

Agenda for Council

Wednesday, 25 July 2018; 6.00pm



To: [All elected Members of the Council](#); Honorary Aldermen

Venue: Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

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Prior to the formal start of the meeting, the Chairman will invite Rev'd Handel Bennett to say a prayer.

Dear Sir/Madam

Meeting of the Council of the District of East Devon on Wednesday 25 July 2018 at 6.00 pm

You are called upon to attend the above meeting to be held in the Council Chamber, Knowle, Sidmouth. It is proposed that the matters set out on the agenda below will be considered at the meeting and resolution or resolutions passed as the Council considers expedient.

Yours faithfully

A handwritten signature in black ink, appearing to read "Mark Williams".

Chief Executive

Note: This meeting is being audio recorded by EDDC for subsequent publication on the Council's website.

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chairman has the power to control public recording and/or reporting so it does not disrupt the meeting.

Agenda:

- 1 [Public speaking](#)
- 2 Minutes of the [Annual Council meeting](#) held on 16 May 2018
- 3 Apologies
- 4 Declarations of interest - Guidance is available online to Councillors and co-opted members on making [declarations of interest](#).
- 5 [Matters of urgency](#) – none identified
- 6 Announcements from the Chairman and Leader
- 7 Confidential/exempt items – there are no items which Officers recommend should be dealt with in this way but if confidential minutes from Cabinet and/or the Council's Committees are being discussed, Officers may recommend consideration in the private part of the meeting.
- 8 To answer questions asked by Members of the Council pursuant to Procedure Rules No 9.2 and 9.5.
- 9 Reports from the Cabinet and the Council's Committees and questions on those reports:

Cabinet	Minutes	208 – 225,1–20, 21 - 38
†Scrutiny Committee	Minutes	41 – 45, 1 – 7, 8 - 13
†Overview Committee	Minutes	1 – 5
†Housing review Board	Minutes	1 – 16
Strategic Planning Committee	Minutes	37 – 43, 1 - 7
Development Management Committee	Minutes	49– 52, 1 - 4, 5 - 8
Licensing and Enforcement Committee	Minutes	1 - 4
Licensing and Enforcement Sub Committee	Minutes	1 – 7, 8 – 10,

†The recommendations of these meetings have already been referred to Cabinet for consideration.

- 10 **Appointment of Tenant Representative on Housing Review Board**

Following the resignation of one of the tenant representatives from the Housing Review Board, interviews were held on 23 May 2018 to fill the vacant tenant representative position. Members are asked to formally co-opt Alek Williams to the Board.
- 11 **Exmouth Seawall Urgent works**

This report outlines urgent works required to ensure the stability of the Western end of the seawall at Exmouth, in order to prevent failure of the seawall and associated damage to adjacent infrastructure.

[Decision making and equalities](#)

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

Report to: Council
Date of Meeting: 25th July 2018
Public Document: Yes
Exemption: None



Review date for release None

Agenda item: 11

Subject: Exmouth seawall urgent works.

Purpose of report: To agree urgent works required to ensure the stability of the Western end of the seawall at Exmouth.

Recommendation: **That authority is given to the Strategic Lead - Housing, Health & Environment to implement the project and works as set out in this report.**

That Council authorises a Contract Exemption in accordance with the Council's Contract Standing Orders as set out in this report.

Reason for recommendation: To prevent failure of the seawall and associated damage to adjacent infrastructure.

Officer: Dave Turner - Engineering Projects Manager

Financial implications: The £400,000 estimated cost is based on the works identified. The report refers to the construction risks which have the potential to challenge this estimate.

It is unclear at this stage how much of the £400,000 may be recovered. It is possible that EDDC may have to cover a significant portion.

Legal implications: An exemption to Contract Standing Orders will be needed to allow the contract to be granted to Keir Construction. Legal Services will work with the project team to serve the necessary notices and to ensure that an appropriate contract is put in place with the Contractor. We have no further legal comment.

