

### Notice of the Making of an Urgent Decision

Para 1 of the second sub-section of section 3 in Part 3 of Chichester District Council's *Constitution* provides for any senior officer to make urgent decisions following consultation with the Leader or Deputy Leader of the Council and the Chairman of the Overview and Scrutiny Committee on any matters where it is not practicable to refer these to a meeting of the Council, the Cabinet or other committee provided that a full report on any decisions taken shall subsequently be made.

A decision of this nature has been made as set out below:

Decision title	Westcroft Sea Wall Failure – Emergency Works
Decision taker	Council
Decision consultees	Councillor Eileen Lintill (Leader) and Councillor Clare Apel (Chairman of OSC)
Decision date	25 January 2023
Decision details	<p>The Coast Protection Act 1949 gives Chichester District Council (CDC) as the Coast Protection Authority, responsibility &amp; powers to manage coastal erosion on our coastline. This includes the provision to undertake emergency works.</p> <p>The Council has responsibility if it considers that works are necessary for the protection of our area, and the Council should comply with the adopted SMP / Coastal Defence Strategy for the location. The strategy adopted by the Council for the Selsey frontage is identified in the Pagham to East Head Coastal Defence Strategy (May 2008) and is “hold the line”.</p> <p>On 31<sup>st</sup> January 2022, the council was notified via the Environment Agency (EA) that a void had appeared behind a section of sea wall in Selsey. Engineers visited the site and identified damage to a concrete apron fronting the wall. Since the initial report, a second local failure of the aging sea wall apron has become apparent. The wall and apron, in particular, is in poor condition, with extensive cracking over a 75 metre length.</p> <p>In consultation with our framework contractor (JT Mackley) and other specialists at Coastal Partners an emergency works solution has been developed with the intention to avoid failure of the vertical wall and loss of several properties in the short term, some of which could be at imminent risk if action is not taken swiftly.</p> <p>The proposed 75m of emergency works involve:</p> <ul style="list-style-type: none"> <li>• Filling voids beneath the apron cracks.</li> <li>• Attaching plates to the existing sheet piles, which will seal any holes and provide shuttering above existing level.</li> </ul>

	<ul style="list-style-type: none"> <li>Encasement of failed apron with 500mm thick concrete slab.</li> </ul> <p>These works have been costed and when including 20% risk and 20% design and project management costs, the works are estimated at £440k. However, given the deteriorating condition and difficulty estimating the size of the voids, this budget cost may increase and will be closely monitored.</p> <p>There is provision to claim grant for emergency works from the Environment Agency, but this must be done retrospectively, with any spend done initially by CDC at their risk.</p> <p>The local Environment Agency officers support the proposal, but the decision will be taken nationally due to the value (&gt;£100k) and there is a risk, we may not be able to recover the full amount. This risk is dependent on differentiating between emergency works and planned works.</p> <p>The Council is unable to tender for the works in the emergency nature of the works (see attached Exception to Tender). It has been concluded the most appropriate procurement route is via our existing coastal engineering maintenance term contract which includes a provision for emergency works.</p> <p>Approval is required for the following:</p> <ol style="list-style-type: none"> <li><b>To approve funding of up to £440,000 and undertake emergency coastal engineering works at Selsey, then seek to recover these through Grant Aid.</b></li> <li><b>To delegate the sign-off of the contract order to the Director of Planning and Environment.</b></li> </ol>
Reason for urgency	<p>There is no existing budget for this work, and the decision to proceed with the emergency work and to spend the estimated sum of £440k with the application for funding retrospective, requires a Full Council resolution.</p> <p>Due to the urgency of the emergency works, an urgent decision was required before 31 January 2023, the date of the next Full Council.</p>
Name and date of the meeting to receive a full report	<p>The decision will be reported to the next Full Council meeting on 31 January 2023.</p>