

Bath & North East Somerset Council

Meeting	Council	
DATE:	14 September 2017	
TITLE:	York Street Infrastructure Works	
WARD:	Abbey	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Not Applicable		

1 THE ISSUE

During works on the Archway Project it was discovered that the underground vault which forms part of the Council owned estate was in a poor structural condition and at risk of collapse.

The vault is located under a part of York Street which is required for the Christmas market and funding is needed urgently to progress the repair of the vault, ensuring the Christmas Market can progress at this location and the Heritage Lottery funding for the Archway Project is protected.

2 RECOMMENDATION

The decision makers are asked to agree:

- i. Approval to accept the addition of a new scheme into the Capital Programme entitled York Street Infrastructure works.
- ii. Re-direct funding of £539k from the provisional capital schemes identified in section 3.1 to the proposed York Street Infrastructure works scheme.
- iii. Approve the use of the Capital Contingency allocating £50k to the proposed scheme.
- iv. To approve the two phase approach to the repairs outlined in the report.
- v. To note the risks associated with repairing the structure before the Christmas market takes place.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 Funding has been identified from within the Councils Capital programme from the following schemes that are provisionally approved in 2017/18:

- Heritage Infrastructure Development £200k
- Public Realm Improvements Programme £113k
- Archway Centre Public Realm £226k

It is proposed that this funding is re-directed to the immediate urgent works required on York Street. The recommendation to re-direct the funding from the existing provisionally approved items is on the basis that the schemes identified above will not be deliverable until the York Street work has been complete.

3.2 It is anticipated that the phase one works will complete by the end of October 2017 and phase two works will be completed in 2019/20. The Phase 2 works are critical to completing the above ground repairs and reduce the risk of increased maintenance costs in future

3.3 The Council will need to consider a further capital scheme request for Phase 2 works that addresses the Heritage Infrastructure and Public Realm scheme requirements and funding sources through future years budget planning. It is anticipated that a new proposal would be developed for Council consideration and approval for the 2019/20 Budget. The phase two work funding requirements will need to be taken forward through the 2018/19 budget process.

3.4 The proposed use of £50k from the Corporate Capital Contingency will leave a remaining balance of £1.95m. The level of contingency will need to be reviewed through the 2018/19 budget process. The budget management scheme delegates Capital Contingency approval to Cabinet Member for Finance & Efficiency in consultation with other Cabinet members.

3.5 The revenue impacts associated with phase one not progressing now is a potential loss of chalet rental income from the Christmas market (managed by Bath Tourism Plus)

3.6 A delay to completing the repair would adversely impact on the Archway Project programme and potentially jeopardise the heritage Lottery Fund grant secured by the Council

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

4.1 The vault structure belongs to the Council and is responsible for its upkeep and maintenance. The Council in its capacity as Highway Authority has duties and powers under the Highway Act 1980 to ensure the highway remains safe for all users.

5 THE REPORT

5.1 The Archway Project comprises the creation of a World Heritage Centre and Roman Baths Learning Zone within 10 York Street, which includes an

investigation & access zone in the undercroft below York Street. A part of the undercroft being brought back in to public access is in itself part of the Roman Baths Ancient Scheduled Monument.

- 5.2 The project is the beneficiary of a £3.38M grant from the Heritage Lottery Fund as well as £0.75M from the B&NES Capital Programme, £0.25M from the East Baths capital project, £0.25M from the Clore Duffield Foundation with further donations nearing £0.25M and rising.
- 5.3 Works to repair York Street comprise intrusive structural repairs that must be undertaken in advance of the Archway project for reasons of practicality and efficiency. To attempt to undertake the road repairs after opening of the centre would require the closure of the learning and access zones, with all fittings fixtures and finishes then needing to be removed and replaced after the works had taken place. It is highly likely that such a proposal would also result in the HLF grant conditions not being met with resulting funding and reputational consequences.
- 5.4 Upon discovering the defect the Council took immediate action to protect the area by closing the road to traffic, installing bollards and implementing a Traffic Regulation Order. This temporary measure is not considered acceptable in the long term as this arrangement denies access to traders, waste collection arrangements and limits access for emergency service vehicles
- 5.5 The Council has also taken action to relocate roman artefacts (heavy stone blocks) from the vault as these would prevent access to carry out a full inspection of the defective area and obstruct repairs.
- 5.6 There is a need for specialist engineers to carry out the inspection and design the repairs for technical approval by the Council's highways team, in their capacity as Highway Authority.
- 5.7 A two phase repair is recommended with phase one effectively repairing the failing beams and roof. However, phase two works would be programmed to complete after the Abbey and Archway Project construction schemes complete. This avoids the risk of construction traffic damaging the newly laid road and footway materials.
- 5.8 Traders and Bath Tourism Plus have urged the Council to ensure a timely repair and that the area is available for the Christmas Market. It has also been alleged that Members have promised the repairs would be available before the start of the Christmas Market.
- 5.9 Three quotations will be sought for the repairs. However, due to urgency and the specialist nature of the repairs, it may be necessary to seek an exemption from Council's standing orders to appoint a contractor

6 RATIONALE

- 6.1 A two phase approach is considered the best way to balance the competing project needs, protect grant funding and complete repairs in a manner that will still enable the highly popular Christmas Market to utilise this area

7 OTHER OPTIONS CONSIDERED.

7.1 A temporary propping solution has been considered at a potential cost of £50k, with additional costs for monitoring. However, this has been ruled out as it adversely impacts on the Archway Project and associated funding.

7.2 The temporary propping solution would also restrict access for the permanent repair and modifying the arrangements would increase the indicative costs.

8 CONSULTATION

8.1 This report has been prepared in consultation with the Leader of the Council, the Cabinet Member for Economic Development, Cabinet Member for Finance and Efficiency, Section 151 and Monitoring Officers, the Strategic Directors for Place and Resources, Divisional Director for Community Regeneration and Head of Property.

8.2 In recognition that the Council's Section 151 Chief Financial Officer is also acting on behalf of the West of England Combined Authority in approving funding decisions the financial approval of this report is made in joint consultation with the Council's Strategic Director of Resources.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken in compliance with the Council's decision making risk management guidance.

9.2 The project faces three notable risks to completing on time.

- There is a risk that the technical approval for the design of the works isn't obtained in time to complete the works
- There is a risk that a suitable Contractor to complete the works may not be available
- There is a risk that further structural work may be required that cannot be identified until parts of the old structure is removed.

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Background papers	None
Please contact the report author if you need to access this report in an alternative format	