

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 07 April 2014

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| Portfolio: | Policy and Resources |
| Subject: | Broadcut Depot - Boundary Wall |
| Report of: | Director of Finance and Resources |
| Strategy/Policy: | Asset Management Plan |
| Corporate Objective: | A dynamic, prudent, progressive and best value Council |

Purpose:

To obtain the Executive's views on which of the cost options as set out in the briefing paper to take down and ultimately rebuild the Council's wall adjacent to the boundary of the Depot should be implemented.

Executive summary:

As a consequence of the further erosion of the Wallington river bank due to excessive rainfall and resultant heavily increased river flow it is necessary prior to the undertaking of civil engineering works to install gabions to take down and ultimately rebuild the Council's adjacent boundary wall. The cost options for this work are set out in the briefing paper for the Executive's consideration.

The report also advises of the estimated cost of installing the gabions and that this has been included in the 'one off' bid to the Treasury by Defra and the Environment Agency for additional funds. If the bid is unsuccessful then as mentioned in the report the cost of this work will also be the responsibility of the Council who has its Depot asset at risk.

Recommendation/Recommended Option:

That the Executive

- a) confirms which of the options for taking down and rebuilding the Council's wall adjacent to the Depot should be implemented; and
- b) notes the risk that the Council will also have to fund the cost to undertake civil engineering works required to install gabions if the 'one off' bid to the Treasury by Defra and the Environment Agency for additional funds is unsuccessful.

Reason:

To enable works to proceed to take down and ultimately rebuild the Council's adjacent boundary wall due the further erosion of the Wallington river bank.

Cost of proposals:

The cost options range between £15,400 and £49,100 and would be funded from the Council's capital fund.

Appendices:**Background papers:**

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Executive Briefing Paper

Date: 07 April 2014

Subject: Broadcut Depot - Boundary Wall

Briefing by: Director of Finance and Resources

Portfolio: Policy and Resources

INTRODUCTION

1. During the 2013/14 winter period, further erosion of the Wallington river bank has been observed due to excessive rainfall and resultant heavily increased river flow. This further erosion has been confirmed by the Eastern Solent Coastal Partnership. Because of the erosion, which has affected the Council's adjacent boundary wall, it has been necessary to close temporarily for safety reasons the footpath between the wall and river bank pending the rebuilding of the wall and civil engineering works referred to below.
2. It was anticipated that the Environment Agency would be willing to install gabions to deal with the erosion of the river bank but subject to the Council making the wall safe by removing it first. As regards the planning situation for the wall it is believed that both the taking down and rebuilding of the boundary wall or the erection of a palisade fence would constitute Local Authority Permitted Development as it would involve works on land belonging to or maintained by the Council required for the purposes of a function exercised by them i.e. to secure the depot. As regards the installation of the gabions by the Environment Agency they have provided the following clarification of their position.
3. The liability for riverbank erosion protection works normally falls to the riverside landowner to implement measures to protect their land and property. Officers undertook a land registry search. Unfortunately the search could not ascertain the ownership of the river bank and footpath as this narrow strip of land between the river and Depot is unregistered. Therefore the liability for the works required falls to the Council as owners of the adjoining Depot. It is very important to put in place a plan of action to deal with the further erosion that destabilises the footpath and which could ultimately undermine the Depot building.
4. The preferred option for repair work is a stepped gabion installation. These measures will require an area of the bank to be excavated below the path and to below bed level, which would be difficult / dangerous with the brick wall in situ, hence demolition of the brick wall was suggested. It is likely that a section of at least 10metres length would be required and it would probably be a series of stepped gabion cages that are installed to below bed level on a concrete slab.

