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<b>Report To:</b>	<b>Regeneration Committee</b>	<b>Date: 14 January 2010</b>
<b>Report By:</b>	<b>Corporate Director Regeneration &amp; Resources</b>	<b>Report No: RMcG/LA/476/10</b>
<b>Contact Officer:</b>	<b>Rona McGhee</b>	<b>Contact No: 01475 712113</b>
<b>Subject:</b>	<b>Use of Powers Delegated to the Chief Executive</b>	

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## 1.0 PURPOSE OF THE REPORT

1.1 The purpose of this report is to notify the Committee of all decisions taken under the powers delegated to the Chief Executive since the last ordinary meeting of the Committee.

## 2.0 LIST OF DECISIONS TAKEN

2.1 The individual reports setting out details of each use of the Chief Executive's delegated powers form an Appendix to this report and are summarised as follows:-

APPENDIX

### 2.2 Originator

### Subject

Head of Property Resources & Facilities Management

Devol Glen Stabilisation Works

Head of Property Resources & Facilities Management

Parklea: Proposed Synthetic Pitch

## 3.0 RECOMMENDATION

3.1 The Committee is asked to note the use of the powers delegated to the Chief Executive as summarised in this report.

Rona McGhee  
Legal & Administration

**Report To:** Regeneration Committee

**Date :** 14 January 2010

**Report By:** Corporate Director, Regeneration  
And Resources

**Report No:** R132/09/SM/sm

**Contact Officer:** Joe Lynch

**Contact No :** 01475 712456

**Subject:** Devol Glen Stabilisation Works

- Permission to issue Tenders for Works
  - Use of Emergency Powers
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## **1.0 PURPOSE**

- 1.1 This report seeks to advise Committee on the use of Emergency Powers delegated to the Chief Executive to issue tender documents for the Stabilisation Works at Devol Glen prior to the confirmation of funding, which is subject of a separate report to the Policy and Resources committee.

## **2.0 SUMMARY**

- 2.1 The Regeneration Capital Programme 2009/10 includes £335,000 for Stabilisation Works at Devol Glen, of which approximately £220,000 remains available.
- 2.2 Ground investigations have identified conditions significantly more complex than had originally been expected in geotechnical terms. Remedial design proposals have been developed accordingly. The total cost of these proposals is now circa £500,000 including fees.
- 2.3 A report will be submitted to the Policy and Resources committee seeking approval to reallocate funding within the capital budget to cover the deficit.

## **3.0 USE OF EMERGENCY POWERS**

- 3.1 The use of powers delegated to the Chief Executive was authorised by Councillors Clocherty, Ahlfeld and Macleod to issue tender documents for the Stabilisation Works at Devol Glen prior to the confirmation of funding

## **4.0 RECOMMENDATION**

- 4.1 It is recommended that the use of powers delegated to the Chief Executive is noted.

**Joe Lynch**  
**Head of Property Resources and Facilities Management**

## **5.0 BACKGROUND**

- 5.1 A land slip occurred in the Devol Glen, Port Glasgow in December 2006 in the area west of the N75 cycleway and Alderbrae Road. The area has been confirmed as being in Council ownership. The land slip is threatening the stability and integrity of neighbouring properties as well as constituting a significant health and safety threat. It is imperative that a solution is instigated as soon as possible.
- 5.2 The Regeneration capital programme includes £335,000 Stabilisation Works at Devol Glen. Expenditure has already taken place on temporary works, monitoring, surveys etc leaving approx £220,000 available within the budget.
- 5.3 Raeburn Drilling were appointed in December 2006 to monitor the area for further movement until the situation is resolved. To date no further serious movement has been detected.
- 5.4 Ground investigations and design proposals identified conditions significantly different from what might have been expected in this area. A deep strata of clay underlying the site has been identified.
- 5.5 Further ground investigation and analysis has been undertaken to determine the stability of the adjacent ground and structures and the general area in terms of proposed remedial and stabilisation solutions. The Council is required to avoid any acts which would interfere with the support to other structures. If the landslip results in any damage to other properties, the Owners would be entitled to pursue the Council for damages. A suitable remedial scheme has now been developed and is ready to proceed. The approximate cost of this scheme is £500,000.
- 5.6 The project, and the requirement for additional funding, has been discussed previously at the Capital Programme Investment Group with the understanding that a future report would be submitted to the Policy and Resources Committee.
- 5.7 This report has now been prepared and will be submitted to the Policy and Resources Committee on the 17<sup>th</sup> November 2009. The report will include the proposed virement of funds within the Regeneration capital programme to cover the additional costs associated with the proposed remedial works.

## **6.0 PROPOSAL**

- 6.1 It is proposed to issue tenders for the Devol Glen Stabilisation Works prior to the full funding package being confirmed.
- 6.2 This is contrary to the Council's Financial Regulations and Standing Orders Relating to Contracts but will allow the works to be completed as soon as possible and reduce slippage in the expenditure of the capital budget.
- 6.3 However, a letter of acceptance will not be issued until it is confirmed that the full funding package has been approved.

## 7.0 IMPLICATIONS

### 7.1 Financial Implications – One off Costs

<b>Cost Centre</b>	<b>Budget Heading</b>	<b>Budget Year</b>	<b>Proposed Spend this Report</b>	<b>Virement From</b>	<b>Other Comments</b>
Regenerat. Capital Programme 2009/10	Devol Glen Stabilisation Works	2009-10	£500,000		Refer to separate report to Policy and Resources Committee 17 <sup>th</sup> November 2009.

### 7.2 Financial Implications – Annually Recurring Costs/ (Savings)

<b>Cost Centre</b>	<b>Budget Heading</b>	<b>With Effect from</b>	<b>Annual Net Impact</b>	<b>Virement From (if Applicable)</b>	<b>Other Comments</b>

## 8.0 CONSULTATION

8.1 The Chief Financial Officer is in agreement with the proposals

8.2 Personnel: None

8.3 The Head of Legal and Administration is in agreement with the proposals.