



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, Corporate Director Environment	Councillor Alan Vincent, Resources Portfolio Holder and Councillor Roger Berry, Neighbourhood and Community Services Portfolio Holder	21 May 2020

Wyre Dune and Beach Management Scheme

1. Purpose of report

- 1.1 To seek approval to develop the full business case for the Wyre Dune and Beach Management scheme and, subject to meeting gateway requirements, continue to construction using the SCAPE Framework.

2. Outcomes

- 2.1 The Wyre Dune and Beach Management Scheme will be developed to allow construction to commence.

3. Recommendations

- 3.1 That approval is given to develop the full business case for the Wyre Dune and Beach Management Scheme with Balfour Beatty Civil Engineering through the SCAPE Strategic Procurement Arrangement 2019-23 Civil Engineering and Infrastructure Framework (SCAPE Framework).
- 3.2 That approval is given for the Head of Engineering Services to continue working with Jacobs consultants to assist in the production of studies including Environmental Impact Assessments required to obtain planning permission and Marine Management Organisation licences necessary to commence construction. Contracts will be let using the Environment Agency (EA) Next Generation Supplier Arrangement (NGSA) which has replaced the Water and Environment Management (WEM) framework.
- 3.3 That approval is given for the Head of Engineering Services to appoint Marlan Maritime Technologies Ltd to undertake remote monitoring of

Wyre's beaches through the Land Based, Coastal Remote Sensing Services Framework Agreement.

- 3.4** That approval is given to allow for the appointment of a geotechnical consultant under the exemptions to Contract Procedures contained within the Financial Regulations and Financial Procedure Rules to appoint specialist consultants 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.

4. Background

- 4.1** The Dune and Beach Management scheme aims to maintain beach levels along the frontage through a combination of beach control structures and beach management. The scheme will protect over 11,000 properties between the boundary at Cleveleys and Fleetwood ferry dock. Phase 1 works provide better protection to 1,910 properties along the Rossall Beach frontage through the construction of a sub beach level rock revetment together with improvement works to the existing seawall. Phase two works involve improvements to beach control structures and defences at Cleveleys, Rossall South and Fleetwood North (including dune management) and beach management of the whole frontage such that the strategically optimised standard of protection of 1 in 200yrs is maintained. The scheme will provide reduced flood risk to 11,056 properties, critical infrastructure and businesses in the Wyre urban core area and whole life benefits of £434 million.
- 4.2** Approval to prepare an application to undertake studies leading to a business case to the EA was given by the Resources and Neighbourhood Services and Community Safety Portfolio Holders on 9 March 2017. The application was submitted and was subsequently formally approved on 15 August 2018.
- 4.3** The Outline Business Case produced was submitted to the EA Large Projects Review Group (LPRG) in December 2019 and formally approved on 10 March 2020. This formally gives the council a reserved allocation of £37,901,071 of which £4,000,000 is allocated for 2020/21.
- 4.4** The next stage of the project is to work with a framework contractor to develop the scheme and subsequently to commence construction. Two frameworks were considered by an assessment panel including the Neighbourhood Services and Community Safety Portfolio Holder with the SCAPE framework being selected as the most appropriate and providing best value to the council in delivering the scheme. The SCAPE framework is a single supplier framework with Balfour Beatty Civil Engineering Limited BBCEL being the selected supplier. The scheme will be developed through feasibility and pre-construction phases to allow for a contract for the delivery of the scheme to be entered into.
- 4.5** Before starting each phase there are formal gateways as defined in the SCAPE framework. The Feasibility Stage's purpose is to undertake a joint

feasibility study to determine whether the Contractor and Client's expectations for the project in terms of time, scope and cost are aligned. This phase is taken at the Contractor's own risk. The Pre-Construction phase develops the design and obtains sub-contractor prices so the Client can issue a Delivery Agreement to the Contractor to execute the works. The Contractor's involvement during this phase is paid for as a percentage of the contract value.

