

**National Assembly for Wales**  
Environment and Sustainability Committee

Inquiry into coastal protection in Wales

October 2012



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**National Assembly for Wales**  
Environment and Sustainability Committee

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## Environment and Sustainability Committee

The Committee was established on 22 June 2011 with a remit to examine legislation and hold the Welsh Government to account by scrutinising expenditure, administration and policy matters encompassing: the maintenance, development and planning of Wales's natural environment and energy resources.

### Current Committee membership



**Dafydd Elis-Thomas (Chair)**

Plaid Cymru  
Dwyfor Meirionnydd



**Mick Antoniw**

Welsh Labour  
Pontypridd



**Keith Davies**

Welsh Labour  
Llanelli



**Russell George**

Welsh Conservatives  
Montgomeryshire



**Vaughan Gething**

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Cardiff South and Penarth



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Plaid Cymru  
North Wales



**Julie James**

Welsh Labour  
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**William Powell**

Welsh Liberal Democrats  
Mid and West Wales



**David Rees**

Welsh Labour  
Aberavon



**Antoinette Sandbach**

Welsh Conservatives  
North Wales

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## The Committee's Recommendations

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The Committee's recommendations to the Welsh Government are listed below, in the order that they appear in this report. Please refer to the relevant pages of the report to see the supporting evidence and conclusions:

**Recommendation 1.** The Welsh Government to provide assurances as soon as possible of its long-term commitment to a continued strategic regional coastal monitoring programme for Wales, and to outline publicly how it intends that programme to develop going forward, taking account of successful models elsewhere in the EU. (Page 10)

**Recommendation 2.** The Welsh Government to provide assurances that the final approved second generation of Shoreline Management Plans for Wales clearly reflect and link to the policy objectives of the National Strategy, and there are clear links between the Strategy and other natural resource management policies. (Page 11)

**Recommendation 3.** The Welsh Government to ensure that an appropriate level of resources is dedicated to supporting flood and coastal erosion risk management activities within the budget of the Natural Resources Body. (Page 12)

**Recommendation 4.** The Welsh Government to provide assurances that it will report on outcomes of the plans and activities arising from the National Strategy for Flood and Coastal Erosion Risk Management, by early 2014. (Page 13)

**Recommendation 5.** The Welsh Government to develop a community engagement strategy and communication plan with funding to improve general awareness of coastal protection as an all-Wales priority issue, for both communities and the officials and politicians responsible for the delivery of SMPs and the aims of the National Strategy at a local level. This communication and engagement plan should aim to develop and reinforce widespread and non-partisan support for implementing the SMPs and the aims of the National Strategy. (Page 16)

**Recommendation 6.** The Welsh Government to ensure that its strategic approach to coastal protection includes putting delivery mechanisms in place that support partnership working and a ‘Team Wales’ approach. If the Natural Resources Body takes on the coastal protection function, a key responsibility of the body must be to ensure coordination of expertise and sharing of best practice across Wales. (Page 17)

**Recommendation 7.** The Welsh Government to undertake work to identify and tap into new sources of funding for coastal protection: from across Government departmental budgets and from external bodies, including the commercial and business sector and those who benefit from coastal protection initiatives by the protection of economic assets. (Page 20)

**Recommendation 8.** The Welsh Government to provide the Committee with a further update on the implementation of the Single Investment Programme. It is suggested that an initial progress update should be provided in autumn 2013. (Page 21)

**Recommendation 9.** The Welsh Government to report to the Committee as soon as possible on its assessment of how lessons learnt from the Pathfinder projects in England can be applied in Wales, and whether it intends to pilot similar projects. (Page 21)

**Recommendation 10.** The Welsh Government to prioritise reviewing the adequacy of the planning provisions relevant to coastal protection, in particular Technical Advice Notes 14 and 15, within its work streams for revising the planning system in Wales. Full consideration should be given to views expressed by the stakeholders who gave evidence to the Committee’s inquiry. (Page 23)

**Recommendation 11.** In order to ensure timely implementation of the Shoreline Management Plans the Welsh Government needs to prioritise as a matter of urgency the completion of the necessary assessments of the shoreline management plans required by the Habitats Directive. The Welsh Government should also prioritise the identification and creation of suitable compensatory habitat. (Page 25)

