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### **DEFRA Consultation Document “Making Space for Water” Review**

Review and response by Pat Gowen, for and on behalf of, and in consultation with the members of the North Sea Action Group, Norwich Friends of The Earth and MARINET

#### **(1) Summary of group's views**

The document presented portrays a negative attitude to coastal erosion and management of the UK sea-defences. The very title “Making Space for Water” portrays a defeatist attitude inferring that we must accept rather than protect and defend the rapidly accelerating erosion of our coastline. The proposition throughout this document is to do as little as possible to protect our coast from erosion and to reduce spending on sea-defences regardless of social, moral, ethical and long term economic values. Whilst it might produce short-term economic gain it would result in long term disaster, only made possible by a regime that seems hell bent on military expenditure at the expense of the welfare and long term being of its own country and its inhabitants. This attitude is unique to the United Kingdom, and would never be considered in countries such as The Netherlands which after the 1953 floods have fully protected their coastline and its inhabitants and industries from erosion and industries that bring it about.

The UK, despite its small coastline area, is the highest taxed and one of the richest and technically advanced nations in the world, with one of the densest funding populations. It could and should, like Holland, protect its coastline, housing, marine industries, infrastructure and tourist attractions from coastal loss, but instead aids and abets industries such as Offshore Marine Aggregate Dredging that is the main cause of the loss of our shoreline, sea defences and dune systems.

With Global Warming creating a loss of agricultural productivity, with diminishing fish stocks and fishing industry, with climatic change with its hotter sunnier summers bringing about increased coastal tourism in the years to come, with an ever increasing demand for housing and alternative land needs, it is unthinkable that such suggestions as ‘Managed Retreat’, ‘Making Room for Water’, and other myopic negative suggestions could ever have been considered by irrational beings that display no direct knowledge of what is at stake.

Furthermore, with the lack of re-imburement and restitution for those that lose their livelihoods and properties, it is an immoral attitude devoid of social and ethical content awareness that would never be accepted by those considerate of the public general well-being.

That money should be withdrawn from coastal protection at a time of the threats of marine thermal expansion, glacial and icecap melting, tectonic sinkage of low laying East Anglia and continuing offshore aggregate dredging is not an option that could ever be considered as viable or acceptable. To place this in the hands of a remote and uncaring government department rather than those who are responsible to an electorate is to say the least undemocratic. Further, to place to a department that has failed to study the history of our coastal defence nor to determine the efficacy of those low cost options used with success over many years, nor has considered] the advantages of new methodologies of coastal protection of low cost, is crass. (see <http://www.marinet.org.uk/coastaldefences/canute.html>)

Instead, we have seen the amazing continuity of dredging the sea to place sand and shingle on beaches that have been lost because of such dredging itself, this resulting in the need for repetitive refurbishing and a massive long term waste of money and resources. To now give up protection because of the failure of flawed systems that could never function in the long term instead of studying methods known to be efficacious could only be performed by an authority such as we are vested with, who ignore world, public and expert opinion, and only heed those they select from their own limited partisan awareness. All of this gives excellent reasons as to why coastal protection should not rest in the hands of those whose limitations of awareness are responsible for the situation we now see.

These policies, if continued, will soon result in the loss of much of Norfolk, its tourist trade, its agriculture, its Broads, and hence its main economy. (See <http://www.marinet.org.uk/mad/disappearingcoastline.html> ) The costs of the loss of these are massive when compared to the costs of protection by functional and effective means, which could easily come from the VAT and Crown Estate royalties resulting from offshore aggregate dredging taken by government over the past thirteen years, in which the total government treasury income amounted to £1,178,677,942, with more than five times this sum going to the dredging companies coffers. A small fraction of this would be more than sufficient to protect the entirety of our vulnerable coastline.

You state (in Section 2.2) "*Our approach is truly risk driven*" yet you have completely failed to consider the risk to coastal communities, businesses and infrastructure, compensation for their predicted losses, or what effect these losses will have on both the local and the wider UK economy. Stakeholders are unable to insure and already property blight is evident. When the defences have been lost some one third of East Anglia will be lost to the sea.

