

Report to: Cabinet



Date of Meeting 1 April 2026

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Sidmouth Connaught Gardens emergency cliff works – Standing orders Exemption

Report summary:

Report to outline issue that's been discovered, the risks of prolonged path closure and seeking cabinet approval to direct award a contract to complete the design and build to secure the cliff.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1) That Cabinet note a standing orders exemption to appoint John Grimes Associates for the contract for investigation and design of cliff repairs at Connaught gardens, and that Cabinet note a standing orders exemption to appoint an as of yet appointed contractor for the contract for delivering cliff repairs at Connaught gardens

2) That Cabinet agree to delegate authority to the Director of Place in consultation with the Portfolio Holder for Environment and Operations to award the contracts

Reason for recommendation:

Running a procurement will add an additional 2 -3 months before the path can be reopened, which will be during the summer months. The risk of a failure will also remain until it can be fixed.

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Portfolio(s) (check which apply):

- Assets and Economy
- Communications and Democracy
- Council, Corporate and External Engagement
- Culture, Leisure, Sport and Tourism
- Environment - Nature and Climate
- Environment - Operational
- Finance
- Place, Infrastructure and Strategic Planning
- Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Medium Impact

Risk: High Risk; Risk of summer impacts on Sidmouth. Risks of cliff fall on public areas

Links to background information

Link to [Council Plan](#)

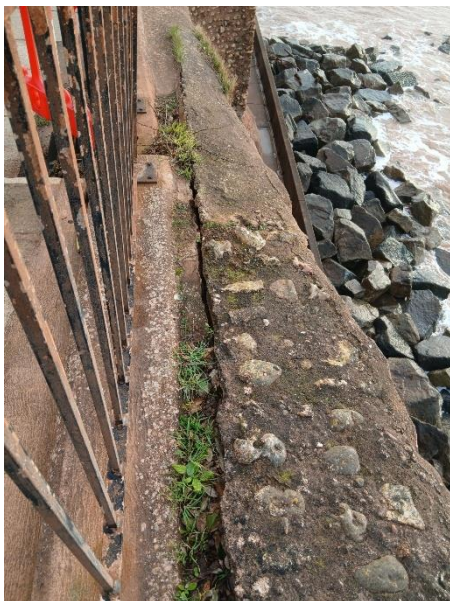
Priorities (check which apply)

- A supported and engaged community
- Carbon neutrality and ecological recovery
- Resilient economy that supports local business
- Financially secure and improving quality of services

Report in full

1. Background

- 1.1. EDDC carries out regular cliff inspections on EDDC owned cliffs where there is a risk to the public either above or below.
- 1.2. On 3rd March 2026 on a routine inspection, large cracks were witnessed behind the old cobblestone retaining wall on top of the Connaught garden cliffs which support a footpath within Connaught garden.
- 1.3. It is the opinion of both the Engineering Project Manager and the specialist cliff inspector that this is dangerous and poses a risk to the public below and above as it could fall at any time
- 1.4. Therefore the Undercliff/millennium walkway remains closed to the public for the foreseeable future as well as a section of the cliff top path within the garden.



- 1.5. The Undercliff/Millennium walkway is a popular path, allowing the only accessible access to Jacobs Ladder beach and its facilities. Alternative access is via the steeply sloped Chine path. Jacobs ladder stairway is also closed awaiting repair. Photos of crack along back of wall on top of cliff

2. Proposal

- 2.1. As this is an old cobblestone retaining wall on top of the cliff that is moving, it is not a simple repair, so ground investigation, and design needs to be carried out before any works can be carried out. we are proposing to direct award investigation and design contract to John Grimes Partnership, inclusive of site supervision

- 2.2. John Grimes Partnership are our cliff inspection supplier having won a successful tender to carry out our routine inspections and minor design works. Our current procurement will not cover this additional work through the existing contract, therefore new contract will be required.
- 2.3. Procurement from a standing start typically takes 2-3months, and as of yet, we don't have a scope to tender. Assuming a typical tender, investigation and design work would not start until May at the earliest, with a design likely ready in June/July.
- 2.4. Once a design is produced, we will need to get it priced by a contractor. Standard procurement rules would dictate at least a 1month period of tendering, evaluation, standstill and awarding, however its likely to be 2 months. This is less the three months, as we will have had time to prepare documents ready to tender before the design is produced. Therefore we are proposing to approach at least one suitable contractor for a quotation, and award quickly via a standing orders exemption to allow the path to reopen quickly.
- 2.5. Should we be able to direct award both the design and construction contracts, works could be completed before the end of June, opening the path up to the public and removing the risk. However should we procure both the design and construction contracts we would be looking at completed works in October/November.
- 2.6. No frameworks we have access to allow for this specialist work, and if we were to attempt to use them, we would likely be paying a higher price, as the specialist design and construction work would be subcontracted out.

3. Finance

- 3.1. We currently anticipate the value of both contracts to be £120k
- 3.2. We have an existing budget for this work, covering cliff works across the district. This is £120k.

4. Risks

- 4.1. The primary risk is safety to the public. Although EDDC has secured the path as best it can with fences being secured at either end of the area at risk of cliff fall, public may still get in, by jumping over the seawall. Its not feasible to fence the whole path from the sea, as it will involve placing staff below the at risk area, and due to the proximity to the sea, the fencing will need to be re-setted following poor weather. The sooner the risk can be removed by works, the sooner this risk is removed.
- 4.2. The closure is well signed and as safe as feasible.
- 4.3. The secondary risk is reputation, and impact on business going forward. The undercliff/millennium walkway provides a popular level walk from Sidmouth Town to Jacobs ladder beach.
- 4.4. Jacobs ladder area is going to be subject to multiple works over the next few months, with beach hut replacement, seawall works, and pre planned cliff works happening. Therefore the whole area is going to be less desirable to the public due to the noise/disruption of the works for the next few months. However once the other works complete, the public will likely want access to Jacobs Ladder.
- 4.5. An EDDC concession on Jacobs ladder may be affected by the lack of easy access, which may have implications for rental payments

5. Summary.

- 5.1. To try to get the path open to the public as soon as possible, we are proposing John Grimes Partnership and an as of yet contractor is directly awarded up to £120k worth of work from an existing budget.
- 5.2. As this requires a standing orders exemption from Cabinet, this report seeks permission to proactively award this contract.



View up to affected wall length.



Crack developed to rear of wall.



Publicly accessible ground above wall / path immediately above.



View east along defective section of wall.

Image of areas at risk

Financial implications:

The works outlined in this report are covered from within existing budgets but there are financial risks and implications relating to the possible findings of this investigation.

Legal implications:

The contract value falls below the threshold set out in the Procurement Act 2023 and therefore the procurement procedure set out in the Act does not apply. Cabinet therefore has the power to authorise exemptions from the requirement to seek quotations or invite tenders pursuant to the Council's Contract Standing orders Rule 3.1.

The reason for using the exemption in this case are justified due to:

- (i) the potential risk to life or health of members of the public; and
- (ii) the reputational risk to the Council of failing to act promptly to both protect the public and bring the important link between Sidmouth town centre and Jacob's Ladder beach back into operational use.