	REPORT TO CABINET TO BE HELD ON 13 March 2018
	Key Decision YES Forward Plan Ref No:
Corporate Priority Creating quality environments	Cabinet Portfolio Holder Cllr Mike Cockerill

REPORT OF THE CHIEF EXECUTIVE – 18/62

WARDS AFFECTED: FILEY

SUBJECT: FILEY FLAT CLIFFS URGENT SLOPE STABILISATION SCHEME

RECOMMENDATION (S):

Cabinet is recommended to appoint Transcore (the Council’s Term Maintenance Contractor) to undertake urgent slope stabilisation and drainage works at Filey Flat Cliffs.

REASON FOR RECOMMENDATION (S):

- To undertake the maintenance works in a timely manner in line with the urgent status of the scheme to counter the visible signs of movement in the slope.
- To provide reassurance to residents that urgent intervention works are being delivered for the 45 properties currently facing loss of the sole access road.

HIGHLIGHTED RISKS:

- Potential loss of the only access road servicing 45 properties in flats cliffs should approval not be given.
- Access issues via the Holiday Park and use of their carpark should works not start immediately.
- Weather risk, Winter Working and tidal working
- Disturbance of residents and the holiday park

1. INTRODUCTION

- 1.1 Approval was given on the 20th of June 2017 by Project Leadership, Harbours Coast & Flood Protection Portfolio Holder (ref: 17/42) to appoint Royal HaskoningDHV as the Council's consultant to undertake the roles of Principal Designer, Project Manager and Supervisor of the Flat Cliffs Urgent Works Scheme, following competitive tendering via the YORconsult framework.
- 1.2 The stage 1 (Detailed Design) of the project is now complete and Royal HaskoningDHV have gained the required planning permission to undertake the works. MMO approval of the toe works is still required, and is currently being processed, (consultation with the MMO indicates the design will be satisfactory to gain approval).
- 1.3 Royal HaskoningDHV were also tasked with putting together a specification of works for the Council's Term Maintenance Contractor to price given the urgent need to start the works and the works being of a slope maintenance nature. The Council's Term Maintenance contract with Transcore allows the Council to call off adhoc civil engineering works and the works at Filey Flat Cliffs fall within this description.
- 1.4 Royal HaskoningDHV have now undertaken an independent assessment of the Term Maintenance Contractor's submission and have recommended that the Council accepts the quote from Transcore as the fee reflects the level of competitive pricing in the current market.

2. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN

- 2.1 The scheme will underpin a number of the Council's Corporate Plan aims:

Aim 1: Developing a Safer and Stronger Community
Aim 2: Building a Prosperous Community and Creating Quality Environments

3. BACKGROUND AND ISSUES

- 3.1 The hamlet of Flat Cliffs, which contains 45 properties, is situated within the upper and lower terraces of an extensive undercliff landslide system that is formed in glacial till. Further inland of the hamlet is the Primrose Valley Holiday Village. Access to the hamlet is via a sole access road which passes into and through the Holiday Village and then runs parallel with the coastline into the hamlet.
- 3.2 The coastal community of Flat Cliffs is well informed and fully understanding of the risks that exist from coastal erosion and coastal slope instability through

a prolonged period of engagement and awareness-raising by Scarborough Borough Council with the Flat Cliffs Residents' Association, over the past 10 – 15 years. This has been further informed by their active involvement in the development of both the Flat Cliffs Stability Assessment & Management Plan (2012) and the Filey & Cayton Bay Coastal Strategy (2016).

- 3.3 However, during the development of the recent Coastal Strategy, the Flat Cliffs Residents' Association indicated that improved local stabilisation and drainage works to the 'pinch point' where shallow landsliding has cut the headscarp back to within a very short distance of the access road, potentially together with some form of temporary 'soft engineering' defence at the cliff toe at this location, may assist in 'buying more time' before the inevitable property losses are incurred. This would enable adaptation plans to be developed and implemented by each individual affected.
- 3.4 This approach has been confirmed by the Coastal Strategy (the development of which was undertaken with engagement of key individuals and organisations) and targeted engagement on the issues specifically at Flat Cliffs with Natural England confirms this to be an environmentally acceptable solution, subject to any such works being limited in both duration and geographical extent which has been achieved through the design of a scheme providing up to 20 years better protection.

