

REPORT TO: POLICY AND RESOURCES COMMITTEE ON 20 MARCH 2012

SUBJECT: BALLINDALLOCH VIADUCT WALKWAY REFURBISHMENT

BY: CORPORATE DIRECTOR (ENVIRONMENTAL SERVICES)

1. REASON FOR REPORT/URGENCY

- 1.1 To invite the Committee to give consideration to the approval of the virement of funds and procurement method for the completion of the Ballindalloch Viaduct Walkway Refurbishment project and minimise impact on Speyside Way users.
- 1.2 This report is submitted to Committee in terms of Section (A) (2) of the Council's Administrative Scheme relating to managing the finances of the Council.

2. RECOMMENDATION

- 2.1 **It is recommended that the Committee approves the expenditure for this project and authorises acceptance of the price from the present contractor.**

3. BACKGROUND

- 3.1 The Ballindalloch Viaduct is a former railway bridge spanning 60 metres across the River Spey. Two side spans of 12 metres adjoin the main span. Built in 1863 it is a Grade A listed structure which now carries the Speyside Way (long distance walking route) over the river. The walkway comprises the original timber baulks which supported the rails (now removed) and timbers which were added at the time of conversion to its present function as a pedestrian bridge.
- 3.2 A contract was entered into in January 2012 to carry out limited maintenance work on the timber walking surface and replace the parapet. This was procured through the 'quick quote' process with only two of the three invited firms submitting a price.
- 3.3 The contract commenced on 13 February 2012. Upon lifting the timbers to be replaced it was discovered that a significant proportion of the main timber baulks were rotten and the structural integrity of the walkway was declared dangerous by the Council's bridge engineer. Previous investigations of the timbers through selective openings had not established the true extent of decay of the 149 year old timbers. The bridge steelwork is in fair condition and will not need attention at this time.
- 3.4 Work was halted while discussions with the Council's planning officers and Historic Scotland took place. A proposal to replace the entire walkway with

new timbers was found acceptable to Historic Scotland and the Council's Planning Department. A planning application for this work is now being processed.

- 3.5 The contractor has been instructed to complete replacement work on the south span only until a decision on funding and procurement is made.

4. **SUMMARY OF IMPLICATIONS**

(a) **Single Outcome Agreement/ Service Improvement Plan**

The recommendation in this report contributes to the aspirations of the SOA outcomes in respect of protecting the natural and built environment and the SOA Healthier agenda.

(b) **Policy and Legal**

Whereas the original contract was procured by quotation (under £30,000) the extent of the works has increased greatly. Re-tendering this work would extend the period of closure of the bridge by at least two months by the time remobilisation and ordering of materials is taken into consideration. The Council has a statutory duty to keep the Speyside Way open.

(c) **Financial implications**

There is an offer from the present contractor to complete all works (main span and north and south spans) for £131,920. This can be funded from present allocations available and virement of funds from and underspent bridges budget.

Contract Costs			£131,920
Risk			£12,080
		Total	£144,000
Funding			
Capital receipts 2011/12	Lands & Parks		£24,000
Capital budget 2012/13	Lands & Parks		£40,000
Capital 2011/12	Bridge		£80,000

	Assessment and strengthening underspend		
		Total	£144,000

The bridges capital budget will require re-prioritising and/or delaying of projects. In particular refurbishment of Boat o' Brig Bridge will have to be delayed. This is a major scheme which is in the option appraisal phase at present and will be the subject of a future report.

In light of the importance of Ballindalloch Viaduct to the Council it is considered that reallocation of funding as noted above is a prudent use of resources. The availability of alternative funding sources such (Historic Scotland, Lottery funding etc) will also be investigated.

The facility to award directly to a supplier is available under Financial Regulation 3.20 where the Head of Financial Services deems it appropriate to do so. The quote given by the present contractor is considered reasonable as it has been checked and compared to market rates by the Council's Senior Engineer (Structures).

(d) Risk Implications

In terms of risk to the Council under procurement legislation, this is a below threshold purchase so the Council could not be challenged under the Public Contracts (Scotland) 2006 Act for making a direct award of a contract. There is also a reputational risk to the Council if seen to delay work, and a potential health and safety risk to the public, from ignoring the barriers and using the bridge because they can't see any work being carried out.

While the cost of maintenance falls to the Council, there is no obligation to keep the bridge open if an alternative route is available. Identifying a suitable alternative would entail land acquisition and construction cost of a new footpath as well as negotiation with statutory authorities (SNH, Speyside Way Management Group, Cairngorms National Park etc). It is anticipated that none of this would be achievable in the short term.

Closure of the bridge has a significant negative impact on Speyside Way users enjoyment of the route, particularly those who come to Moray to walk the whole route, as there is no readily available diversion around the problem. If the bridge was to remain closed for an extended period, there is a risk that visitors would cancel any plans to walk the route this year and this would result in a significant impact on Tourism and the local economy, particularly accommodation providers whose income depends on bookings from users of the Speyside Way.

Value for money will be scrutinised by internal staff or by one of the Council's term consultants, based on the original contract..

(e) Staffing Implications

There are no staffing implications.

(f) Property

None.

(g) Equalities

None.

(h) Consultations

The Head of Financial Services, and Alasdair McEachan, Legal Services Manager (Property and Contracts) have been consulted and their comments included in the report.

5. CONCLUSION

5.1 Authorisation is sought to accept the price to complete the refurbishment of the whole walkway from the present contractor and to make the appropriate adjustment to the Capital Plan.

Author of Report: N Fotheringham, Senior Engineer (Structures)

Background Papers:

Ref: