CABINET 26<sup>th</sup> April 2016

#### SOLICITOR TO THE COUNCIL EXEMPT REPORT NO. LEG1604

#### BEAUMONT PARK WALL -EMERGENCY WORKS AND REPAIRS TO BOUNDARY WALL WITH FARNBOROUGH ROAD

### INTRODUCTION

The purpose of this report is to

- update cabinet on the progress made towards being able to let a contract to undertake the necessary repairs to Beaumont Park Wall
- request a variation in the capital programme to permit these urgent works to be undertaken and authority to let the contract to the successful tenderer.

### BACKGROUND

- Whilst the wall appears in reasonable order from Farnborough Road it leans into Beaumont Park. In response to a request from First Wessex the Council commissioned a structural engineer's report which concluded that sections of the wall were now leaning to such an extent that imminent collapse could be foreseen. First Wessex have provided temporary supporting props within their properties.
- Cabinet received a report in July 2014 advising of the need for urgent works and proposing that the council would lead on the procurement of a contractor to undertake the works. An initial variation to the capital programme of £96,000 was approved but this was increased to £132,000 following consultant's advice. The works were tendered but all the bidders dropped out and the council was not able to award the contract. A second tender process has now been run and the costs of awarding the contract together with the consultant's professional fees has taken the total cost to £323,805.00. This cost needs to be split between the respective owners of the wall with the council being liable for £103,713.00 of the total cost. First Wessex costs will be £116,473.00 which they have now paid to the council to enable the contract to be let. The balance of £65,175.00 is due from the private owners of parts of the wall but may to be difficult to collect depending on the financial circumstances of the owners. The owners will also be liable for an additional sum of £38,444.00 for professional fees pro rata. The below table in the financial implications section of this report shows the amounts due and the variation to the capital programme needed.

• The council will be writing to the individual owners prior to the commencement of the works updating them on the procurement since our last correspondence and advising them of their individual liability for the cost. The council will seek to reach agreement as to how their liability is to be discharged, only taking formal recovery action in the event that agreement is not reached.

# THE WALL

- The boundary wall is approximately 3.6 metres in height and runs from the junction of Alexandra Road to the Wellington Roundabout; the wall is stepped to suit the incline of Farnborough Road and has an ornate brickwork capping. The wall also serves to retain land that is 1.7 metres higher within Beaumont Park.
- The wall was constructed between 1854-9 and is subject of a Grade II Listing made on 30<sup>th</sup> July 2013. The walling is original and does not have the appearance of any later repairs or restoration work since constructed.
- The wall forms the rear boundary of 4 houses, formerly First Wessex properties, 6 houses and roadway owned by First Wessex and open areas under the Council's ownership. Ownership of sections of the wall is shown on the plan at Appendix A. The section of walling closer to Wellington Roundabout is in mixed ownership mostly with Beaumont Group Management who are understood to have ceased trading, there are 4 short lengths under the ownership of householders.

# PROPOSED WORKS

- Consultations with the Council's Conservation Officer and specialist architectural consultants and engineers advise that rebuilding of the leaning sections, shown on the plan at Appendix A sections A1 to A12, is required in order to preserve the wall and to avoid a collapse into properties and Farnborough Road. A detailed schedule for rectification, repairs and maintenance to the entire length of walling fronting Farnborough Road has been received from consultants together with budget costs.
  - Initially the work to walling was planned to be carried out in phases firstly dealing with the unstable section, however it has been agreed to carry out the works including repairs and maintenance to the entire wall fronting Farnborough Road as a single contract to provide a consistent finish comparable with the wall as originally constructed.
  - There are also sections of walling facing Alexandra Road with cast iron railings set in stone copings on brickwork below whilst in poor condition and requiring repairs to railings, sections of stone replacement and brickwork repointing. This work is not considered urgent and accordingly will be a

subject of a separate bid for capital funds to be carried out in the next financial year in the usual way.

### FINANCIAL IMPLICATIONS

• The contributions from the respective owners are shown in the below table. VAT is chargeable on the works which RBC and FW will be able to recover on their contributions but not the owners.

	Rushmoor	First Wessex	Other owners	Total
Contract for Repair works	£103,713	£116,473	£65,175	£285,361
Professional fees	£13,972	£15,691	£8,781	£38,444
	£117,685	£132,164	£73,956	£323,805
Variation Requested	Current	Required		
Capital costs	£132,000	£323,805		
Capital Contribution	-£81,000	-£132,164		

## RECOMMENDATION

Cabinet is requested to

- vary the current capital programme as shown in the above table for the repair works to the boundary walling at Beaumont Park to meet the council's contribution and that of owners (other than First Wessex who have paid their contribution to the Council)
- authorise the contract to be awarded to Szerelmey Ltd for £285,361.31
- authorise the Solicitor to the Council to take the necessary legal action to recover the other owners contributions in the event that payments are not made.

## Ann Greaves

Solicitor to the Council