

CABINET

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REPORT OF ENVIRONMENT AND COAST PROTECTION PORTFOLIO HOLDER

A.9 CLACTON AND HOLLAND COASTAL DEFENCE WORK

(Report prepared by June Clare and Mike Badger)

A.9 Appendix 1

CABINET

14 MARCH 2012

REPORT OF TECHNICAL SERVICES PORTFOLIO HOLDER

A.5 CLACTON AND HOLLAND COASTAL DEFENCE WORK

(Report prepared by June Clare and John Russel)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To report the current situation and recommendations with respect to the coastal defence issues along the frontage of Clacton and Holland-on-Sea including the changes to the new DEFRA funding policy which have a significant impact on Tendring District Council.

To identify the tasks and provide a programme of works required for the period 2012-22.

EXECUTIVE SUMMARY

Due to the lack of DEFRA funding in 2005, following the first Clacton & Holland Coastal Strategy, Tendring District Council commissioned a review with the intention to produce a revised programme of coastal protection works.

This report follows the second Essex Shoreline Management Plan and develops its recommendations to 'hold the line' whilst identifying outline technical solutions.

The Government funding arrangements for coastal protection works will alter in April 2012 such that only a proportion of any costs will be met centrally leaving the Coastal Authorities to source the remainder.

The new Clacton & Holland Coastal Coast Management Plan (Clacton Coastal Strategy), which is due for approval from the Environment Agency later this year, recommends a series of works along the whole frontage from the Martello Inn to Holland Haven with a programme spread over fifty years and a cost of up to £50 million.

However much of this work and expenditure is in the latter stages of the programme and a realistic view suggests that, within the next ten to fifteen years, only Holland-on-Sea and part of the Clacton frontage to the East of the Pier are required urgently at a cost of £25m. The Council's proposals for coastal protection work include a commitment to reinstating the beach at Holland On Sea.

It is important to keep in mind the possibility that catastrophic cliff and promenade failure could occur within this period which would require emergency works and immediate funding.

This report aims to ensure that the Council puts in place the necessary technical resources and funds in order to protect the coastal frontage of Clacton and Holland-on-Sea and the residential and tourism infrastructure that is supported by it. The three million pounds committed at the Council meeting on 7th February for coastal protection and enhancements is the foundation stone for this project.

RECOMMENDATION(S)

- (a) That the Council appoint an Engineering Consultant to produce a Project Appraisal Report identifying the technical solutions including timings and costs.**
- (b) That the cost of the consultancy engagement is met by a contribution from Essex County Council and the Council's own coastal protection special maintenance budget.**
- (c) That it is recognised that coastal protection is a priority for the council and that officers will explore all options for the funding of the work**
- (d) That a cross service officer group is established to embed the links between coastal protection, regeneration and leisure activities.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Council's Corporate Plan, Tendring Life, recognises that Tendring's 36 miles of coastline and award winning sandy beaches are both our greatest assets as well as our most difficult and expensive management issues. Both the priorities 'Our Place' and 'Our Prosperity' are impacted by coastal defence issues, in that they relate to the development of a thriving tourist industry and of course protecting our environment.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

A fund of £3 million has been established (Council meeting 7/2/12) to fund coastal defence and enhancement work and to be able to take advantage of any regeneration/activities that may arise.

The cost of engaging a consultant to undertake the required piece of work will be met from a contribution from Essex County Council along with funding from the Council's own coast protection special maintenance budget.

Risk: Coastal defence failure is included in the Council's Risk Register.

"There is a risk that, as a coastal authority and in relation to climate change issues, that reduced provision or maintenance of or a collapse of sea defences could have a severe environmental impact and cause damage to local property and infrastructure."

