

REPORT TO: Cabinet Member - Environmental

DATE: 12th January 2011

SUBJECT: **REGIONAL COASTAL MONITORING PROGRAMME –
INSTALLATION AND DEPLOYMENT OF WAVE BUOYS**

**WARDS
AFFECTED:** Meols, Cambridge, Dukes, Ainsdale, Harrington, Manor,
Blundellsands, Church, Linacre

REPORT OF: Peter Moore, Environmental & Technical Services Director

**CONTACT
OFFICER:** Graham Lymbery – Coastal Officer
Tel: 0151 934 2960

**EXEMPT/
CONFIDENTIAL:** no

PURPOSE/SUMMARY:

The purpose of this report is to seek Members' approval to contract New Forest District Council to undertake works on Sefton Council's behalf using their established contractors, using the Flood and Water Management Act 2010.

REASON WHY DECISION REQUIRED:

Approval is required to waive Sefton Council's contracts procedure rules and proceed with the appointment of another coastal authority to undertake works on Sefton Council's behalf.

RECOMMENDATION(S):

It is recommended that the Council's contracts procedure rules be waived to allow for the appointment of New Forest District Council and their contactor, EMU, to install and deploy the wave buoys, subject to Cabinet Member approval for the procurement of the wave buoys.

No

KEY DECISION:

FORWARD PLAN:

No

IMPLEMENTATION DATE:

ALTERNATIVE OPTIONS:

A full tendering exercise would need to be undertaken for the deployment in this current grant period 2008-2011. This would need to be repeated for the period 2011-2016 when the new programme commences.

IMPLICATIONS:

Delay of deployment leading to potential loss of grant and duplication of tendering exercise.

Budget/Policy Framework: n/a

Financial: There are no financial implications for the Council resulting from this report. The cost of the deployments will be up to a maximum of £50,000 and is 100% grant aided from the Environment Agency. The grant aided money is already within the capital programme and this procurement is included within that sum. The grant is ring-fenced for this programme.

<u>CAPITAL EXPENDITURE</u>	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	March 2011			
How will the service be funded post expiry?	New grant approval			

Legal:

The Head of Corporate Legal Services has been consulted and his comments have been

incorporated into this report LD00014/10.

Risk Assessment:

Asset Management:

CONSULTATION UNDERTAKEN/VIEWS
FD598 - The Acting Head of Corporate Finance & IS has been consulted and his comments have been incorporated into this report.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Creating Safe Communities		✓	
3	Jobs and Prosperity		✓	
4	Improving Health and Well-Being		✓	
5	Environmental Sustainability	✓		
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy		✓	
8	Children and Young People		✓	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

ENVIRONMENTAL COMMITTEE 12/01/2011 REGIONAL COASTAL MONITORING PROGRAMME – SINGLE TENDER PROCUREMENT - WAVE BUOY PROCUREMENT

CABINET 28/10/2010 REGIONAL COASTAL MONITORING PROGRAMME FOR 2011-2015 PROCUREMENT STRATEGY

Background

- 1.1 Sefton Council are acting as lead authority for the North West Strategic Coastal Monitoring Programme which is 100% funded by the Environment Agency.
- 1.2 One element of the programme is to analyse the hydrodynamic wave action along the length of the North West coastline. Sefton Council intend to procure two wave buoys, for the North West programme, subject to committee approval.
- 1.3 The wave buoys require specialist services and licences to be deployed, a budget has been allocated for this action.
- 1.4 The current grant aid for the North West Programme runs until March 2011, and a new grant approval for the programme 2011-2016 was received on the 13th December 2010.
- 1.5 New Forest District Council (NFDC) is a coastal protection and flood risk management authority that coordinates the South East Strategic Coastal Monitoring Programme and hosts the national data portal. They have 10yrs experience of managing wave buoys.
- 1.6 NFDC currently have a contract with EMU, a specialist maritime operator, to deploy and maintain their wave buoys. The contract was established through a full OJEU notice tender procedure. EMU has managed the South East network of 20 wave buoys for NFDC.
- 1.7 The Flood and Water Management Act 2010 c. 29 Part 1: Strategies, co-operation and funding: Section 13 prescribes:

(4)A risk management authority may arrange for a flood risk management function to be exercised on its behalf by—

(a) another risk management authority

2. Contract New Forest District Council to arrange the deployment of the wave buoys

- 2.1 Sefton Council are seeking to contract NFDC to deploy the wave buoys using their existing management contract with EMU.
- 2.2 Sefton Council propose using the Flood and Water Management Act 2010 c. 29 Part 1: Strategies, co-operation and funding: Section 13 as described above to ensure the legality of this action.

Financial implications

- 2.3 The cost of this will be a maximum of £50,000. Exact costs will be determined by site investigation (included in costs). NFDC will only charge Sefton Council the actual costs of deployment, up to this limit, as it is a non profit organisation. The cost can be contained within the Capital Programme provision for the CERMS 2008-11 project which is 100% grant funded by the Environment Agency. This grant is ringfenced.
- 2.4 This method will deliver costs saving through reduced procurement processing and efficient delivery of the service through a well managed and established contract.

3. Future financial implications

- 3.1 There will be no future revenue financial implications for Sefton Council.
- 3.2 The 5yr 100% grant aid continuation of the North West Regional Coastal Monitoring Programme 2011-2016 includes an allocation for maintaining these wave buoys.
- 3.3 The North West Programme will establish a management contract for the wave buoys for the new grant period, following the establishment of the Regional Coastal Monitoring Programme for 2011-2016 Procurement Strategy

4. Recommendation

- 4.1 It is recommended that the Council's contracts procedure rules be waived to allow for the appointment of New Forest District Council and their contactor, EMU, to install and deploy the wave buoys, subject to Cabinet Member approval for the procurement of the wave buoys.