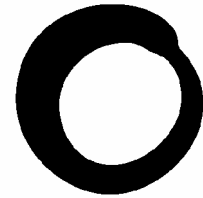




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**Friends of  
the Earth**

## Defra Consultation Document “Making Space for Water” Review

**Reviewed By:** Mike King for and on behalf of MARINET and  
Friends of the Earth Great Yarmouth.

**Date of Review:** 25<sup>th</sup> October 2006

### **Introduction**

This review has been executed by the author for and on behalf of and in consultation with Marinet and Friends of the Earth Great Yarmouth.

The document has been checked and approved for publication by these organisations. Previous reviews or of this document with the same title “Defra Consultation Document “Making Space for Water” Review” have not been approved by Marinet or Friends of the Earth.

### **Executive Summary**

The whole document portrays a defeatist attitude to coastal erosion and management of the UK sea-defences, the selection of its title “Making Space for Water” emphasises this defeatist attitude and infers that we must accept (and not defend) the \*accelerated erosion losses to our coastline.

*\*From 1988 - after commencement of intense offshore dredging off the Norfolk coast accelerated beach sand draw-down, and coastal erosion has occurred along the Norfolk coastline.*

The underlying trend throughout this document is to do as little as possible to protect against coastal erosion and reduce spending on sea-defences.

The UK is one of the richest and technically advanced nations in the world but it has a relatively small land mass compared to its population size which is rapidly increasing and currently enhanced by the recent significant increases in immigration to an all-time high of 60,000,000 +; but the Netherlands which has a much larger land mass for its population size has adopted a very proactive policy for its sea defences, coastal erosion and flood protection - there are many examples such as the Zuider Zee Delta coastal defences and flood barriers.

Consequently why can't the UK adopt a proactive attitude to coastal erosion and sea-defences similar to the Netherlands?

With the ever increasing demand for housing and other land requirements the questions that you should be considering are:

- Can the UK afford to lose so much of its coastal land to the sea?

- What are the implications of below sea level near coastal areas (such as the Norfolk Broads, Norfolk Commercial Holiday Centres and Farm Land) flooding through breaches in their vulnerable sand and marram grass sand banks sea defences?
- What are the consequences of the accelerated coastal erosion (experienced in many locations in recent years) for coastal communities and businesses if the present rate of coastal erosion continues and why are coastal areas adjacent to areas of offshore dredging more affected by accelerated erosion?

Climate change and tectonic plate movements only account for an annual sea rise of 6 to 7 mm along the East coast of UK, consequently this can not be used as an excuse to allow large sections of the UK coastline to be sacrificed.

However global climate change is altering established weather patterns, this should be taken as a warning to motivate the government to increase spending on coastal defences and adopt a proactive attitude to defending the UK coastline; not to finding excuses and producing documents (such as Defra MSFW) to do nothing and sacrifice coastal land to the sea.

Waxham and Somerton in Norfolk are examples of below sea level areas that are only protected by vulnerable sand and marram grass sand banks sea defences; history tells us that these areas flooded in 1938 and 1953, and they are also still at risk of flooding during northerly gales coupled with high water spring tides and storm surges because their sea defences are the same vulnerable sand and marram grass sand banks (which have not been improved in any way) are exactly as they were in 1938 and 1953.

Any breaches in the sea defences along the above section of coastline or at Winterton could flood the low-lying river Thorne, the Norfolk Broads, and surrounding areas – this risk is mentioned in the EA Broadland Rivers Draft Catchment Flood Management Plan (CFMP).

But the CFMP Development and Planning Section confirm that they are relying the SMP for this area to have sea defences in place to protect against this risk but no improvement or upgrade of the sea defences are considered in the SMP for these locations and there is no interface procedure or document to cover this risk.

The SMP policy of do nothing is posing these (life threatening in some locations) additional unconsidered risks to the broads and other below sea-level areas with in reach of sea flooding.

In Section 2.2 you say “Our approach is truly risk driven” but you have not considered the risk to coastal communities, businesses and infrastructure, compensation for their predicted losses or what effect these losses will have on the UK economy.

In addition to its defeatist attitude the other main objection to this document is that the EA (an un-elected organisation) would become the lead authority for allocation of funding and prioritising new and maintenance work on sea-defences and the whole emphasis of the document is geared towards central government control by removing or reducing local authorities’ control and giving a central government agency (the EA) total authority and responsibility.

This bureaucratic drive towards central government control and disregard for local knowledge and expertise is completely irresponsible.

My alternative structure to manage these important tasks which have many social and public implications is given on page 3.

### **Alternative Democratically Accountable Structure**

The Present cross-party consortium of East Anglian MP's which comprises: John Gummer – Conservative- (East Suffolk), Norman Lamb – Liberal- (North Norfolk) and Tony Wright – Labour- (Great Yarmouth Area) was formed because of mutual concerns regarding the government's present policy on coastal protection, and should now form the nucleus of a **Cross-Party Coastal Protection Committee** for the East Anglia region.

This committee would also have a representative from Defra and the EA, be appointed by the Environment Minister and chaired by him or his nominated deputy.

All committee members will be appointed by the Environment Minister and the majority of members would be elected MP's.

All other coastal regions of the UK would form a similar **Cross-Party Coastal Protection Committee** with local coastal constituency MP's as majority members.

These committees would control and approve all financial and policy decisions for new coastal defence projects and maintenance programmes for present coastal defences and report to the Environment Minister.

They would also approve the implementation of coastal flood protection plans and emergency procedures, implementation of other coastal plans and policies which have been prepared by Local Authorities in conjunction with the EA.

The elected Local Council Authorities for each area would be responsible for and present their policies and plans for new sea defences and maintenance of existing sea-defences to their **Cross-Party Coastal Protection Committee** for approval.

Presently formed local coastal action groups would be consulted by local authorities for coastal protection policies and projects.

The Environment Agency would provide technical input to Local Authorities and Cross-Party Coastal Protection Committees.

This structure ensures that management of the UK sea defences and allocation of funding for new defences is carried out by elected MP's under a proper democratically accountable system and not executed by a non democratically accountable central government agency.

### **Shoreline Management Plans**

The Draft Unit 3b Kelling to Lowestoft Ness SMP (introduced as a pilot study) has been rejected by North Norfolk District Council and has (to date) not been approved by the Great Yarmouth Borough Council.

There were also more than 2,000 recorded objections from coastal groups and residents to this Draft SMP.

Consequently the public rejection of this document and its approach should be accepted and SMP's should be replaced by a more proactive document (which has local as well as scientific input) and will present local options for sea-defences against predicted erosion rates for up to 100 years into the future.

Local Authorities will produce these replacement SMP documents in conjunction with Coastal Groups where possible.

The EA would comment on and have a significant technical input regarding these SMP replacement plans.

Local Authorities would propose the option (type) of defences they would like to install in these replacement SMP documents against a time scale and their Cross- Party Coastal Protection Committee would vet and approve these documents.

## **Specific Requested Consultation Questions and Answers**

**Question 1:** *Do you agree with the overall proposal in paragraph 4.7 that EA becomes Lead Authority for flood and coastal erosion risk management, including taking direct responsibility for all sea flooding risk management and ensuring coastal erosion risk is managed strategically? If not, what other arrangement would you propose?*

**Answer 1:** No. Financial and policy decisions should not be the responsibility of an unelected agency.

These decisions and the overall responsibility for coastal erosion protection, coastal erosion and flood risk management should be the responsibility of a Cross-Party Coastal Protection Committee this committee would be chaired by the Environment Minister (or his nominated deputy) and comprise of coastal constituency MP's; the EA and Defra would also have representatives on this committee.

The EA would provide technical input and advice to this committee – full details of the organisation of Cross- Party Coastal Protection Committees is given in the Executive Summary.

**Question 2:** *Do you agree that the EA should take lead responsibility for SMP production working in partnership with LAs and other organisations as described in paras 4.17 to 4.20? If not, who should produce SMPs?*

**Answer 2:** No. Local knowledge and expertise is essential for the production of these plans and LA's should continue to produce SMP's , with coastal groups where possible.

LA's and coastal groups should obtain technical advice from the EA and submit their documents to the EA for technical review prior to submission to their Cross-Party Coastal Protection Committee for approval.

### **Shoreline Management Plans**

The Draft Kelling to Lowestoft Ness SMP (introduced as a pilot study) was rejected by North Norfolk District Council and has (to date) not been approved by the Great Yarmouth Borough Council; there were also more than 2,000 recorded objections from coastal groups and the general public.

The total rejection of this document and it's (do nothing) managed retreat approach confirms that it should be replaced by a more proactive document with a policy to defend the coastline for the next 100 years.

Because of the public rejection and distaste for this document its replacement should also be renamed.

**Question 3:** *Do you agree that affordability and priorities should be addressed by SMPs as described in para 4.21? If not, do you have any other proposals?*

**Answer 3:** No. Local Authorities (not the EA) should have the authority to agree affordability and priorities for sea defences and SMP's should be replaced by a more proactive document (as described in the Executive Summary) that will protect (not surrender) the UK coast line from the sea.

SMP's (or replacement document) should continue to be produced by LA's with coastal groups where possible.

**Question 4:** *Should the Government consider strengthening planning policy guidance, possibly through updated PPG20 guidance? If not, are there any other approaches you would like to recommend?*

**Answer 4:** Yes – In the past planning permission has been readily granted by local authorities in areas at risk of flooding and coastal erosion. Planning permission in these areas should not be granted unless well maintained sea defences are in place.

**Question 5:** *Do you agree that EA should take decisions on funding allocations as described in para 4.29 within an agreed Defra framework? If not, do you have any other proposals?*

**Answer 5:** No - The Local Authorities should retain the decisions on funding allocations for their area, the approval for these funding allocations would be: given, put on hold or rejected by their Cross- Party Coastal Protection Committee. This committee would also ensure uniformity for all UK sea defences.

My proposed structure for the formation of Cross- Party Coastal Protection Committees to cover all UK coastal regions ensures that management of the UK sea defences and allocation of funding for new defences is carried out by elected MP's under a proper democratically accountable system and not executed by a non democratically accountable government agency.

Details on the formation and operation of this committee are given in the Executive Summary.

However the Local Authorities should be able to apply for a 100% government grant for sea defences, the same as the EA would be able to under your proposed regime.

**Question 6:** *Do you agree that EA should manage all Defra funding as a whole, and tapping into other funding sources, as described in paras 4.30 to 4.31. If not, do you have alternative arrangements to suggest?*

**Answer 6:** No – The area Cross- Party Coastal Protection Committee should manage all funding - Details on the formation and operation of these committees is given in the Executive Summary.

**Question 7:** *Do you agree that major maintenance work should be considered and funded within the same strategic framework as capital works, as described in paras 4.34 and 4.35? If not, what other arrangements would you propose?*

**Answer 7:** No – The EA should give technical, procurement and cost saving advice to local authorities but **ALL** maintenance work (major & minor) must be under the control of the local or Regional authorities for funding allocation and execution of work.

**Question 8:** *Do you agree that EA should ensure effective procurement for all flood and coastal erosion risk management works as described in paras 4.39 and 4.40? If not, do you have alternative arrangements to suggest?*

**Answer 8:** No. Local and Regional Authorities should be responsible for effective procurement for all flood and coastal erosion risk management works.

**Question 9:** *Do you agree that EA should work with LAs in ensuring effective scheme implementation as described in paras 4.41 to 4.43, including powers to undertake coast protection works themselves. If not, do you have alternative arrangements to suggest?*

**Answer 9:** No – how can a central body (the EA) have detailed knowledge of local contractors and their ability to execute work programmes or have the local knowledge to

ensure their effective implementation – this is a bureaucratic suggestion and (in my opinion) is only suggested to improve central government control.

– See Executive summary.

**Question 10:** *Should EA produce shoreline maps as described in para 4.44? If not, do you have any other proposals?*

**Answer 10:** Yes - this should be part of the technical and policy advice they give to Regional/Local Authorities and Cross- Party Coastal Protection Committees.

**Question 11:** *Should the role and title of RFDCs, be widened to embrace coastal erosion as described in paras 4.49 to 4.50? If not, what other arrangement would you propose?*

**Answer 11:** Yes. There should also be a reporting link from RFDCs to Cross- Party Coastal Protection Committees.

**Question 12:** *Should the power for county council members of RFDCs to levy on local authorities be extended to cover coastal erosion risk management activity in addition to flood risk management as described in para 4.51? Are any specific arrangements necessary in order for both local and central Government to be confident that the extension of the power will not place an unfunded new burden on Local Government?*

**Answer 12:** Yes.

RFDC's have local expertise and this would be another avenue to involve local organisations.

