

Somerset West and Taunton Council

Full Council – 27 April 2020

Splash Point Repair Works

Report of Localities Manager – Chris Hall

(This matter is the responsibility of Cllr Marcus Kravis Executive Councillor for Asset Management and Economic Development)

1 Executive Summary

- 1.1 This report provides Members with an update on the emergency repair work carried out at Splash Point, Watchet. It spans the work undertaken prior to Christmas and the ongoing efforts to repair the wall following the repeated storms of recent months.
- 1.2 Work to Splash Point was commissioned using emergency powers held by the Chief Executive. This reports does not seek approval for expenditure to date but separates this with future expenditure. The intent is to log, as a formal record, the basis for the Chief Executive exercising their authority to commit to emergency works.
- 1.3 Taking into account the expenditure to date, and the predicted expenditure to complete the works, £1,006,000 has been committed responding to this emergency including the permanent repairs.
- 1.4 There is a requirement to secure appropriate budget and funding approval, albeit in part retrospectively, so that the works are covered within the approved capital programme and revenue budgets. It is assumed the Council will need to increase its capital borrowing for this purpose, and utilise general reserves for revenue costs.

2 Recommendations

- 2.1 It is recommended that Council support the completion of the works.
- 2.2 That Full Council approves a Capital Programme Supplementary Budget of £900,000, and approves the use of borrowing subject to the S151 Officer determining the most appropriate source of funding.
- 2.3 That Full Council approves a Revenue Budget increase of £106,000 for the asset repairs and maintenance, funded from General Reserves.

3 Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Risk: Failing to act quickly to protect the marina wall would pose risks to the marina operation as well as those living on their boats. Action could be taken against the council in the event of loss or damage caused.	Likely (4)	Major (4)	High (16)
<i>Mitigation: The Marina has been protected by the speed of the work delivered so far, this will become a permanent repair removing this specific area of risk once completed.</i>	Rare (1)	Major (4)	Low (4)
Risk: Failing to repair Splash Point in a timely fashion would result in further deterioration and could lead to destruction of boats in the storage area.	Likely (4)	Major (4)	High (16)
<i>Mitigation: Emergency repairs have been put in place and once complete will remove this risk.</i>	Rare (1)	Major (4)	Low (4)
Risk: Failing to repair Splash Point in a timely fashion would result in further deterioration and greater costs at a later date.	Likely (4)	Major (4)	High (16)
<i>Mitigation: Emergency repairs have been put in place and once complete will remove this risk.</i>	Rare (1)	Major (4)	Low (4)

4 Background

- 4.1 The wall at Splash Point, Watchet, failed in December 2019. A temporary repair was put in place whilst design options for a permanent solution were created and assessed. A design and professional fees budget of £100,000 was approved in January 2020 for this work. It was considered that in normal tidal condition this repair would have been sufficient to allow the Council to undertake a design for the permanent solution and tender openly for this work. A second failure occurred. The result of the second failure was a void approximately 5 times the size of the first; rapidly expanding towards the marina.
- 4.2 Following storm Ciara in February the temporary repair was lost and with it the remainder of the 1860's wall. This exposed the East Quay to losses of land on the quayside and presented a risk to the marina wall due to its proximity.
- 4.3 Further emergency work was undertaken to protect the marina in the first instance; clearly aimed at protecting the wider community of Watchet.
- 4.4 The risk of a catastrophic failure of the inner marina wall and the failure of previous temporary works meant repair options that fell short of a permanent solution were discounted as they too were likely to fail.
- 4.5 NOTE: The budget for works on the East Quay reinforcements should not be confused with the Splash Point emergency work. Whilst physically in close proximity they are wholly separate for budgeting purposes.

5 The Solution

- 5.1 Designers have worked within the Environment Agency framework during this episode to consider the scope of works and engage contractors to undertake the work needed to repair the damage. This is a draw down contract that assures the contractors used and the fees and charges levied when undertaking projects of this nature. It provided a fast-track through procurement activity. Any delay would have likely led to the loss of East Quay land and almost certainly the loss of the marina.
- 5.2 The emergency work included the laying a geotextile membrane and placing a variety of rock within the void created by successive storms. The post-Christmas work utilised rock of a size and scale that was not available for the temporary works completed before Christmas. In December the quarries were closed meaning we used material that was available rather than select the material by weight and volume.
- 5.3 The use of a geotextile membrane will hold in place the fine material within the East Quay and the granite boulders, over 5 tonnes, act as a fill material along with other rock that was washed out but recovered for reuse. With the instruction to the designers to move to the permanent solution much of this rock has been concreted into place to reduce the risk of further wash out.
- 5.4 The final repair will include a smooth faced sea wall to move the power of the tidal impact to a more appropriate location rather than try and break its power at this vulnerable point. This wall will include a parapet which will be built to a height not less than that of the old wall. This wall will be built with future sea level rises in mind and the foundations will be capable of taking an increase in height. The final design will incorporate a significant amount of rock armour to the east of the new wall joining up with the next area of protection. Within the area is a shorter wall section which is now showing signs of failure; if not protected this could lead to a breach of the East Quay only meters from our permanent repair. The rock armour will be the point at which the power of the waves is broken. Short piles will be drilled into the shore front to keep the rock armour in place and limit the volume of material that would otherwise be needed.
- 5.5 It is important to understand that design is more than an architectural drawing, it requires technical analysis to ensure that any scheme created meets with the needs of the client, in our case we needed to ensure that the design would stand up to the power of the tidal action at this point. Furthermore the designers were and continue to be the “Principle Designer” under the Construction Design and Management Regulations 2015, a role necessary to deliver a compliant and safe project. The designers have been required to deliver this work at speed to ensure as far as we reasonably can that the works are deliver without undue time delays.
- 5.6 We are confident that the design presented to the Council meets with the scope to deliver an emergency solution that will withstand the wave impacts, whilst not being over engineered so avoiding excessive costs.
- 5.7 The designers are continuing to look at future beach access and the cost of delivering this. There are future options to be agreed, these may range from providing emergency access/egress to a full accessible solution. These considerations do not necessarily meet the emergency powers to utilise council

resources without prior Member approval and as such they are not currently included in the costs or scope of work material to this report.