5. Any work will also need to accommodate a surface water drainage pipe that comes through the riverbank at this point;
6. A Flood Defence Consent will need to be applied for from the Environment Agency. This will be submitted by the Eastern Solent Coastal Partnership.
7. A key point in respect of costs is that the Environment Agency has only offered to supply the wire gabion cages that would be required. All civil work including excavation, temporary works and installation of the gabion baskets along with filling them with suitable rock material would need to be arranged and funded by the landowner but as mentioned above as the narrow strip of land between the river and Depot is unregistered the costs will be the responsibility of the Council who has their Depot asset at risk.
8. In respect of a short term solution, the opportunity to implement temporary works is limited because of both the height of the riverbank and energy of the river at this location. This points to use of gabions as the preferred option. The installation of the work will also need to be delayed until the river level drops sufficiently to allow safe working in this area without flooding any excavations and exacerbating erosion problems. This is estimated at the earliest on advice from the Environment Agency to be late April / May.
9. In view of the above officers have liaised with the Eastern Solent Coastal Partnership to discuss the way forward. The Partnership is to seek budget estimates for the work to install the gabions from their Minor Works Framework contractors. Officers have obtained estimated costs to remove the boundary wall and these are set out below.
10. Officers have contacted the Council's insurers to ascertain if any of the works required i.e. demolition and possible rebuilding of the wall and installation of the gabions is covered by insurance. Our insurers have confirmed that unfortunately an insurance claim cannot be made for the works.

ESTIMATED COSTS FOR REBUILDING BOUNDARY WALL

11. Estimated costs have been obtained for three options to undertake works to the existing boundary wall at the rear of the depot building that requires removal and reinstatement to allow the works to rebuild the river bank to proceed.
12. The scope of the works are the removal of the full height wall for its complete length and exclude one bay nearest to the Depot fire exit gate. The work assumed utilising the existing foundation. However further investigation on the condition and type of foundation prior to constructing the new wall was required.
13. Building Services arranged an investigation to check the foundation detail for the wall which found that it only extended 225mm below the base of the existing wall. This was inspected by Opus, the Council's structural engineer for this project, and they are recommending that a complete new foundation is formed for the new wall.
14. An estimated cost for the additional works to excavate and construct a new foundation is £9,000 based on a standard construction detail and this cost has been included in the estimates for options 1 and 2 but is not required for option 3. The estimated costs for each of the options are as follows.

Option 1

Demolish the existing wall 24metres long by 2.4metre high down to ground level river side. Clean up existing bricks and store on site. Construct new wall using salvaged bricks and an allowance of new bricks.

Estimated cost £27,000. Plus VAT

Option 2

All as option 1 but allowance to remove existing bricks from site and dispose. Supply reclaimed bricks to rebuild as existing.

Estimated cost £32,000. Plus VAT

Option 3

Demolish the existing wall 24metres long by 2.4metre high down to ground level depot fire exit side. Erect new metal palisade fence on path side of existing boundary.

Estimated cost £7,300. Plus VAT

Contingency and reinstatement of footpath and post and rail fence

A contingency sum is allowed for this project due to a number of uncertain items such as foundation condition, condition and quality of existing brickwork. Therefore initially a provisional sum of £5,000 is allowed.

In addition, on the basis that the Eastern Solent Coastal Partnership reinstate to a soil surface, an allowance is required to construct a new footway (to rural footway standards) and a post/rail fence to the river side of the path, both for the length of the new wall at an estimated cost of £3,100 plus VAT.

PLANNING CONSIDERATION OF THE OPTIONS

15. The Council's Conservation Officer has provided the following comments on the options for taking down and rebuilding the Council's adjacent boundary wall.
16. The wall is a red brick construction approximately 2.5 m high in a traditional brick bond that forms a boundary to the Council depot. The Council depot lies on the site of the former Wallington Tannery, which operated in the Village from the 17th century to the early 20th century. The wall is likely to be a surviving part of that Tannery site. For the purposes of planning the wall is not a designated heritage asset and not therefore of national interest (i.e. a listed building) but would be considered as a non-designated heritage asset as it has some local heritage interest.
17. The wall lies just outside the boundary of the Wallington Conservation Area, which runs along the bank of the river, and is visible from the public footpath adjacent. It can also be seen from within the conservation area in views across the river from North Wallington and also from the nearby footbridge. In that respect it makes a contribution to the setting of the conservation area and also provides some screening of the council depot building. The contribution that historic boundary walls make to the character of the Wallington Conservation Area is set out in the adopted Wallington Conservation Area Character Assessment. Therefore it would be preferable if possible to re-instate the wall re-using the existing materials, with matching mortar and pointing finish, rather than replacing it with a fence. This is option 1 at an estimated cost of £27k plus VAT.
18. As referred to in paragraph 2 of the briefing paper it is believed that both the taking down and rebuilding of the boundary wall or the erection of a palisade fence would constitute Local Authority Permitted Development as it would involve works on land

