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Date: 28th February 2018

Dear Sir/Madam,

At the meeting of **Council** held in the **Council Chamber, Penallta House, Tredomen, Ystrad Mynach** on **Tuesday, 6th March, 2018** at **5.00 pm** with regard to Agenda Item 14, the following questions were received and answered under Rule of Procedure 10 (2).

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy'.

Christina Harrhy
INTERIM CHIEF EXECUTIVE

A G E N D A

10 To receive and to answer questions received under Rule of Procedure 10(2).

Circulation:

All Members And Appropriate Officers

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COUNCIL - 6TH MARCH 2018

SUBJECT: ANSWER TO QUESTIONS RECEIVED UNDER RULE OF PROCEDURE 10(2)

1. ASBESTOS WITHIN PONTLLANFRAITH COUNCIL OFFICES

To the Cabinet Member for Corporate Services and the Cabinet Member for Neighbourhood Services from Councillor G. Simmonds.

To ask the Cabinet Members:

1. If Caerphilly Council is to establish a compensation scheme to deal with any asbestos related claims for compensation arising from the admission of Pontllanfraith Council offices "being riddled with asbestos" from memory the building was built in 1972 so exposures in excess of forty years working in an asbestos riddled work environment is not unthinkable?
2. Is Caerphilly Council to establish a screening programme for employees who worked in Pontllanfraith Council offices?
3. When did Caerphilly Council become aware of the Pontllanfraith Council Offices were riddled with asbestos, please list the frequency of checks carried out on the Pontllanfraith offices?
4. For mesothelioma, it may **take** 40 years. Generally, asbestosis **takes** between 15 to 20 years to show **up** on a chest x-ray. The most common symptoms of **asbestos-related lung disease** are shortness of breath and coughing. The symptoms may be mild to severe, depending on the extent of the scarring. (www.workerhealth.org/asbestosreldisease.html) Is Caerphilly aware of any cases or pending cases of asbestos related claims for compensation against Caerphilly Council?
5. In view of the claim the Pontllanfraith Council offices were closed due to cost running into hundreds of thousands of pounds to make safe, has Caerphilly's insurers been made aware that potentially harmful work environments were tolerated because of cost pressures.
6. Is it the case vulnerable people were seen as more important than employees of Caerphilly Council and were our employees made aware of the potential risk to their health and future health?

RESPONSE FROM COUNCILLOR C GORDON , CABINET MEMBER FOR CORPORATE SERVICES.

Question 1 – Answer

No.

All asbestos containing materials (ACMs) within the offices have been managed in accordance with appropriate regulations. With regards to Asbestos Containing Materials (ACMs) within this building then there was varying ACMs from Asbestos Floor Tiles to Asbestos Insulation Board with a large percentage of these ACMs are enclosed within the fabric of the building and not prone to damage from normal occupancy of the building. These ACMs are not uncommon to many buildings within the Authority and/or nationwide of this age of construction and they were managed in accordance with current HSE Guidance and Corporate Asbestos Management Plan.

Question 2 – Answer

No, for the reasons given above. In any case, such a programme would not diagnose any issues until symptoms had developed.

Question 3 – Answer

Pontllanfraith Offices contained asbestos containing materials (ACMs) in a number of forms as detailed in question 1. The initial Asbestos Management Survey was undertaken in 2003 then resurveyed in 2007, then 2010. There was a Refurbishment Survey, 2009, 2013 and demolition survey 2016, condition monitoring Jan 2010, Jan 2011, Sep 2012, Dec 2012, Jan 2014 and Jan 2015.

Question 4 – Answer

The Council is aware of 5 Cases, none of which relate to Pontllanfraith House.

Question 5 – Answer

A report was presented to Special Policy and Resources Scrutiny Committee on 17th June 2014 regarding Pontllanfraith House. This report identified Pontllanfraith House as a candidate for closure as it represented a significant liability to the Council. As the building was constructed in 1977 and that the building was in poor state of repair requiring major repair work to the roof, windows, external cladding and heating/ventilation system, upgrade to the electrical system and also of IT supply. It did not refer to the building being unsafe with regards to Asbestos. However, due to the presence of ACMs within the fabric of the building, the safe management of those materials would represent an additional cost to the required repair/refurbishment. The additional cost was not to make the building safe due to asbestos, but to ensure repairs would have been carried out in a way which ensured ACMs were managed in accordance with the legal requirements for safety of the users of the building and individuals carrying out the work.