The Register highlights the following specific issues in the event of sea defence failure:

- Preventative / reactive improvements are not undertaken
- Problems stored for later years
- Breach of defences with subsequent flooding
- Threat to property and possibly life
- Complaints from public / litigation
- Adverse publicity
- Local economy adversely affected

LEGAL

The Council has permissive powers to carry out these works under the provisions of the Coast Protection Act 1949. The Council has a duty to exercise its powers reasonably having regard to all the relevant circumstances.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder – No direct implications

Equality and Diversity – No direct implications

Health Inequalities – No direct implications

Area or Ward affected – St. James, Pier, St. Paul's, St. Bartholomews and Haven

Consultation/Public Engagement – Public consultation and engagement has been undertaken for the Essex & South Suffolk Shoreline Management Plan and the Clacton & Holland Coastal Management Plan

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Reports to Cabinet in February 2007 and October 2007 detailed the very serious coastal erosion problems on the sea front at Clacton & Holland-on-Sea and detailed the work already carried out and the work required to address these problems.

The sea walls, particularly across the frontage of Holland on sea, are in a very poor state of repair and there are serious concerns for the future stability of the whole of the Clacton and Holland sea wall. The beaches are at very low levels and the structural stability of the walls is marginal.

A submission has been made to DEFRA each financial year since 2004 requesting grant aid for the proposals but, whilst permission to proceed with the works has been granted, the national budget for flood and coast protection was oversubscribed with a large number of schemes that had higher priority scores than the Clacton Works.

In July 2007 a meeting with DEFRA and the Environment Agency (EA) was held and the serious erosion problems on the Holland frontage were examined on site. The DEFRA engineer agreed that the strategy proposals as submitted at that time were needed but that the Council should consider interim works to try to prevent sea wall failures until such time in the future that the strategy could be afforded and implemented.

The engineer also suggested that the strategy needed to be updated to take account of revised guidance for the submission of schemes for approval and grant funding.

Since that time the following 'patch and repair' works have or will be completed: -

Queensway Sea Wall Emergency Works - £0.40m
 Hazlemere Road Sea Wall reconstruction - £1.40m
 York Road Sea Wall reconstruction - £1.10m
 Holland Haven Sea Wall reconstruction - £0.75m
 Cliff Road Sea Wall Stabilisation - £2.30m

In all just under £6m has been spent at these locations all of which has been 100% grant funded.

The table below has been produced to show events: -

<ul style="list-style-type: none"> • A report detailing the proposed Coast Protection Strategy plan put to Cabinet. • Cabinet approve strategy plan for submission to DEFRA. 	April 2003
<ul style="list-style-type: none"> • The strategy plan submitted to DEFRA for approval. 	July 2003
<ul style="list-style-type: none"> • DEFRA having considered the strategy submitted it to treasury for approval 	Jan 2004
<ul style="list-style-type: none"> • DEFRA requested that further work be carried out on the strategy to bring calculations in line with new guidance 	April 2004
<ul style="list-style-type: none"> • Further work completed and submitted to DEFRA. The strategy now scores 13.7 points in DEFRA scoring system and would therefore qualify for funding in 2005/6. 	Aug 2004
<ul style="list-style-type: none"> • On the basis of the above a scheme for Phase 1 of the works submitted for grant aid. 	Oct 2004
<ul style="list-style-type: none"> • DEFRA announced revised points system and qualifying scores. On the basis of this Phase 1 will not now qualify for grant aid until 2008/9 at the earliest 	Nov 2004
<ul style="list-style-type: none"> • Report back to Cabinet on above, Members resolved that further work on the strategy be suspended and that a letter be sent to DEFRA MP's and the LGA expressing concern about the perilous state of the sea defences at Clacton 	Nov 2004
<ul style="list-style-type: none"> • TDC apply for grant aid for short term support work for a section of the sea walls below York Road with rock armour. 	Nov 2004
<ul style="list-style-type: none"> • DEFRA agree the Clacton strategy proposals (this is agreement to the basis of the proposals not to the funding) 	Jan 2005
<ul style="list-style-type: none"> • DEFRA grant scheme approval and aid for short term measures submitted in November(cost £260K) • Work carried out 	Feb 2005 May 2005
<ul style="list-style-type: none"> • Series of letters sent to DEFRA requesting determination of Phase1 submission for grant aid. 	2004 - 2006
<ul style="list-style-type: none"> • Sea wall collapse at Queensway, DEFRA contacted and asked to fund repairs. 	Jan 2007

