

APPENDIX 9

PEDESTRIAN HEART GAS MAIN REVIEW

9TH JUNE, 2006

PRESENT – Councillor Haszeldine (in the Chair); Councillors Francis, Johnson, Maddison, Richmond, F.S. Robson, S. Robson, Swainston, and Walker.

APOLOGIES – Councillors Hutchinson, Lewis, Ruck and Wilson

ALSO IN ATTENDANCE -

Richard Alty, Assistant Director, Development and Regeneration, Darlington Borough Council;
Tim Bowers, Site Agent, Birse Civils Limited;
Shirley Burton, Senior Democratic Support Officer, Darlington Borough Council;
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;
Mr Hume, member of the public;
Mike Langton , Technical Support Manager, 40seven Limited;
Tony Pearson, Network Planning Manager, Northern Gas Networks;
Michael Sharp, Gillespies;
Mr Smith, member of the public
Peter Webster, Sales Consultant, 40seven Limited; and
Catherine Xavier, Gillespies

The Chair welcomed everyone to the meeting and outlined the background to the review and the format for the day. He reminded Members that this Review was specifically related to the gas main and that if anyone had any other issues in relation to the Pedestrian Heart to contact him and he would consider those issues separately.

He also reported that, in accordance with the procedures agreed for this meeting, two questions had been received from Mr Smith, a member of the public, in relation to the Council's Scrutiny procedure Rules and verbal responses to those questions were given at the commencement of the meeting. A further question had been received by Mr. Hume and this was dealt with during the discussions which were held during the course of the day.

The Director of Development and Environment gave a brief overview of his report (previously circulated). He highlighted in his report that the information provided, to date, to Members had been based on the recollections of the people involved. However, as part of the documentation and evidence gathering for this review, it had been possible to undertake a review of all the records and documents and this was what his report was now based on. He reported that the information contained in the records and documents were not necessarily the same as the recollection of the people involved.

40seven Limited gave a presentation and demonstration of two types of ground radar equipment used to verify information about underground services.

In relation to the ground radar equipment, the following issues and points were considered by Members :-

- the significance of the ground conditions on the accuracy of the survey results;
- the ground conditions specific to Darlington;
- the percentage accuracy of the location and depth recording information;
- the cast iron main as a responder to the equipment;
- the use of the radar survey equipment to increase the accuracy of the information provided by the Utility Companies;
- whether the gas main was located by the equipment in the area concerned;
- the mechanism for advising the contractor of the results of the survey; and
- the remit of 40seven Limit in providing the survey results.

Following the presentation and demonstration, Members undertook generally questioning of those present. Many questions were asked throughout the day and the issues raised covered the following areas :-

- the appointment of and project management control by Gillespies;
- clarification on the roles of all those involved in the project;
- the New Engineering Contract (NEC) which was entered into for the Contract and its provisions;
- the commissioning of a survey by Gillespies from AEDAS Land Surveying and the appointment of 40seven Limited by AEDAS to undertake that work;
- the decision not to do trial digs/trenches in the area prior to the appointment of the contractors;
- whether there were records available from United Utilities about repairs which might have been undertaken to the gas main over a number of years;
- the Minutes and action logs of various meetings held to discuss the issue of digging trial holes or trenches;
- the C3 responses received from United Utilities;
- the United Utilities programme of works to replace cast iron gas pipes with polyethylene;

- the low risk score of the Gas Main in High Row which meant that it wouldn't be replaced for approximately 24/25 years;
- the partnership working of all involved in the project under the NEC Contract and the collective decisions taken;
- the incident itself and the paving works being undertaken when the main was struck;
- what percentage of the depth of the whole pipe was known;
- the drop in ground levels in the area;
- concern that no data was recorded in relation to a 12" gas main;
- the probability of anything being struck when undertaking paving works;
- clauses in the Bills of Quantities requiring the Contractor to ascertain the position of all and any services; and
- the National picture in relation to the mapping of underground services.

The members of the public were also invited to make further comments/questions during the discussions and Mr. Smith asked a question in relation to the gas pipe and why it had been damaged and made comment that any major project was only successful if the data around it was fundamentally sound. He also asked questions again in relation to the Scrutiny Procedure Rules and the Chair outlined the background to the Local Government Act 2000, the three aims of this Review Group, as contained in its terms of reference, the procedure and format for the meeting today, the methodology for undertaking a review, as contained in this Council's Procedure Rules, which was only a guidance document to assist Members in undertaking any investigation, and the subsequent action in terms of the Scrutiny process.

At the end of the meeting the Director of Development and Environment summed up his report and stated that there was no record of any conscious decision not to dig trial holes or trenches.

The Chair thanked all those who attended the meeting and advised them of the next stage of the process.

All parties left the room and the Committee deliberated in private.

IT WAS AGREED – That, after hearing all the evidence and information provided today, a final report be submitted to Cabinet with the following recommendations :-

- (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.