## Introduction

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1. As legacy work from the previous Assembly, on 21 March 2012 the Committee agreed to undertake a stock-taking inquiry to assess progress by Welsh Government and Welsh flood risk authorities to implement the National Strategy for Flood and Coastal Erosion Risk Management, and associated Shoreline Management Plans<sup>1</sup>. This work follows on from reports on Coastal Erosion and Tidal Flooding Risk in Wales by the Wales Audit Office and National Assembly for Wales' Public Accounts Committee in October 2009 and May 2010. This inquiry's terms of reference are at Annex A.
2. The Welsh Government published its first National Flood and Coastal Erosion Risk Management Strategy in November 2011. The number of people facing risk from flooding in Wales is easier to define than the significantly smaller number at medium or long-term risk of being affected by coastal erosion. But as the strategy states, coastal erosion is still one of the two biggest natural hazard risks affecting the safety and sustainability of communities across Wales. The document outlines the Welsh Government's commitment to managing the risks associated with coastal flooding and erosion, and the second generation of Welsh Shoreline Management Plans (SMPII), are in the process of being signed off by the Welsh Government prior to their implementation.
3. On 5 July the Committee took evidence from the Wales Coastal Monitoring Centre (WCMC); Environment Agency Wales (EAW) and Countryside Council for Wales (CCW); the Welsh Local Government Association (WLGA); a panel of consultants involved in the production of Shoreline Management Plans; and the National Trust. The Minister for Environment and Sustainable Development then gave evidence to the Committee on 19 July.

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<sup>1</sup> A Shoreline Management Plan (SMP) is a large-scale assessment of the risks associated with coastal processes and helps reduce these risks to people and the developed, historic and natural environments. There are four SMPs which cover the Welsh coastline, and the second generation of Shoreline Management Plans are currently in production, covering the entire 6000 kilometres of coast in England and Wales. Where this report refers to Shoreline Management Plans in general, these are described by the acronym 'SMP'; where the report refers to the first, or second generations of a Shoreline Management Plan this is described as 'SMPI' or 'SMPII', respectively.

4. This report summarises the Committee's key conclusions and recommendations about Coastal Protection in Wales, and it looks forward to the Welsh Government's response.

5. Given that the National Strategy has been in place less than a year, the Committee proposes to maintain a watching brief on progress and undertake further review when the SMPiIs are more bedded in. Meanwhile the Committee is grateful to all those who provided both written and oral evidence to assist its inquiry.

## **Strategic Approach to Coastal Protection in Wales**

6. In general stakeholders were positive about the Welsh Government's strategy and risk-based approach to coastal protection. As already stated, the strategy has not been in place for very long. The Committee did however identify a number of key issues and potential barriers to effective implementation of the strategy on the ground. In particular there are concerns about management of resources and funding, and communication and public engagement with medium and long-term risk management for the Welsh coastline.

### **Scientific Monitoring and Data-sharing**

7. In written evidence, Cardiff University's School of Earth and Ocean Sciences (Cardiff University) said that "the need for a well grounded Strategy to inform consistent coastal defence and protection decisions based on sound science cannot be underestimated". The work of the Wales Coastal Monitoring Centre is welcomed, as is the publication of the Environment Agency's National Coastal Erosion Mapping (NCERM) project on the internet, the first national-scale assessment of the extent of coastal erosion in Wales.

8. However, the Committee heard that there is still significant room for improvement, with a gap between Welsh efforts and those of the English strategic regional coastal monitoring programmes<sup>2</sup>, and scope for greater synergies between more established monitoring programmes in England. The example was given of the south west of England<sup>3</sup>, where large data sets are freely available to a wide range of stakeholders, including those undertaking conservation management, academic research and education activities.