<ul style="list-style-type: none"> • Report to Cabinet recommending emergency works be carried out and funded by the Council and a retrospective application to DEFRA for funding. • DEFRA approved grant aid of emergency work (using under-spends on their budget for 2006/7) 	<p>Feb 2007</p> <p>Mar 2007</p>
<ul style="list-style-type: none"> • Emergency works carried out to stabilise and reconstruct the sea wall at a total cost approved by DEFRA of £400k which cost is 100% grant aided. 	<p>Feb 2007</p>
<ul style="list-style-type: none"> • Meeting with DEFRA & EA to examine problems on site. Despite the clear indication that large lengths of the sea wall are life expired and beaches dangerously low the DEFRA engineer stated that, in the context of the very large demands for funds from competing schemes, and the budget available, the Clacton proposals are not affordable in the short to medium term. • The DEFRA engineer recommended that the Council should consider interim works to prevent failure until the strategy could be afforded. • The DEFRA engineer recommended that the strategy needed updating to take account of revised guidance for scheme submission & grant funding. 	<p>July 2007</p>
<ul style="list-style-type: none"> • Medium Term Plans submitted to DEFRA to include Hazlemere Road and York Road works and update strategy proposals as requested. 	<p>Aug 2007</p>
<ul style="list-style-type: none"> • Hazlemere Road scheme approved for funding by DEFRA / EA for technical and financial approval. • Scheme completed at a cost of £1.4m (100% DEFRA grant) 	<p>June 2008</p> <p>May 2009</p>
<ul style="list-style-type: none"> • Review of Essex & South Suffolk Shoreline Management Plan commenced. • Submitted to Secretary of State for approval. 	<p>June 2008</p> <p>Nov 2011</p>
<ul style="list-style-type: none"> • Detailed submission of proposals to revise and update the Clacton & Holland Coastal Management Plan (Strategy) as requested by DEFRA to EA National (now Large Projects) Review Group • Report due to EA Large Projects Review Group (LPRG) 	<p>June 2008</p> <p>July 2012</p>
<ul style="list-style-type: none"> • York Road scheme approved for funding by DEFRA / EA for technical and financial approval. • Scheme completed at a cost of £1.1m (100% DEFRA grant) 	<p>May 2009</p> <p>May 2010</p>
<ul style="list-style-type: none"> • Holland Haven scheme approved for funding by DEFRA / EA for technical and financial approval. • Scheme completed at a cost of £0.75m (100% DEFRA grant) 	<p>Mar 2010</p> <p>April 2011</p>
<ul style="list-style-type: none"> • Cliff Road scheme approved for funding by DEFRA / EA for technical and financial approval. • Scheme completed at a cost of £2.3m (100% DEFRA grant) 	<p>May 2011</p> <p>April 2012</p>
<ul style="list-style-type: none"> • DEFRA introduce new Flood Defence Grant in Aid (FDGiA) arrangements – now 'Flood and Coastal Resilience Partnership Funding' 	<p>April 2012</p>

CURRENT POSITION

Essex & South Suffolk Shoreline Management Plan (SMP)

The SMP has been prepared by the Environment Agency (EA) in partnership with all the authorities involved in shoreline management along the Essex and South Suffolk shoreline. The formal review began in June 2008 and this Council has been actively involved throughout its preparation.

The issues of flooding and coastal erosion are serious issues that affect much of the district's shoreline and the SMP puts forward the Management policies for the next 100 years. Reviews and updates will take place every 5 to 10 years to take into account any changes of circumstances, including budget availability.

A draft plan was made available for public consultation in March 2010 and Cabinet considered and provided a formal response to the consultation at its meeting on the 7th July of that year.

The draft policies put forward have now been reconsidered and remain largely unchanged from the original 1999 SMP with two exceptions at Jaywick & St.Osyth and Holland & Frinton where a dual policy of 'Hold The Line / Managed Realignment' was agreed in Epoch 3 (2055-2105).

For the Clacton and Holland-on-Sea frontage the 'Hold the Line' policy was maintained. This means maintaining the defence line where it is now but can mean upgrading the standard of protection but can also mean that the standard is allowed to reduce over time, depending on the local situation.

