

WESTOVER SEAWALL, MILFORD-ON-SEA

Information Briefing Note – Updated 12th August 2020

Poole & Christchurch Bays Shoreline Management Plan (SMP) www.twobays.net

The SMP was adopted by NFDC in 2011. It sets out policies for managing our coastline over a 100-year period. It is important to note that the SMP is a high level non-statutory document and that any objectives are completely independent to funding; this is clearly set out on the SMP website: -

Please note: the SMP is a policy document which makes recommendations for action. Implementation of the Action Plan (Section 7) will depend on available funding.

This is not only the case for building and maintaining flood defences, but for a range of other actions.

There is no guarantee that such funding will be forthcoming. It may be available from the national flood and coastal erosion risk management budget, but it could also come from other national sources or from local and/or third party funding.

The frontage that covers this section of coastline is CBY A.3 (unit 5f) and has a policy of ‘hold the line’. However, as outlined above this can only be considered as aspirational as this policy does not guarantee that funding will be forthcoming for any identified schemes. This approach is further confirmed by the Secretary of State for Environment, Food & Rural Affairs who confirmed on 7th July 2020 – “Whilst the policy here is ‘hold-the-line’, this does not commit the Government to any future funding. Flood and Coastal Erosion Risk Management (FCERM) GiA is available for capital projects that maintain or improve flood and coastal defences in accordance with the Government’s Partnership Funding approach.” Nor does it commit local authorities, whose powers are purely discretionary, to act.

Jacob’s Report

The report was issued to those individuals acting as the representatives for each of the residential developments: -

- Shingles Bank Drive
- Needles Point
- Nautica Reach
- The White House

The basis of the agreement was to keep the report within the residential communities, however, as the report is now in the public domain, it can be provided to anyone requiring a copy, although your representative will also be able to provide you with a copy.

Urgent Works (phase 1) and the Coast Protection Act 1949

As the Coast Protection Authority, the Council can act through the exercising of its discretionary powers under the Coast Protection Act. The Act does not, as a matter of law, impose any duties on a local authority to undertake repairs - recognising that that would be an unsustainable financial burden, falling ultimately on the general taxpayer. Landowners, when acquiring land close to the coast, need to consider the possible and potential consequences of the forces of nature on their land. In recent times, this has been evidenced by many examples of coastal erosion around the coast of Britain with the loss of properties.

The Council does have discretion to undertake urgent works and to try and seek some retrospective funding from government. However, that funding is understandably limited and is absolutely not guaranteed. The risk to the White House that has been highlighted with the Jacob's Report has resulted in the Council agreeing to put in place limited urgent works to protect the development for the forthcoming winter period. This, in itself, is extremely challenging within the available timescale and the preparation and development work required to get a contractor on site. The decision to undertake these urgent works cannot and should not, be seen as a precedent.

Full Works Scheme

The Council is of the view that a full scheme will be required to protect this whole frontage in the medium to longer term and will be taking this forward under its powers within the Coast Protection Act. It does, however, need to be recognised that a scheme of this magnitude takes time to develop and deliver, through funding, design, licensing and procurement. The Council will not be underwriting the costs of a full works scheme. The Council will pursue any available funding opportunities for the full works scheme. Any funding opportunities will only be forthcoming on the basis that those benefitting from the protection that such extensive works bring about, will contribute to the cost. This is a national core principle.

This scheme, of course, has not yet been designed. It is however, expected that works will be required across the whole frontage (western end of area 1 to the White House).

Funding

In undertaking the urgent works the Council recognises that there is insufficient time to agree and put in place partnership funding agreements with landowners and to progress an extensive works scheme for the whole of the project. It is vital that the urgent works commence before the winter period.

The Council will be seeking to recover the majority of the costs of the urgent works through a bid to the Southern Regional Flood & Coastal Committee (SRFCC) and the Environment Agency for grant aid funding. There is no guarantee that the Council will recover its costs.

In order to develop a full works scheme, a further bid has been made to the SRFCC to undertake preliminary work to work up a full scheme development. As explained by the Council on many occasions, funding contributions will be required from those who benefit from the works. This is a core principal of the national funding policy and without these funding contributions, a works scheme will not take place.

Clearly key beneficiaries will be those property owners whose properties are better protected by any works scheme and they will be required to contribute. This will include properties from Shingles Bank through to the White House. There will be further consideration as to what other properties can reasonably be said to benefit. A key outcome of Bid 2 will include: -

- Undertaking a broader economic footprint study for the area at risk to identify all of the benefits of any future scheme alongside identifying beneficiaries and wider funding partners.
- Develop a funding strategy to identify and assist in securing funding for scheme delivery

The Secretary of State has also identified that “Under the Partnership Funding policy, the amount any scheme receives depends on the number of households protected, the damages prevented and any other benefits a scheme will bring. Where the Government grant is insufficient to cover the full cost, a scheme can proceed if local contributions can be found. Funding can be secured from a range of sources, such as a local levy to which councils contribute, and directly from local beneficiaries.”

What cannot be guaranteed at this point, is the success of this bid or future bids to undertake the full works scheme.

Coastal Footpath

No opening date can be given at this time for when the footpath may be opened up as it is currently the land is unstable. Ideally the urgent works will enable the footpath to be opened again, but at this point, the Council is not able to give any confirmed dates.