



Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Mark Billington, Director of Environment	Councillor Lesley McKay, Resources Portfolio Holder and Councillor Roger Berry, Neighbourhood Services and Community Safety Portfolio Holder	18 April 2024

Flood and Coast Resilience Innovative Programme – Our Future Coast Development

Key decision: No.

1. Purpose of report

- 1.1 To provide an update and seek approval to appoint consultants to further develop the Flood and Coast Resilience Innovative Programme (FCRIP) Funded – Our Future Coast (OFC) project.

2. Council priorities

- 2.1 To continue collaboration with our partners and to respond to a range of climate change and community resilience issues, including our commitment to carbon footprint reduction and tackling flood risk and the associated community impact across Wyre.

3. Recommendation

- 3.1 That approval is given by the Resources Portfolio Holder to allow for the appointment of consultants under the exemption to Contract Procedures contained within the Financial Regulations and Financial Procedure Rules, on the grounds that: “The goods, works or services are of a specialised nature carried out by only one or a limited number of firms with no reasonably satisfactory alternatives available” and “There is no genuine competition for the goods, works or services being procured”.

4. Background

- 4.1** Our Future Coast (OFC) (the updated name for Eco-Cobs) previously obtained approval in the Portfolio Holder's Report of 12 August 2021 for officers to develop Environmental Community Owned Coastal Buffer Strips (ECO-CoBS) along the NW Coast to the Outline Business Case stage through the DEFRA Innovative Resilience Fund.
- 4.2** The OFC board consists of nine members as follows: Chief Executive of Lancashire Wildlife Trust and Morecambe Bay partnership (chair), Area Director Natural England, Area Director Environment Agency, Coastal Habitat Creation Specialist ABP Mer, Chair of North West Regional Flood and Coastal Committee (RFCC), Head of Strategic Marine Licensing Marine Management Organisation, Senior National Consultant of the National Trust, Senior Lecturer at Lancaster University and Wyre Council's Assistant Director of- Engineering.
- 4.3** The OFC board act as a steering group for the project but ultimate responsibility for delivery of the scheme and adherence to procurement rules remains with Wyre Council.
- 4.4** Wyre have appointed a Project Manager for the OFC scheme who reports to the Head of Engineering Services and will manage the overall project including the 14 demonstration sites which will be delivered by a variety of external partners across the region.
- 4.5** The following grant partner agreements are in place: Wyre Rivers Trust, Lancaster City Council, Fylde Council, Sefton Council, Westmorland & Furness Council, Morecambe Bay Partnership and Lancashire Wildlife Trust. For the delivery and management of OFC demonstration sites. The following grant agreement is due to be agreed and signed in the next couple of months: Cumberland Council. Site specific scoping documentation are being developed and costed by Wyre Rivers Trust, Lancashire Wildlife Trust, Fylde and Sefton Councils. The scopes will be included within the existing grant agreements.
- 4.6** As the project moves into the delivery stages key procurement decisions are required:
- 4.6.1** The Our Future Coast project would like to have the project website pages hosted on the RFCC sponsored Floodhub website. This gives the project regional exposure to practitioners and the public on a single host website. Newground is the established website host, designer and manager for Floodhub. They were appointed through a competitive process by the Environment Agency and therefore have been tested for best value. To have the OFC pages on the Floodhub website requires the use of Newground. Therefore the council are restricted to this supplier.. The quotation received is £8,500.

- 4.6.2** The Our Future Coast project would like to contract a monitoring consultant who is best placed to complete the work within the monitoring and evaluation work package 3 (WP3) owing to existing close relationships with our key monitoring contractors CoastSense (formerly Marlan), Sefton Council Cell Eleven Regional Monitoring Strategy (CERMS) and National Oceanography Centre (NOC). The services are of a specialised nature carried out by only one company with no reasonably satisfactory alternatives available. However, a suitable consultant has been identified whose rates have been compared against regional frameworks to represent best value.
- 4.6.3** Hello Lamp Post is an interactive engagement tool used by the Environment Agency to gauge and collect public awareness, understanding and reactions to public service interventions. The QR coded posts also function as a medium to provide information and contact signposting. The cost of this engagement tool is £6,500 per year for three years (totalling £19,500).
- 4.6.4** It is intended to include this innovative engagement strategy at several of the project sites. The Hello Lamp Post service has been developed by Hello Lamp Post Ltd through the EA and the services are of a specialised nature carried out by only one company, no reasonably satisfactory alternatives are available.
- 4.6.5** Approval to procure Marlan was given in the report referred to at 4.1. It should be noted that Marlan has entered a new framework agreement with Sefton CERMS under the name CoastSense and ongoing procurement will be undertaken through this framework through CoastSense.
- 4.6.6** CoastSense are bidding for a Biodiversity and Ecosystems Assessment using the Coastal Observations Networks of Sensors (BEACONS) DEFRA innovation project which is an excellent fit for the OFC scheme. The OFC board have approved the initiative. Should CoastSense be successful in the bid, Wyre Council would provide support through the OFC project and officer time for which the council would be refunded by DEFRA as part of the existing scheme budget.

5. Key issues and proposals

- 5.1** To appoint Newground as a consultant for development of the OFC website.
- 5.2** To appoint G Lymbery as a consultant for the development of WP3 monitoring and evaluation.
- 5.3** To appoint Hello Lamp Post to develop and manage the Hello Lamp Post initiative.

5.4 To note the new CERMS monitoring framework as a route to employ CoastSense.

5.5 To approve OFC and Wyre Council as a partner organisation for BEACONS project using the LBCRSS framework.

6. Alternative options considered and rejected

6.1 Obtaining multiple quotation for the provision of the services listed above would be unsuccessful due to the unique position each consultant has in skills, knowledge and contacts. For example, Newground and Hello Lamp Post Ltd control the FloodHub and Hello Lamp Post platforms and website management. Accordingly, other suppliers would not be able to access these.

6.2 Although we have not obtained multiple quotations for the monitoring consultant due to the unique position they present, we have checked the day rates against currently the current consultant market and find the rates are very competitive.

6.3 There is an Environment Agency agreement in place with both Newground and Hello Lamp Post which have been competitively procured. A procurement route as an addendum to these contracts was investigated but is complicated by Our Future Coast being Defra funded.

7. Delegated functions

7.1 The matters referred to in this report are considered under the following executive function delegated to the Neighbourhood and Community Services Portfolio Holder (as set out in Part 3 of the Council's Constitution):

"To consider any matter relating to the Council's responsibilities for coast protection or the provision and maintenance of sea defences."

7.2 The matters referred to in this report are considered under the following executive function delegated to the Resources Portfolio Holder (as set out in Part 3 of the council's constitution):

"To consider departures from Rules relating to financial and contractual matters if appropriate."

Financial, Legal and Climate Change implications	
Finance	<p>The website pages costs are £8,500 as per the quotation received.</p> <p>Hello Lamp Post costs are £19,500 in total (£6,500 per year for three years).</p>

	<p>The monitoring consultant has been costed at £28,740 (£8,580 per year for a three year period of approximately 26 days per year plus an allowance of £3,000 for travel and expenses).</p> <p>All costs are within the OFC budget for the project and are externally funded through FCRIP by DEFRA.</p> <p>Staff time for Wyre Council Officers is not yet quantified but will also be recoverable under the scheme.</p>
Legal	<p>The Council will enter into contracts for services with the suppliers referred to in the report.</p> <p>The exemptions cited in the report comply with the Council's Financial Regulations and Financial Procedure Rules on awarding Contracts.</p>
Climate Change	<p>This project has a positive climate impact, the minimal negative implications are offset by the initiatives through the OFC project seek to adapt and mitigate against the impacts of climate change by engaging with the local community, providing demonstration projects on low carbon NFM initiatives, biodiversity net gain and carbon capture.</p>

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
health and safety	x

risks/implications	✓ / x
asset management	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

None