

Decision Pathway Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 01 December 2020

TITLE	Stabilisation of Redland Hill Parapet Wall and Retaining Rock Face		
Ward(s)	Redland		
Author: Chris Dooley	Job title: Bridges and Highway Structures Team Manager		
Cabinet lead: Councillor Kye Dudd	Executive Director lead: Stephen Peacock		
Proposal origin: BCC Staff			
Decision maker: Cabinet Member			
Decision forum: Cabinet			
Purpose of Report:			
<ul style="list-style-type: none"> • To inform Cabinet of the ongoing history of this stabilisation project. • To inform Cabinet that the forecasted final outturn costs for works are now at £942,094 from the original estimate of £230,561 • To seek approval for the additional £442,217 over and above the £500k threshold meaning a total forecasted project cost of £942,094 which is an estimated total cost based on all known information, with the project now 80% completed. • To inform Cabinet that the Spire Hospital are paying for 100% of the stabilisation works Project in their entirety and to date have paid BCC £645,202, with the balance (£297K), with them to finalise/agree once total costs are finalised. 			
Evidence Base:			
<ol style="list-style-type: none"> 1. In December 2017 the retaining wall which gives structural support to the highway of Redland Hill was impacted by an HGV with resulting lateral displacement of the parapet wall away from the highway. The part of the wall which received the impact was itself locally supported by a concrete beam which spanned over a discontinuity within the rock face cliff below. The concrete beam was also displaced and cracked by the impact. The adjacent footway was immediately fenced off to prevent pedestrian access as the structural support to the footway was now itself unstable and there was a sheer drop of approximately 12m down into the Spire Hospital car park below. An area of the lower Spire Hospital car park was also fenced off due to the condition of the parapet wall and the risk of falling masonry and loose material. 2. The car park owners, Spire Hospital, were notified under the Highways Act, and asked for their proposals in order to remedy the damage to the highway structure and reinstate the support to the highway so that it could be reopened to the public. The Spire's initial response was that they would not accept that there was clear evidence that the retaining wall and the quarried rock face was their responsibility. This is not an uncommon situation where historic maps cannot be relied upon to determine full ownership, sometimes costs are split 50 / 50 between the Council and the landowner in order to progress, sometimes the Council may bear the whole cost. 3. The Council then proposed that if Spire were willing to fund the full repair costs then The Council could prepare the design, procure the Contractor and project manage the works. Spire agreed to this approach and in November 2019 a legal agreement was signed between the two parties and funds to cover the estimated cost of the project were transferred by Spire into the Council's account. The agreement provided for Spire Hospital funding to cover any potential cost increases if these were due to legitimate approved contractual compensation events, during the course of the works. 			

4. During the 23 months which it took to form the agreement, the angle of displacement of the retaining wall had increased and a number of complaints were received from the public in regard to not being able to use the footpath along this side of Redland Hill. The repair works commenced on site in December 2019 and the road was reduced to a single lane with traffic lights to provide a safe working space behind the unstable ground.
5. The initial estimated cost of the project scheme was £230,561. Since the works commenced there have been a number of events which have necessitated design changes, programme increase and significant cost increase. These have included:
 - Once demolition had progressed, it became evident that the rock face itself was collapsing locally and so a complete redesign had to be undertaken in order to stabilise the rock face and provide alternative structural support to the highway,
 - In March 2020 the site had to be shut down due to COVID, but the hire of the traffic lights and equipment meant high continuing overheads,
 - A cast iron high pressure water main was discovered approximately 3m underground, not where it was expected to be, and in the route of one of the rows of rock anchors,
 - Drilling for the upper rows of anchors led to the discovery of unstable rock within the rock mass which led to changing the method of drilling in order to allow the holes to be sleeved,
 - The scaffold access system had to be changed on a number of occasions in order to accommodate piling works by others (Spire Hospital), within the car park below.
6. A summary of these changes is recorded in the project's Risk Register. The changes have led to an increase in the estimated project cost by approximately £711,533k and all extra costs will be funded by Spire. An extra £422,217.00 has already been paid by Spire in May 2020 and we have now invoiced them for the projected balance. Once this has been agreed by the Spire the Council should then have all funds within the scheme budget capital code, in order to complete the project, based on the current known situation. **It must be noted that Spire Hospital will then have paid for the whole of the full Project in its entirety (100%), in accordance with the terms of the legal agreement.**

Risks of the project:

1. The project is now 80% complete, programme-wise. The remaining known risks are now:
2. Cashflow is the largest risk. Any funding and cashflow restrictions possibly imposed by The Council would lead to the Council needing to bear the financial impact of such restrictions. The cost of any stoppages of the site due to the inability to pay Contractors would be in the order of approximately £50k per month,
3. Formation of bearing area for support slab above the rock head, risks associated with ground conditions. Trial excavations have been made which indicate that the risk is low, and conservative parameters have been used for the design bearing pressure.

Cabinet Member / Officer Recommendations:

That Cabinet

1. Approve the additional spend of £442,217 to reflect the increase in costs as highlighted in the report.
2. Note that the Spire Hospital are paying for all the full costs of the stabilisation works.

Corporate Strategy alignment:

The corporate strategy objectives of this specific project would be fulfilment of some of the corporate strategic themes with regard to Wellbeing, well connected and business as usual. The scheme will also fulfil the Council's main statutory duties, as Local Highway Authority.

City Benefits:

Completing the scheme will allow both carriageways and the northernmost footway of Redland Hill to be opened. This footway is the only convenient accessible route from Whiteladies Road, via the zebra crossing, to Durdham Park and Coldharbour Road. Opening both traffic lanes will remove congestion and associated pollution caused by the temporary traffic signals which are currently in situ.

Ensuring the required cashflow will remove the risk of any project costs having to be borne by The Council and the tax payer directly as, provided The Council do not impose restrictions which are not an accepted compensation Event under the Construction Contract, Spire Bristol have agreed to fund the scheme in its entirety.

Completing the scheme will also allow Spire to have full safe use of their car park below, thus reducing pressure on local residential roads to have to accommodate excess vehicles.

The design life of the rock anchor and stabilisation works, and the footway support slab, is 120 years.

Consultation Details:

Both ward councillors have been briefed on the ongoing works, Spire Bristol are being updated each fortnight and we are in close communication regarding all details of the scheme.

Background Documents: The Highways Act 1980

Revenue Cost	£24,445 (10252/10475/10473)	Source of Revenue Funding	All funding paid by Spire Hospital
Capital Cost	£917,649 (P13498-1001 – 2019-20) (P13498-1011 – 2020-21)		All funding paid by Spire Hospital
One off cost <input checked="" type="checkbox"/> Ongoing cost <input type="checkbox"/>		Saving Proposal <input type="checkbox"/> Income generation proposal <input type="checkbox"/>	

Required information to be completed by Financial/Legal/ICT/ HR partners:

1. Finance Advice:

The report states that the cost estimate for the Redland Hill works has increased by £712k. BCC are co-ordinating the project, but the costs are being borne wholly by Spire Hospital therefore the increase in cost estimate does not give BCC a capital funding pressure.

Finance have confirmed with the legal team that payment will be in advance from Spire, that Spire will pay any additional cost from the current estimate, and that the contract with Spire is sufficiently detailed for BCC to rely upon if works are disputed. Therefore the financial risk to BCC is minimised in the event of project delay or issue with payment.

Finance recommend that the additional project costs are incorporated into the capital programme, and that the spend is approved.

Finance Business Partner: George Palmer, Finance Business Partner, Growth and Regeneration

Date: 23/11/20

2. Legal Advice: Legal Services have reviewed and approved the Legal Agreement between The Council and Spire relevant to the recovery of the costs of the work from the Spire.

Legal Team Leader: Husinara Jones, Solicitor/Team Leader 10th November 2020

3. Implications on ICT: None

ICT Team Leader: N/A

4. HR Advice: N/A

HR Partner: N/A

EDM Sign-off	Stephen Peacock	14 th October 2020
Cabinet Member sign-off	Cllr Kye Dudd	19 th October 2020
Mayor's Office	Mayor's Office	2 nd November 2020

Appendix A – Further essential background / detail on the proposal 57W045 The Glen RW post-impact inspection photos and Works Information and location Plan	YES
Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	YES
Appendix E – Equalities screening / impact assessment of proposal	NO
Appendix F – Eco-impact screening/ impact assessment of proposal	NO
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	NO
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO