

Meeting of:	Cabinet
Date of Meeting:	Thursday, 18 December 2025
Relevant Scrutiny Committee:	Place Scrutiny Committee
Report Title:	Procurement of Penarth Escarpment - Slope Stabilisation Works
Purpose of Report:	To provide an update on the scheme and obtain delegated authority to award and execute the contract for the implementation of Penarth Escarpment Slope Stabilisation Works
Report Owner:	Cabinet Member for Neighbourhood and Building Services
Responsible Officer:	Chief Executive
Elected Member and Officer Consultation:	Committee Reports Operational Manager - Accountancy
Policy Framework:	This Report is a matter for Executive decision by Cabinet
<p>Executive Summary:</p> <ul style="list-style-type: none"> The report updates on the current position and procurement process regarding Penarth escarpment slope stabilisation works. Several landslips have affected the stability of the escarpment and raised safety concerns of the existing boatyard and car parks along its toe. The Council owns the land directly beneath the escarpment which forms part of a 100-year lease for a boatyard and car park from September 1998. The Council is required to indemnify the leaseholder against any slips or failures which affect the leased land. The landslips have resulted in a substantial claim being made against the Council by the Lessee based on their inability to use the land for its designated purpose of a boatyard and car park. A single joint expert report was commissioned in August 2021 on the safety risk and to recommend remedies. This was followed by additional investigations and assessments to substantiate the risks and identify a remedial solution. It is proposed to progress a robust and securely anchored steel netting solution to stabilise the face of the escarpment long-term and reduce the safety risk associated with future slips and failures and to enable insurance cover to be reinstated. The progression of these works has been agreed with the Lessee on the basis that this action will be in full and final settlement of their claim against the Council. The estimated cost of the works is circa £4.75m. 	

- A detailed design and build tender document has been prepared for the procurement of the specialist Slope Stabilisation Works which will have a design life of up to 120 years. The contract is to be procured via the South East Wales Highway Framework (SEWHF) – Lot 8.
- A detailed tender assessment will be undertaken to identify the most economically advantageous tenderer and a report produced. The tender will be assessed on Quality, Price and Community Well-being Benefits.
- The tender documents were listed on the Sell2Wales procurement portal on 17th September 2025 and tender submissions received from three contractors on the SEWHF on 3rd November 2025. The tender submissions are currently undergoing detailed assessment and the outcome fully documented and agreed with Ardal Procurement prior to award.
- The successful tenderer will be required to submit their proposed design and build recommendations for acceptance by the Council's Geotechnical Advisor.
- The programme for implementation of the slope stabilisation works will be agreed and managed in conjunction with the Lessee.

Recommendations

1. That Cabinet notes the detail and progress regarding the implementation of the Slope Stabilisation Scheme at Penarth Marina.
2. That Cabinet gives delegated authority to the Head of Neighbourhood Services, Head of Finance/S151 Officer, in consultation with the Cabinet Member for Neighbourhood Services and Transport, to award the contract to the most economically advantageous tenderer in accordance with the contract terms.
3. That delegated authority is granted to the Monitoring Officer/Head of Legal and Democratic Service to draft and execute the contract for the award of the Penarth Escarpment – Slope Stabilisation Works contract.

Reasons for Recommendations

1. For information purposes.
2. To ensure compliance with the Council's Contract Standing Orders and Financial Regulations.
3. To deal efficiently and promptly with the award and management of the contract following the procurement process.

1. Background

- 1.1 The Penarth escarpment is located approximately 600 metres north of Penarth centre, in the Vale of Glamorgan, South Wales. The Escarpment is approximately 1.3 kilometres in length and trends in an approximately east-west direction. The Escarpment has a typical height in the range of 20-30 metres, tapering to ground level at the eastern and western extents. The slope is heavily vegetated and varies in angle from about 15° to the horizontal to near vertical.
- 1.2 There have been several significant landslips historically with the most recent in late October 2025 affecting the Penarth escarpment and impacting safety within the existing boatyard and car parks which are located along toe of the escarpment. The land comprising the boatyard and car parks is owned by the Council and was leased in September 1998 to a private company for the operation of marina services for a term of 100 years.
- 1.3 The lease itself requires the Council to indemnify the leaseholder against any slips or failures which affect the leased land, and, in this case, this covers the boatyard and car park. The landslips have therefore resulted in a substantial claim being made against the Council by the Lessee on the basis that staff and visitors have been unable to use a large portion of the leased area for a long period of time due to the risk of falling stones and debris.
- 1.4 In conjunction with the Lessee, the Council instructed a single joint expert, Mott McDonald, to prepare a report in August 2021 on both the risk to the boatyard and car park users and to recommend remedies in both the short and long term. This identified a significant safety risk and was followed by various additional

investigations and assessments of the escarpment by consultants and contractors to substantiate the risks and identify a recommended remedial solution to appropriately stabilise the escarpment.

