

# North Yorkshire Council

## Executive

28 May 2024

### Environment Agency Grants for North Bay Urgent Wall Improvements – Phase 2

#### Report of the Corporate Director - Environment

#### **1.0 PURPOSE OF REPORT**

- 1.1 To brief the Executive of an ongoing former Scarborough Borough Council legacy coastal protection scheme.
- 1.2 Request approval to accept a grant from the Environment Agency of £1,510,855. The grant will allow the council to progress the project to completion including the procurement of a specialist consultant to design and project manage the works, and a contractor to undertake the works.

#### **2.0 BACKGROUND**

- 2.1 The North Bay Urgent Wall Improvements, Phase 2 Project is an asset refurbishment scheme that will restore vital coastal defences and sustain the performance of the existing coastal defence assets across 440m of frontage of the North Bay in Scarborough, which without investment will be at risk of failing.
- 2.2 Phase 1 of the works was successfully completed in 2014, and in 2022 the former Scarborough Borough Council applied for a grant from the Environment Agency to undertake phase 2.
- 2.3 The grant has now been offered by the Environment Agency and this report seeks permission from Executive to accept the grant and progress the project.

#### **3.0 NORTH BAY URGENT WALL IMPROVEMENTS**

- 3.1 The coastal defence asset in question is a sea wall located in the North Bay of Scarborough, and is of Victorian age, dating back to 1890 and stretching around the bay c.1.3 miles covering from Clarence Gardens to the North Bay Cliffs. The asset consists of a variety of concrete and masonry near-vertical seawalls of fluctuating heights and an assortment of access points (steps and slipways) and are in variable condition.
- 3.2 The Shoreline Management Plan2 (SMP2) policy for the North Bay frontage is to Hold the Line. The strategic preferred option is seawall repairs and slope stabilisation for the North Bay Cliffs and rock revetment, seawall repairs, and slope stabilisation for the Clarence Gardens MU within 6-10 years to sustain the current erosion protection provided by the seawalls. The Strategy recognised that in the short term prior to any capital scheme being implemented for these two frontages that an option of 'emergency coastal slope and defence works and repairs to defences and landslips as and when required' would be essential to prevent failure leading to coastal erosion. The initial losses would be the promenade and road immediately behind the seawalls.

This road is the main coastal route linking the north and south bays at Scarborough. Loss of this route would result in traffic disruption within the town. There are 240 residential properties, 137 commercial properties including several tourist amenities, and 136 beach chalets at risk of coastal erosion within five years should the walls fail.

- 3.3 The North Bay Urgent Wall Improvements project was initially developed in 2012 and the preferred option was a phased capital repair scheme. This proposed to prioritise investment on improvements to target the most urgent issues first, whilst continuing to maintain those assets where improvements are less urgent and where improvement works can be programmed for a later date, to maximise the longevity of the existing investments and delay the need for a major capital scheme beyond the design life of the asset.
- 3.4 The selected scheme consists of three phases of works, and a delayed capital scheme to push the asset past its design life. Phase 1 consisted of urgent works to 540m of frontage (35%); this was successfully delivered in year one (2014). Phase 2 is proposed to consist of more works to 440m of frontage (28%). The remaining 570m of frontage (37%) was recommended to be undertaken as Phase 3 and given the closeness of these two phases, a saving can be realised by combining the works to occur at the same time along with causing less disturbance on a busy tourist beach, hence the proposal to group phases 2 and 3 together. Phase 4 (not part of this project will be a delayed capital scheme carried out in year 30 (2044).
- 3.5 During this phase we will procure a specialist consultant to design, and project manage the works and this needs to be completed by November 2024. A contractor will subsequently be procured to undertake the works which needs to be delivered by October 2026 in line with the grant deadlines.

#### **4.0 CONSULTATION UNDERTAKEN AND RESPONSES**

- 4.1 Consultation has been undertaken with the Environment Agency, who is committed to fully funding and progressing the scheme.

#### **5.0 ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 Alternative options were considered as part of the coastal strategy process and the selected option is the preferred option which benefits from 100% grant funding.
- 5.2 Alternative options would not attract grant aid and would be required to be funded by NYC.

#### **6.0 FINANCIAL IMPLICATIONS**

- 6.1 The proposal is 100% grant funded by the Environment Agency and includes allowances for NYC officer costs, consultant's fees, design and construction costs, permissions and consenting fees and a significant risk contingency allowance of £444k.
- 6.2 The total project cost of £1,510,855, is an early estimate prior to design and is subject to confirmation by the contractor following completion of the full design. Within the Environment Agency economic funding calculator, additional grant could be drawn down if required due to the favourable cost benefit score of the scheme. Once the full design has been completed and the total costs known, the Environment Agency will be approached, if necessary, for further funding and a further report will be brought to Executive, detailing full financial implications for the Council for

approval prior to construction works progressing. If the works do not go ahead the grant will not be drawn down.

- 6.3 The fact that these works are eligible for 100% grant aid reduces both the financial liability and the risk to the Council. Once the works start on site, cost overruns are the risk of the council if no further funding is available.

## **7.0 LEGAL IMPLICATIONS**

- 7.1 The proposed North Bay Urgent Seawall Refurbishment works will be carried out using the Council's permissive powers under the Flood Water Management Act 2010.
- 7.2 The terms of the grant are the Environment Agency standard terms which have been reviewed by Legal Services and have been accepted many times before.

## **8.0 EQUALITIES IMPLICATIONS**

- 8.1 There are no significant equalities implications arising from this report.

## **9.0 CLIMATE CHANGE IMPLICATIONS**

- 9.1 There are no significant climate change implications arising from this report.
- 9.2 The strategic proposals over all four phases have taken account of future sea level rise with the main risk being addressed in future phase 4.

## **10.0 REASONS FOR RECOMMENDATIONS**

- 10.1 This report is required as a condition of the corporate Grant Application and Acceptance Procedures.
- 10.2 Accepting the grant will enable investment to extend the residual life of the existing coast defence assets, and thereby delaying the requirement for a capital scheme. This report supports the business case for the most cost-efficient way of sustaining the standard of service of the existing assets.
- 10.3 Accepting the grant and progressing the project will also contribute to the protection of 224 residential and 162 non-residential properties, 166 beach chalets, recreation infrastructure including the promenade, miniature railway, and golf course and the avoidance of the associated tourism losses, protection of the main road link between North and South Bays, and important utility infrastructure, and the avoidance of mental health impacts for residents.

## **11.0 RECOMMENDATIONS**

- 11.1 It is recommended that:
- i) Executive accept the capital grant contribution of £1,510,855 from the Environment Agency
  - ii) Subject to following the relevant procurement procedures, delegate to the Corporate Director of Environment, in consultation with the Corporate Director of Resources, the Assistant Chief Executive Legal & Democratic Services and Executive Member for Highways and Transportation, Road Safety and Cycling, the authority to enter into contract with a specialist consultant to design, and project manage the works, and a contractor to construct works, subject to the cost of the works being contained within the current grant awarded

- iii) Executive agree to receive a further report once the full costs are known if further grant funding is required prior to the approval of a construction contract and the works starting.

**APPENDICES:**

Appendix A – Equalities impact assessment  
Appendix B – Climate change impact assessment

**BACKGROUND DOCUMENTS:**

None.

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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.