



Our Ref 571330/D

15 May 2008

For the attention of Mr A Ferguson

Belfast City Council
The Cecil Ward Building
4 - 10 Linenhall Street
BELFAST
BT2 8BP

RECEIVED

19 MAY 2008

Dear Sir

**BELFAST SEWERS PROJECT
ORMEAU PARK**

We refer to your letter dated 24 April, the accompanying report from the Contractor, Farrans MorganEst JV, and to our subsequent meeting in your offices on Friday 9 May 2008.

This Contractor is carrying out the Belfast Sewers project on behalf of NI Water Ltd. The route of this tunnel through Ormeau Park had previously been agreed with you and indeed the access shafts for the tunnel have already been established within the Park at the agreed designated positions. This report from the Contractor is proposing to raise the invert level of the sewer to such a level that they propose to lay it in a trench excavated from the surface as opposed to the original design of a bored tunnel at a 10 m depth.

The reason put forward for proposing this alternative is because they have discovered that there is an excessive amount of boulders in the strata at the level of the originally designed tunnelling route. According to the Contractor the tunnel boring machine (TBM) which they had originally specified for this route would not be able to cope with the anticipated boulders. Again, apparently, a replacement TBM will take a long time to source and that this would effect the programme for the entire project. Hence, they are proposing to raise the level of the sewer closer to the surface and to lay it through the Park in a conventional trench excavation method.

The repercussions of this proposal for you are that your Park and its Golf Course will be seriously disrupted throughout these proposed works. The method of working would be very destructive to your Park and the possibility of poor reinstatement could leave you with the legacy of spoiled landscape. On the other hand, the repercussion for the contractor will be beneficial in that it should be a more straightforward form of construction and the likelihood that his programme will not be impeded. Therefore, there is a prospect of significant inconvenience and risk and yet the problem is not of your making. Indeed the root cause of this problem is that the Contractor planned to use a TBM which has subsequently been presented as inadequate for the job because of unexpected adverse ground conditions.

We appreciate that you have a good working relationship with NI Water and you wish to co-operate with them on this project for the benefit of the City as a whole. Consequently, you will wish to ensure that both the physical and contractual arrangements for the project are progressed in an efficient manner. Nevertheless, we also appreciate that you have to protect your interests and those of your community in the City.

In view of this report, our recommendations to you are as follows:

- 1 That a strongly worded letter be sent to the Contractor (and copy NI Water) acknowledging receipt of the report, informing him that you are assessing the implications of his proposals but pointing out that this will create considerable disruption to the Park and the Golf Course;
- 2 Check the legal position you have with the Golf Club and ascertain what consultation is required with them;
- 3 Ascertain from your Parks Committee the risks which this proposal presents to your Park with regard to its landscape, the effects on trees, shrubs and plant life generally, access to and from the working area, etc. We can arrange for our landscape architect to assist you in this matter if required;
- 4 Convene a meeting immediately with NI Water, the Employer on this contract, so that we can discuss with them your issues but also share with them the contractual implications which may seriously impact on NI Water.

We have informally discussed this issue with Mr B Gowdy, the Project Sponsor of NI Water and he would be happy to meet with you on this matter.

Depending on the outcome of the above steps, we will be in a better position to decide on the appropriate course of action for the City Council.

We will follow up this letter in order to further assist in any way we can to seek a resolution of this matter.

Yours faithfully
for RPS Consulting Engineers



R.J. HEGAN