

Bongate Weir, Appleby

Frequently asked questions

Q. Why do we need to do anything with the weir?

A. As it stands, the weir is in a state of disrepair and poses a real safety risk to people. There have been two serious accidents involving children being trapped in the weir since 2001.

If we do nothing, the problem won't go away, and in fact the weir will deteriorate further, posing a greater risk to people's safety in the future.

Doing nothing could lead to potential collapse of the weir and there could still be issues with safety if the weir fully collapses. We would prefer to avoid uncontrolled collapse if possible, to safeguard people and the environment.

Q. Who is responsible for looking after the weir?

A. There are two potential owners of the weir. We know the identity of the owner of the left hand side of the weir, but we do not know the owner of the right hand side (Bongate Mill bank).

We are continuing to investigate this ownership issue.

The liabilities for the weir, including those relating to health and safety, sit with the owner of the weir and are not changed due to a change of use of the weir. (legal advice taken by the Environment Agency Jan 2020)

None of the members of the Group are liable for the weir but we are so concerned about the safety issue it poses to people, that we would like to permanently resolve this issue by removing the weir.

Q. How has the decision to fully remove the weir come about?

A. The Bongate Weir Group has worked together to understand the issues of the weir. Using specialist knowledge from within each of the partner organisations as well as commissioning independent reports to help us understand the condition of the weir, the safety risk and its effect on the river's natural processes, fish passage and other wildlife as well as its historic importance.

- **The Heritage report** on weir by Durham University Archaeological Services (Nov 2018) enabled us to understand the archaeological and historical background to the weir and its local significance.
- **A Hydromorphic Assessment report** by Aecom (September 2018) looked at the weir's structure, water flows around the weir and river channel dynamics, enabling us to understand how the weir is negatively affecting the natural processes of the river.
- **Bridgeway Consulting's Underwater Investigation** (February 2019) assessed the structural condition of the weir enabling us to have a better understanding of where the weir is not functioning properly because of holes, cracks or undercutting and the condition of the fish pass. It concluded that the weir was in poor condition.

The group also identified and discussed four potential options to address the safety issues: **full removal, partial removal, repair and maintenance and do nothing.**

We discussed to what extent each option would address the issues, what would be the benefits and disadvantages for the river and the community and whether money could be found to undertake the works suggested.

Q. Who will pay for it and what's the cost?

A. The full removal will be funded by the Environment Agency's Cumbria River Restoration Programme in 2020. The programme aims to deliver projects with multiple benefits, including: improving wildlife habitat, allowing rivers to function more naturally and reducing flood risk.

However, currently there is no money available beyond 2020 to pay for removing the weir at a later date.

Current estimates cost the removal at between £80,000-100,000. This is based on 3 quotes as well as from knowledge gained from delivering similar weir removals in the past.

Q. Why is removal the preferred option, can't it just keep being repaired?

A. Full removal would mean that there would no longer be a safety risk posed by an unsafe structure. The repair cost is unknown and would be ongoing. No funds have been identified by the Group to fund either the initial repair or the future ongoing maintenance that would be required.

In the long run, it will be cheaper to totally remove the weir than to undertake work to partially remove or repair it and then maintain the structure. The costs involved in the event of an uncontrolled collapse owing to 'doing nothing' are unknown – and there may not be funding available at that time to deal with it.

Q. Why is removal the preferred option, can't it just keep being repaired?

A. Although seems cheap in the short-term, there will be a long-term cost implication (which is unknown). There would be a long-term safety implication as the weir will continue to deteriorate and could collapse leaving concrete and metal debris in the river. This could potentially cause additional serious accidents at the weir and would look unsightly.

Q. What can be done to ensure we do not lose an important part of Appleby's heritage?

A. Removing the weir will give an unrivalled opportunity to fully discover the history of the weir, through an archaeological survey.

A historic building record would be made of its structure prior to removal and an archaeological survey and observation would be undertaken during the removal works ensuring that information can be collected.

We would like to mark the existence and recognise the role in Appleby's history played by the weir. We want to work with the community to identify stories and images and create interpretation at the site of the weir.

Q. Can I still swim there after the weir is removed?

A. Historically, local people have used this part of the river for swimming, walking and picnicking, but legally there is no public right of access to the weir or the water.

Weirs are dangerous places to swim, boat or wade. Removing the weir won't make the river completely safe – people always need to be aware of the risks involved in undertaking river activities, but removal will mean that the safety issues of an unsafe structure will no longer be there.

Advice on how to keep your family safe around water can be found on the Royal Life Saving Society (UK)'s web page on water safety.

Q. Will the weir's removal have an impact on flooding in Appleby?

A. The weir has no impact on flooding, it doesn't increase or decrease the likelihood or impact on flooding in Appleby or further downstream. Similarly, there are no flood risk benefits to Appleby of removing the weir nor will there be an increased flood risk should the weir fail/collapse under its own steam.

Work on decreasing the flood risk to the town is being dealt with separately through the Environment Agency's Flood Defence Team.

Q. What will be the impact of weir removal for wildlife?

A. The River Eden is a very special place for wildlife. It's not only designated as a Site of Special Scientific Interest (SSSI), but also a Special Area of Conservation (SAC) making it internationally important.

Removing the weir and the defunct fish pass, would deliver significant environmental benefits, especially for up and downstream fish migration. It would mean that up to 20km of river would be barrier-free to fish movement and our iconic wildlife such as trout, salmon, lamprey and eels would more easily access their spawning grounds to lay eggs. This in turn will help to sustain and potentially increase the numbers of fish in the River Eden.

Currently, the weir acts like a dam holding water back and creating an unnatural 'pool' that is wider than the river wants to be. While fish will be found in this pool, it creates a rather tasty 'fish soup' and easy dinner for those birds who prey on fish.

The weir also creates water currents that scour out the river bed. Removal of the weir would allow the river's natural processes to re-create a patch work of pools, riffles, gravel bars and muddy marginal areas in the river that help fish and other aquatic wildlife thrive.

The River Eden is one of the last strongholds of the endangered White-clawed crayfish – Britain's only native crayfish. They are likely to be found in and around the weir using boulders for shelter. If the weir is removed, some boulders from the weir would be placed in the river ensuring that the crayfish still had places to shelter.

Q. What happens if the Appleby community and other interested groups want to keep the weir?

A. If full removal of the weir is not supported by the community, the Bongate Weir Group will need to review whether it is able, or has the resources to continue to find an alternative resolution to the safety issue at Bongate Weir.