Equalities impact: Low Impact

Risk: High Risk

Construction risk associated with working near potentially unstable structures, working in tidal areas, and the potential for obstructions when piling.

Links to background information: None

Link to Council Plan: Encouraging our communities to be outstanding
Developing an outstanding local economy
Delivering and promoting our outstanding environment
Continuously improving to be an outstanding council

1 Background

- 1.1 The seawall adjacent to Mamhead slipway was constructed in the first half of the 19th century. It is understood at the time of construction, beach levels were around 1 – 2m from the top of the seawall. Over time beach levels have lowered, periodically works have been required to ensure the future stability of the seawall and most recently in the 1970's rock armour was added in front of the toe of the wall.
- 1.2 There was some movement of the seawall, and cracking during construction of the Mamhead Slipway, and those defects were rectified under that contract.

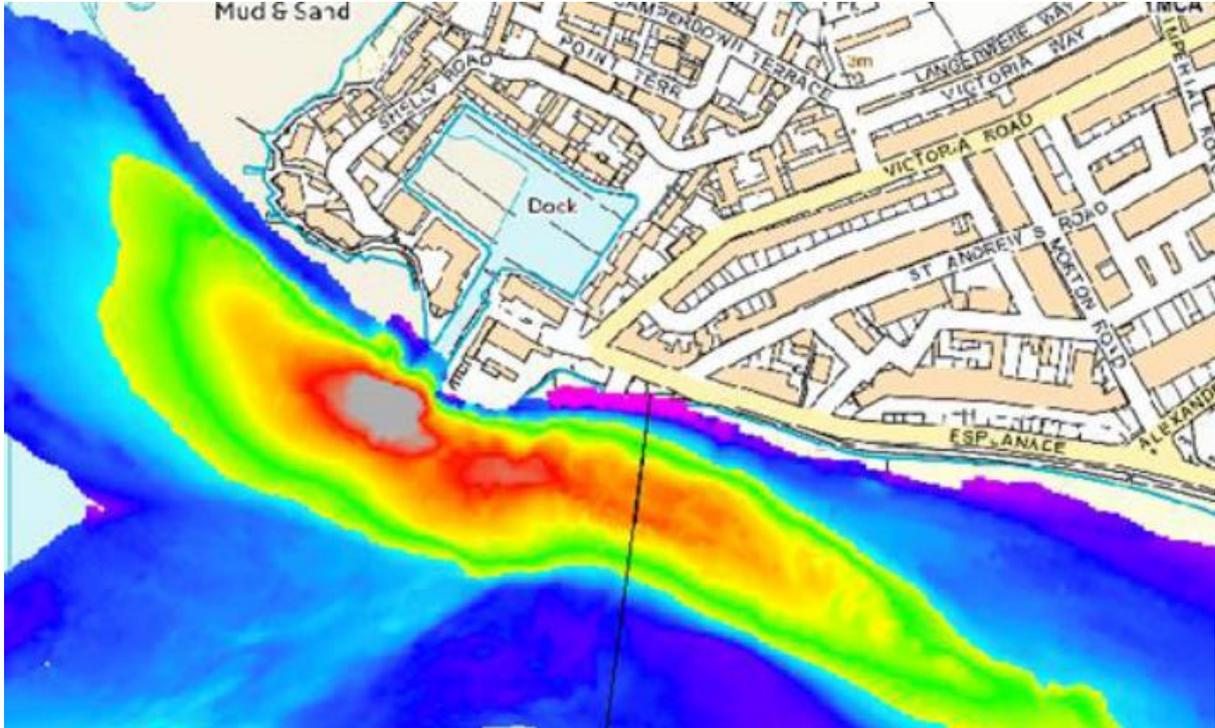


Figure 1 - 2018 Bathymetric Survey

2 The problem

- 2.1 The beach level and adjacent channel has continued to drop, in particular on the Exmouth side with a significant migration of the channel towards the Town in the period between the last two bathymetric surveys in 2008 and 2018. The most recent bathymetric survey is shown in figure 1 (lowest bed levels in grey, highest bed levels in purple)
- 2.2 As a result the estuary bed has steepened and at the Westernmost end the rock armour has moved away from the toe of the seawall towards the channel, and the toe piles that have been increasingly exposed have shown signs of movement during storms. Tell tail monitors have been fixed to monitor the movement over the winter and the cracks periodically grouted to reduce water ingress damage.
- 2.3 Most recently during works to investigate the ground beneath the seawall, further movement has been observed and dumpy bags of aggregate placed against the toe piles as an interim measure to help support the wall.
- 2.4 Investigations have shown the material behind the piles is heavily saturated, therefore material from beneath the land and infrastructure behind will very rapidly migrate out in the event of failure of the toe piles.
- 2.5 In the short term this will most likely affect the stability of the seawall, footway and slipway turning area. Damage would spread, potentially encompassing the road, high pressure gas main, residential properties. Over a 20 year period, economic losses in a do-nothing scenario are estimated at a Present Value £6.7M.
- 2.6 A projection of erosion in the do-nothing scenario is shown in Figure 2.