9. The Committee recognises the opportunities that may arise from the work of the WCMC, and shares concerns over its uncertain future, as it prepares to present a business plan to the Welsh Government for a five year extension of funding to continue its work beyond April 2013. Over and above the importance of collating data, and encouraging partnership working and a consistent approach to coastal protection activities across maritime local authorities, the long timeframes involved in coastal erosion risk management mean it is

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<sup>2</sup> Including the Channel Coast Observatory: <http://www.channelcoast.org/>

<sup>3</sup> Southwest Strategic Regional Coastal Monitoring Programme - <http://www.channelcoast.org/southwest/>

important to have an independent source of expertise to identify trends and project forward as much as possible. CCW pointed to the need for a consistent, robust approach to monitoring to underpin the big decisions that will need to be taken for the future of the Welsh coastline. Cardiff University recommended continued development and investment in a long-term monitoring and associated research programme, citing the model provided by the University of Plymouth Coastal Observatory as worth considering.

**Recommendation 1: The Welsh Government to provide assurances as soon as possible of its long-term commitment to a continued strategic regional coastal monitoring programme for Wales, and to outline publicly how it intends that programme to develop going forward, taking account of successful models elsewhere in the EU.**

### **Developing a Shared Vision for the Coast**

10. Coastal protection in Wales means considering the whole of the coastline. In addition to taking account of local social and economic impacts, there must be widespread recognition that the social and economic interests of coastal communities are also part of the wider Welsh economy and society. This message must be reinforced and promoted through a holistic approach to funding, communication and engagement across Wales.

11. The Committee received both written and oral evidence highlighting the need to ensure that the National Strategy for Flood and Coastal Erosion Risk Management is embedded and linked to other relevant documents issued by the Welsh Government. The CCW noted that whilst the strategy sets the scene for flood and coastal risk management, more needs to be done to ensure that it is clearly linked to the SMPs and to work in other policy areas, such as the Climate Change strategy and ecosystems approach to natural resource management set out in ‘Sustaining a Living Wales’.

12. The Committee received evidence from Cardiff University suggesting that the Integrated Coastal Zone Management (ICZM) Strategy does not encompass more than minimal consideration of coastal erosion and flood risk and needs updating:

“The School is disappointed to have to point out that the issues raised by the Welsh Audit Office (2009) in relation to the lack of

integration of flood and erosion risk management with more holistic approaches to coastal management remain.”

13. The University considers that the Welsh Government’s shift towards natural resource management may provide potential in revitalising the ICZM strategy for the Welsh coast. It recommends that this possibility should be investigated by Welsh Government, particularly given the land-sea issues which are likely to arise once marine plans are developed. It was stressed though, that Coastal natural resource plans must have clear links to existing local and regional plans, and be supported by appropriate planning guidance.

14. The Crown Estate, which has ownership and responsibility for virtually the entire UK seabed out to the 12 nautical mile territorial limit, welcomed the Welsh Government’s approach and strategy for coastal protection, but noted that in order for SMPs to facilitate the achievement of the strategy’s objectives, and not act as a barrier, there needed to be a much clearer link between the National Strategy and the plans.

**Recommendation 2: The Welsh Government to provide assurances that the final approved second generation of Shoreline Management Plans for Wales clearly reflect and link to the policy objectives of the National Strategy, and there are clear links between the Strategy and other natural resource management policies.**

15. The Committee received evidence about a number of adaptive approaches to coastal protection, involving working with existing natural processes or ‘engineering with nature’. Along the Welsh coastline the approaches taken could range from ‘hold the line’ with hard or soft defences or measures such as beach nourishment, to roll-back, managed realignment or removing failed sea defences to allow natural processes to take over again. Whatever approaches are adopted, actions in one place will have an impact elsewhere along the coastline, and as Royal Haskoning pointed out “there is a need for a co-ordinated approach to coast protection over the whole frontage”.

16. In moving from away from a purely reactive approach to coastal erosion, the National Trust emphasised the importance of “embedding an adaptive response to coastal change management into land-use and marine planning.”

## **Role of the Natural Resources Body**

17. It was widely recognised that the Natural Resources Body will have an important role in developing a more holistic approach to coastal erosion risk management. It will be vitally important to retain expertise and knowledge capital within the new body, to ensure continuity in relation to coastal protection. Cardiff University pointed out that the new body must have sufficient resources to dedicate to this work:

“...the broader focus of this institution, if managed carefully, should facilitate more holistic approaches to coastal flood and erosion risk management. This wider vision will be necessary as projected large scale losses of Natura 2000 intertidal Welsh sites<sup>4</sup> lead to potentially costly and contentious compensation and complex trade offs between environmental, social and economic benefits. It is, however, vital that appropriate resources are dedicated to flood and coastal erosion risk within this new body’s budget.”

**Recommendation 3: The Welsh Government to ensure that an appropriate level of resources is dedicated to supporting flood and coastal erosion risk management activities within the budget of the Natural Resources Body.**

## **Monitoring Progress**

18. It is important that the Welsh Government monitors and reports on progress with achieving the objectives set out in the National Strategy. Cardiff University’s written evidence notes that EAW is responsible for formal monitoring of the Strategy after a two year period (towards the end of 2013), and, in light of the incoming single environment body, says it is vital that this reporting timetable is adhered to; that sufficient resources are allocated to the reporting procedure; and that reporting of outcomes acknowledges existing legal commitments under the Floods Directive and associated national legislation.

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<sup>4</sup> The Environment Agency Wales reported a potential loss of 7308 Ha of inter-tidal Natura 2000 sites over the next hundred years and an overall average a rate of loss over this period of 73 Ha/year (Environment Agency Wales (2011) *First Progress Report on the National Habitat Creation Programme for Wales*).

19. Cardiff University's evidence also recommends that to make the Strategy implementation 'live' and more engaging, progress is reported through an on-line web-based system, overseen by Coastal Groups and with involvement from Welsh universities with considerable coastal and ICT capacity. It recognises that appropriate financial resources would be needed to support this.

**Recommendation 4: The Welsh Government to provide assurances that it will report on outcomes of the plans and activities arising from the National Strategy for Flood and Coastal Erosion Risk Management, by early 2014.**

## Communication and Public Engagement

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20. Two key aspects of communicating the Welsh Government's approach to coastal protection are firstly to raise public understanding of the risks, and secondly to have engagement and buy-in from local officers and politicians to the SMP risk management process.

21. The timescales involved in coastal protection present challenges in both cases. As consultant Atkins pointed out, it is difficult to integrate the 100 year timescales of Shoreline Management Plans (SMPs) and climate change predictions into the 15 year local development plan framework, and there are barriers to be bridged in the language, understanding and approach of the different disciplines involved in coastal protection:

“They [coastal engineers] are ....technically knowledgeable about coastal planning, risk management and the engineering side of things, but if you are trying to reduce future risks or plan for dealing with future risk, you have to engage with planners who are not necessarily so technically minded or knowledgeable in terms of what the future risks might be. Their planning horizons are different. We all talk about 50 or 100 years, no problem; those are the sorts of timescales that you have to talk about in terms of climate change and coastal erosion, but local development plans are all done on a 15-year basis. There is a mismatch between those time horizons, and you as politicians have a different time horizon as well, which is five years.”

22. One of the four main aims of the National Strategy is to raise awareness of and engage people in the response to flood and coastal erosion risk. While it was recognised that there had been progress in raising awareness of risk, this is not always being followed through at local level.

23. Royal Haskoning's evidence stated:

“Without established mechanisms for taking this forward the awareness of and discussion of how future risk could be managed tends to fade into the background. There is almost an acceptance among communities that they are at risk but

then a rapid return to ‘business as usual’ with the expectation that others will address or initiate actions.”

24. The SMP planning process was seen as beneficial to generating a common understanding of coastal protection issues, but consultants highlighted the difficulty in engaging the public in longer-term planning for scenarios predicted some way into the future:

...”the response in many cases was, ‘Beyond 20 years, it is not my problem’. That was an interesting response that we did not quite expect.”

25. The National Trust noted that talking about the effects of climate change not being felt for many years could also “fuel the temptation to fail to grapple with tricky decisions that would be better made now”. It pointed to ‘inter-generational equity’ becoming an issue for some coastal communities, if decisions about how to respond to coastal erosion are put off because they are unpalatable.

26. Cardiff University’s evidence also noted that “...recent academic research (Whitmarsh 2011) has shown that ‘education alone is not enough, active engagement is required to change behaviour’.”

27. The Committee considered evidence about the scale of risk posed by coastal erosion. EAW states that there are approximately 105,000 properties (homes and businesses) currently at risk from coastal flooding in Wales. The Environment Agency is also currently analysing the projected number of properties at risk from coastal erosion in Wales by 2050 and 2100.

