

Tees Transporter Bridge

Corporate Affairs and Audit Committee
17 December 2020

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Background

- Opened in 1911, the Tees Transporter Bridge is the longest working transporter bridge in the world and is an iconic symbol of the area's engineering and industrial heritage. It is Grade II listed.
- Middlesbrough Council manages the bridge in line with an agreement with Stockton Borough Council under section 101 of the Local Government Act 1972.
- The bridge has been closed since August 2019 to allow for essential investigation and maintenance works.
- A whistleblowing report regarding health and safety and the overall maintenance and management regime for the Transporter Bridge was received by the Council's then internal auditor (Tees Valley Audit and Assurance Services (TVAAS)) on 8 August 2019.
- In response, TVAAS agreed an audit investigation with the then Executive Director of Growth and Place, which started on 28 August and reported on 23 December 2019.

Background

In summary, the allegations made by the whistleblower were:

- the bridge was in a dangerous state of repair due to repeated requests for essential maintenance being refused;
- there was a lack of management oversight and a refusal for the bridge to be closed so that maintenance could be undertaken;
- wheels, ropes and anchor points on the bridge were substantially out of date;
- cross members on the bridge were loose and some had fallen into the river;
- maintenance staff training was out of date;
- no routine management meetings have taken place.

TVAAS's findings are outlined in the following slides and have informed overall improvement planning for the bridge.

Internal Audit's findings

- TVAAS found **Cause for Considerable Concern** in relation to the areas examined, meaning fundamental failures existed within the control environment and the Council was exposed to unacceptable levels of risk.
- TVAAS concluded that most of the allegations made by the whistleblower were accurate. While no evidence was found that repeated requests for maintenance or requests for the bridge to be closed were refused, it identified a mostly passive and ineffective management approach to the Transporter Bridge over the previous decade.
- It found that the lack of specifically qualified or trained bridge or structural engineering staff engaged by the Council to manage the facility ultimately led to the deterioration of the structure to the extent that it presented a health and safety risk.
- There was a lack of adequate maintenance programmes or appropriate inspection regimes in place to meet H&S regulations and best practice. While some inspections had been carried out, there was no evidence to support that any of the recommended actions formed the basis of any management reports.

Internal Audit's findings

- There was limited evidence of management reporting and was difficult to establish senior management's role or level of oversight. There was no evidence of reporting to wider stakeholders, including Stockton Borough Council.
- 10 findings were set out by TVAAS, with associated management actions – seven findings were Priority 1 (a fundamental risk requiring immediate action) and three were Priority 2 (a significant risk requiring timely action).
- To put this into context, only three Priority 1 findings were set out across a total of 70+ internal audits across the 2017/18 and 2018/19 financial years. As such this was the most serious report received by the Council from its internal auditor for many years.
- TVAAS noted some improvements to working practices since the (then) recent transfer of bridge management from Transport and Infrastructure to Property and Commercial Services.

Internal Audit's findings

- Since the audit investigation, Property and Commercial Services have been taking forward works to allow the agreed management actions to be completed and to propose options for the safe reopening of the bridge and its future operating model.
- The following slides set out the agreed management actions and their priority. The full report has been provided to Committee members.
- The target dates for completion of all actions has moved from 31/03/20 to 31/03/21 with the agreement of the Council's now internal auditor, Veritau, to account for the time taken to conduct, analyse and report structural investigations, a process which has itself been interrupted by COVID-19.
- During this period, the health and safety risks outlined in the report have been mitigated by the continued closure of the bridge and temporary works to ensure its structural integrity.

Internal Audit's findings

No.	Priority	Management action
1	2	Management should ensure that maintenance and staff meetings at the Transporter Bridge are regularly held and minuted. All identified actions should be recorded and followed up to ensure that remedial action is delivered by action owners within the agreed timescales.
2	2	Senior staff from both Transport & Infrastructure and Property & Commercial Services should meet regularly to ensure that relevant matters are discussed and minuted (e.g. maintenance or inspection programmes and day-to-day issues relating to the Transporter Bridge). All identified actions should be recorded and followed up to ensure that remedial action is delivered by action owners within the agreed timescales.
3	1	Management should review the effectiveness of the current management arrangements for the Transporter Bridge. Going forward, the Council should consider external technical consultancy or guidance to ensure that both the service and the structure remain fit for purpose.

Internal Audit's findings

No.	Priority	Management action
4	1	Management should ensure that effective governance arrangements are implemented for the Transporter Bridge. This should include performance being regularly reported to all stakeholders and a service level agreement agreed between the Council and Stockton Borough Council which details all management responsibilities to ensure that the facility remains fit for purpose.
5	1	<p>There must be compliance with the requirements of the Lifting Operations and Lifting Equipment Regulations (LOLER) 1998. An immediate review should be undertaken so that all lifting equipment can be identified and correctly categorised into the following categories.</p> <ol style="list-style-type: none">1. Equipment used to lift or support materials.2. Equipment used to lift or support personnel.3. Lifting accessories. <p>Thereafter, appropriate LOLER inspections should then be scheduled on the correct frequencies.</p>

Internal Audit's findings

No.	Priority	Management action
6	1	<p>Appropriate training must be provided so that personnel have the competency to carry out user checks on harnesses. A documented system of undertaking checks on personal issue harnesses and items in rescue bags should be implemented.</p> <p>Appropriate harness inspections must be performed on a six-monthly basis with an appropriately qualified contractor to satisfy the requirements of the PUWER and Working at Height regulations.</p>
7	1	<p>A documented maintenance schedule must be produced (by an appropriately qualified in-house employee or external consultant) to detail what checks are to be carried out at the Transporter Bridge and their associated frequency. Documented systems should be adopted whereby individuals sign for checks carried out on a registered job card as soon as they have been completed. A maintenance log should be created to detail all activities that are undertaken by on site staff as well as outside contractors.</p>

Internal Audit's findings

No.	Priority	Management action
8	2	A training needs analysis should be compiled for all staff at the Transporter Bridge. This analysis should highlight the training required, differentiating between mandatory training for legislative requirements and other advisable training for best practice. The analysis should identify how and by whom the training will be delivered and the associated frequency. Training records for all staff should be maintained to ensure an up to date record of all staff training completed and to be completed is available.
9	1	Management should ensure that, in the interest of safety for members of staff, public, visitors, activity agents and for the vessels that travel underneath the structure, that the Transporter Bridge has a full structural survey. All remedial actions identified as a result of that survey must be addressed as directed by the survey findings. The facility should remain closed until it has been deemed fit for purpose by surveyors.

Internal Audit's findings

No.	Priority	Management action
10	1	Management should organise a risk workshop with all relevant staff for the purposes of compiling a register that captures all risks facing the Transporter Bridge including health and safety risks and those relating to the strategic objectives of the Transporter Bridge i.e. risks that could prevent the attainment of the Council's vision and aims. The risk register should then be periodically reviewed (e.g. at least twice a year) to ensure that the risks remain relevant and that planned mitigation actions are implemented according to timescales.

Progress made since the audit investigation

Management oversight

- Management of the bridge had moved from the then Transport and Infrastructure service to Property and Commercial Services around the time of the audit.
- A review undertaken by the new management team led to the temporary closure of the bridge in July 2019.
- Regular operational team meetings were held and documented until the bridge team was temporary redeployed due to the closure of the bridge.
- The Memorandum of Understanding with Stockton Borough Council has been reviewed and quarterly joint meetings are being held to review arrangements for both the Transporter Bridge and Newport Bridge.

Progress made since the audit investigation

Policy, procedures and associated works

- A full structural survey of the bridge by competent persons has been concluded with a number of repairs made to make the structure safe and park the gondola.
- All lifting equipment has been repaired where appropriate and passed relevant safety inspections.
- New harness has been purchased, all relevant staff have been trained and a six monthly inspection programme has been implemented.
- A weekly visual inspection will be completed as an interim measure to assure structural safety until remedial works have been agreed following analysis of the structural survey.
- Once the future direction for the bridge has been agreed, a detailed risk register, forward plan of maintenance checks and staff training and associated monitoring and reporting will be implemented as per TVAAS's recommendations.

Progress made since the audit investigation

Policy, procedures and associated works

- A report will be presented to the Executive on 22 December 2020 outlining options for the future operating model for the bridge and associated capital and running costs.

Wider governance considerations

- Control failures such as those highlighted in TVAAS's investigation call into question the robustness of the system for assessing the condition of buildings and structures and planning and implementing appropriate works.
- It is therefore proposed that the Committee approve a review of current arrangements within the Council to provide assurance that the situation in respect of the Transporter Bridge is unique and other such instances will not occur in the future.
- Improvements to the Council's health and safety policy and procedures and reported to Health and Safety Committee and the Health and Safety Manager presented a detailed briefing on these matters to the Health and Safety Ad Hoc Scrutiny Panel on 3 November 2020.
- The Health and Safety Manager will provide an annual assurance report to this Committee in February 2021.

Next steps

Action	Purpose	Timescale
Commence review of arrangements to assess conditions of MBC buildings and structures and plan and implement appropriate works.	To provide assurance that governance arrangements are robust.	December 2020
Report to Executive on required works and future operating model.	To determine the way forward for the Transporter Bridge.	December 2020
Completion of actions identified in the TVAAS audit investigation.	To ensure robust governance arrangements are implemented in line with the agreed operating model.	March 2021
Commission Veritau to review arrangements in respect of the Transporter Bridge after six months.	To provide assurance the governance arrangements are embedded and are effective.	September 2021