Our prime objection to this document is that the Environment Agency (henceforth the 'EA') would become the lead authority for allocation of funding and prioritising any new or maintenance work on sea-defences. But the EA are under the political and economic control of central government who have for the past twenty years failed to meet the responsibilities placed upon them, heeding only those interests of big business funding. They have removed and reduced local authorities control and have given central government departments (the EA, DEFRA and the ODPM) total authority and responsibility for a situation in which they fail to heed advice and expertise of those with knowledge of the matter. (See <http://www.marinet.org.uk/mad/madbrief.html> )

This bureaucratic drive towards central government control and disregard of local knowledge, advice and expertise is completely irresponsible, which approach is clearly demonstrated when it comes to the present observation of the loss of our rapidly declining and poorly defended coastline. The Environment Agency is an un-elected organisation, only responsible to the misguided political motivations of remote central government, whose lack of awareness and refusal to see the situation is self-evident.

What is required is a cross-party consortium of East Anglian MPs formed with input and expertise provided by those NGO's directly involved, so overcoming the concerns we express of the government's present apathetic policy toward coastal protection. As well as being consulted, such a body should be heeded and their findings acted upon, which is not the current case. Such a committee would control and approve all financial and policy decisions for new coastal defence projects and maintenance programmes for both present and future coastal defences. They would also approve the implementation of coastal flood protection plans and emergency procedures, implementation of other coastal plans and polices which have been prepared by Local Authorities in conjunction with the EA.

If these long-understood policies are formed by locally elected Local Council Authorities for each area, the process would be seen to be democratic and in the direct interests of the people of the area. Such a consortium could be responsible for presenting their policies and plans for new sea defences and the continuing maintenance of existing sea-defences to central government for approval. The current local coastal action groups of aware residents associations would be consulted by the local authorities for coastal protection policies and projects, whilst the Environment Agency would provide (hopefully improved and non-partisan) technical input to Local Authorities and the Cross- Party Coastal Protection Committee.

## (2) Shoreline Management Plans (SMPs)

The Draft Unit 3b Kelling to Lowestoft Ness SMP (introduced as a pilot study) was with good reason rejected by North Norfolk District Council and Great Yarmouth Borough Council, and received over 2,000 recorded objections and only two approvals from coastal groups and residents. Already this has blighted property values and brought about insecurity.

If any democracy remains the 98% public rejection of this Shoreline Management Plan and its damaging approach should be accepted by government to be replaced by a more proactive document (which would reflect local concern and awareness as well as scientific input) and present effective local options for sea-defences against predicted erosion rates and sea-rise for the next fifty years. Local authorities could then propose the nature of defences they would like to install to the Cross-Party Coastal Protection Committee for approval. The EA could still vet and have a significant technical input regarding these SMP replacement plans, but in an **advisory** role, **not a lead** role.

## (3) 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:

Decidedly not! Financial and policy decisions should not be the responsibility of an unelected, unaware and non-representative department. Such decisions and the overall responsibility for coastal erosion protection, coastal erosion and flood risk management should be the responsibility of an integrated Cross-Party Coastal Protection Committee chaired by the Secretary of State for the Environment and should be composed of coastal constituency MPs. The EA, Local Authorities and DEFRA would also have representatives on this committee, as would NGO's such as us and resident associations. The EA and other experts would provide technical input and advice to this committee.

*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, awareness and expertise is essential for the production of these plans and LA's operation within coastal groups should continue to produce this document\*. LA's operation and coastal groups should obtain technical advice from the EA and submit their documents to them for technical review before implementation.

Apropos Shoreline Management Plans, the Draft Kelling to Lowestoft Ness SMP (introduced as a pilot study) was rejected by North Norfolk District Council, Great Yarmouth Borough Council. There were more than 2,000 recorded objections to this 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 positive and meaningful document as indicated above in our 'Summary of group's views' with a policy to defend the coastline for the next 50 years... Because of the public rejection and opposition to the SMP as presented, its content and title needs be replaced. It is not 'management' but 'surrender'. (see <http://www.marinet.org.uk/coastaldefences/smp.html> for full detail).

*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, decidedly this is not agreed! Local Authorities, not the EA, should have the authority to agree affordability and priorities for sea defences. SMPs should be replaced by a more constructive document (as described in the Summary of groups views' above) that will protect rather than surrender the UK coast line to the sea. If this can be done in Europe, it can be done here. It is merely a matter of re-allocation of treasury income to vital essentials. The SMP(s) should be created and agreed by a committee formed of advisory groups, local authorities, DEFRA and the EA.

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 – Up to now and increasingly so, planning permission has been readily granted by local authorities in areas with risk of flooding and coastal erosion. This should never be granted unless fully maintained and long term effective sea defences are in place. Those that purchased such property in the original awareness of such protection must continue to be fully protected.

