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To: Chair & Members of the Executive

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Thursday 28th November 2024

Dear Councillor

EXECUTIVE – MONDAY 2ND DECEMBER 2024 AT 10:00 HOURS

Urgent Business

I refer to your recently circulated agenda for the above meeting and now enclose an urgent item of business which the Chair has consented to being considered at the meeting.

Appointment of Contractor to complete flood mitigation works at Pleasley Vale Business Park: Pages 4 – 7..

Yours faithfully



Solicitor to the Council & Monitoring Officer

Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

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- **Phone:** [01246 242424](tel:01246242424)
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EXECUTIVE

Monday 2nd December 2024 at 10:00 in the Council Chamber, The Arc, Clowne

| Item No. | PART 1 – OPEN ITEMS | Page No.(s) |
|----------|--------------------------|-------------|
| 2. | Urgent Items of Business | 4 - 7 |

To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972.

Appointment of Contractor to complete flood mitigation works at Pleasley Vale Business Park.

Bolsover District Council

Meeting of the Executive on 2nd December 2024

Appointment of Contractor to complete flood mitigation works at Pleasley Vale Business Park

Report of the Portfolio Holder for Business Growth

| | |
|------------------------|---|
| Classification | The report is public |
| Contact Officer | Jim Fieldsend, Director of Governance Legal Services & Monitoring Officer |

PURPOSE/SUMMARY OF REPORT

To award a contract to P&D Environmental following a procurement exercise for delivering the scope of works required for the flood mitigation works.

REPORT DETAILS

1. Background

- 1.1 When the river Meden overflowed during storm Babet, it backfilled the millpond in front of Mill 1, causing significant flooding to the ground floor of Mill 1, damaging the property of both the landlord and tenants. Damage was also caused to the electricity substation. Within Mill 3, the storm water rose and broke through floor slabs within units, rendering them unsafe and therefore unusable.
- 1.2 The total cost of the insurance claim is in excess of £800,000. Therefore, it was important for the Business Growth and Leisure Services Team to take steps to better understand the river levels, flood mapping, and strategies for water management over future years, looking at opportunities to invest in measures which can mitigate a future flood event and reduce the Council's exposure to financial liabilities and claims from events which cause such significant damage across the site.
- 1.3 Beaumont Rivers, an environmental restoration company who specialise in nature recovery and water management techniques, has been appointed to oversee a flood mitigation and water management project and have identified opportunities to mitigate flood risk on site and reinstate some of the original drainage networks.
- 1.4 The full extent of the dam wall (146m) has been cleared by the Council's grounds maintenance team and this has enabled a more detailed assessment of the extent of works required by both Dr Hughes, reservoirs engineer, and Jonny Ackroyd of Beaumont Rivers. A Scope of Works has been agreed, and Beaumont Rivers' will oversee these works. The Scope is included in **Appendix 1**.

2. Details of Procurement

- 2.1 A procurement exercise for the scope of works for phase 1 of the flood mitigation works has been completed, and the budget quotes have been received from two of the contractors that we invited to tender for the phase 1 works.
- 2.2 Having reviewed the available risk management paperwork (method statements, quote contents and examples), and considering the budgetary pressures facing the Council, Beaumont Rivers recommend P&D Environmental as the preferred tenderer, offering the best value for money.
- 2.3 The value of the tender and the associated fees will amount to a contract sum of £427,810 + 15% management fee of Beaumont Rivers = £492,000, along with £5,000 of ecology works required ahead of construction to ensure ecological compliance. Derbyshire Wildlife Trust will also take a Biodiversity Net Gain (BNG) baseline in case the Council want to use it in the future as part of its wider plans for BNG. This will give options for the future in case the Council ends up with greater net gain than needed. The total budget for the works for phase 1 will be £497,000.

3. Reasons for Recommendation

- 3.1 Beaumont Rivers have evaluated the two submissions received and undertaken the due diligence and based on the findings of the evaluation, recommend P&D Environmental as the preferred supplier. The total budget for the works for phase 1 will be £497,000.
- 3.2 P&D Environmental can mobilise and start work on site immediately.
- 3.3 Effectively managing flood risk and protecting the site from future extreme weather events is of paramount importance if the site is to continue operations. It is also important to establish a baseline of flood modelling to inform any future development proposals for the wider site, as any planning application would require detailed flood risk assessments to be undertaken as part of any application.
- 3.4 Due to the urgent need to undertake the work the Chair of Local Growth Scrutiny Committee has agreed that it should be treated as a matter of urgency and not be subject to the call-in process.

4 Alternative Options and Reasons for Rejection

- 4.1 An alternative option is only to complete works funded by the full and final settlement to reinstate following Storm Babet and not to invest in these preventative works. This option has been rejected due to the adverse impact of a flood event on the Mills, the Landlord, and its Tenants.

RECOMMENDATION(S)

To appoint P&D Environmental to complete flood remedial works at Pleasley Vale Business Park.

That this decision is reasonable in all the circumstances and that it should be treated as a matter of urgency.

Approved by Councillor John Ritchie Portfolio Holder for Growth

IMPLICATIONS.

Finance and Risk: Yes No

Details: The budget is subject to a further report to Council (on the agenda for 4 December).

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details: there will be a contract with P&D Environmental, which will include the scope of works detailed within it.

On behalf of the Solicitor to the Council

Environment: Yes No

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

Details:

The proposed works will ensure the water management is controlled in a better way, enabling improved biodiversity along the water course, enhancing the river banks and surrounding grounds.

Staffing: Yes No

Details: Dragonfly Management (Bolsover) Limited will oversee the contractors within existing resources within the Business Growth Team.

On behalf of the Head of Paid Service

DECISION INFORMATION

| | |
|---|-----|
| Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies | Yes |
| Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i> | No |

| | |
|--|---|
| District Wards Significantly Affected | (please state which wards or state All if all wards are affected) Pleasley |
| Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Executive <input type="checkbox"/> SLT <input checked="" type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input checked="" type="checkbox"/> | Details: Pleasley Vale Conservation Area Action Group, Mansfield District Council, local growth scrutiny committee. |

Links to Council Ambition: Customers, Economy and Environment.

This links directly to the 'Economy' priority and working to invest in Pleasley Vale Business Park.

DOCUMENT INFORMATION

| Appendix No | Title |
|--------------------|----------------|
| Appendix 1 | Scope of works |
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Background Papers

(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).

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