

## **PEDESTRIAN HEART GAS MAIN REVIEW FINAL REPORT**

### **Introduction**

This is the final report of the Pedestrian Heart Gas Main Review Group, which was established by the Resources Scrutiny Committee to look into the circumstances in which a gas main was found during the course of the Pedestrian Heart works.

### **Background Information**

Following the incident involving the finding of the gas main as part of the Pedestrian Heart works, a report was submitted to Council on 23rd March, 2006, explaining the background to the issue and seeking the release of the funding necessary to enable the scheme to progress **(Appendix 1)**.

At that Council meeting, Members agreed the following recommendations **(Appendix 2)** :-

- (a) That the chronological lighting from the current programme of work for the pedestrian heart be omitted, thus releasing funding of £140,000 towards the gas main costs.
- (b) That additional funding up a maximum of £640,000 for the diversion of the gas main and consequential reprogramming be approved.
- (c) That this issue to be referred to Scrutiny for a full investigation, specifically how the position of the gas pipe failed to be detected during the preliminary checks and surveys.

The issue was submitted to a meeting of the Council's Monitoring and Co-ordination Group held on 3rd April, 2006, and, at that meeting, it was agreed **(Appendix 3)** that the Resources Scrutiny Committee should take overall responsibility for the scrutiny of the issue and a report **(Appendix 4)** was submitted to their meeting held on 6th April, 2006, recommending that a group consisting of the Scrutiny Chairs and Vice-Chairs, together with two other Members from each of the Scrutiny Committees be established to undertake the detailed investigations.

The Resources Scrutiny Committee, at this meeting, had some concerns that the Group would be too large and agreed that a Review Group comprising all of its Members and the Chair and Vice-Chair of the Environment Scrutiny Committee be established instead **(Appendix 5)**.

The Review Group was only tasked with investigating the issues surrounding the gas main.

The first meeting of the Review Group was held on 12th April, 2006, **(Appendix 6)** and, at this meeting, Members received a presentation from the Director of Development and

Environment on the current position, together with plans showing the utility networks in the Town Centre and the complexity of the services which were mapped underground. A site visit to the area concerned also took place.

The definition and scope of the Review Group was established by the Review Group itself at a meeting held on 28th April, 2006, (**Appendix 7**) and its terms of reference are outlined below :-

To investigate the sequence of events  
Could anything have been done differently?; and  
Was the response from the Council and others appropriate?

The Review Group also identified, at this stage, who they wanted to speak to as part of their investigations (**Appendix 8**).

This report describes the work of the Review Group undertaken at the meeting on the 9th June, 2006, and outlines its recommendations arising from that work.

### **Membership of the Review Group**

The membership of the Review Group was :-

Councillor Ian Haszeldine, Resources Scrutiny Committee, Darlington Borough Council;  
Councillor Francis, Resources Scrutiny Committee, Darlington Borough Council;  
Councillor Hutchinson, Resources Scrutiny Committee, Darlington Borough Council;  
Councillor Johnson, Resources Scrutiny Committee, Darlington Borough Council;  
Councillor Lewis, Resources Scrutiny Committee, Darlington Borough Council;  
Councillor Maddison, Resources Scrutiny Committee, Darlington Borough Council;  
Councillor Richmond, Resources Scrutiny Committee, Darlington Borough Council;  
Councillor F.S.Robson, Resources Scrutiny Committee, Darlington Borough Council;  
Councillor S. Robson, Environment Scrutiny Committee, Darlington Borough Council;  
Councillor Ruck, Environment Scrutiny Committee, Darlington Borough Council;  
Councillor Swainston, Resources Scrutiny Committee, Darlington Borough Council;  
Councillor Walker, Resources Scrutiny Committee, Darlington Borough Council; and  
Councillor Wilson, Resources Scrutiny Committee, Darlington Borough Council.

The Review Group was lead by Councillor Ian Haszeldine.

(Note – Councillors Hutchinson, Lewis, Ruck and Wilson were not in attendance at the Review Group meeting held on 9th June, 2006).

