

Report of the Portfolio Holder for Economic Development and Asset Management, Environment and Climate Change, and Resources and Personnel Policy

ROCK FACE STABILISATION WORKS AT THE QUARRY

1. Purpose of report

To seek Cabinet approval for the procurement and subsequent appointment of a specialist civil engineering firm to undertake rock face stabilisation works to the area located at Leamington Road, Chillwell, also known as Chillwell quarry following a landslide due to adverse weather conditions.

2. Recommendation

Cabinet is asked to RESOLVE that that the procurement and subsequent appointment of a civil engineering firm and employer's agents to complete the scheme of works to undertake rock face stabilisation works at Chilwell Quarry be approved. The scheme at a cost of up to £1,000,000 will be added to the Capital Programme in 2023/24 and funded by prudential borrowing.

3. Detail

The Chilwell quarry was created by the former Chilwell brick works and is within the ownership of Broxtowe Borough Council. The Council purchased the land from a company in liquidation (David Charles Homes (Nottingham) Limited), in 1979.

The site is located beyond the western end of Leamington Drive, Chilwell, Nottinghamshire. The site generally comprises part of a wooded landscaping strip which slopes from the west, down to the east. Residential housing and associated infrastructure are present beyond the eastern & western boundaries of the site.

Following reports of a mudslide due to recent severe rainfall, Broxtowe Borough Council instructed Emcus Geotechnical Engineers to undertake an initial inspection and report back on their findings. This visit took place on 24 October 2023 and included Broxtowe Borough Council Officers.

In summary, their report contained in **APPENDIX 1** advised that there had been a mudslide. It further advised that due to persistent bad weather further collapse from the top of vertical face of the quarry could occur resulting in further loss of land. The Geotechnical Engineer advised on weekly monitoring due to the instability of the quarry and to install Legato bricks to the bottom of the quarry adjacent to the fencing of the houses at Leamington Road. We have agreed to both recommendations and the engineer is co-ordinating the installation of the Legato bricks to ensure any further debris is restricted within the fence area at the bottom of the quarry.

Options being considered:

The Council have asked Emcus Geotechnical to present options in light of the current landslide to make the quarry safe.

An option of doing nothing is discounted here due to the Geotechnical Engineer's view that this would result in ongoing erosion causing significant impact to the properties at the top and bottom of the rock face at Burton Drive and Leamington Drive.

It is our view that we progress from the perspective of Health & Safety and seek recourse to make the bank stable.

The remaining slope along the rear of Letchworth Crescent

The failure of the slope by way of the landside has necessitated a review on the remainder of the slope. The Slope Stability Assessment report that was provided by Fairhurst in June 2021 which stated that the slope was stable is no longer valid (due to failure of the slope). Emcus Geotechnical Engineers have stated in their report in **APPENDIX 2** that they are still investigating this area but expect that there is no movement and would recommend that this slope should be monitored on an ongoing basis.

Indicative costs of stabilisation works

Emcus Geotechnical Engineers have consulted with a civil engineering firm who most recently dealt with the same matter in Mansfield. CAN have provided indicative costs contained in **APPENDIX 3**. We will expect to instruct Employers Agents and a Principle Designer to manage these works on our behalf and following consultation with Mansfield District Council will expect to follow the same programme and instruct a similar Geotechnical engineering firm.

We have thus far incurred costs of £9,000 for the installation of legato bricks to the rear gardens of Leamington Drive and £5,655 for the advice and consultation of EMCUS Geotechnical Engineers.

4. Key Decisions

This report is a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and is a decision made or to be made in connection with the discharge of an Executive function which is likely to result in in the Council incurring revenue or capital expenditure of £250,000 or more.

5. Updates from Scrutiny

Not Applicable.

6. Financial Implications

The comments from the Head of Finance were as follows:

The approved Capital Programme for 2023/24 includes £25,000 for monitoring the erosion on the land and remedial works to avoid damage to surrounding environment and properties at The Quarry, off Leamington Drive in Chilwell. The estimated total cost of works now required is quoted at **APPENDIX 3** but no more than £1,000,000, meaning that there is now insufficient budgetary provision within the approved Capital Programme.

If Members were minded to approve this scheme of work at Chilwell Quarry it is proposed to add a total budget of £1,000,000 to the Capital Programme 2023/24 with the cost to be funded by prudential borrowing. The impact of this borrowing on the General Fund would be a revenue budget pressure of around £72,000 per annum, with the annual cost of Minimum Revenue Provision (MRP) at £25,000 and borrowing

interest costs at around £47,000. Further details on scheme costs are provided in the report narrative and appendices.

In terms of procurement, the Council's Contract Procedure Rules must be adhered to. The Council will undertake a compliant procurement exercise with a detailed specification of the requirements which will be produced by the employer's agents who will support the procurement process

7. Legal Implications

Comments from the Head of Legal Services were as follows:

To avoid any legal claims, it is imperative this work is carried out to avoid any legal claims made against the Council as land owner, the procurement considerations have been outlined within the financial implications section of the report.

8. Human Resources Implications

There are no Implications

9. Union Comments

Not Applicable.

10. Climate Change Implications

The climate change implications are contained within the report.

11. Data Protection Compliance Implications

This report contains OFFICIAL(SENSITIVE) information referred to in the appendices and are exempt from the agenda.

12. Equality Impact Assessment

N/A

13. Background Papers

Nil