28. The Wales Audit Office 2009 report on Coastal Erosion and Tidal Flooding Risks in Wales stated that the economy and social wellbeing of coastal communities are protected by approximately 415km of man-made sea defences with a replacement cost of about £750 million, protecting assets worth over £8 billion.

29. This evidence highlights the importance of community engagement, and the Committee asked the Minister what action the Welsh Government was taking to encourage further action and ownership from communities. The Minister said that managing expectations was something that “we have to keep working at as we go forward.” He hoped that the National Strategy struck the right

balance between being open and honest about risk but also being sensitive to not using language that might unnecessarily alarm people.

30. The National Trust proposed ring-fencing a percentage of coastal protection funding to support innovative adaptive solutions and community involvement and engagement in local plans.

**Recommendation 5: The Welsh Government to develop a community engagement strategy and communication plan with funding to improve general awareness of coastal protection as an all-Wales priority issue, for both communities and the officials and politicians responsible for the delivery of SMPs and the aims of the National Strategy at a local level. This communication and engagement plan should aim to develop and reinforce widespread and non-partisan support for implementing the SMPs and the aims of the National Strategy.**

## **Staff resource and capacity to deliver**

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31. A perceived lack of skills and staff resource was identified as a significant challenge to the on-going delivery of the National Strategy. The WCMC's First Annual Report for 2011 highlights the level of staff resource available for each local authority with a coastline. Only three of the 15 Maritime Local Authorities (20 per cent) have more than one full time equivalent member of staff dealing with flood and coastal erosion risk management.

32. A 'Team Wales' approach was suggested as a possible solution to this problem, as EAW highlighted that although skilled resources were limited, there were 'pockets' of resource across different organisations that could complement one another's areas of expertise.

33. The Minister noted the significant role of the WLGA in this, and stressed that the Welsh Government was keen to ensure good practice and collaboration.

**Recommendation 6: The Welsh Government to ensure that its strategic approach to coastal protection includes putting delivery mechanisms in place that support partnership working and a 'Team Wales' approach. If the Natural Resources Body takes on the coastal protection function, a key responsibility of the body must be to ensure coordination of expertise and sharing of best practice across Wales.**

## Funding

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34. Reservations were expressed by all witnesses about the way coastal protection works are currently funded in Wales. CCW described the existing funding regime as a ‘significant constraint’, EAW considers that the way in which the coast is managed is ‘unsustainable in the long term’, and Royal Haskoning highlighted that a ‘significant increase in costs’ is needed to maintain coastal protection defences. The need for further investment in coastal erosion and flood-risk management was identified, with EAW highlighting that to remain static in terms of the level of current defence Wales would potentially need three times as much money over the next 25 years. Stakeholders emphasised the need to ensure the most efficient and effective use of the finite resources available for coastal protection.

35. The WCMC also said there was scope to rationalise and simplify the grant aid application and eligibility process for local authorities, as there were historical, established variations in the funding that individual authorities were eligible for.

36. The Committee noted the complexity of the current funding arrangements, and there was some discussion with the Minister of the total budget allocations for flood and coastal erosion and the Committee was provided with a breakdown of core departmental capital and revenue budget lines for flood and coastal risk management; additional capital monies allocated from Welsh Government central funds; and European funding.

37. It was highlighted by the majority of witnesses that coastal risk management schemes can have wider benefits than just flood and erosion protection, for example tourism, environmental, recreation, and economic development. Evidence received from the Minister for Business, Enterprise, Technology and Science underlined this. However, funding for coastal risk management schemes is usually from the coastal defence budget, and the Committee questioned the Minister for Environment and Sustainable Development on what discussions had been held at Cabinet level on pulling together funding from various sources.

38. The Minister confirmed that he had made the case for a cross-cutting approach “that understands the risk to all Welsh Government

activity in terms of coastal protection and the risk of coastal flooding and erosion”. He noted that his officials were working closely with regeneration officials, to take a joined-up governmental approach to the wider impacts of coastal flooding, and there was good cross-departmental working with the Minister for Business, Enterprise, Technology and Science, who is responsible for initiatives to ensure the sustainability of the Welsh coastline, such as the ‘Green Sea Partnership’ to improve the quality of Welsh beaches and bathing waters.

