

Making Space for Water Crossens SuDS scheme

Date of meeting:	5 December 2024 16 January 2025		
Report to:	Cabinet Council		
Report of:	Assistant Director - (Operational In-House Services)		
Portfolio:	Health and Wellbeing		
Wards affected:	Meols		
Is this a key decision:	Yes	Included in Forward Plan:	Yes
Exempt/confidential report:	No		

Summary: To seek Cabinet approval of this pre-procurement report to authorise the contract award, as described below, for the Making Space for Water scheme to manage flooding in the Crossens area, and to seek the recommendation to Council to approve a supplementary capital estimate of £1.75m funded from £1.6m Environment Agency Grant funding (subject to funding award) and £0.15m from the Highways capital programme.

Recommendation(s):

Cabinet is recommended to:

- (1) Approve the pre-procurement report describing the tender process to procure the contractor for the Making Space for Water Crossens SuDS scheme as outlined in this report.
- (2) Gives delegated authority to the Assistant Director of People (Operational In-House Services), in consultation with the Cabinet Member Health and Wellbeing, to award the Contract resulting from the procurement.

Cabinet recommendation to Council:

- (1) Approve a supplementary estimate capital estimate of £1.75m, funded from Environment Agency grant of £1.6m (subject to funding being allocated by the Environment Agency) and £0.15m from the Highways capital programme as

outlined in the report.

1. The Rationale and Evidence for the Recommendation

- 1.1. Sefton Council have been developing a flood management scheme associated with the Pool watercourse that runs from the lake in Botanic Gardens, through the stray woodland, runs parallel to Preston New Road before passing through Crossens Community Park and discharging into the Three Pools Waterway. The scheme will seek to create flood storage areas to reduce surface water flood risk directly to 98 properties as well as increase biodiversity and improve the quality of the open space.
- 1.2. Sefton Council are seeking Grant in Aid funding from the Environment Agency for £1.6m to fund most of the scheme. The Environment Agency administer the grant-in-aid funding process and a bid and business case has been submitted (October 2024). The funding allocation is based on a national funding pot and is competitive between projects based on a series of outcomes. Additional funding of £150k has been earmarked from the Sefton Council highway capital improvement programme to support improvements to the drainage of the highway in the area which is contributing to flooding.
- 1.3. The preferred procurement methodology is to use the Environment Agency's Collaborative Delivery Framework, which is part of their Next Generation Supplier Arrangements for delivering flood risk management schemes. Sefton Council are already signed up (10/10/2019) to use the framework. The framework was established in 2018 for 4year with a 4year extension, which has been enacted. The framework is a direct award to a single supplier allocated for the north west. Using the Environment Agency's framework will give the Environment Agency more confidence in the delivery of the scheme.
- 1.4. If the Collaborative Delivery Framework supplier is unable to undertake the work for any reason, then it is proposed to undertake a restricted tender procedure to appoint a suitable contractor as set out in 2.3 of Sefton Council's Contract Procedure Rules 2024.

2. Financial Implications

- 2.1. The scheme will be fully funded through capital grant-in-aid (£1.6m) from the Environment Agency and capital highway funding (£150k), subject to the grant-in-aid funding bid being approved. If the bid is not approved for the full amount, then the scheme cannot be delivered as designed. Within the bid amount there is a contingency of £197k to allow for any cost increases.
- 2.2. The grant is subject to the Environment Agency Grant memorandum and if we propose not to complete a project, the Environment Agency have approved or we are prevented from doing so by circumstances beyond our control we must inform the Environment Agency immediately. We must also fully explain the reasons for this. In these circumstances the Environment Agency may withhold any capital grant payments that they would have otherwise paid. They would not seek to reclaim grant for any expenditure already incurred on the project.
- 2.3. The business case and grant-in-aid bid was submitted on the 23rd October, it is anticipated that the approval process will be completed in mid-December 2024 and notification of grant made shortly afterwards.
- 2.4. The scheme is proposed to be completed within the financial year 2025/26.

3. Legal Implications

3.1. As determined by the Council's Contract Procedure Rules, the contract will need to be sealed as its total value will be in excess of £250,000.

4. Risk Implications

4.1. The procurement process has little risk due to the use of a national framework.

4.2. The funding bid is subject to a national competitive process and as such there is a risk that funding does not get awarded.

5. Staffing HR Implications

5.1. There are no staffing implications, though additional resource may be available to support the project through the grant-in-aid funding.

6. Conclusion

6.1. The use of a national framework for procurement to a single supplier is appropriate for this scheme.

Alternative Options Considered and Rejected

Sefton Council's Highway term contractor was considered as the contractor for the scheme, but with their current workload and lack of experience in this type of flood suds scheme, it was felt that they would be unable to deliver the scheme in a timely fashion.

Equality Implications:
There are no equality implications of this procurement exercise. The project itself will not have any equality implications, and the site will be accessible to all as far as practicable within the context of this project.
Impact on Children and Young People:
There are no impacts on young children as a result of the procurement exercise. The project itself will provide children and young people to improved environmental green space and reduce the stresses and impacts associated with properties at flood risk.
Climate Emergency Implications:
The recommendations within this report will have a positive impact. The scheme will be reducing flood risk and adapting to future climate change.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Services & Commercial (FD.7837/24) and the Chief Legal and Democratic Officer (LD.5937/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Meetings have been held with the Environment Agency's Commercial Business Relationship Manager and the north west contractor with regards to using the Collaborative Delivery Framework on 24/10/2024.

A public consultation on the scheme was undertaken in Autumn 2023.

Cabinet Member Health and Wellbeing has been briefed on the project 16/10/2024

Implementation Date for the Decision:

Following the expiry of the "call-in" period for the Cabinet decision; and Immediately following the Council meeting

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Appendices:

There are no appendices to this report

Background Papers:

There are no background papers to this report