- 1.5** Given the safety risk and potential for further landslides identified through various reports, it is considered necessary to progress long-term stabilisation measures to reduce the likelihood of further failure along the length of the escarpment to mitigate the identified safety risks to the boatyard and car park users. This will also enable insurance cover which was withdrawn by the Council's insurers due to the identified safety risks for the boatyard and car park to be reinstated.
- 1.6** The identified long-term specialist stabilisation measures comprise a robust steel netting solution securely anchored into the escarpment over the length of the boatyard and car park operated by the Lessee. This identified stabilisation works has subsequently been agreed with the Lessee on the basis this course of action is in full and final settlement of their claim against the Council. The estimated cost of these works has previously been estimated at circa £4.75m.

2. Key Issues for Consideration

- 2.1** Following successful internal capital bids to progress the Penarth Escarpment – Slope Stabilisation Works, there is currently funding to the value of £5.039m in the capital programme split over this financial year and 2026/27. The Council has therefore commenced a detailed procurement phase for these stabilisation works in accordance with current procurement arrangements.
- 2.2** A detailed tender document has therefore been based on a design and build contract for the specialist Slope Stabilisation Works in accordance with NEC4 Option A – activity schedule which is a standard form of engineering contract used industry wide in the UK. The tender specification incorporates the long-term specialist stabilisation measures identified through previous consultant reports comprising a robust anchored steel netting solution BBA-certified for a design life of up to 120 years in accordance with BS EN 10218-2 and BS EN 10223-3, with corrosion protection to BS EN 10244-2 Class A.
- 2.3** The tender document also incorporates and requires the consideration for an optional drainage or water management system along the length of the crest of the escarpment to be considered with the design to tie-in to existing drainage infrastructure, for implementation on site, which will be further considered by the Council for inclusion as part of the whole works subject to submitted tender values and budget availability.
- 2.4** The tender seeks the delivery of a suitable design and build solution with a value engineered approach to deliver the Penarth Escarpment Slope Stabilisation Works. The contract is to be procured via the South East Wales Highway Framework (SEWHF) – Lot 8 through a mini competition tender process using the Sell2Wales procurement portal which is fully auditable with this process managed by Ardal Procurement.

- 2.5** A detailed tender assessment of the returned tenders will be undertaken and a Tender Assessment Report produced, together with a cost matrix and tender evaluation matrix. The provision of these works will be awarded to the tenderer who scores highest overall on Quality, Price and Community Well-being Benefits, with the tender scoring weighted as follows; Cost 60%, Quality 30% and Community Well-being Benefits 10%.
- 2.6** This contract and tender process as described will ensure that an appropriate design and build solution is realised to reduce the likelihood of further failure along the escarpment in the long-term to negligible or unlikely, to ensure the safety of the public, the Council's tenants and to meet the insurance requirements.
- 2.7** The completed tender documents and package was listed on the Sell2Wales procurement portal by Ardal Procurement on 17th September 2025 with a closing date for return of tender submissions at midnight on 17th October 2025. The tender period was extended to facilitate queries and minor changes to tender requirements with tender submissions received from three contractors on the SEWHF on 3rd November 2025.
- 2.8** The tender submissions are currently undergoing detailed assessment to ensure compliance with tender requirements and to determine the most economically advantageous tenderer in accordance with the Quality, Price and Community Well-being criteria. The outcome of the tender assessment process will be fully documented and agreed with Ardal Procurement prior to award of contract to the successful tenderer.
- 2.9** Following the award of the Contract, the successful tenderer will be required to submit their proposed design and build recommendation for acceptance by the Council's Geotechnical Advisor in accordance with CD622 Revision 1 and General Requirements detailed in item No. 2 of CD622 Revision 1 of the Design Manual for Roads and Bridges.
- 2.10** The programme for implementation of the slope stabilisation works will be agreed with and managed in conjunction with the Lessee to minimise disruption and inconvenience to their ongoing business operations as far as reasonably practicable.

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

- 3.1** The goals and objectives of the Well-being of Future Generations (Wales) Act 2015 are generally achieved by implementing the works associated with this Contract.
- 3.2** A Prosperous Wales - the employment of local consultants and workforce wherever possible and practicable will assist in the provision of the delivery of these works and assist in protecting the environment of the Council's tenants and local businesses.

