



Railings at Woodhouse Lane Car Park – Phase 1

Date: 20th June 2024

Report of: Parking Manager

Report to: Director of Communities, Housing & Environment & Chief Officer
Financial Services

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

Following a suicide at the car park the Coroner's report requested that the Council take action to reduce the risk of falling from the building, specifically by installing more railings. Although some areas are protected by railings, on most of the floors there is a wide gap between the exterior wall and the ceiling.

A survey of the car park has been undertaken by a contractor and the estimated cost is £475,000 for Phase 1 of the works to the openings in the main car park building. Phase 2 will potentially include works to the main exit ramp and will be approved and procured separately as soon as possible due the extended time required for technical feasibility at this part of the building. The funding for Phase 1 of the project has been agreed by Strategic Investment Board.

The Council needs to respond to the Coroner by 28.6.24, and there is an imperative to undertake this work as soon as possible to mitigate the risk of a further incident.

This report seeks approval to undertake a competitive procurement exercise to appoint a contractor to undertake this work.

Recommendations

a) The Director of Communities, Housing and Environment is requested to approve the procurement of a contractor through a competitive procedure the Council's Internal Highways Civil Engineering Minor Works Framework to carry out the installation of security railings at Woodhouse Lane Car Park for Phase 1 of the works.

b) The Chief Officer Financial services is requested to approve the injection of £475,000 into the capital programme from the Capital Contingencies budget for Phase 1 of the works.

What is this report about?

1 On 1st May 2024 the Coroner for West Yorkshire (East) area issued a section 28 Prevention of Future Deaths report regarding a suicide at Woodhouse Lane Car Park in 2022. In this report

he states that the Council should take action to improve safety at the car park, specifically by installing more physical barriers to make it harder for people to fall. There was a further suicide in very similar circumstances in 2023 although on this occasion the Coroner did not issue a section 28 report.

- 2 At present most of the car park is not protected from a risk of falls with many high areas with public access and only a small barrier. In order to reduce this, action is required across multiple floors on all sides of the building to fill the space between wall and ceiling with metal railings. This will require the installation of several hundred metres of metal railings. The costs of the Phase 1 works have been estimated at £475,000.
- 3 The Council is required to make a written response to the Coroner by 28th June 2024 so ideally the project will have commenced before then. Although we received no indication that the Coroner was investigating this incident, and had no chance to comment before the report was published, our Legal advice is that there is no right of appeal regarding the report's findings.
- 4 This proposal was approved at Strategic Investment Board on 18th March 2024 with spending approval of £500,000. Due to the urgency of the project, it is being progressed outside the usual Capital programme for 2024.
- 5 The evaluation criteria for this tender will be based on a Quality / Price separated basis. Quality assessments will be carried out first and only those bidders who meet the minimum overall quality score threshold of 60% will have their prices assessed. Therefore, contracts will be awarded to the contractors who meet the minimum quality thresholds and submit the lowest prices.
- 6 An Expression of Interest Exercise (EOI) was published to the open market in June 2024 to gauge the level of market interest in this scheme. Of the two responses received, only one contractor met our requirements in terms of turnover. The results provided an opportunity to explore other options that identified contractor on an existing Council's internal Highways Civil Engineering Minor Works framework. Consequently and after discussions with the Principal Engineer in Highways who manages this framework it has been identified as a viable route to use to run a mini-competition between the two contractors on this framework to obtain best value for the Council. Both contractors are happy with this approach and this is estimated will save time to hopefully engage the market leading to award of a contract.

What impact will this proposal have?

- 7 The approval of this procurement will significantly reduce the risk of suicide at Woodhouse Lane Car Park.
- 8 An Equality, Diversity, Cohesion and Integration (EDCI) screening has been carried out which has indicated that there are no negative impacts arising from undertaking this procurement.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing Inclusive Growth Zero Carbon

- 9 This work is strongly aligned to the Health and Wellbeing pillar at the centre of the Council's Best City Ambition and will directly reduce the number of deaths by suicide at this location.

What consultation and engagement has taken place?

- 10 The Executive Member for Climate, Energy, Environment & Green Space has been consulted,

Wards affected: Little London & Woodhouse

Have ward members been consulted? Yes No

What are the resource implications?

- 11 The procurement will be a competitive procedure using the Council's internal Highways Civil Engineering Minor Works framework and will be carried out in an open and transparent manner in line with the Contracts Procedure Rules. It will ensure that competition is sought from the widest pool of contractors to demonstrate best value for the Council.
- 12 There are no significant revenue implications arising from the scheme and the capital funding is summarised in the table below:

Capital funding and cash flow table

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2024 £000's	FORECAST					
			2024/25 £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	2028 on £000's	
LAND (1)	0.0							
CONSTRUCTION (3)	0.0							
FURN & EQPT (5)	0.0							
INTERNAL DESIGN FEES (6)	0.0							
OTHER FEES / COSTS (7)	0.0							
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2024 £000's	FORECAST					
			2024/25 £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	2028 on £000's	
LAND (1)	0.0							
CONSTRUCTION (3)	475.0		475.0					
FURN & EQPT (5)	0.0							
INTERNAL DESIGN FEES (6)	0.0							
OTHER FEES / COSTS (7)	0.0							
TOTALS	475.0	0.0	475.0	0.0	0.0	0.0	0.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2024 £000's	FORECAST					
			2024/25 £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	2028 on £000's	
LCC Corporate Borrowing	475.0		475.0					
Revenue Contribution	0.0							
Capital Receipt	0.0							
Insurance Receipt	0.0							
Lottery	0.0							
Gifts / Bequests / Trusts	0.0							
European Grant	0.0							
Health Authority	0.0							
Private Sector	0.0							
Section 106 / 278	0.0							
Government Grant (Specify)	0.0							
Departmental Borrowing	0.0							
Any Other Income (Specify)	0.0							
Total Funding	475.0	0.0	475.0	0.0	0.0	0.0	0.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

What are the key risks and how are they being managed?

- 13 A contract management plan will be in place for the successful contractor and will provide clear roles, responsibilities, and regular review points during the life of the contract.
- 14 Notable Risks include:

Lack of knowledge or experience - the quality element of the tender evaluation process will ensure that only contractors with experience of similar projects will be considered.

Financial vetting – With current financial challenges across the construction sector, there is a risk that contractors may be unable to fulfil their contracts due to financial distress. To mitigate potential financial challenges contractors will undergo a financial vetting process prior to contract award to ensure they have the required financial standings.

What are the legal implications?

15 The contract value of this procurement is £475,000, therefore this approval will be a Publishable Administrative Decision which is not eligible for call in.

16 Subsequently a separate tender evaluation report and proposal to award a contract will be submitted for approval following the completion of the tender evaluation process which will be undertaken in line with the Contract Procedure Rules.

Options, timescales and measuring success

What other options were considered?

17 The Council have a legal duty to respond to a section 28 report and no other options were considered.

How will success be measured?

18 The project will be a success if we can achieve the installation of secure and robust railings in accordance with the specification in a timely manner.

What is the timetable and who will be responsible for implementation?

19 The estimated timetable for implementation is as follows:

Task/Milestone	Date
Expression of interest – market engagement	3.6.24 – 17.6.24
ATP and Governance approvals in line with CPR 3.1.7	17.6.24
Tender published on YORTender	24.6.24
Tender submission date	24.7.24
Assessment and evaluation	25.7.24 – 15.8.24
Governance and approvals	16.8.24 – 6.9.24
Contract awarded	9.9.24
Work on site begins	07.10.24

Appendices

- EDCI

Background papers

- None