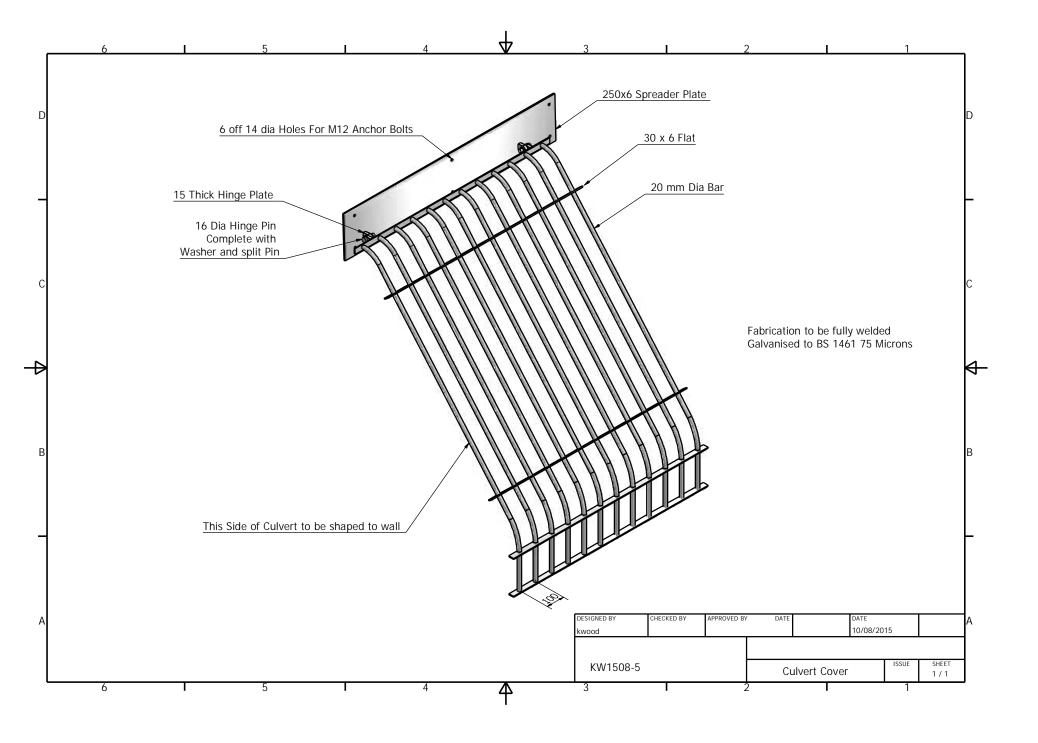
- A like-for-like replacement (as far as can be determined from the survey findings)
- A screen incorporating access provisions, broadly in line with 'photo A '(copy attached)
- A screen amounting to a new headwall grillage in accordance with the drawing (titled 'Trash Screen Drawing', also attached)

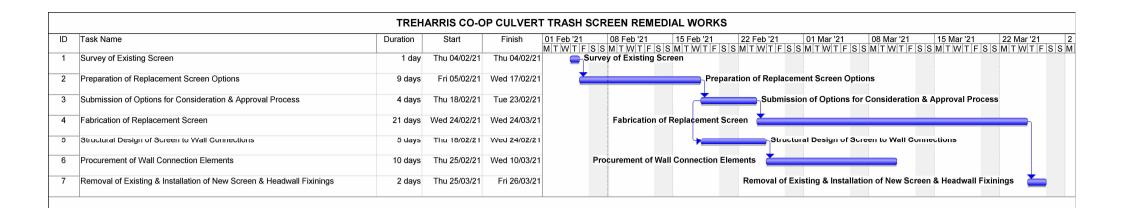
Further plans will be available in due course, however as time is of the essence, I'd appreciate your thoughts on this matter and if any further details are needed with a view to issuing formal consent once firmed up plans are available

If you have any questions, please get in touch.