- 3.3** A Resilient Wales – the safety improvements provided by the delivery of these stabilisation works will safeguarding the successful business operations with Penarth marina and the safety of staff and their customers.
- 3.4** A More Equal Wales – the scheme will incorporate improvements and safety resilience to accommodate all users including those with a disability where appropriate and practicable.
- 3.5** A Healthier Wales - the contract will ensure that there is minimal impact to the highway / footway / cycleway network route (Bay Trail) through Penarth marina to prevent any unnecessary impact on active-travel and public transport services thereby encouraging sustainable transport.
- 3.6** A Wales of Cohesive Communities - the Contract will ensure the safety and resilience for future years of the escarpment ensuring a safer environment for the business operations as well as the community and visitors to the area.
- 3.7** A Wales of Vibrant Culture and Thriving Welsh Language - delivery of the escarpment stabilisation works will not impact to cultural locations and all signage and notices required for the scheme will be provided in-line with the Welsh Language Act.
- 3.8** A Globally Responsible Wales - delivery of these works in a sustainable and responsible manner by use of alternative methods and materials which will be adopted, supporting ecology to the escarpment face and ensure Active Travel (Bay Trail) and sustainable travel routes are safe along Penarth Portway.
- 3.9** Collaboration - this Contract works directly with relevant business and local contractors and consultants to deliver these stabilisation works for the Council.
- 3.10** Integration - integrates with the Vale of Glamorgan's Wellbeing Plan, Active Travel (Bay Trail) Integrated Network Map, Local Transport Plan.
- 3.11** Involvement – there has been extensive engagement between the key stakeholders, including contractors and consultants, involved in this scheme to ensure a suitable solution is identified and implemented in the most efficient and practicable manner.
- 3.12** Long term - these works will provide a robust long-term solution to reduce the likelihood of further failure and slippage of material along the Penarth escarpment, to ensure continued business operations in the marina and economic prosperity of the area.
- 3.13** Prevention - assists in preventing further rock falls and landslips which has significant safety implications and adversely impacts local business, communities, the highway network and its associated negative economic and environmental impact. It will also assist in preventing health and safety and wellbeing problems for those impacted and potentially concerned over the viability of the local business and leisure facilities in the area.
- 3.14** This scheme will ensure the longevity and safety of the environment and that current and future generations of Vale of Glamorgan residents and visitors will be able to continue to both work and enjoy leisure activities in this attractive tourist area of the Vale of Glamorgan.

4. Climate Change and Nature Implications

- 4.1** The appointed contractor will be required to contribute to the Council's Project Zero to tackle the climate emergency and contribute to reducing the Council's carbon emissions to net zero by 2030 wherever practical. The Quality Questions element of the required tender submission includes a response on sustainability. This is to include the tenderers proposal for reducing, reusing or recycling waste material arising from the works, along with their proposals for reducing the environmental impact of the scheme, this could include use of electric vehicles where possible, alternative construction methods and use of sustainable materials.
- 4.2** This scheme is essential to ensure the safety of the footway and cycleway (Bay Trail) to allow and promote people to walk and cycle safely through Penarth Portway, this encourages the reduction of journeys by car through making active travel more attractive, assisting in reducing the carbon impact of travel as well as encouraging people to be more active improving their health and wellbeing.
- 4.3** The impact on the environment, in particular the habitat of wildlife that populate the vegetation on the face of the escarpment. The works include the provision of a three dimensional mat of PP monofilaments within the proposed netting system which will grow and re-establish habitat to accommodate wildlife, mitigating the overall environmental impact of the scheme.

5. Resources and Legal Considerations

Financial

- 5.1** The funding to undertake the design and build contract works for these essential slope stabilisation works will be financed from internal capital monies to the value of £5.039 million which is already approved within the capital programme for 2025/26 and 2026/27. The funding profile and sources are set out in the table below;

	2025/26	2026/27	Total
	£000	£000	£000
Penarth Marina Landslip - Slope Stabilisation Works	1,024	4,015	5,039
Funding Sources			
General Capital Funding	450	599	1,049
Capital Receipts	574	1,467	2,041
Reserves	0	1,949	1,949
Total	1,024	4,015	5,039

Employment

- 5.2** The slope stabilisation works will be delivered by an external contractor appointed through a robust competitive tender in accordance with the Council's strict Financial and Contract Procedure Rules. The tenders will be assessed on both quality and cost and this will enable the most economically advantageous tenderer to be selected.
- 5.3** The project management of this contract will be carried out in-house by existing staff within the Council's Neighbourhood Services Development and Construction team supplemented by agency staff as required to manage the contract robustly and effectively within budget and programme.

Legal (Including Equalities)

- 5.4** The Council has a legal duty to indemnify the leaseholder against any slips or failures associated with the Penarth escarpment which affect the leased land at Penarth marina.
- 5.5** There are no Equalities or Human Rights Implications with regard to this Report.
- 5.6** Any signage associated with these works will comply with the requirements contained within the Council's Welsh Language Scheme.

6. Background Papers

None.