belonging to or maintained by the Council required for the purposes of a function exercised by them i.e. to secure the depot.

COST AND FUNDING OF WORKS TO INSTALL GABIONS

19. Defra are in discussion with HM Treasury funding required for works arising following the surge, high tides and flooding during December 2013 and post the Christmas/New Year period. For 2014/15 the Environment Agency are also being asked to support Defra in a 'one off' bid to the Treasury for additional funding in 2014/15 to repair/refurbish/replace all assets which have deteriorated as a consequence of the sequence of surge and flood events, and where it is believed there is a justified case either on economic, urgency or legal grounds, for reinstatement or improvement. However, to date, these funding sources have yet to be secured.
20. The estimated cost of installing the Gabions is estimated to be £50,000. The Eastern Solent Coastal Partnership on behalf of the Council has included this estimated cost in the 'one off' bid to the Treasury by Defra and the Environment Agency. A decision on funding is still awaited. If the bid is unsuccessful then as mentioned in this briefing paper the cost will be the responsibility of the Council who has an asset at risk i.e. the Depot.

RISK ASSESSMENT

21. The liability for riverbank erosion protection works normally falls to the riverside landowner to implement measures to protect their land and property. Unfortunately following a Land Registry search the ownership of the river bank and footpath could not be determined as it is unregistered. Therefore the liability for the works required falls to the Council as owners of the adjoining Depot.
22. The cost to take down and ultimately rebuild the wall adjacent to the boundary of the Depot will be met by the Council. The cost of installing the gabions will also be the responsibility of the Council who has its Depot asset at risk. Whilst this cost has been included in a 'one off' bid to the Treasury by Defra and the Environment Agency for additional funds there is a risk that the bid is unsuccessful and therefore the Council will have to fund the £50k estimated cost to undertake the civil engineering works required to install gabions.

FINANCIAL IMPLICATIONS

23. There are a range of scenarios involved in resolving the issues associated with the riverbank and wall at Wallington.

| | Wall Option 1 | Wall Option 2 | Wall Option 3 |
|-------------------------------------|---------------|---------------|---------------|
| Demolition and construction works | 27,000 | 32,000 | 7,300 |
| Foundation works to wall | 9,000 | 9,000 | n/a |
| Footpath reconstruction and fencing | 3,100 | 3,100 | 3,100 |
| Contingency | 5,000 | 5,000 | 5,000 |
| Total | 44,100 | 49,100 | 15,400 |

24. Regardless of the Option chosen, then costs associated for this work would need to be funded from the Council's capital reserves.
25. In addition, the Executive are asked to consider earmarking up to £50,000 within the capital reserve for the riverbank reconstruction, in the event that the bid for external funding of this work is unsuccessful.

CONCLUSION

26. As a consequence of the further erosion of the Wallington river bank due to excessive rainfall and resultant heavily increased river flow, it is necessary prior to the undertaking of civil engineering works to install gabions to take down and ultimately rebuild the Council's adjacent boundary wall. The cost options for this work are set out in the briefing paper for the Executive to provide a view on which option should be pursued. The briefing paper also advises of the estimated cost of installing the gabions and that this has been included in the 'one off' bid to the Treasury by Defra and the Environment Agency for additional funds. If the bid is unsuccessful the cost of this work will also be the responsibility of the Council.

Reference Papers: