

REPORT TITLE: USE OF CHIEF EXECUTIVE'S EMERGENCY POWERS – WEST OF WATERLOOVILLE OPEN SPACE

12 DECEMBER 2018

REPORT OF PORTFOLIO HOLDER: Cllr Caroline Brook Built Environment

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WARD(S): DENMEAD

PURPOSE

Under the Council's Constitution, decisions made under Section 6 A.2 of the Scheme of Delegation to Officers (use of Chief Executive's emergency delegated powers) should be reported to Cabinet or the appropriate Committee as soon as practicable after the decision was taken.

The Chief Executive was requested to use her delegated powers to approve a supplementary budget estimate in respect of drainage works at Darnel Road, Waterlooville.

Members are asked to note the Decision.

RECOMMENDATIONS:

That the Decision made under Section 6 A.2 of the Scheme of Delegation to Officers, as detailed in Exempt Appendix 1, be noted.

IMPLICATIONS:

1 COUNCIL STRATEGY OUTCOME

- 1.1 The drainage works to this area of open space are consistent with improving the quality of the District's environment outcome and in particular; work with strategic partners to continue to develop flood resilience measures to protect our communities.

2 FINANCIAL IMPLICATIONS

- 2.1 A budget of £75,000 was approved by Cabinet on 19 September 2018 (CAB3070) and a supplementary estimate of £59,000 bringing the total budget to £134,000 is required to complete the alternative works:

- Initial cost of drainage works £62,000
- Additional cost due to diversion £72,000
- Total cost of works £134,000

- 2.2 These works will be financed from the S106 funds transferred to the City Council as part of the transfer agreement for the open spaces in Waterlooville. This will have an impact on the length of time this funding stream supports these open spaces and will mean that effectively the Council have to support financially their maintenance earlier than planned.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 None specific to the use of the Chief Executive's emergency powers.

4 WORKFORCE IMPLICATIONS

- 4.1 None.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None

6 CONSULTATION AND COMMUNICATION

- 6.1 Cllr Horrill (Leader of the Council) and Cllr Learney (Chair of Overview and Scrutiny Committee) were consulted prior to the Chief Executive exercising her emergency delegated powers authorising the additional expenditure to complete the drainage works. The Portfolio Holder for the Built Environment was also consulted and supports the drainage works.

7 ENVIRONMENTAL CONSIDERATIONS

7.1 The drainage enhancements are designed to prevent water from the open space discharging on to the public highway (Darnel Road).

8 EQUALITY IMPACT ASSESSEMENT

8.1 None

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None

10 RISK MANAGEMENT

Risk	Mitigation	Opportunities
<i>Property The water discharging onto the highway is from open space owned and managed by the Council.</i>	Carryout drainage improvement works.	
<i>Community Support</i>		
<i>Timescales Delaying the works would add to the costs to the Council as the contractor could charge for plant left on-site even where works have ceased for operational reasons and the issues created by water discharging onto the highway need to be resolved as quickly as possible (see other below).</i>	Agree to additional funding without undue delay using the Chief Executive's emergency powers to enable the drainage works to be completed.	
<i>Project capacity</i>		
<i>Financial / VfM</i>		
<i>Legal</i>		
<i>Innovation</i>		
<i>Reputation</i>		
<i>Other Hampshire County Council, as highway authority, have raised the issue of water being discharged onto the highway and the issues this can cause for highway users particularly in winter.</i>	Agree to additional funding without undue delay using the Chief Executive's emergency powers to enable the drainage works to be completed.	

11 SUPPORTING INFORMATION:

- 11.1 The Council is responsible for an area of open space which serves the new housing development at the West of Waterlooville Major Development Area (MDA) known as Newlands. This land is adjacent to Darnel Road on the western edge of the MDA and lies to the south of Hambledon Road which links Waterlooville and Denmead. Power lines run across the site.
- 11.2 Additional drainage works are needed to alleviate water from the open space running on to the highway which presents a safety issue. Hampshire County Council has raised this matter with the City Council with the expectation drainage will be put in place to prevent water from reaching the road. A piped scheme to deal with this issue was therefore designed which connects the existing pond in the north east corner of the land to the wider drainage system of the open space and a contractor (Rocon Construction) was appointed to implement these works.
- 11.3 Works have commenced on site and approximately half of the new drainage run has been completed by Rocon Construction. The work has been stopped by the SSE due to the size of the excavators and plant operating under the electricity pylons which presents a serious safety issue. It is understood that ordinarily carrying out these types of work under powerlines would not be a safety issue. However, in this case, it is the characteristics of these particular lines which mean that SSE has stated that the plant needed for this job cannot be operated safely beneath the lines.
- 11.4 In order to complete the planned drainage works the route needs to be changed in part to avoid working under the powerlines. The scheme's design has therefore been amended to enable most of the work to be undertaken without requiring plant to operate beneath the powerlines.
- 11.5 However, the scheme in its amended form, has resulted in an increase in cost from £62k to £134k for the following reasons:
- The diverted route of pipe is 50m longer than the designed length of drain.
 - Due to the re-positioning of the diverted route away from the overhead lines, it is now necessary to deepen the excavations from an average of 1.95m to 4.1m, due to the rise in ground level away from the power lines.
 - It is now necessary to carry out the works with larger plant and heavier duty boxes (to retain the earth safely when installing the pipe work) because the route of the trench is now within the made up ground as opposed to the virgin ground originally encountered in the designed route.
 - The manholes (at every 100m) will also be much deeper to suit the revised drainage depths.
 - There will be 2 additional manholes to accommodate the change in direction of the revised drainage pipes.

- An additional provisional allowance of £750.00 for replacement trees / shrubs to replace any plants that can not be saved when transplanting along the revised route has been made.

11.6 As explained above there is a need to complete these drainage improvements without delay because the highway authority expects the Council to deal with the issue of water running onto Darnel Road as soon as possible. The contractor could also seek to recover on-going costs from the Council if work was delayed further as they have plant on-site. Consequently, it was expedient for the Chief Executive to use her emergency powers to agree to the additional funds which means that works on the revised scheme were able to re-commence quickly.

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 A number of options were explored before settling on re-routing part of the pipe across the open space including running drainage beneath Darnel Road itself or connecting into the existing highway drainage system. However, for technical reasons or issues of cost, the option of revising the previously agreed route was considered the most appropriate course of action.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

WWF108 – Progress Report of the West of Waterlooville MDA - 6 November 2018

Other Background Documents:-

None.

APPENDICES:

Appendix 1 – Decision under Section 6 A.2 of the Scheme of Delegation to Officers (EXEMPT)