- 4.6** At the conclusion of the Pre-Construction phase the Client and Contractor shall endeavour to agree a document which includes: Delivery agreement including Scope, Site Information, Programme, Project Risk Register and other documents required to administer the contract. A project board has been established which includes Senior Suppliers, EA and a Contractor Director, Wyre's Corporate Director Environment and the Neighbourhood Services and Community Safety Portfolio Holder. Any decision to proceed would be made through the Board.
- 4.7** The critical programme activities include obtaining planning permission for the scheme which will require a Habitat Regulations Assessment (HRA) for which assistance from the Jacobs team who assisted on the OBC is required. A proposal has been provided by Jacobs to undertake this work and a quotation obtained through Middlemarch (previously employed on the Rossall scheme) for the necessary fieldwork.
- 4.8** Radar monitoring equipment has been installed which provides autonomous monitoring of the beaches, waves and currents across Wyre's beaches as agreed in the previous Portfolio Holder report. It is proposed to continue this monitoring through the scheme development and to utilise the multi-site five year proposal offered through the Land Based, Coastal Remote Sensing Services Framework Agreement developed by Sefton Council for the North West Coastal Groups' Cell Eleven Regional Monitoring Strategy (NWCG CERMS) as this provides significant cost savings over an annual arrangement.

5. Key issues and proposals

- 5.1** In order to progress the scheme to Construction environmental advice will be required. Approval to use Jacobs (formally CH2M) was given by the resources Portfolio Holder on 9 March 2017. A quotation through the EA's NGS framework for this specialist work has been received from Jacobs. It is proposed to directly appoint Jacobs for this work, through this framework.
- 5.2** Marlan Maritime Technologies Ltd have been selected for the Land Based, Coastal Remote Sensing Services Framework Agreement as part of the North West regional monitoring strategy. Procurement of their services through this framework provides best value for this specialist service.
- 5.3** All works and studies required to develop the scheme to Construction will be supported through external funding through Flood Defence Grant in Aid

(FDGiA). An application for these Pre-Construction works has been made to the EA.

- 5.4** The updated capital costs identified for the Phase 1 scheme in the financial implications section below should be included in the council's Capital Programme for 2020/21. A further report will be submitted for Phase 2 identifying the allocation of the residual £33,901,071 for 2021/22 onwards, in due course.

6. Delegated functions

- 6.1** 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.”

- 6.2** 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.”

Exemptions to the contract procedures are permitted where:
a framework agreement is available that necessitates the Council not having to go out to tender and the goods, works and services will still provide the Council with best value for money.

Financial and legal implications

Finance

The cost of developing the application to the EA to date has been £429,908.02 of which £415,000 has been paid to date by the Environment Agency as FDGiA. The balance will be claimed as part of this second phase.

The estimated cost of the pre-construction phase of the scheme as outlined above is shown below:

Item Description	Cost
Environmental Advice	£47,264
Jacobs	£37,694
Noise Surveys	£3,070
Environmental surveys	£6,500
Enabling Works	£1,148,187
Rock Supply	£593,280
Site Compound	£554,907
Site Investigations	£75,000
Plant & Equipment	£50,000
Geotech Investigations & Report	£25,000
Detailed Design	£45,112
Consultant Advice	£11,112
Consultant Advice Structural	£25,000
Consultant Advice Contractual	£9,000
Contract Management	£156,284
BBCEL Pre Contract	£156,284
Internal Fees	£49,000
Risk & Contingency	£248,000
Advance spend in 2019/20	£14,908
Grand Total	£1,783,755

These pre-construction works will be incorporated into the 2020/21 Environment Agency allocation for the scheme of £4 million. The balance of £2,216,245 will be allocated later in the year.

Legal

The SCAPE Procure Strategic Procurement Arrangement 2019-23 Civil Engineering and Infrastructure Framework (SCAPE Framework) has been procured by the SCAPE Group a public-sector partnership in accordance with OJEU regulations. The procurement complies with the Council's Financial Regulations and Contract Procedure rules and the European Procurement Procedure. The framework is available to any public body in the United Kingdom.

Contracts will be entered into with the consultants identified above through the relevant frameworks.

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	✓
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	✓
climate change	✓
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.

report author	telephone no.	email	date
Carl Green	01523 887215	carl.green@wyre.gov.uk	07/05/2020

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

List of appendices

None

Dems/ph/re/ne/0005cg1/Wyre Beach