

<b>Coastwise - Happisburgh Community Car Park – delegation of appointment of construction contractor and lease arrangements</b>	
<b>Executive Summary</b>	Erosion is impacting on the existing Happisburgh car park and it is critical that the progression of construction is taken forward as soon as possible. The car park is operated under a lease arrangement with Happisburgh Parish Council, and authority is sought to undertake appointment of a contractor and to finalise a lease arrangement.
<b>Options considered</b>	<p>Construction Contract:</p> <p>A1: Cabinet delegate authority to appoint the construction contractor. Recommended.</p> <p>B1: Awaiting evaluation of tenders and present to Cabinet to approve contractor. Would delay progress of the scheme with local and programme impacts.</p> <p>C1: Not progress with appointment and construction. Would impact on the local community, long term local revenue generation and investment, reputational impacts locally and nationally, limit delivery of Coastwise, not work to deliver Corporate Priorities regarding preparing for climate/coastal change.</p> <p>Lease arrangements:</p> <p>A2: Cabinet delegate authority to finalise amended lease arrangements with Happisburgh Parish Council. Recommended.</p> <p>B2: Awaiting final lease arrangements to be completed for Cabinet approval.</p> <p>C2: Not to progress with amending existing successful lease arrangement.</p>
<b>Consultation(s)</b>	<ul style="list-style-type: none"> <li>• Cllr. Harry Blathwayt, Portfolio Holder for Coast</li> <li>• Cllr. Luke Paterson, District Councillor, Happisburgh</li> <li>• Martyn Fulcher, Director for Place and Climate Change</li> <li>• Joe Ferrari, Communications Manager</li> <li>• Tina Stankley, Director of Resources</li> <li>• Cara Jorden, Assistance Director Legal and Governance</li> </ul>
<b>Recommendations</b>	<ul style="list-style-type: none"> <li>• That Cabinet authorises the Chief Executive, in consultation with Coastal Portfolio Holder and Head of Finance, to undertake the appointment of the Happisburgh Car park construction contractor, following tender appraisal.</li> <li>• That Cabinet authorises the Chief Executive, in consultation with Coastal Portfolio Holder, Estates Manager and Head of Finance, to agree to the surrender of Happisburgh Parish Councils current lease for the Beach Road car park and enter into a new lease for the relocated car park off Lighthouse Lane.</li> </ul>
<b>Reasons for recommendations</b>	<ul style="list-style-type: none"> <li>• To enable transition of current car park away from erosion risk.</li> <li>• To build community resilience to coastal erosion.</li> </ul>

	<ul style="list-style-type: none"> <li>To support the viability of the community through the continued revenue generated by the car park.</li> <li>To provide examples of coastal transition and generate learning to support national coastal adaptation.</li> <li>To contribute to the delivery of the Coastwise programme</li> </ul>
<b>Background papers</b>	Planning Application ref: <a href="#">PF/22/2510</a>

<b>Wards affected</b>	Happisburgh
<b>Cabinet member(s)</b>	Cllr. Harry Blathwayt, Portfolio Holder for Coast
<b>Contact Officer</b>	Rob Goodliffe, Coastal Transition Manager, <a href="mailto:Rob.Goodliffe@north-norfolk.gov.uk">Rob.Goodliffe@north-norfolk.gov.uk</a> 01263 516321 Alastair Zangs, Coastal Transition Place Maker, <a href="mailto:Alastair.Zangs@north-norfolk.gov.uk">Alastair.Zangs@north-norfolk.gov.uk</a> 01263 516277

<b>Links to key documents:</b>	
Corporate Plan:	PROTECT AND TRANSITION OUR COASTAL ENVIRONMENTS - Realising the opportunities of external funding to secure a sustainable future for our coastal communities through transition and adaptation responses
Medium Term Financial Strategy (MTFS)	Externally funded capital investment with no direct impact on NNDC capital budget.
Council Policies & Strategies	Shoreline Management Plan 6

<b>Corporate Governance:</b>	
Is this a key decision	Yes
Has the public interest test been applied	The report is not exempt, Appendix 1 is exempt due to it being in draft and subject to final negotiation.
Details of any previous decision(s) on this matter	January 3 <sup>rd</sup> 2023 – Cabinet – approval of Coastal Transition Accelerator Programme and governance arrangements.  March 2024 Coastwise Board – to support the purchase of land for the car park, construct the car park through the Coastwise project and to enter into a similar lease agreement with the Parish Council.

## 1. Purpose of the report

The purpose of this report is to enable continued progression of the replacement and rollback of Happisburgh car park as part of the Coastwise project to better prepare North Norfolk for erosion.

The requested delegation of authority to appoint a construction contractor will enable the continued delivery of the car park replacement to ensure the new facilities can be made operational as soon as possible, either prior to the loss of the existing car park/car park entrance or as soon as is practical. The delegation to enable the details of the amended lease arrangements will enable details to be finalised and ensure ongoing community management.

## **2. Introduction & Background**

- 2.1 Happisburgh is a popular destination for local people and visitors throughout the year and the car park is noted locally as an important part of the community infrastructure, enabling access to the coast, beach and coast path.
- 2.2 A car park has been operational on the coast in the village for many years, with the original being replaced following loss to erosion in 2011, delivered through the government funded Pathfinder programme. The car park includes a public toilet and picnic area and was supplemented by the Parish Council with a children's play area.
- 2.3 This car park is owned by NNDC and operated under a successful lease arrangement with Happisburgh Parish Council.
- 2.4 The car park and entrance are now being eroded by the sea and only remains open following a neighbour voluntarily allowing the access to be reconfigured over their garden. Given the unpredictability of coastal erosion on this section of coast and the immediate vulnerability of the entrance, the car park and entrance is being moved.
- 2.5 The Parish Council considered options for the relocation of the car park and obtained planning consent in 2024 for an alternative site near the existing asset but outside of the Shoreline Management Plan coastal erosion risk zones. The access is via Beach Road and Lighthouse Lane.
- 2.6 Following the approval of planning consent in January 2024, it was agreed by the coastwise project board and Happisburgh Parish Council that NNDC, through the Coastwise project (funded through the Defra/Environment Agency Coastal Transition Accelerator Programme), would take forward the replacement of the car park. This includes the land purchase, construction of the replacement car park and entrance, with the intention to then continue under a similar arrangement with the Parish Council regarding operation. Future operation will also make contributions into a new Happisburgh coastal management fund to assist with future coastal management revenue costs associated with this location.
- 2.7 During 2024 the land purchase was negotiated, and services were obtained to complete detailed design, discharging of planning conditions, development of the tender specifications and for construction supervision. The project is now progressing into the construction tender process and this report seeks to enable timely appointment of the contractor and agree future management.

### 3. Proposals and Options – Construction

- 3.1 Tender documents and process are in preparation/underway for the selection and appointment of a suitable construction contractor.
- 3.2 The construction work will include the decommissioning of the existing car park and entrance, reclamation and reuse of materials where this is feasible to do so, construction for the new entrance, highways improvements, construction of the car park, installation of necessary signage and planting of the agreed landscaping.
- 3.3 This phase of work is also mindful of further localised needs that will need to be considered such as the future replacement of the public toilets, need to move the play area, future beach access and potential improvements such as electric charging points. These will all be considered during this phase and where possible, aspects to support future delivery will be incorporated in this phase to ensure efficiencies.
- 3.4 The procurement of the construction contractor is following the usual NNDC contract procurement process. This has been informed with input by the Property Services Team to ensure incorporation of current NNDC best practice.
- 3.5 Although the final costs of construction will not be known until tenders are received, this is expected to be above current officer delegation. As such in order to ensure continued progress to construction, powers of delegated are sought from Cabinet to appoint the selected contractor following procurement.
- 3.6 Options for construction:
- 3.7 A1: Cabinet delegate authority to appoint the construction contractor. Recommended. As described, this would enable a timely appointment and progression of the scheme. **Recommended.**
- 3.8 B1. Awaiting evaluation of tenders and present to Cabinet to approve contractor. Not Recommended. Any recommendation to Cabinet would be following a detailed tender evaluation process and as such it is unlikely to alter the outcome of the appointment. As such time would be lost between evaluation and appointment and ultimately the opening of an operational car park. Not Recommended.
- 3.9 C1. Not progress with appointment and construction. Not Recommended. This would result in the decommissioning of the current car park, loss of a coastal car park in the village of Happisburgh, loss of local recreation access, visitor facilities and is likely to generate wider parking issues. The process of identifying if and where a car park should be located would restart, likely beyond the Coastwise funding period and therefore would require new funding sources to be identified. Not Recommended.