**Question 13:** *Were RFDCs to take an expanded role in relation to coastal erosion do you consider the approach outlined in para 4.53 represents a coherent and effective way of integrating coastal erosion issues into RFDCs remit? If not, do you have any further suggestions on how we could help ensure effective integration of coastal erosion issues beyond that discussed in para 4.54?*

**Answer 13:** Yes Subject to managers and engineers from Local Coastal Authorities being on these committees – so coastal protection issues get a fair representation with other flooding issues.

**Question 14:** *Do you agree that the focus and roles of RFDCs should be as described in paras 4.55 to 4.56? If not, do you have any other proposals?*

**Answer 14:** Yes –But the SMP's (as described in the Executive Summary) would be replaced by a more proactive document which unlike the SMP's will defend and not surrender the UK coastline to the sea,

**Question 15:** *Should EA take over the role of CPAs in approving coast protection works proposed by third parties as described in para 4.59? Or should CPAs retain this role under the EA's strategic direction? Do you have any other proposals?*

**Answer 15:** CPAs should retain this role under the EA's strategic direction and technical advice, CPAs should employ or contract additional expertise where necessary.

**Question 16:** *Should EA have powers to ensure the integrity of the SMP as described in para 4.60?*

**Answer 16:** No. This task would be executed by the Cross- Party Coastal Protection Committees.

**Question 17:** Do you agree with Defra's conclusion that we should progress with more than the "minimum change" approach for the EA Strategic Overview as discussed in paras 5.2? If not, why not? What are the benefits of an alternative approach?

**Answer 17:** Change is required but not as described in paras 5.2 & 5.5.

The EA should give technical and procedural advice to ensure all SMP's (or replacement documents) are produced to a uniform format, portray the total UK coastal defence policy and do not adversely affect adjacent areas.

The area \* Cross- Party Coastal Protection Committee not the EA should manage and prioritise funding. \* : See Executive Summary.

**Question 18:** Should EA have sole responsibility for all flood and coastal erosion risk management as discussed in paras 5.6 to 5.10?

**Answer 18:** No.

This should be the responsibility of the area \* Cross- Party Coastal Protection Committee. \* : See Executive Summary.

**Question 19:** Should we adopt the "coastal groups" model as discussed in paras 5.11 to 5.13?

**Answer 19:** Yes but they should report to the area \* Cross- Party Coastal Protection Committee who would have the power to veto projects that adversely affect adjacent areas. \* : See Executive Summary

**Question 20:** Do you agree with the risks and unintended consequences of Option 1 outlined above? Can you think of any others from adopting this approach?

**Answer 20:** No Priorities for LA's should be changed making the implementation and sustainability of coastal defences a high priority this would reduce the risks.

**Question 21:** Do you agree with the risks and unintended consequences of Option 2 outlined above? Can you think of any others from adopting this approach?

**Answer 21:** No LA's are best placed to manage their coastal flooding risks and sea defences.

**Question 22:** Do the timings set out in para 29 seem realistic and deliverable? If not, please outline why they are not and how they should be amended.

**Answer 22:** No because under my proposal the relevant Cross- Party Coastal Protection Committee not the EA will take lead responsibility for sea flooding and coastal erosion risk management.

**Question 23:** Do you agree with the risks and unintended consequences of Option 3 as outlined above? Can you think of any others from adopting this approach?

**Answer 23:** Yes. It would be irresponsible to lose the benefits of Local Authorities experience and expertise,

**Question 24:** Do you wish to make any comments on the deliverability of option 3?

**Answer 24:** No.

**Question 25:** Do you agree with the risks and unintended consequences of Option 4 outlined above? Can you think of any others from adopting this approach?

**Answer 25:** No. The EA could give LA's technical and procedural advice on the agreed holistic approach.

**Question 26:** *Do you wish to make any comments on the deliverability of option 4?*

**Answer 26:** No.

**Question 27:** *Do you wish to make any comments on the table of costs and benefits set out in the Annex to this RIA?*

**Answer 27:** No.

**Question 28:** (a) *Will this proposal create real problems for small firms?*  
(b) *Can you quantify the impacts and number of firms affected?*  
(c) *Are there any ways you can see of mitigating/reducing the impacts whilst still achieving the desired outcome of procurement efficiencies?*

**Answer 28:** (a) Yes.

(b) Local Consultancy, Engineering and Construction firms.

