

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 17 JANUARY 2017

ANGUS SHORELINE MANAGEMENT PLAN 2

REPORT BY HEAD OF TECHNICAL AND PROPERTY SERVICES

ABSTRACT

This Report updates the Committee on the Shoreline Management Plan for the Angus coast and recommends that the document be approved as an Angus Council policy document.

1. RECOMMENDATIONS

It is recommended that the Committee:

- (i) approves the Shoreline Management Plan 2 as a policy document for Angus Council superseding its predecessor; and
- (ii) agrees to adopt the Strategic Environmental Assessment for Shoreline Management Plan 2, undertaken in accordance with the process set out in this report.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/COPORATE PLAN

This report contributes to the following local outcome contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are safe and strong;
- Our communities are sustainable; and
- Our natural and built environment is protected and enjoyed.

3. BACKGROUND

Reference is made to Agenda Item No 4 - Report No 460/14 - Schedule 2 of the minute of meeting of the Communities Committee of 18 November 2014, Agenda Item No 11 - Report No 139/13 of the Infrastructure Services Committee of 5 March 2013, and Agenda Item No 11 - Report No 1016/04 of the minute of Infrastructure Services Committee of 2 September 2004.

4. CURRENT POSITION

- 4.1 The Shoreline Management Plan 2 (SMP2) provides an updated assessment of the coast and coastal management options beyond that of its predecessor published in 2004. SMP2 particularly focusses on coastal defences against the threats of erosion or marine flooding. SMP2 is based on "coastal cells", which are defined using a knowledge of natural coastal processes, rather than administrative boundaries, (e.g. those between neighbouring Councils). Thus this document provides a detailed strategic assessment of the coastline within the area covered by the plan, from Milton Ness at St Cyrus to Brought Ferry Castle near Dundee.
- 4.2 SMP2 is a non-statutory document. However, it provides the basis for coastal defence policies and their future implementation management of for the entire 55 kilometres of the Angus coastline.
- 4.3 SMP2 identifies preferred management options along the coastline taking into account natural coastal processes, the need for coastal defence, environmental considerations, planning issues, and the current and future use of the land.

- 4.4 There are a variety of coastal defences in Angus which have been put in place over many years and have differing periods of residual life. SMP2 therefore gives an Angus-wide strategic approach to replacement or improvement of existing coastal defence schemes.
- 4.5 With assistance and advice from CH2M who are internationally recognised experts on Coastal Management and Engineering, the Angus coastline was divided into eight “coastal process units” based on the natural coastal regimes. The coastal process units were then further sub-divided into 22 “Management Units”, i.e. sections with common characteristics of land use and coastline factors.
- 4.6 Based on a set of management objectives, strategic coastal defence policy options were then derived for each Management Unit.
- 4.7 The possible generic strategic policy options considered for each Management Unit are:
- ‘No active intervention’
 - a decision not to invest in providing or maintaining defences. Where there are currently no defences, this policy means that the shoreline will continue to evolve naturally.
 - ‘Hold the line’
 - maintain the existing defence line. Defences are maintained or upgraded/replaced in their current position
 - ‘Managed realignment’
 - Allow the shoreline to change with management to control or limit that movement.
 - ‘Advance the line’
 - construct new defences seaward of existing defences with associated land reclaim.
- 4.8 Angus Council is one of only four Councils in Scotland to produce a Shoreline Management Plan and the presence of this is seen as good practice by the Scottish Government. SMP2 is considered consistent with the developing National Coastal Change Assessment, which has mapped past and recent coastal changes and considers our assets that may be at risk if these processes continue. SMP2 is also considered consistent with the objective and actions of the Tay Estuary and Montrose Basin Local Flood Risk Management Plan 2016-22.
- 4.9 A paper copy of SMP2 has been made available in the Information Hub. A copy of the SMP2 is also available at the council website under the following link:
- <http://www.angus.gov.uk/smp2>
- 4.10 **Consultation**
- 4.10.1 The following methods of consultation were used during the development of SMP2:
- Website
 - Hard copies of documents for viewing
 - Public events
 - Presentation to planners
 - Exhibition posters
 - Consultation response forms
- 4.10.2 The Angus Council website (www.angus.gov.uk) hosted information on the SMP2 consultation, consultation events, and downloadable versions of the draft SMP2 consultation documents, appendices and maps.