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! Local Authorities should retain the decisions on funding allocations for their area according to their knowledge. The need for these funding allocations should be approved (or rejected) by the Cross- Party Coastal Protection Committee, as proposed in the details of formation and operation already given under 'Summary of groups views' above. But the Local Authorities must be allowed to apply for a 100% government grant, as are the EA, as suggested 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:

Certainly not. The Cross- Party Coastal Protection Committee should manage all funding, as proposed in the details regarding the formation and operation of this committee given in the 'Summary of groups views' above.

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:

Not agreed. The EA, in consultation with non-aligned known experts should give technical advice, procurement and cost saving advice to local authorities. All maintenance work must be under the control of the local authority for planning, funding allocation and execution of work. The Cross-Party Coastal Protection Committee should have the power to delegate/sub-contract maintenance work to the Local Authorities.

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:

Not agreed! 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:

Not agreed. A remote central body such as the EA will not possess the required detailed knowledge of local contractors to execute work programmes, nor have the local knowledge ensure effective implementation. The suggestion proposed in 4.43 is a typically bureaucratic suggestion, and in the opinion of my organisation(s) is introduced to effect strategic central government control. Again, see 'Summary of groups views' above.

Question 10:

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

Answer 10:

Indeed they should. This should be an essential part of the technical and policy advice given to Local Authorities, the Cross-Party Coastal Protection Committee and made available to the public.

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! This is a further essential. Such relationship is also important advice to the Cross-Party Coastal Protection committee, especially so in East Anglia where coastal protection loss could result in widespread inundation. RFDCs invariably have considerable local expertise, so this would be another avenue for involving local people.

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 indeed! If the government authorities are not confident in this, then an oversee committee can be instated. If the government are concerned that additional funding is required, which it already is at this time, then the allocation of provision needs to be sought at Treasury level rather than within the current restricted and reduced provision.

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, I am confident in this, but the managers and engineers from Local Coastal Authorities must be represented on these committees in order that coastal protection matters are fairly balanced with other (inland) 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, this is agreed, but subject to the requirement that the SMP's (as described in 'Summary of groups views' above) would be fully replaced by a more proactive and meaningful acceptable document, which, unlike the current SMP's will maintain and defend the vital UK coastline from the sea and shoreline draw-down.

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:

Certainly not so. CPAs should retain this role under the EA's strategic direction and technical advice. In the light of possible progress, the role of CPAs may well need to be enlarged and made more comprehensive.

Question 16:

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

Answer 16:

No! The EA should monitor LA's compliance to their SMPs, or better, the meaningful document that needs to replace it, viz. an integrated coastal protection body, and report any non-compliances to the \* Cross-Party Coastal Protection Committee.

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 to 5.5? If not, why not? What are the benefits of an alternative approach?*

Answer 17:

Change is required, but decidedly not as described in paras 5.2 & 5.5. of the consultation. The EA should provide technical and procedural advice to ensure all SMPs (or better the replacement documents) are produced to a uniform format, a sound sensitivity, and that they portray the total UK collective coastal defence policy and so do not adversely affect adjacent areas by parasiticism. The \* Cross-Party Coastal Protection Committee, not the EA, should manage and prioritise funding. (See 'Summary of groups views earlier in this response).

Question 18:

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

Answer 18:

No – definitely no. A non-elected body seen not to intervene on the erosive impact of Marine Aggregate Dredging and one that produces hype instead of facts regarding the mandatory compliance of our bathing beaches to the 76/160/EC Bathing Waters Directive is not seen as fit to be trusted with such responsibility. This should be the responsibility of the proposed Cross-Party Coastal Protection Committee.

Question 19:

*Should we adopt the “coastal groups” model as discussed in paras 5.11 to 5.13?*

Answer 19:

This would be quite acceptable on the sole proviso that they should report to the proposed unified Cross- Party Coastal Protection Committee, who would have the power to veto projects that adversely affect adjacent areas.

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, this is not agreed. The priorities for Local Authorities should be changed making the implementation and sustainability of coastal defences a high priority so to 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: Local Authorities and their advisers are best placed to recognise, understand and manage their coastal flooding and erosion risks and the defences required to address these.

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. The changes required may take greater time to set up, yet they are urgent as the erosion of East Anglia is rapidly increasing, with more properties being lost yearly. Early implementation may well be urgent as Global Warming escalates.