4. CONSULTATION

- 4.1 The project will be led by Scarborough Borough Council (SBC) as the Coast Protection Authority under the Coast Protection Act 1949, working in close association with the Filey Flat Cliffs Residents Association and Bourne Leisure.
- 4.2 Planning approval has been given by the Scarborough Borough Council following both statutory and non-statutory consultation as part of the planning process.
- 4.3 Throughout the development of the scheme extensive consultation has been had with both the public and local councillors. A project steering group is also in place to aid the smooth dissemination of information between interested parties and aid the development of the scheme. A recent public information evening was held at Filey Evron centre on the 22nd February 2018 and was well attended by the local community who left some very positive feedback about the proposed scheme.

5. ASSESSMENT

- 5.1 The scheme consists of coastal slope toe works involving the use of large geotextile sandbagging and the installation of 12 inclined drains in the slope. The toe and slope works are estimated to take two months to complete. MMO approval is expected in March. Please note MMO approval is only needed for

the toe works (sandbagging) not the slope or drainage works as this is covered by the planning permission consent.

- 5.2 Transcore are currently on site at Primrose valley undertaking work within the holiday park on behalf of Bourne Leisure and as a result currently have installed welfare facilities that could be used during the works, thus avoiding this cost and providing a efficiency to the project.
- 5.3 Royal HaskoningDHV in their tender evaluation report have recommended that the Council accepts the quote from Transcore. It is also recommended that prior to commencement of the works Transcore should discharge the 4 planning conditions and produce a Construction Phase Plan to the satisfaction of the CDM Principal Designer.

6. IMPLICATIONS

(a) Financial

- 6.1 The Filey Flat Cliffs Urgent works are 100% funded by Defra Flood Defence Grant in Aid (FDGiA) administered by the Environment Agency to the sum of £572k (including contingency). No SBC funding is required for this project. This funding was accepted by Cabinet on 14 February 2017 (ref: 17/139).
- 6.2 The assessed price from Transcore to undertake the works is £226,469.45 This sum is within the project budget.
- 6.3 In total £145,779 has been approved for Royal HaskoningDHV Fees and a further £40,000 has been allocated for SBC project management. A project contingency sum of £138,061.25 is available.
- 6.4 The price received form Transcore has been assessed by Royal Haskoning and they have noted that the fee is acceptably priced and reflects the level of competitive pricing in the current market.

(b) Risk

- 6.5 The risks are set out in Appendix A.

(d) Legal

- 6.6 The proposed Filey Flat Cliffs Urgent Works will use the Council's permissive powers under the Flood and Water Management Act 2010 and the Coast protection Act 1949.
- 6.7 There is a requirement to follow the Council's financial and contract procedure rules. This report is part of that process. The Council has procured its term maintenance contractor Transcore on an open tender basis via the Council's YORtender procurement system and these works fall within the description of works included in that contract.

(e) Environmental and Sustainable Development

- 6.8 Natural England approval of the scheme has been given and a Marine Management Licence for the toe works is pending (due mid-March).

(f) Planning

- 6.9 Planning permission for the slope works was given by Scarborough Borough Council on the 22 February 2018.

(g) Staffing

- 6.10 No staffing implications.

(h) Communication

- 6.11 The project has a steering group consisting of statutory and non-statutory bodies, resident representatives and local Councillors; updates are given to these parties to distribute to the wider community. During the planning process and Marine management Licence application independent consultation has been undertaken including advertisement in local papers. An Information event has been held at Filey Evron Centre and was well attended by the local community. During the works phase a press release will be given.

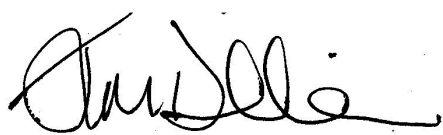
(g) Others

- 6.12 I have considered whether the following implications arise from this report and am satisfied that there is no adverse identified implications that will arise from this decision to proceed with the Filey Flat Cliffs Urgent work.

Equalities and Diversity, Crime and Disorder, Health and Safety

7. ACTION PLAN

- 7.1 There is no action plan but an agreed NEC3 project programme will be followed during the construction.