## **EU Funding**

39. In a Cabinet Statement on 8 May 2012, the Deputy Minister for Agriculture, Food, Fisheries and European Programmes, Alun Davies, stated that:

“To illustrate some of these difficult choices, we have already begun to identify investment areas where it is proposed that there would be a presumption against using EU funds to support them. These include...extensive climate change mitigation and adaptation measures, including flood relief investments that do not support jobs and growth<sup>5</sup>.”

40. The consultant Atkins pointed out constraints with EU funding::

“Recent coastal defence projects in Wales have been allocated significant EU funds, which boosts Welsh Government funding. However, EU spending rules place strict deadlines on how and when funds need to be spent. This can lead to artificially compressed timescales for projects....”

“...Having to work around artificial deadlines can increase risk to everyone – the environment, the client, and the contractor suppliers. This can lead to increased costs and less overall value for money.”

41. The Minister for Environment and Sustainable Development was of the view that the main constraint of EU funding for coastal protection schemes was around match funding and its availability within a particular financial year. The lead official for flood and coastal erosion risk management acknowledged that using EU funds to implement large-scale, long-standing local authority plans for coastal

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<sup>5</sup> National Assembly for Wales, [Record of Proceedings](#), 8 May 2012.

protection within a strict timescale could present challenges, but the Welsh Government tried to do what it could within those constraints.

42. In terms of leveraging in funds from elsewhere, the Minister said that it would be important to look beyond European funding and look at those who were benefitting from coastal protection. This could include those who receive commercial or business benefits, or the protection of economic assets. The Minister gave the example of infrastructure: “Where schemes will clearly protect Welsh Water infrastructure and Network Rail infrastructure, for example, it is not unreasonable to explore with those organisations a possible contribution from them as well.”

**Recommendation 7: The Welsh Government to undertake work to identify and tap into new sources of funding for coastal protection: from across Government departmental budgets and from external bodies, including the commercial and business sector and those who benefit from coastal protection initiatives by the protection of economic assets.**

#### **Prioritising Investment**

43. The National Strategy includes a commitment to develop a national funding policy and prioritisation methodology, also known as the Single Investment Programme. In evidence the Minister stated:

“A Single Investment Programme for flood and coastal erosion risk management in Wales will set out a prioritisation methodology that will allow us to rank areas of Wales from the most at risk to the least at risk. This will then enable us to target investment in the most at risk communities with appropriate intervention methods directed as required.”

44. The importance of an overall vision, and balancing coastal erosion with the economic, environmental and social issues, was raised by consultants. The National Trust also noted that “we are probably stronger on protecting nature and thinking about the needs of nature than we are on protecting the interests of coastal communities.”

45. The Minister told the Committee that the Environment Agency’s existing ‘communities-at-risk register’ would be the base for the methodology which has weightings for economic, social and environmental concerns, but that an advisory group was looking at the

development of the methodology and public consultation was planned in early 2013.

46. The Single Investment programme will also be a vital tool in helping to communicate the Welsh Government's priorities for coastal protection to a wider audience and support public engagement activities. The Committee therefore looks forward to receiving an update on progress with this programme.

**Recommendation 8: The Welsh Government to provide the Committee with a further update on the implementation of the Single Investment Programme. It is suggested that an initial progress update should be provided in autumn 2013.**

#### **Learning from Pathfinder projects**

47. The UK Department for Environment, Fisheries and Rural Affairs (DEFRA) recently reviewed the success of its Coastal Change Pathfinder Programme, which aimed to road test new and innovative approaches to planning for and managing coastal change in England. The National Trust identified the Pathfinder pilot projects as helpful in supporting engagement activity, developing understanding and agreeing longer-term approaches to coastal management. It would welcome a programme of Pathfinder pilot projects in Wales along the same lines, although noted that the timescales for local authorities to work with communities to deliver Pathfinder projects had been unrealistically short. Cardiff University noted that lessons learnt from the English Pathfinders might be useful in helping the Welsh Government to "promote the development of partnership funding schemes and investigate the effectiveness and efficiency of other funding arrangements more actively".