(c) LA's are best placed to procure this work from local firms who are familiar with the area.

**Question 29:** (a) *If the EA's procurement framework were to extend to coast protection works, should a minimum threshold, as described in para 53, be applied to engineering consultancies and/or construction works.*

(b) *If so, what value would you consider appropriate; or should this be kept flexible according to the circumstances?*

(c) *Can you think of any other ways in which the involvement of small consultancies/construction companies could be maintained under a national framework agreement?*

**Answer 29:** (a) Only for major projects.

(b) Be kept flexible according to the circumstances.

© Projects should be managed by LA's who have or can contract in expertise.

**Question 30:** (a) *Are there any other business impacts that we need to consider?*

(b) *Can you quantify the impacts and number of businesses affected?*

(c) *Are there any ways you can see of mitigating/reducing the impacts whilst still achieving the required outcome?*

**Answer 30:** LAs have the local knowledge to deal with impacts and requirements and under my proposal would execute these tasks.

**Question 31:** (a) *Will the proposed procurement changes likely to significantly impact on the competitiveness of engineering consultancy and construction companies?*

(b) *If so, please quantify the impacts and number of businesses affected?*

**Answer 31:** Yes – Local construction and engineering companies (essential for the local economy) will lose business to large companies and multi national organisations if your central government controlled organisation is implemented.

## **Conclusions**

- The EA (an un-elected organisation) should not be given the responsibility for allocation of funding or become the lead authority for prioritising work on sea-defences; these responsibilities should be allocated to a Cross-Party Coastal Protection Committee - the formation and composition of these committees is explained in the Executive Summary.

- The EA should provide technical and procedural advice to Cross- Party Coastal Protection Committees, Regional and Local Authorities.
- Local Authorities have the experience of local conditions, risks and issues and are thus best placed to be responsible for local sea flooding risks, maintenance and new build sea defences, except major projects which should be executed by Regional authorities under the direction and guidance of the EA.
- The SMP`s for coastal areas defending low level (particularly below sea level) areas such as unit 3b13 of Draft SMP 3b have a significant impact on the risk of sea flooding for these areas consequently there should be an interface between the EA Catchment Flood Management Plans (CFMP) and SMP`s for these areas and additional funding provided for the sea defences of these areas to protect the adjacent inland areas at risk from sea flooding.
- There should be a proactive policy to protect all coastal residential areas (irrespective of number of dwellings), communities and commercial development. The present policy (as defined in Defra MSFW document and draft SPM documents) just to protect major towns, ports, power stations and major commercial areas is irresponsible and not acceptable.
- The UK government should adopt a policy of defend, not surrender, for the all the UK coastline because we are an over populated island with a small land mass. Community expansions and housing developments have already extended onto flood plain areas with a considerable number of homes already at risk of sea flooding in coastal and adjacent inland below sea level areas. The continual demand for housing will put even more pressure on these areas in the future consequently the only realistic option is to have a proactive policy to defend the coastline by maintaining and improving existing sea defences and building new defences where required, in the long term this will be a life and cost saving policy.

#### **Abbreviations:**

CFMP – Catchment Flood Management Plan  
 Defra – Department for Environment Food and Rural Affairs  
 EA – Environment Agency  
 LA – Local Authority  
 MP – Member of Parliament  
 MSFW – Defra document Making Space for Water  
 RFDCs – Regional Flood Defence Committees  
 SMP – Shoreline Management Plan

#### **References:**

During the compilation of this document data has been checked on the following web-sites and for further information can be assessed on these web-sites on the subjects listed:

Defra document Making Space for Water:-

<http://www.defra.gov.uk/coroporate/consullt/msw-eaoverview/index.htm>

Draft Pilot Study Shoreline Management Plan:- <http://www.northnorfolk.org/acag/>

UK Areas at Risk from Flooding:- <http://maps.environment-agency.gov.uk/wiyby/witbyControler>

Coastal Erosion:- <http://www.matinet.org.uk>

Catchment Flood Management Plan:- <http://www.enviroment-agency.gov.uk>