Question 6 – Answer

In accordance with relevant guidance and the Local Asbestos Management Plan, asbestos containing materials (ACMs) were labelled at the time of the survey. Also Employees would be made aware by managers of the presence of ACMs. Due to the ACMs being correctly and sufficiently managed then the Health and Safety Executive would be satisfied that this building was safe to access by public and a safe working environment for Caerphilly employees.



COUNCIL - 6TH MARCH 2018

**SUBJECT: ANSWER TO QUESTIONS RECEIVED UNDER RULE OF PROCEDURE
10(2)**

1. ASBESTOS WITHIN CAERPHILLY COUNTY BOROUGH COUNCIL LEISURE CENTRES

To the Cabinet Member for Corporate Services and the Cabinet Member for Neighbourhood Services from Councillor A. Farina-Childs.

To ask the Cabinet Members:

1. Have any surveys been undertaken into the presence of asbestos in Caerphilly's Leisure Centres?
2. If so when were the surveys last undertaken?
3. Please can you list any Leisure Centres found to have asbestos present?
4. Have any condition surveys been undertaken on Caerphilly's Leisure Centres?
5. If so when were the surveys last undertaken?

Please can these findings be made available to Council together with any costs necessary to bring each Leisure Centre up to an acceptable standard?

RESPONSE FROM COUNCILLOR C. GORDON, CABINET MEMBER FOR CORPORATE SERVICES AND COUNCILLOR N. GEORGE CABINET MEMBER FOR NEIGHBOURHOOD SERVICES.

Question 1 - Answer

Yes

Question 2 - Answer

- Bedwas LC – Asbestos Management Survey completed on 10/8/17
- Caerphilly LC - Asbestos Management Survey completed on 23/9/08
- Cefn Fforest LC - Asbestos Management Survey completed on 3/2/14
- Heolddu LC - Asbestos Management Survey completed on 22/9/08
- Newbridge LC - Asbestos Management Survey completed on 6/6/13
- New Tredegar LC - Asbestos Management Survey completed on 7/5/15
- Pontllanfraith LC – Asbestos Management Survey completed on 7/1/10
- Risca LC – Asbestos Management Survey completed on 16/11/09
- Sue Noakes LC - Asbestos Management Survey completed on 1/12/09
- St Cenydd LC was constructed post 2000 so does not have any asbestos containing materials and does not require an Asbestos Management Survey

Question 3 - Answer

The Leisure Centres that have asbestos present are detailed in questions 2 and are managed in accordance with regulations

Question 4 – Answer

Yes

Question 5 – Answer

- Bedwas LC – Condition Monitoring completed on 10/8/17
- Caerphilly LC - Condition Monitoring completed on 28/2/18
- Cefn Fforest LC - Condition Monitoring completed on 26/1/18
- Heolddu LC - Condition Monitoring completed on 26/10/17
- Newbridge LC - Condition Monitoring completed on 9/10/17
- New Tredegar LC - Condition Monitoring completed on 17/8/17
- Pontllanfraith LC – Condition Monitoring completed on 27/2/18
- Risca LC – Condition Monitoring completed on 18/11/17
- Sue Noakes LC - Condition Monitoring completed on 6/3/18

Asbestos is managed to an acceptable standard in accordance with regulations in each of the leisure centres.

Review of current asbestos condition monitoring inspections in Leisure Centre constructed pre 2000, no Asbestos Containing Materials (ACMs) are shown in an unsafe position so no requirement for any remedial works to make ACMs safe.

Asbestos surveys are done in house free of charge.