48. The Minister told the Committee that, along with DEFRA, the Welsh Government was assessing the lessons to be learnt from this programme, including about how communities adapt to risk and how to take forward the sensitive issue of people having to move away from coastal erosion areas.

**Recommendation 9: The Welsh Government to report to the Committee as soon as possible on its assessment of how lessons learnt from the Pathfinder projects in England can be applied in Wales, and whether it intends to pilot similar projects.**

## **Review of Planning Provisions and Guidance**

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49. Coastal protection and planning are inextricably linked, and there was strong support from stakeholders for urgently reviewing the relevant planning provisions for coastal protection, in particular Technical Advice Notes (TANs) 14 and 15. The National Trust pointed out that TAN 14 was underpinned by the climate change thinking and science available in 1998, meaning that it was now out-dated, but secondly that advice was locked into providing an engineering solution, so that where that did not exist there was no other solution available:

“What is missing from TAN 14 includes some of the more creative policy instruments that we could develop that would help us, for example time-limited planning consent, so that when a particular community faces coastal change and loss through erosion, but the decision is made that there will be no defence, that community does not fall apart overnight. It could be decades, in fact, but what tends to happen in those situations is that vital community infrastructure starts to be lost. We see this quite a lot on the east coast of England, where the village hall or the graveyard is the first thing to go. To maintain the viability of those communities as we adjust and adapt out of the risk zone, there is a case to be made for time-limited planning permission, to enable communities to function cohesively but on the basis that, at some point in the future, the sea will erode back to that point. That is one example. There are others around roll-back, where you can have planning consents that allows communities to roll back over time.”

50. Cardiff University’s written evidence said that TAN 14 needed to be revised “to reflect the need for cooperative working, the new coastal risk agenda, recent climate change predications and, in particular the coastal erosion maps from the NCERM [National Coastal Erosion Mapping] project. The University also considers that the new TAN should promote the adoption of stronger coastal erosion zones and associated planning policies within local plans...”

The University also advises that TAN 15 should be revised to take account of new responsibilities and opportunities under the Natural Environment Framework:

“There is a need for the revised TAN to consider ways in which planning authorities can work with others to develop innovative cross-cutting approaches which result in ‘win-win’ solutions.”

51. The University pointed to the fact that there had been “a variable track record for SMPI policy adoption within local planning documents and a small but significant number of developments gaining approval in Wales which have gone ahead against EAW advice”. It recommended that Coastal Groups take an active role in monitoring local plan development, to ensure that the second generation of SMPs are understood and translated into appropriate policies within local plans, and that tailor-made, specific guidance is developed for local planning authorities.

52. The Minister’s written evidence however, stated that “Overall, evidence demonstrates that Planning Policy Wales and the TANs can provide robust policy where planning applications are submitted for development on flood plains.” In oral evidence he said that a better time to look at reviewing planning guidance would be after the four SMPs were in place and approved, it was hoped towards the end of 2012, and after the single environment body was operational, because marine planning was also relevant:

“I think that it is important to have all the pieces of the jigsaw puzzle in place before we review TAN 14 or TAN 15”.

The Minister however went on to say that he considered that they provided a ‘pretty robust system’ and had been effective.

The Committee pursued planning issues further and asked if the Minister foresaw the Planning Bill revising systems for coastal protection. It was acknowledged that more could be done through the planning system to ensure that alleviation measures were included in future plans for the built environment. A lot of work processes were underway to develop the Planning Bill, but the Minister said that:

“...there is a lot of opportunity to take forward improvement, and I hope that people in organisations use these opportunities to feed in their views.”

**Recommendation 10: The Welsh Government to prioritise reviewing the adequacy of the planning provisions relevant to coastal protection, in particular Technical Advice Notes 14 and 15,**

**within its work streams for revising the planning system in Wales. Full consideration should be given to views expressed by the stakeholders who gave evidence to the Committee's inquiry.**

## Habitats Directive

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53. SMPIIs must be implemented in accordance with the requirements of the Habitats Directive. The Welsh Government must therefore ensure that they are in compliance with this Directive before they are signed off. The Directive states that where actions undertaken such as coastal defence works are likely to have a negative impact on a habitat protected under that Directive, the Member State must demonstrate that there is an overriding public interest which requires the works to be completed. Member States must also ensure the creation of sufficient compensatory habitat of a similar nature and quality to that which will be negatively affected.