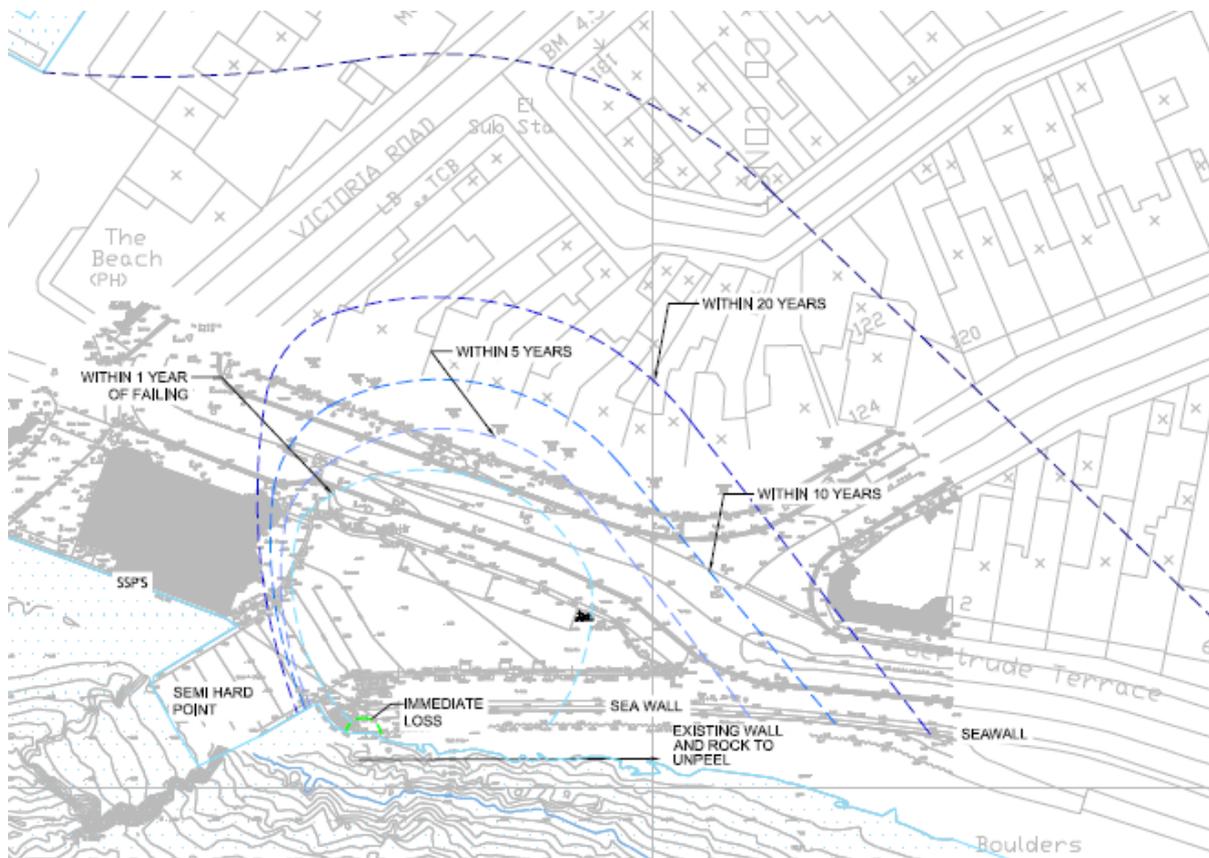


Figure 2 - Predicted damages in a do-nothing scenario

3 Proposed works

- 3.1 A bathymetric survey (a survey of the estuary bed levels) has been undertaken, and this has shown that a rock revetment would not remain in situ by itself due to the slope of the estuary.
- 3.2 Therefore a line of steel sheet piles set 6m off the base of the wall is required to hold a rock revetment in place. The piles have been designed to allow for further drop in the adjacent estuary bed levels.
- 3.3 The area between the seawall, and steel sheet piles would then be filled in with 2-4t rock armour.
- 3.4 The piles and rock armour would need to be installed by crane from the slipway and from the slipway turning area to the rear of the seawall.
- 3.5 The entirety of the slipway would be closed during the works to allow for sufficient working area and storage of materials.

4 Program

- 4.1 The area of the works is within the Exe Estuary Special Area of Conservation (SAC) and therefore there are restrictions on works which may disturb over wintering birds. Liaison with Natural England has indicated that any piling must be completed by the end of September, allowing the less intrusive placement of rocks to take place after the main engineering works.
- 4.2 The Mamhead slipway has proved extremely popular with visitors and local people, and therefore East Devon wish to avoid undertaking works in the busiest summer period. However, our advice is that the seawall could be further damaged during the winter and there is the risk that serious structural damage could be caused in storm conditions.
- 4.3 It is therefore proposed to undertake these beginning 4th September, with the piling to be completed before 30th September and with rock armour to be placed in October.