Clacton & Holland Coastal Management Plan (Clacton Strategy)

DEFRA requested that the strategy be updated and the EA Large Project Review Group (LPRG) approved a detailed submission for this. However the NRG required that the frontage under consideration should be extended to include EA's frontage at Holland Haven and consequently we are now working jointly with EA to complete this work.

This study is almost completed and will finally be concluded by July of this year. It is 100% grant funded and has been supervised by a joint EA/TDC project Board.

The new Clacton strategy has taken forward the work carried out under the SMP to identify technical and deliverable solutions for holding the existing coastline at Clacton and Holland-on-Sea. It is required to:

- Identify a strategic vision for coastal management and
- establish a sustainable & technically deliverable solution which will effectively deal with coastal erosion

The previous strategy was completed for this frontage in 2004 and recommended offshore breakwaters and sand recharge. This solution involved high up-front expenditure and, due to funding issues, has not been possible to implement.

To overcome this, the new strategy has sought to develop an alternative approach involving dividing the frontage into three Zones (A, B & C) and phasing the expenditure. The areas are: -

- Zone A - Martello Inn to Clacton Pier
- Zone B - Clacton Pier to Eastcliff
- Zone C - Eastcliff to Holland Haven

Each Zone, particularly Holland-on-Sea, may require some further initial patch and repair work to be undertaken where the existing defences are at immediate risk of failure and this is likely to involve rock revetment.

It is important to note that it is not considered feasible to continue with the approach of installing such rock revetment at failing defences beyond this initial repair work (say five years). Rock revetment does not prevent the erosion of the clay foreshore and it is this erosion that is resulting in the defences being undermined and eventually failing.

If the current approach of patch and repair using rock was to continue beyond the short term, then eventually it would become technically unfeasible to hold the existing defences and the current line of the frontage would be lost.

There is a recognition that any long term sustainable solution for this frontage will require significant investment - up to £100million over the next 100 years. Due to the recent changes in coastal defence funding only a proportion of this can be financed through government 'Grant in Aid funding' with the remaining needing to be raised from alternative sources by Tendring District Council.

For this reason, some short term works to areas of failing defences within the next five+ years may be required and these could provide additional time to raise the funding needed for the longer term solution.

The recommendations of the Plan are flexible and therefore should opportunities to attract funding be identified at an early stage, then major works to implement the breakwater construction and sand nourishment could be brought forward.

Statutory consultation and public engagement

Statutory consultation is a requirement under the Strategic Environmental Assessment (SEA) process and through this there will be discussion on the findings and the environmental impacts of the recommendations with organisations such as Natural England, English Heritage, the Marine Management Organisation, Essex County Council, Tendring Council (as the Local Planning Authority), and EA technical departments. This consultation is currently planned for an eight week period starting in the spring of 2012.

During this consultation period all of the project documents were published to ensure any other organisation or individual that should wish to comment has the opportunity to do so.

There is limited opportunity for members of the public to truly influence a change in the recommendations of the Plan, as these are very much bound by technical and financial limitations. The public engagement therefore is being geared towards 'informing' the public of the coastal erosion problem and challenges, the technical solutions available and the way forward for implementing sustainable coastal management. Communications officers from TDC and the EA are currently working together on this.

Funding

In England the EA administers Flood Defence Grant in Aid (FDGiA) on behalf of DEFRA. This is government money allocated to Risk Management Authorities (RMA's) (which include the EA and Local Authorities) for capital works to manage and reduce flood and coastal erosion risk. In the past any grant has been calculated on a 'Cost Benefit Analysis' which identifies a ratio between the value of the assets protected against the cost of the works.

Each year RMAs are invited to submit details of proposed flood and coastal erosion flood management works which require funding within the following five years. This generates the Medium Term Plan (MTP) which is prioritised to ensure that projects provide good value for money and achieve the EA's corporate targets.

DEFRA has now introduced new Flood Defence Grant in Aid (FDGiA) arrangements, called Flood and Coastal Resilience Partnership Funding (FCRP), and these arrangements will be used for the 2012/13-14/15 allocation.

The new approach aims to encourage total investment to increase funding beyond levels affordable by central Government alone, and to enable more local choice through the new Regional Flood & Coastal Committees (RFCCs).

