

Meeting of:	CABINET
Date of Meeting:	14 JANUARY 2025
Report Title:	URGENT/EMERGENCY WORKS TO CULVERT AT A4061 BWLCH-Y-CLAWDD ROAD, NANTYMOEL FOLLOWING LANDSLIDE DURING STORM BERT, 24TH NOVEMBER 2024
Report Owner / Corporate Director:	CORPORATE DIRECTOR - COMMUNITIES
Responsible Officer:	KEVIN MULCAHY GROUP MANAGER HIGHWAYS AND GREEN SPACES
Policy Framework and Procedure Rules:	Exemption from the requirement to seek quotes, in accordance with Rule 3.1.6 of the Contract Procedure Rules
Executive Summary:	To notify Cabinet of authorisation and award of a works order to undertake urgent/emergency works to culvert and slope on the A4061 Bwlch-y-Clawdd road, Nantymoel, in the interests of public safety following a storm event that caused a landslip.

1. Purpose of Report

- 1.1 The purpose of this report is to notify Cabinet of the authorisation and award of a works order to contractors to undertake urgent/emergency works to culvert at A4061 Bwlch-y-Clawdd road, Nantymoel, in the interests of public safety and maintenance of highway for an exemption under Rule 3.1.6 of the Council's Contract Procedure Rules.

2. Background

- 2.1 On 24th November 2024, Storm Bert caused widespread issues throughout the County Borough and around South Wales.
- 2.2 On the A4061 Bwlch-y-Clawdd road, Nantymoel, a culvert collapsed resulting in water flows washing large deposits of material from the surrounding ground becoming unstable and falling onto the highway. Following a call from the emergency services Bridgend County Borough Council (BCBC) staff attended and arranged for the road to be closed.
- 2.3 On Monday 25th November 2024, when the storm had abated engineers were able to commence assessment of the damage and extent of repair that would be necessary.

Clearance of the highway debris was completed on the 26th November 2024, and the road re-opened to traffic albeit under traffic control and temporary protective structures to mitigate the risk of further falling debris.

- 2.4 Review of the extent of damage and works required to rectify the collapse/landslide identified that the appropriate skills and experience to undertake the works was not held by the internal work force of BCBC and specialist contractors needed to be engaged. Due to the ongoing risk of instability caused by the damage it was considered that expediting of the repairs and associated slope stabilisation should not be delayed.
- 2.5 Fortunately, a contractor had recently been awarded a contract with BCBC to undertake remedial works to culverted and open watercourses on a coal tip in Nantymoel, and were contacted to discuss possible solutions and availability.
- 2.6 After some discussions they confirmed that they were able to undertake the proposed solution and had the experience of working in this type of environment (i.e steep sided mountain). Furthermore they confirmed that as they were working in the vicinity they could reduce some of the normal overhead associated with such a scheme.
- 2.7 By delegated decision (decision reference CMM-HW-24-137) the Corporate Director Communities approved the award of the works contract in accordance with an exemption under paragraph 3.1.6 of the Council's Contract Procedure Rules.

3. Current situation / proposal

- 3.1 The exemption used in delegated power CMM-HW-24-137 is contained in paragraph 3.1.6 of the Council's Contract Procedure 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.'

- 3.2 The exemption was enacted following the need to undertake the urgent and emergency action to prevent a further landslide and remove the traffic management to fully open up the highway to all users. But for the exemption the Council's Contract Procedure Rules would have required quotations be sought from a minimum of five prospective tenderers with Safety Schemes in Procurement (SSIP) accreditation and registered and verified on Constructionline.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 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 Equality Impact assessment 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.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

6. Climate Change Implications

6.1 There are no Climate Change in relation to this report.

7. Safeguarding and Corporate Parent Implications

7.1 There are no Safeguarding and Corporate Parent Implications from this report.

8. Financial Implications

8.1 The estimated costs for the works to be undertaken is £131,000 and will be subject of an application to Welsh Government for emergency funding as part of their Emergency Financial Assistance Scheme (EFAS) to assist local Authorities following the recent storm events.

8.2 If this application is not successful then the cost of these works will need to be funded from within the Communities Directorate budgets.

9. Recommendation

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

Background documents

None