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, they are both recognised and agreed. The ‘others’ are listed earlier.

Question 24:

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

Answer 24:

No, other than that the situation is urgent and requires instant attention and correction before a further '1953' arises.

*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. All points have been given, but the EA could prove valuable in providing the Local Authorities with 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 further comment appears to be required.

*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. These will be a considerable variable according to the stance taken.

*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:

This question is asking information that is not held by our groups, and cannot be found without extensive research into any one specific operation. But to generalise: -

(a) Yes, your proposals will, but ours should offer fewer problems, and in fact would be welcome.

(b) Local Consultancy, Engineering and Construction firms dependent upon local expertise and ability.

(c) Local Authorities are aware of the situation and are best placed to procure this work from local firms who are familiar with the specific and wider coastal area and its needs..

*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) For major projects beyond the capability of local companies, yes.

(b) To give an actual value is impossible due to all the variables of the need, so this should be kept flexible according to the circumstances prevailing.

(c) If the projects are managed by the Local Authorities, they will be in the best position to contract in the level and type of expertise required.

*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:

The Local Authority/Authorities are quite capable of dealing with all these points from first hand knowledge and personal experience.

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:

The answer is most probably 'yes' as it will undoubtedly impact the profits of the dredging companies who make considerable profits from marine aggregate dredging and selling back the sand they have captured to refurbish the drawn down beaches that have resulted. It may further divert income from the major construction companies to the local economy, which in the opinion of my organisations will be a good thing in the damaged areas.

### Summary

Our organisation(s) view of this issue is that the Government is proposing the EA as the lead authority because they wish to override objections in order to ensure the implementation of their unsustainable managed retreat policies, but the Local Authorities, who currently control the SMPs, will not play ball. Therefore central government are attempting to take power from Local Authorities, who the Government cannot directly control, and give the power to the EA, who they can control. This is in marked contrast to central governments claimed policy of devolving power.

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 as aforesaid. The formation and composition of this committee is explained in the 'Summary of group's views' given earlier in this response.

The EA should provide technical and procedural advice to the Cross- Party Coastal Protection Committee, 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 SMPs for coastal areas defending low level (particularly those 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 SMPs for these areas and additional funding provided for the sea defences of these areas and inland areas at risk such as the Norfolk Broads, Norwich (tidal as far as thus) and many inland villages, The Fens, The Wash, etc. .

There should be a proactive policy to protect all coastal residential areas irrespective of the number of dwellings, communities and commercial development areas. The present policy (as defined in DEFRA and draft SPM documents) just to protect major towns, ports, power stations and major commercial areas is irresponsible and not acceptable. Much income results from tourism in Norfolk and Suffolk, upon which the area is very dependant, and this depends upon the continued protection of our coastal villages, dunes, nature areas, beaches, salt marshes and sand cliffs.

The UK government, like those of coastal Europe, should adopt a policy of defence, not surrender, for the all the UK coastline because we are a highly populated island with a small land mass. As a result 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 areas. The continual demand for housing as dictated by central government for East Anglia 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.

Finally, on a point of evidence, it needs to be pointed out that despite the considerable addition of sand from decaying sea defences and the rapid decay deposits entering the littoral flow from North Humberside and North Norfolk crumbling sand cliffs, recent research has shown little or no sediment drift is now heading down the East Anglian coastline, where prior to escalated offshore aggregate dredging it was so. Investigation has shown that this sediment flow once headed offshore at Great Yarmouth to then proceed north to the Happisburgh area, where once a level of deposition resulted.

This replacement is no longer evidenced, so, accounting for the serious beach draw down along the East Anglian north, north-east and eastern coastline.

The reason evidenced for this is that the sediment flow deposition has been captured by the huge quantities dredged, and not by the presence of effective defences. Whilst a non-defended coastline will balance itself in the course of time if left to natural processes, now we are dealing with a decidedly unnatural situation brought about entirely by mans intervention. Before any plan to surrender the coastline is contemplated, the parasiticism of sediment denial due to wide scale cumulative long term commercial dredging must be addressed.

This response will echo many of the points made by Mike King of Great Yarmouth FoE and MARINET, as well as reactions from those coastal groups aware of the consultation. But many were not, as even MARINET and the North Sea Action Group were not included on your list of consultees.

Pat Gowen, o.b.o. MARINET, NSAG and Norwich FoE, 17<sup>th</sup> October 2006