

The Vale of Glamorgan Council

Cabinet Meeting: 31 October, 2016

Report of the Cabinet Member for Visible, Leisure and Regulatory Services

Boverton Flood Alleviation Scheme

Purpose of the Report

1. To inform Cabinet of the progress in delivering the Boverton Flood Alleviation Scheme and obtain the necessary approvals to construct the scheme.

Recommendations

1. That Cabinet approve the appointment of Alun Griffiths (Contractors) Limited as the contractor for the design and construction element of the scheme the details of which are the subject of a Part II report which follows later on this agenda.
2. That Cabinet authorise the Council to enter into an agreement under section 165(5) of the Water Resources Act 1991 with Natural Resources Wales in relation to the works on the main river.

Reasons for the Recommendations

1. To allow the matter to be dealt with under Part II
2. To enable the scheme works to be progressed in respect of Boverton Brook and the River Hoddnant which is main river.

Background

2. Following a history of flooding of the watercourse comprising Boverton Brook and the River Hoddnant (which is designated main river) in the village of Boverton, the Council has collaborated with Natural Resources Wales (NRW) as the body having jurisdiction to carry out and manage flood defence and drainage works on main rivers to develop a flood alleviation scheme. The purpose of the scheme is to reduce the risk of flooding to several residential and business properties in the area and adjacent to the river corridor. The scheme comprises the replacement of the existing culvert, (part of which is within the highway), using specialist piling techniques and widening / realignment to the downstream channel to provide 1 in 100 year level of flood protection for majority of properties affected.

3. The cost of the scheme has been estimated at £2.25M (including 42% optimism bias) and Welsh Government has announced that they will contribute the majority (85%) of the funding. A condition of this grant funding is that as much as possible of this funding has to be committed this financial year, 2016-17. The scheme is currently identified in the Council's capital programme.

Relevant Issues and Options

4. The Council received confirmation of the award of funding for the Scheme from WG in July 2016.
5. The Council will now enter an agreement with NRW to essentially transfer NRW's powers under section 165 of the Water Resources Act 1991 to the Council to enable it to progress the scheme on the main river.
6. The Council's Estates Team have for some time been negotiating with those adjacent land owners likely to be affected by the Scheme and following the finalisation of the agreement with NRW, it will be possible for the Council to request the service of statutory notices of entry etc. in order to further progress the scheme.
7. In the case of the adjacent land owners downstream, some of their land will be incorporated into the permanent works. Upstream any land required to be entered onto will only be carried out during the construction phase of the works.
8. Any compensation claims that arise in connection with the scheme works will be scrutinised and determined by the Council's Estates team with necessary funding allocated within the existing budget available for the project via WG grant and internal capital monies.
9. The Council's consultant on the scheme has developed and prepared contract documentation for a design and build type contract which was tendered in August 2016 via the Sell2Wales website following expressions of interest from six suitable contracting companies. The tender process commenced on 10th August 2016 with a return date of 12th September 2016.
10. Upon receiving and examining the tender documents in detail three of the companies announced that they would decline the opportunity of making a submission. Of the remaining three, one did not return a tender while another submitted a non-compliant tender. The single remaining tenderer delivered a compliant and suitable submission within the budget available to implement the scheme and is recommended to be appointed to undertake both the detailed design and construction of the scheme.
11. Subject to appropriate authorisation, it is proposed to award to the single compliant tenderer at the earliest opportunity in order to commence the detailed design phase of the scheme works, which is shown on the tenderer's preliminary programme to take 8 weeks. The construction period of 31 weeks, can commence 4 weeks later, running concurrently with the remaining 4 weeks of the design period commencing at the beginning of January 2017 with substantial completion for the whole works anticipated at the end of June 2017 subject to appointment, weather implications and no unforeseen conditions through the construction phase.

Resource Implications (Financial and Employment)

12. The budget for the scheme from 2016/17 is £2.254m, 85% of which is to be met by Welsh Government Grant of £1.915m. The remaining 15% which equates to £337k is to be met by Council funds.

13. The scheme budget of £2.2524m includes a 42% contingency allowance of £621k as requested by Welsh Government to allow for potential risk of increasing costs during the implementation of the scheme.
14. The tender price received from the preferred tenderer and the estimated consultants costs for the administering and site supervision of the contract works is within the scheme budget provided by WG grant and Council capital funding (excluding the 42% contingency allowance).

Sustainability and Climate Change Implications

15. The proposed scheme is designed to accommodate the predicted impacts of Climate Change relating to flood risk.

Legal Implications (to Include Human Rights Implications)

16. The Council will be required to ensure that all terms and conditions attached to WG grant funding are complied with.
17. It will be necessary for the Council to enter into an appropriate form of contract with Alan Griffiths (Contractors) Limited for the design and build contract.
18. The Boverton Brook/Hoddnant River is main river. Therefore, NRW is the body with jurisdiction to carry out and manage flood defence and drainage works on this watercourse. By virtue of section 165(5) of the Water Resources Act 1991, NRW may enter into an agreement with the Council authorising it to undertake works to a main river.

Crime and Disorder Implications

19. There are no crime and disorder implications in respect of this report.

Equal Opportunities Implications (to include Welsh Language issues)

20. There are no equal opportunity implications to this report.

Corporate/Service Objectives

21. This scheme achieves the Corporate and Service Well-being Outcome 2 and Objective 4 to deliver Boverton Flood Alleviation Scheme and minimise risk and impact of flooding via effective flood reduction measures.
22. The Visible Services and Transport Service Plan, reference ER18 (P.27) outlines the steps to be undertaken to deliver the Boverton Flood Alleviation Scheme.

Policy Framework and Budget

23. This matter is within the policy framework and budget.

Consultation (including Ward Member Consultation)

24. The local Members have been consulted on this project and will continue to be engaged throughout the process.

Relevant Scrutiny Committee

25. Environment and Regeneration.

Background Papers

None.

Contact Officer

Colin Bright - Principal Engineer (Highway Structures)

Officers Consulted

Operation Manager - Legal Services
Accountant Building and Visible Services
Operational Manager - Estates

Responsible Officer:

Miles Punter - Director of Environment and Housing Services