

**Forward Plan reference number:** Not Applicable

<b>Report title:</b> Waiver of the Six Yearly interval for Principal Inspections on the A130 to enable the Inspection to be undertaken by 30 April 2024	
<b>Report to:</b> Peter Massie, Head of Essex Highways Commissioning	
<b>Report author:</b> Deana James, Business Planning Manager	
<b>Date:</b> 19/12/2023	<b>For:</b> Chief Officer Action
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<b>County Divisions affected:</b> All Essex	

## **1. Purpose of Report**

- 1.1 To agree the waiver of the six yearly interval for Principal Inspections on the A130 to enable the Inspection to be undertaken by 30 April 2024.

## **2. Recommendations**

- 2.1 Agree the waiver of the six yearly interval for Principal Inspections on the A130 to enable the inspection to be undertaken by 30 April 2024.

## **3. Summary of issue**

- 3.1 A Basic Asset Protection Agreement (BAPA) is required to enable the Principal Inspections of the two rail bridges on the A130. This needed to be in place before inspections were undertaken and within six years of the previous Principal Inspection (30th July 2016).
- 3.2 Due to ongoing discussions with Network Rail and delays due to the contractual complexities of the DBFO Contract, the BAPA was not obtained in time and a waiver was agreed in February 2023 to complete the Principal Inspections by July 2023.
- 3.3 Although the BAPA was signed by all parties in October 2022, there were further delays in finalising the Back-to-Back Agreement which is required to indemnify ECC against liability. This meant Inspections were not completed within the date of the previous waiver (July 2023) and a further waiver was agreed to enable the inspection to be undertaken by 31 December 2023.
- 3.4 The Back to Back Agreement has now been signed by all parties but due to ongoing discussions between Ringway and Network Rail regarding the formal proposal for how they intend to undertake the Principal Inspections (combined with the 10 week lead in time for Network Rail staff and availability of Structures Inspectors), a further waiver is required to agree that Principal Inspections can be undertaken by 30 April 2024.
- 3.5 Network Rail have provided three provisional dates for each structure with the latest of these being 17 April 2024.

#### 4. Options

- 4.1 Do nothing.
- 4.2 Agree the waiver of the six yearly interval for Principal Inspections on the A130 to enable the inspection to be undertaken by 30 April 2024. **This is the preferred option.**

#### 5. Next steps

- 5.1 Decision to be taken via Chief Officer Action.


#### 6. Issues for consideration

##### 6.1 Financial implications

There are no additional financial implications associated with this decision.

##### 6.2 Risk implications

The last Principal Inspection undertaken in 2016 and the last General Inspection /Railway Visual Inspection undertaken in 2021 have not identified any high category defects requiring prompt action so the risk to the project is extremely low.

<b>I approve the above recommendations set out above for the reasons set out in the report.</b>   <b>Peter Massie – Head of Essex Highways Commissioning</b>	<b>Date</b>  19 December 2023
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In consultation with:

Role	Date