## **Acknowledgements**

The Review Group acknowledges the support and assistance provided in the course of their investigations and would like to place on record its thanks to the following :-

Richard Alty, Assistant Director, Development and Regeneration, Darlington Borough Council;  
Tim Bowers, Site Agent, Birse Civils Limited;  
John Buxton, Director of Development and Environment, Darlington Borough Council;  
Andrea Catterick, Solicitor, Education and Community Protection, Darlington Borough Council;  
Neil Cookson, Solicitor, Highways and Planning, Darlington Borough Council;  
Graham Dewe, Project Manager, Birse Civils Limited;  
Brian Dobinson, Head of Building Design Services, Darlington Borough Council;  
Wayne Fawcett, Operations Manager, 40seven Limited;  
David Hall, Assistant Director, Accounting Services and Local Taxation;  
Mike Langton, Technical Support Manager, 40seven Limited;  
Tony Pearson, Network Planning Manager, Northern Gas Networks  
Michael Sharp, Gillespies;  
Peter Webster, Sales Consultant, 40seven Limited; and  
Catherine Xavier, Gillespies

The Review Group would also like to place on record its thanks to Mr Hume and Mr Smith, members of the public, who took a keen interest in the investigation and attended the meeting held on 9th June, 2006.

## **Method of Investigation**

The Review Group met on 9th June, 2006, (**Appendix 9**) to undertake its formal investigations and interviewed a number of representatives from the contractors involved with the Pedestrian Heart Scheme and Officers of Darlington Borough Council. A presentation and demonstration of the ground radar equipment used to verify the information supplied by Transco on the plans showing the approximate location and depth of the service utilities underground, was also given at this meeting (**Appendix 10**).

## **Documents Examined**

Report (**Appendix 11**) to Pedestrian Heart Review Group by John Buxton, Director of Development and Environment, Darlington Borough Council, 9th June, 2006, including the following appendices :-

Darlington Borough Council and One North East Brief (Appendix 001);  
Advertisement for Expressions of Interest (EoI) for Design Consultant (Appendix 002);

Relevant clauses in the Bills of Quantities (Appendix 003(a) and (b));  
Relevant Extract from Gillespies Tender (Appendix 004);  
Gillespies Brief for mapping and utility survey (Appendix 005);  
Letter from Gillespies to Transco (Appendix 006);  
Relevant extract from Minutes of meeting held 8th January, 2004 (Appendix 006(a));  
Letter from Gillespies appointing AEDAS Land Surveying Company (Appendix 007);  
E-mail from AEDAS dated 15th March, 2004 (Appendix 008);  
Relevant Extract from progress meeting held on 8th April, 2004 (Appendix 009);  
Relevant Extract from progress meeting held on 12th January, 2005 (Appendix 010);  
Note from pre tender ECI workshops (Appendix 011);  
Relevant Extract from progress meeting held on 20th January, 2005 (Appendix 012);  
Relevant Extract from progress meeting held on 17th February, 2005 (Appendix 013);  
Letter from Network Support Manager, Transco, dated 13th April, 2005 (Appendix 014);  
Relevant Extract from progress meeting held on 21st April, 2006 (Appendix 015);  
E-mail from Birse to Gillespies (Appendix 015(a));  
Abstract from notes from the Team Building Workshop 25th July, 2006 (Appendix 015(b));  
Relevant Extract from progress meeting held on 18th August, 2006 (Appendix 015(c));  
Extract from progress meeting held on 10th February, 2006 (Appendix 016); and  
Radar survey results (plans)

## **Findings**

The Director of Development and Environment re-iterated, at this meeting, the National situation in relation to the mapping of underground services and the difficulties in mapping underground services.

From the interviews which have taken place as part of the methods of investigations, the Review Group concluded that, following the information provided from the radar survey, further works could have been undertaken to pinpoint the depth and location of the major service pipes; that, as it is clear that United Utilities would have at some point had to replace the cast iron pipe with a polyethylene pipe, they should contribute further to the cost of the replacement of the pipe; and that the Council should produce and implement a strategy for strengthening its project management arrangements.

## **Recommendation**

That it be recommended to the Resources Scrutiny Committee that Cabinet be advised that :-

- (a) in the light of the survey information provided, further works could have been undertaken and Darlington Borough Council explores the possible legal implications;
- (b) that further discussions take place with United Utility Networks for a greater contribution towards the costs; and

(c) that the Council produce a strategy for strengthening its project management arrangements with external agencies.

**Pedestrian Heart Gas Main Review Group**

Shirley Burton Ext 2233

Background papers

No background papers were used in the preparation of this report other than those referred to.



