

Meeting of:	<b>Cabinet</b>
Date of Meeting:	<b>Monday, 21 June 2021</b>
Relevant Scrutiny Committee:	Environment and Regeneration
Report Title:	Penarth Heights Landslip 2016
Purpose of Report:	To consider the implications of a landslip at Penarth Height 2016
Report Owner:	Cabinet Member for Neighbourhood Services and Transport
Responsible Officer:	Director of Environment and Housing - Miles Punter
Elected Member and Officer Consultation:	<p>Operational Manager Engineering</p> <p>Operational Manager Neighbourhood Services, Operations</p> <p>Neighbourhood Services Manager (Parks and Cleansing)</p> <p>Engineering Manager, Environment</p> <p>Major Projects Manager</p> <p>Senior Planner (s106)</p> <p>Committee Reports</p> <p>Accountant Neighbourhood Services and Transport</p> <p>Engineering Manager, Highway Development and Traffic</p>
Policy Framework:	This is a matter for executive decision by Cabinet.

Executive Summary:

- This Report considers the matter of a landslip at Penarth Heights.
- On 17th February 2016 a significant landslip occurred on the escarpment in the Penarth Heights area directly below the Crest Nicholson site. This caused thousands of tonnes of material to slip down from the site.
- Due to commercial sensitivity of the issues involved, the Part II report later on this agenda deals with the issue.

## **Recommendation**

1. That the contents of this Report are noted and be considered in connection with the Part II report later in the agenda.

## **Reason for Recommendation**

1. To advise of the implications of a legal dispute with a landowner in connection with a landslip at Penarth Heights in 2016.

## **1. Background**

- 1.1 On 17th February 2016 a significant landslip occurred on the escarpment in the area directly below the Penarth Heights residential site. This caused thousands of tonnes of material to slip down from the site.
- 1.2 Negotiations between the Council and the developer on this matter have been ongoing since 2016.

## **2. Key Issues for Consideration**

- 2.1 A letter of claim has been received from the solicitors of the landowner regarding the landslip that occurred at Penarth Heights in 2016.
- 2.2 A decision in respect of this claim is required by 31<sup>st</sup> July 2021. Full details of the claim and relevant considerations on the matter are shown in the Part II report later on the agenda.

## **3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

- 3.1 The Council's Corporate Plan 2020 to 2025 and associated well-being objectives demonstrate the Council's commitment to meeting the national Well-being Goals. There are specific commitments relating to respect, enhance and enjoy the environment in the Corporate Plan, notably:
  - Protect, preserve and where possible enhance our natural and built environment and cultural heritage.
  - Work with the community, developers and others to ensure that new developments are sustainable and that developers mitigate their impacts, integrate with local communities and provide necessary infrastructure and
  - Work to reduce the impact of erosion, flooding and pollution on our coastal areas and watercourses.

- 3.2** The proposals are consistent with pursuing these objectives in that the Council is working with the landowner to mitigate the development impacts on the surrounding environment in Penarth Heights. The Council is also seeking to prevent further landslips at this location thereby protecting residents and visitors to the area from further erosion events. This in turn will protect residents in the longer term at the top of the escarpment as well as ensuring their grassed areas are maintained for all to enjoy.

## **4. Resources and Legal Considerations**

### **Financial**

- 4.1** It is proposed that any costs associated with this claim be funded from the Neighbourhood Services and Transport Reserve.

### **Employment**

- 4.2** There are no direct employment implications in relation to the matters considered in this report.

### **Legal (Including Equalities)**

- 4.3** The landowner has a limited period to issue a claim. That period had been extended by mutual agreement to an absolute deadline of 31st July 2021 and therefore a decision is required before that date.

## **5. Background Papers**

None.