Yours sincerely

Chris Best Consents Manager



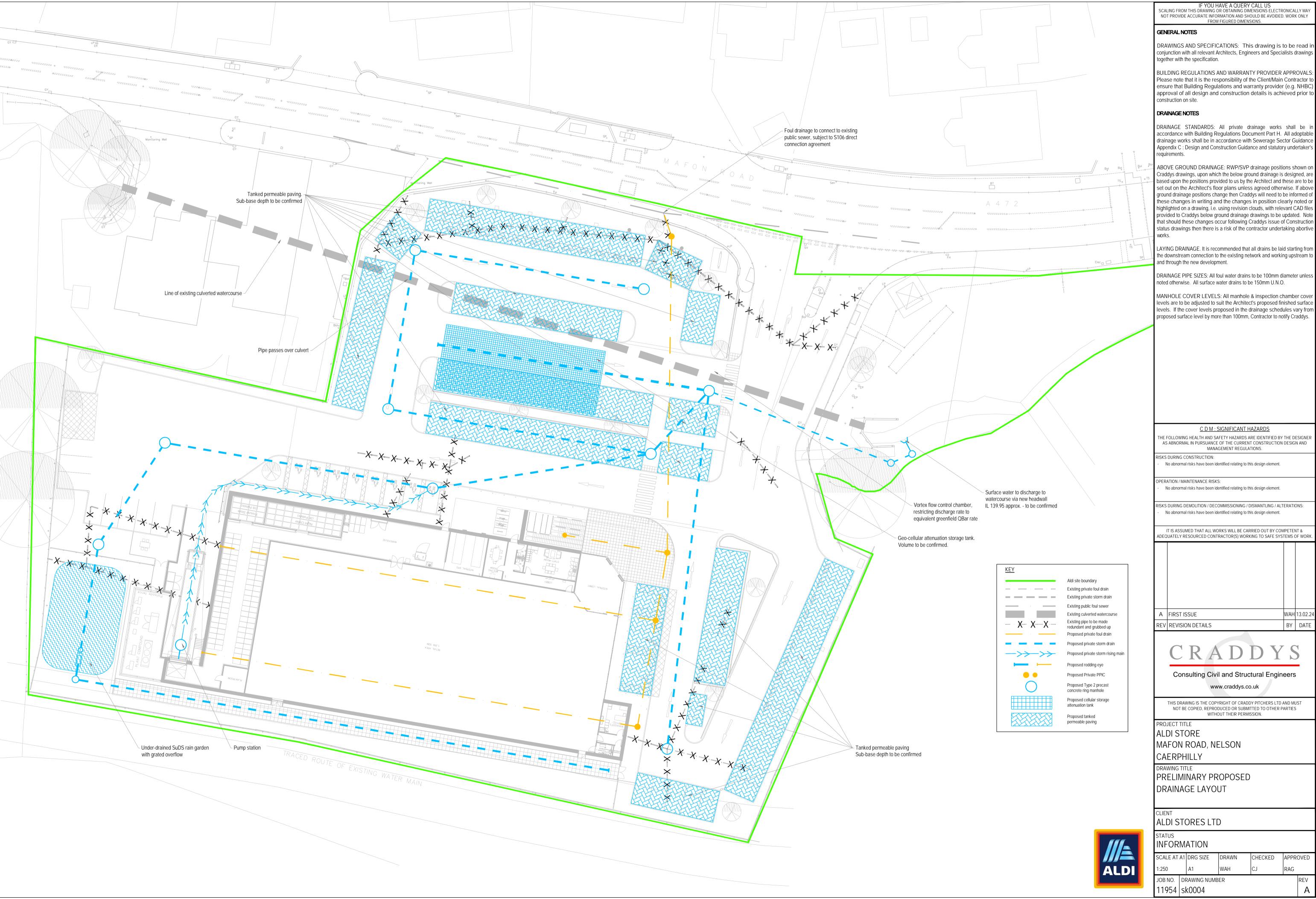


APPENDIX F **Overland Flow Routes**



CRADDYS

APPENDIX G Preliminary Proposed Drainage Layout



Craddys drawings, upon which the below ground drainage is designed, are based upon the positions provided to us by the Architect and these are to be set out on the Architect's floor plans unless agreed otherwise. If above status drawings then there is a risk of the contractor undertaking abortive

levels are to be adjusted to suit the Architect's proposed finished surface