4.4 This would also allow sufficient period to gain the necessary consent from Natural England for works within the SAC, notice to be served under the Coast Protection Act and a contract agreed with Kier Construction.

4.5 The proposals do not require Environmental Impact Assessment, Planning Consent, or a Marine License due to the nature and location of the works.

5 **Procurement**

5.1 Due to limited period in which to procure the works, it is proposed to appoint Keir Construction to undertake the works. As part of the Team Van Oord team for Exmouth Tidal Defence Scheme Keir are familiar with the site and suitably qualified to undertake this type of works.

6 **Funding**

6.1 The works are estimated to cost £400,000 including detailed design, consenting and supervision of the works.

6.2 Based on the do-nothing damages, and the properties at risk EDDC would qualify to recover all of this under Flood and Coastal Erosion Risk Management Grant in Aid (FERMGiA).

6.3 However, the amount East Devon are able to recover via this route may be limited by the amounts available within the current Environment Agency (EA) program.

7 **Recommendation**

7.1 That authority is given to the Strategic Lead - Housing, Health & Environment to to implement the project and works as set out in this report in order to prevent further deterioration of the seawall and prevent damage to the adjacent infrastructure.

7.2 That Council authorises a Contract Exemption in accordance with the Council's Contract Standing Orders on the basis of the likelihood of increased damage to the sea wall and nearby infrastructure and increased costs which would follow such deterioration and; authorises that Keir Construction are contracted to complete the works in order to prevent further deterioration of the seawall and damage to nearby infrastructure

7.3 That Council allocate budget of £400,000 is allocated for the works, on the basis that steps will be taken to recover as much as possible from FCERMGiA via the EA.