

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 NOVEMBER 2022

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

STRENGTHENING WORKS AT BRACKLA 1 MULTISTOREY CAR PARK

1. Purpose of report

- 1.1 The purpose of this report is to notify Cabinet of the authorisation for an exemption, under Rule 3.1.6 of the Contract Procedure Rules, from obtaining tenders for urgent strengthening works at Brackla 1 multistorey car park.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective/objectives under the **Well-being of Future Generations (Wales) Act 2015**:-
 - **Smarter use of resources**: ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.
- 2.2 If the works were not undertaken this could have exposed the authority to even greater expenditure than currently required .

3. Background

- 3.1 Following review of structural information relating to Brackla 1 multistorey car park it was identified that certain structural elements within the car park required strengthening to improve their safety factor, to avoid the potential of a failure that may occur without prior notice.
- 3.2 Due to the inability to carry out more detailed assessment of the elements without compromising the structure it was recommended that strengthening was undertaken as soon as possible.
- 3.3 Taking into consideration the car park town centre location, and the inability to further quantify the risk, it was deemed prudent to expedite the strengthening as an urgent matter and seek a single contractor for the works.
- 3.4 Approval under the Council's Scheme of Delegation was subsequently given (under decision reference CMM-TE-22-086) following discussion with the Head of

Operational Services and the Corporate Director Communities on the 18th October 2022 to seek a single quotation for the works in order to expedite the strengthening works. We are currently working with a local fabricator, Coity Engineering, utilising their expertise to arrive at a cost effective and practicable solution, thereafter an order will be placed and the strengthening works undertaken.

4. Current situation/proposal

- 4.1 The exemption used in delegated power CMM-TE-22-086 is contained in paragraph 3.1.6 of the Council's Contract Procurement Rules which state that the Contract Procedure Rules do not apply:

'In an emergency situation in which injury or damage to persons or property is threatened in which case the Appropriate Chief Officer may take any necessary action but must report the circumstances and the action taken to the next meeting of the Appropriate Body.'

- 4.2 The exemption was enacted following an on-site visit in October where officers were advised of a risk to the safety of the car park that could not be fully quantified without compromising the structure of the car park. Therefore a decision was taken that such urgent action to strengthen the structure met the requirements of the exemption under the contract procedure rules.

5. Effect upon policy framework and procedure rules

- 5.1 There are no implications for the Council's policy framework or procedure rules.

6. Equality Act 2010 implications

- 6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. This is an information report, therefore it is not necessary to carry out an EIA in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

- 7.1 The Well-being of Future Generations (Wales) Act 2015 Assessment Template has been completed and a summary of the implications from the assessment relating to the five ways of working is outlined below in respect of the proposal:

- **Long-term**
Maintains the structure in a safe manner to meet health and safety standards
- **Prevention**
Strengthening work improves the safety factor to maintain the structure in a safe manner to meet health and safety standards

- **Integration**
N/A
- **Collaboration**
N/A
- **Involvement**
N/A

8. Financial implications

- 8.1 Strengthening works are estimated to be in the order of £40,000 and will be funded from within existing directorate budgets.

9. Recommendation

- 9.1 It is recommended that Cabinet notes the exemption from the requirement to tender, in accordance with Rule 3.1.6 of the Contract Procedure Rules.

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Background documents:

SCHEMES OF DELEGATION OF FUNCTIONS – Record of Decision – CMM-TE-22-086