The key change is that, from 2012/13 onwards, Government will offer a fixed amount of grant to any project, based on the outcomes it will deliver. Projects whose costs do not qualify for full FDGiA funding will require cost savings to be found and/or local contributions in order to be able to proceed. This will affect local expectations of funding where FCRM schemes are proposed, including those that were previously expected to be fully funded

From 2012/13, the amount of FDGiA available to any capital scheme will directly relate to the number of households protected, the damages avoided, and the wider benefits of a project. As part of implementing this new funding policy, the following Outcome Measures (OM) definitions have been agreed to replace the previous ones that expired in March 2011: -

- OM 1 – Economic Benefits
- OM 2 – Households at risk
- OM 2b – Households at very significant and significant risk
- OM 2c – Deprived households at very significant and significant risk
- OM 3 – Households at risk from coastal erosion
- OM 3b – Households at risk from coastal erosion in 20 years
- OM 3c – Deprived households at risk from coastal erosion in 20 years
- OM 4a – Hectares of water dependent habitat created or improved
- OM 4b – Hectares of intertidal habitat created

For Clacton and Holland-on-Sea this now means that, due to the low cost benefit ratio, a scheme for the seafront will only attract a proportion of the required funding from Central Government and that there now must be a local financial contribution to the project.

If we are to take forward a sustainable coastal risk management plan for Clacton and Holland-on-Sea we need to develop a funding framework that will support a scheme for the frontage that delivers a range of benefits through integrated funding streams.

We will need to investigate all possible funding sources and routes as well as consider if we have the right funding mechanisms in place to give us the flexibility we need to deliver a robust Plan for this frontage.

A summary of alternative sources of finance is attached to this report but it should be anticipated that generally the Clacton and Holland works will attract a contribution of less than 50% and possibly as little as 20% for Holland-on-Sea.

Project Appraisal Report

The next step for Tendring is to determine how the first phase of coastal management works can be implemented to ensure that the frontage now starts to develop in line with the recommendations of the Plan.

In order to ensure a long term solution which is sustainable, fundable and in line with coastal processes, further consultancy work will be required to undertake a 'Project Appraisal'.

This Appraisal will develop in more detail the work carried out in the Strategy focussing on the implementation of the first phase of works. There are currently a number of uncertainties around what this first phase could be as it will need to make best use of available funds and may incorporate innovative solutions and funding mechanisms for delivering the overall Plan.

The Appraisal will consider the various phasing options for initial implementation on the coastline and how these options may be influenced by funding availability or optimised to realise growth and regeneration opportunities. This assessment of options will identify a preferred option and costs for the first phase or works which will then require approval from the EA before it can progress to construction.

Without an approved Project Appraisal it will not be possible to commence the implementation of the Plan. The key benefits and reasons are: -

1. Identify the 'optimum' first phase of works which (1) makes best use of available funding (2) maximises opportunities to attract further funding (through tying in with tourism, growth and regeneration) and (3) is in line with the long term sustainable solution as identified in the Plan
2. Undertake preliminary design to be able to implement a solution which is effective and works in line with coastal processes
3. Obtain Flood Defence Grant in Aid funding
4. Obtain technical approval to undertake coastal works
5. Preparation of documents for subsequent application for Planning permission

6. Preparation of documents for subsequent application for Marine Management Organisation / Coast protection Act approval

In order to undertake this work a Consultant will need to be appointed and funding for this work is available from within Tendring District Council resources, supplemented by an amount awarded by ECC.

This Consultant must be not only proficient at Coastal engineering but must be familiar with the requirements of the EA's Reporting, Approvals and funding requirements. It is proposed that they should also investigate and report upon funding sources, both external and internally regenerative.

A draft programme for years 2012 – 16 is included with this report.

BACKGROUND PAPERS FOR THE DECISION

1. Flood Defence Grant in Aid 2012/13 Allocation Process
2. Securing alternative sources of funding for flood & coastal erosion risk management.
3. Estimating Outcome Measure contributions using the FDGiA funding calculator.

APPENDICES

1. The Essex & South Suffolk Shoreline Management Plan (Non-Technical Summary)
2. The Clacton & Holland Coastal Management Plan (draft)
3. Draft programme of actions