COUNCIL - 6TH MARCH 2018

**SUBJECT: ANSWER TO QUESTIONS RECEIVED UNDER RULE OF PROCEDURE
10(2)**

1. PWLL-Y-PANT ROUNDABOUT

To the Deputy Leader and Cabinet Member for Economy, Infrastructure and Sustainability
from Councillor Kevin Etheridge

1. To ask the Deputy Leader and Cabinet Member when the traffic impact assessment, feasibility study and cost benefit analysis was undertaken on the Pwll-y-Pant Roundabout and its impact and provide a summary of the conclusions?
2. To ask the Deputy Leader and Cabinet Member to provide a breakdown of the cost in regard to the original tender, who undertook the valuation of the work with details of the consultation procedures prior to the commencement of the work, and the original and current timescales involved?

RESPONSE FROM COUNCILLOR SEAN MORGAN, DEPUTY LEADER AND CABINET MEMBER FOR ECONOMY, INFRASTRUCTURE AND SUSTAINABILITY.

Question 1 - Answer

- A Traffic Impact Assessment (TIA) accompanies a planning application. As this work was undertaken under permitted development there was no need for a TIA.
- To demonstrate the need for the scheme and the benefits from it, Welsh government required a WelTag Options Appraisal to support the grant funding application. The conclusions of the appraisal were as follows:
 - The do nothing option will result in significant additional queuing and increases in journey time at a junction that is already over capacity.
 - Traffic Modelling indicates that (Option 2D rev D) will be able to mitigate against additional traffic increases which have been identified in the adopted LDP 2010 to the year 2033.
- Traffic modelling using the Saturn model was used to support the Caerphilly Basin and the LDP process, and also used to demonstrate the need for the improvements. Traffic flows are currently on average 37,000/day and the scheme being undertaken future proofs the roundabout. The Saturn model includes traffic flows before and after the scheme is complete with projections up to 2033 which includes 22% growth in traffic flows, which with the completed works, the roundabout will be able to accommodate.

Question 2 – Answer

- The original tender figure as submitted by Walters UK Ltd was £3.175 million; a breakdown of this figure cannot be given as it contains commercially sensitive information.
- A PQQ process via Sell2Wales was undertaken in accordance with the Authority's Standing Orders for Contracts on 11th May 2017 (reference WA Ref:66401), inviting expressions of interest from organisations interested in undertaking the works. A total of nine organisations submitted PQQ responses which were returned to the Authority via the Proactis Plaza E-Tendering System on Tuesday 25th May 2017.
- A "pass/fail & elimination" process was undertaken and subsequently scored and ranked. Three of the PQQ submissions were deemed to be failed responses following assessment against scored questions and were not considered in the tender process going forward. The top six ranked organisations were short listed to the ITT Stage of the process.
- The instruction to progress the procurement was issued by Christina Harray, the then Director of Communities, following Cabinet approval in June 2017 to proceed to secure a contract for the delivery of highway refurbishment works at Pwllpant roundabout and associated highway links.
- All Contractors identified above received an invitation to tender via the Council's Proactis Plaza Etendering Portal dated Thursday 29th June 2017. The return date for tenders was specified as 12.00 noon on Thursday 27th July 2017, and all tender responses were to be via the Proactis Plaza E-tendering Portal.
- Evaluation of tender submissions was undertaken on a cost/quality basis and not on price alone. Determination of the most economically advantageous tender was undertaken utilising a cost/quality scoring matrix the detail of which was issued to tenderer's as part of the instructions for tendering.
- The quality assessment exercise was undertaken independently by officers from CCBC Engineering Projects Group in consultation with officers from CCBC Procurement Department.
- Approval to proceed to award was then sought from and given by Christina Harray, Director of Communities and Elizabeth Lucas, Head of Procurement.

- The contract start date was 9th October 2017 with completion programmed for 10th October 2018. On commencement of the works issues with public reaction to the disruption and delays caused by these works, necessitated the reappraisal of the approach to delivering the works with the restriction of maximising two lane running place upon the traffic management, this has resulted in a possible revised completion date of 14th November 2018.

Consultation with the business community and local communities was undertaken in advance of the scheme and also during the scheme. As a result of the engagement with the business community the scheme has been revised to incorporate the views of the local business community.

The original estimated timescale for the completion of the works was a maximum of 12 months and with the revisions to the programme that have recently taken place, they remain at 12 months maximum duration. The key difference, as a result of the revisions to the programme being a large reduction in the amount of time single lane traffic is in operation.

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