54. CCW highlighted the fact that the SMPIIs have identified that implementation of the plans will have an adverse effect on sites designated under the Directive and that for implementation of the plans to proceed, the Welsh Government will need to provide compensatory habitat of sufficient quality related to the time period of the plan. It will not be possible to implement the SMPIIs without this being secured.

55. In response to the Committee on this, the Minister said that he was 'reasonably confident' that the Habitat Creation Programme for Wales will be able to identify sufficient compensatory habitats to mitigate the current predicted impacts of the SMPs.

**Recommendation 11: In order to ensure timely implementation of the Shoreline Management Plans the Welsh Government needs to prioritise as a matter of urgency the completion of the necessary assessments of the shoreline management plans required by the Habitats Directive. The Welsh Government should also prioritise the identification and creation of suitable compensatory habitat.**

## **Annex A - Terms of reference**

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The purpose of this inquiry is to:

- assess progress made by the Welsh Government and Welsh flood risk authorities in implementing the objectives of the National Strategy for Flood and Coastal Erosion Risk Management in Wales;
- consider how the objectives of the Strategy are being reflected in Shoreline Management Plans and Local Flood Risk Strategies;
- to gather stakeholder views on the Strategy and its delivery and how these could be improved;
- to gather views on how coastal protection is funded and in what ways this could be improved;
- to make recommendations to the Welsh Government on how delivery and funding of coastal protection in Wales could be improved.

The Committee will consider:

- whether there are any barriers to the development of coastal protection in Wales and how these could be addressed?
- what stage of development the Local Flood Risk Strategies are at and how they will implement the National Strategy and Shoreline Management Plans?
- how effective current funding mechanisms for coastal protection are?
- what is being done to communicate objectives and risks associated with coastal protection and plans for future communication?
- what the views of stakeholders are on these different aspects?

## Annex B - Witnesses

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The following witnesses gave evidence to the Committee. Transcripts of the meetings can be viewed at

<http://www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?Ild=1308>

5 JULY 2012	
<b>Session 1</b>	
Emlyn Jones	Wales Coastal Monitoring Centre
Louise Pennington	Wales Coastal Monitoring Centre
<b>Session 2</b>	
Dr Susan Gubbay	Countryside Council for Wales (CCW)
Dr Nicola Rimington	Countryside Council for Wales (CCW)
Steve Cook	Environment Agency Wales
Graham Hillier	Environment Agency Wales
<b>Session 3</b>	
Neville Rookes	Welsh Local Government Association
<b>Session 4</b>	
Kath Winnard	Atkins
Kevin Owen	Atkins
Marcus Philips	Halcrow
Greg Guthrie	Royal Haskoning

<b>Session 5</b>	
Phil Dyke	National Trust
<b>19 JULY 2012</b>	
John Griffiths AM	Minister for Environment and Sustainable Development
Nicola Edwards	Welsh Government
Prys Davies	Welsh Government

## Annex C - Written Evidence

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The following written evidence was received. All written evidence can be viewed in full at

<http://www.senedd.assemblywales.org/ielIssueDetails.aspx?IId=3512&Opt=3>

<i>Organisation</i>	<i>Reference</i>
Wales Coastal Monitoring Centre	E&S(4)-20-12: Paper 1
Cardiff University - School of Earth and Ocean Sciences	E&S(4)-20-12: Paper 2
Countryside Council for Wales	E&S(4)-20-12: Paper 3 and supplementary information
Environment Agency Wales	E&S(4)-20-12: Paper 4
Welsh Local Government Association	E&S(4)-20-12: Paper 5
Atkins	E&S(4)-20-12: Paper 6
Halcrow	E&S(4)-20-12: Paper 7
Royal Haskoning	E&S(4)-20-12: Paper 8
National Trust	E&S(4)-20-12: Paper 9
Welsh Government – Minister for Environment and Sustainable Development	E&S(4)-21-12: Paper 1 and supplementary information
Welsh Government – Minister for Business, Enterprise, Technology and Science	E&S(4)-21-12: Paper 2 and supplementary information
Institute of Civil Engineers Wales	Written evidence: CP-01
The Crown Estate	Written evidence: CP-02