The public were encouraged to take part in an online survey linked to the webpage. The survey questions included:

- What is the main reason for your interest in the Angus Shoreline Management Plan?
- Which management unit are you commenting on?
- Do you agree or disagree with the policies presented for this unit and why?
- How useful have you found the draft SMP, supporting documents and materials presented as part of this consultation?
- Any other comments?

44 surveys were submitted, however only 18 of these were complete. 26 were incomplete, providing no useable information.

A consultation response form was also available to download or complete online.

4.10.3 At the time of the consultation hard copies of the draft SMP2 and supporting appendices were temporarily available to view at Angus Council County Buildings in Forfar during the consultation period, between 10.00 and 14.00 Monday to Friday.

4.10.4 Three consultation events were held along the SMP2 frontage to provide a forum for the public to come and meet the SMP project team, ask questions and an opportunity to view hard copies of the SMP2 documents. The consultation events were advertised on the Angus Council website and Social Media. Locations and dates were as follows:

Montrose – Monday 30 May 2016

Carnoustie – Tuesday 31 May 2016

Arbroath – Wednesday 1 June 2016

4.10.5 All statutory consultations with regulatory bodies were undertaken by specialist consultant CH2M with assistance where required from Roads staff.

4.10.6 All of the comments received from consultees have now been considered and alterations have been made to the plan where necessary.

5. PROPOSALS

5.1 Subject to Committee approval, the Plan will be published principally through the Council's website www.angus.gov.uk website to allow access for all. A paper copy will be available via Technical and Property Services and a further paper copy will be available on request to be supplied to an Access office or library as necessary.

5.2 As detailed in section 10 of this report, the Environmental Assessment (Scotland) Act 2005 requires that a Strategic Environmental Assessment (SEA) be undertaken for the proposed SMP2. The approval of the SMP2 will require the adoption of a formal screening direction to that effect.

6. FINANCIAL IMPLICATIONS

There are no financial implications other than the production cost of the hard copy of the final plan. This is contained within the existing Technical & Property Services budgets.

7. RISKS

The risks and implications associated with the proposed approval of the Shoreline Management Plan 2 as a policy document for Angus Council superseding its predecessor are detailed in sections 4 to 7 of this report.

8. HUMAN RIGHTS IMPLICATIONS

Recommendation (i) in this report for approval of the Shoreline Management Plan 2 as a policy document for Angus Council superseding its predecessor progress has potential

implications for property owners and for occupiers in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). However, it is considered that any actual or apprehended infringement of such Convention Rights is justified in the public interest and in accordance with the Council's duty to carry out such coast protection work, whether within or outside their area, as may appear to them to be necessary or expedient for the protection of any land in their area.

9. EQUALITIES

The issues dealt with in this report have been the subject of consideration from an equalities perspective. An equalities impact assessment has been undertaken.

10. STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

- 10.1 The Environmental Assessment (Scotland) Act 2005 requires that a Strategic Environmental Assessment (SEA) be undertaken for the proposed SMP2 (the "Plan"). The process requires consideration of whether the Plan is likely to have no or minimal environmental effect (called "pre-screening") or is likely to have a significant environmental effect (called "screening"), and for the Council to make a determination in this regard. The latter ordinarily requires prior consultation with the Scottish Government's "SEA Gateway" (SEPA, SNH and Historic Environment Scotland). However in this case, and following Scottish Government Guidance, the process followed was to proceed immediately to the SEA Scoping Report and the Environmental Report required by the Act.
- 10.2 The Scottish Government's SEA Gateway and Consulting Authorities SEPA, SNH and Historic Environment have now been consulted on the contents of SEA Scoping Report and the Environmental Report. This consultation has confirmed the extent of the significant environmental effect of SMP2. SEA Gateway has also confirmed that it is satisfied with the process referred to in 10.1.
- 10.3 On that basis, it is recommended that the Committee agrees to adopt the SEA for SMP2. The Head of Legal and Democratic Services has been advised of this recommendation, which will be publicised if agreed by the committee.

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Report No 460/14 - Schedule 2, Communities Committee of 18 November 2014
- Report No 139/13, Infrastructure Services Committees of 5 March 2013
- Report No 1016/04 Infrastructure Services Committee of 2 September 2004 Report

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