### 4. Proposals and Options – Lease

- 4.1 The current car park and associated community infrastructure (under mixed ownership) has been successfully managed for many years by Happisburgh

Parish Council. Through managing the asset locally, they have taken responsibility for the quality of the local offer, been enabled to invest in local infrastructure, support local jobs and set aside funds to support future coastal transition. The Parish Council completed work to identify a new site, secure landowner interest and obtain planning consent.

- 4.2 The Coastwise project, as part of a core objective to support local coastal erosion transition, is in a position to enable the land purchase and construction of the car park.
- 4.3 The approach to maintain arrangements with local operation of the facilities is welcomed by the Parish Council and supports the ethos and progression of the project through Coastwise. Longer term the Parish Council will continue to enable funds to be directed towards local projects to support the vitality of the community and also continue to raise funds to support local coastal erosion transition and management. Draft Lease Heads of Terms are included in an exempt appendix 1..
- 4.4 Options for lease:
- 4.5 A2: That Cabinet authorises the Chief Executive to finalise amended lease arrangements with Happisburgh Parish Council. **Recommended.**
- 4.6 B2: Awaiting final lease arrangements to be completed for Cabinet approval leading to potential delays and uncertainty. Not recommended.
- 4.7 C2: Not to progress with amending existing successful lease arrangement. Not recommended.

## 5. Corporate Priorities

- 5.1 The replacement car park is being delivered as part of the government funded Coastwise programme. This programme is key to assisting developing evidence and practical actions to assist with shaping the future national approach to coastal erosion transition.
- 5.2 The project assists with delivering the needs of the Shoreline Management Plan where communities require assistance in mitigating the impacts of coastal erosion. This is incorporated into the Corporate Plan as: PROTECT AND TRANSITION OUR COASTAL ENVIRONMENTS - Realising the opportunities of external funding to secure a sustainable future for our coastal communities through transition and adaptation responses.

## 6. Comments from the S151 Officer

*The precise scheme cost is not yet known, but the funding for the whole scheme will come from the Coastwise Project. This will deliver on protecting and transitioning our coastal environment. A reserve is to be set up with the initial contribution coming from Happisburgh Parish Council. The use of this reserve will be restricted to coastal management activities at Happisburgh.*

## 7. Comments from the Monitoring Officer

Any appointment of a construction contractor would need to comply with the relevant procurement rules. These are set out in the Council's Constitution.

## 8. Risks

8.1 The following significant risks have been identified in relation to the proposed option and the alternatives:

### 8.2 ***Construction preferred option A1 – Delegate appointment of construction contractor***

- There are no significant risk identified at this time associated with this option. There is a risk the value will come in higher than the estimate, however, this is mitigated through price estimation in detailed design phase.
- Funds are in place for the delivery of the option through the Coastwise programme.
- It should be noted even with this option, there is a risk the current car park entrance will be lost to erosion before construction of the new car park can commence.

### ***Construction Option B2 – Awaiting evaluation of tenders and present to Cabinet to approve contractor***

- This option increases the risk that the car park entrance will be lost before construction for the new car park can commence.
- There are reputational risks from slowing progression of construction of this community asset.

### ***Construction Option C2 - Not progress with appointment and construction.***

- This option has a significant risk. The car park would be lost and no alternative would be provided, creating a loss in coastal access locally and for visitors.
- There could be wider implications on the village with regards to inappropriate parking, ultimately resulting in reputational issues with not progressing.
- Coastwise has been created to take forward practical coastal transition options. This is a good example of transition and not taking the project forward would likely cause reputational issues for NNDC with regards to capabilities in delivering such a programme.