6 Financial/Resource Implications

- 6.1 Table 1 below sets out the expenditure to date and an estimate for the remainder of the works until completion. The costs are expected to be subject to VAT.

Table 1 – Estimated Total Costs (excluding VAT)

Activity and date	Design Expenditure to date £	Delivery of works to date £	Estimated Future Design Expenditure £	Estimated Future Delivery Expenditure £	Activity Totals £
Temporary repair December 2019	16,000	90,000	0	0	106,000
Emergency repair and permanent solution February 2020 onwards (On-going works)	15,000*	160,000*	85,000	740,000	1,000,000
Total	31,000	250,000	85,000	740,000	1,106,000

* Awaiting invoices

- 6.2 Table 2 identifies the funding that had been agreed and the funding required to complete the emergency works making the permanent solution.

Table 2 – Additional Budget Required

	£
Total estimated costs (capital and revenue)	1,106,000
Less: Existing Capital Budget - Design Fees (Full Council January 2020)	100,000
= Additional Budget required	1,006,000
Additional Budget split between capital and revenue:	
Capital Programme	900,000
Revenue Budget	106,000

- 6.3 Whilst the power to spend money exists within the constitution the Council are still required to fund this work. There have been no external funding contributions received for this work therefore the Council will need to access its own revenue reserves and capital resources. Funding of the Capital Programme can come from a variety of sources, as explained in the Capital Strategy approved at Full Council on 19 February 2020. In this case it is proposed to approve the use of borrowing if required, and delegate authority to the S151 Officer to determine the most appropriate source of funding as part of the overall financing of the capital programme.
- 6.4 The majority of costs are regarded as capital expenditure, and will therefore be added to the Property Plant and Equipment (PPE) asset values when the costs are incurred. If the cost is funded through borrowing this will add to the Capital Financing Requirement, and be included in the annual calculation of Minimum Revenue Provision charge to the revenue budget for debt repayment, based on estimated weighted average useful life of 46 years. Annual financing costs are therefore estimated to be in the region of £55,000 including MRP and interest costs, which will

need to be reflected in the Medium Term Financial Plan moving forward. Implications during 2020/21 will be reported as appropriate through budget monitoring.

- 6.5 The initial emergency repairs have been accounted for as revenue costs and therefore represent a cost pressure within the General Fund Revenue Budget. It is proposed to allocate funds from General Reserves to mitigate these previously unforeseen costs.

7 Legal Implications

- 7.1 The Council has a responsibility to maintain the assets at Splash Point and the East Quay. Any failure of the asset caused by the Council's negligence would likely expose the Council to challenge and financial risk.
- 7.2 The Chief Executive has the power to spend money without prior agreement of Council in an emergency, this is set out in section 4.2.3 of Part 3 of the Constitution. The Constitution states "*...to carry out the functions of the Council for civic aid and emergency planning and to take any action, including incurring expenditure, in connection with an emergency or disaster in the Council's area*".

8 Climate and Sustainability Implications

- 8.1 Climate change will impact on the sea levels in years to come. This report does not evaluate the effects of rising sea levels. It does however reflect the reality of rising sea levels by ensuring the design is scalable to raise the height of the sea wall.
- 8.2 These are works commissioned in response to an imminent risk of significant damage. The impact of quarrying rock, transportation to site and the associated works were weighed against the impact on Watchet marina and the need to safeguard the local community.

9 Safeguarding and/or Community Safety Implications

- 9.1 There are future considerations for beach egress for those that may be caught out by an incoming tide. It is normal for public access to be removed where there is no public right of way, as is the case to the shore at Watchet, however it remains possible for members of the public to enter the beach at alternative locations and then not be able to escape the incoming tide. Watchet resident and visitors would also be used to having this access and egress and may not have considered the time needed to return to their entry point.

10 Equality and Diversity Implications

- 10.1 There are no detrimental impacts on any of the protected groups as a result of this report, however it should be noted that the failure of Splash Point removed the stepped public access and egress to and from the beach. This access was not Disability Discrimination Act Compliant.
- 10.2 Further consideration needs to be given to the future inclusion of access / egress and the design of this. A range of options exist, from an escape ladder though to a fully accessible ramp. The latter of these would be a considerable structure, needing a rise from the shore to the top of the replacement parapet wall estimated at

c11meters. There is no presumption on the Council.

11 Partnership Implications

11.1 There are no formal partnerships impacted by the content of this report.

12 Asset Management Implications

12.1 The Asset Management Team are aware of the ongoing emergency works.

13 Data Protection Implications

13.1 There are no identified implications of this report on data protection.

14 Consultation Implications

14.1 There has been, and will continued to be, a need for close working with the Onion Collective and Watchet Harbour Marina Ltd. This will be driven by the final engineering scheme; dialogue channels remain open.

Democratic Path:

- **Full Council – 27 April 2020**

Reporting Frequency: One off

Appendices:

- A) **Full Council report of 27th January 2020**

Contact Officer

Name	Chris Hall
Direct Dial	01823 356499
Email	c.hall@tauntondeane.gov.uk

Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
Impact							

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%