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Background Papers:

* Filey Flat Cliffs Urgent Slope Stabilisation Scheme: Cabinet Report 14 Feb 2017:
Report of Chief Executive 17/139

* Flat Cliffs Urgent Works: Project Leadership, Harbours, Coast and Flood Protection
Portfolio Holder 20 June 2017 17/42

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY
OF THE BACKGROUND PAPERS, PLEASE CONTACT Robin Siddle
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Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	27/02/18	Budgeted scheme cost exceeded.	Due to pressure on Environment Agency funding, it should not be assumed that any changes to the approved spending profile or an increase in costs will secure additional grant aid. Additional costs may therefore need to be met by others.	The project has healthy contingency budget available which could be called upon. As the partnership score of this project remains high an additional bid to the EA to seek funding would be possible. Other third party funders have been identified and could be approached if necessary.	C4	C2	Chris Bourne/ Robin Siddle	Monitor costs during delivery against budget. Report issues to the project board.
2	27/02/18	Winter working	Reduced working window, increased likelihood of bad weather. Possible impacts on cost and delays to programme.	Weather risk has been built into the programme and a healthy contingency pot is in place.	C4	B2	Chris Bourne/ Robin Siddle	Monitor costs/delays during delivery against budget. Report issues to the project board.
3	27/02/18	Disturbance of the Holiday Park and Residents while undertaking the scheme.	Possible complains and possible loss of use of the carpark.	Implement a traffic management system if needed. Communicate with the park regularly.	B4	B1	Chris Bourne/ Robin Siddle	Monitor costs during delivery against budget. Report issues to the project board.
4	27/02/18	Working in a hostile marine tidal environment	Possible delays and impacts on cost.	Storm forecast warnings will be provided to the contractor by the EA should they require it. Allowance for delays has been factored into the programme.	C3	C2	Chris Bourne/ Robin Siddle	Monitor costs during delivery against budget. Report issues to the project board.
5	09/11/17	Unknown Environmental Issues	Delay caused by the requirement of further investigations/studies	A number of investigations and surveys have been	C4	B2	Chris Bourne/	Project manager to monitor the

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		encountered.		undertaken in this area to inform the design.			Robin Siddle	following of safe working guidance to avoid environmental issues.
6	09/11/17	Negative media coverage.	Causing a poor image of the Council to the public	Provide the media with a press release about the project.	B3	B1	Chris Bourne/ Robin Siddle	SBC media team to produce a press release.
7	09/11/17	Delays with installation of sandbagging.	Impacts on the holiday Park possible delays to project programme and increased costs.	Monitoring via site supervision the placement of sand bags, monitor progress against the programme.	C4	B2	Chris Bourne/ Robin Siddle	Project Manager to monitor rock armour delivery. Inform the project board of delays.
8	09/11/17	Poor performance of the contractor during the construction.	Possible increase in costs and delays.	Project manager to monitor performance along with the site supervisor and implement improvements as needed. Not release payments until satisfied with the work.	A4	A1	Chris Bourne/ Robin Siddle	Project Manager to monitor performance and inform the board of any issues.
9	09/11/17	Unforeseen ground conditions.	Stability issues and delays to the programme. Increase numbers of drains required.	A topographic survey has been undertaken and the site surveyed by a geomorphologist, boreholes have also been drilled to better understand ground conditions.	B3	B2	Chris Bourne/ Robin Siddle	Project Manager to monitor progress and inform the board of any issues.

Glossary of Terms

Risk

An event which may prevent the Council achieving its objectives

Consequences

The outcome if the risk materialised

Mitigation

The processes and procedures that are in place to reduce the risk

Current Risk Score

The likelihood and impact score with the current mitigation measures in place

Corporate Objectives

An assessment of the Corporate Objectives that are affected by the risk identified.

Target Risk Score

The likelihood and impact score that the Council is aiming to achieve

Service Unit Manager

The Service Unit or Officer responsible for managing the risk

Action Plan

The proposed actions to be implemented in order to reduce the risk to the target score

Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
	Likelihood					

Likelihood:

A = Very Low

B = Not Likely

C = Likely

D = Very Likely

E = Almost Certain

Impact

1 = Low

2 = Minor

3 = Medium

4 = Major

5 = Disaster