### 8.3 ***Lease preferred option – A2: Cabinet delegate authority to finalise amended lease arrangements with Happisburgh Parish Council***

- There are no significant risk identified in association with this option.

### ***Lease Option B2: Awaiting final lease arrangements to be completed for Cabinet approval leading to potential delays and uncertainty.***

- There are risks in delays to finalising operating arrangements and reputational risk relating to the uncertainties a delayed decision may create in Happisburgh.

### ***Lease Option C2: Not to progress with amending existing successful lease arrangement.***

- There are risks not having operating arrangements in place when finalising construction details alongside local reputational risks.

## **9. Net ZeroTarget**

- 9.1 Coastwise is seeking to understand the carbon impacts of coastal transition to minimize and offset greenhouse gas emissions through project activities. To support this ambition a Net Zero assessment has been completed for the project. This assessment is supported by a carbon calculator tool for coastal management alongside identifying key principles to limit carbon through project actions and decisions.
- 9.2 The replacement car park is the first major example in Coastwise to use the learning from the Net Zero assessment. The following activities are being incorporated into this initiative:
- 9.3 Car park design is seeking to reuse materials from the existing car park where feasible to do so and use green materials and design where possible. This should include block paving, aggregates, barriers and gates. Materials removed will where possible be sorted for reuse/recycling off site. This action reduces the embodied carbon in the construction of the replacement car park.
- 9.4 Design includes cycle racks alongside landscaping to include hedges, trees and wildflower planting.
- 9.5 Investigations are underway to understand if the site is suitable for EV charging points and eligibility for NCC funding.
- 9.6 The design process to date has been capturing information to enable carbon calculation of this phase and details will be included in the construction tender to seek to capture information to enable carbon calculation to be completed. This can then be utilised to seek to offset via appropriate local initiatives and to inform future transition activities.
- 9.7 The construction procurement process will include scoring with regards to 'Sustainability', seeking progressive net zero targets, working practices and carbon management throughout the process. For example, tenders utilizing electrified vehicles and tools, use of HVO (hydrotreated vegetable oil) as alternative fuels, local firms to reduce travel requirements will be favoured in the appraisal process.
- 9.8 Data obtained through the construction process will be a good opportunity to test the Coastwise Coastal Erosion and Transition Carbon Calculator tool.

## **10. Equality, Diversity & Inclusion**

An Equality, Diversity and Inclusion assessment was completed as part of the Coastwise Outline Business Case. The car park is replacing an existing asset and will continue to provide facilities such as disabled parking provision and access paths to facilities. There are no specific equality, diversity and inclusion issues identified as a direct result of this report.

## **11. Community Safety issues**

The scheme is being delivered in line with approved planning consents, as such no Community Safety Issues have been identified as a direct consequence of this report.

## **12. Conclusion**

The car park at Happisburgh is a valuable local asset and there is a funded opportunity through Coastwise to enable it to be replaced away from erosion risk as part of preparing the locality for ongoing coastal erosion. There should be no delay in progressing with construction following procurement of a contractor as the existing entrance to the current car park is at severe coastal erosion risk. Following this phase of car park and entrance replacement, a further phase will seek to appropriately move and other associated facilities and seek any other beneficial improvements.

Happisburgh Parish Council have successfully operated the car park for many years and have invested in local facilities and community infrastructure. The replacement car park, delivered by NNDC through Coastwise builds upon the Parishes effort to identify and gain consent on a new site. To update the lease arrangements will enable continued local investment in the village community infrastructure and local coastal management. It also enables the community of Happisburgh a further way to play an ongoing role in their future.

**Recommendation:**

**A1. That Cabinet authorises the Chief Executive, in consultation with Coastal Portfolio holder and Head of Finance, to undertake the appointment of Happisburgh car park construction contractor following tender appraisal; and**

**A2: That Cabinet authorises the Chief Executive, in consultation with Coastal Portfolio Holder, Estates Manager and Head of Finance, to agree amended Happisburgh car park lease arrangements.**



**Exempt Appendix 1 : DRAFT Happisburgh Car Park Lease Heads of Terms**

**[See document shared with report – remove this statement before publishing]**