



**PUBLIC PETITION NO.**

**PE01459**

### **Name of petitioner**

James A Mackie

### **Petition title**

Total review of Coastal Erosion protocols and responsibilities

### **Petition summary**

Calling on the Scottish Parliament to urge the Scottish Government to order a total review of Coastal Erosion protocols, responsibilities, decisions and the roles of national and Local Governments, Quangos, agencies and the private sector as the current situation is not saving coast lines and communities.

### **Action taken to resolve issues of concern before submitting the petition**

The whole matter has been raised with MP's MSP's, Councillors and officials over a period of years. Public meetings have been held at which various official bodies have given presentations and explained why nothing can be done. A local forum with no powers was set up to co-ordinate meetings and papers etc. Most members have since resigned as it had no teeth nor powers. It was eventually perceived as being a body set up by politicians to cover up lack of activity/forward moves on the problem. Council officials and their consultants have been brought to the site. They deny there is a problem and will do nothing.

Reality is that no statutory body ready to step in and take action. Richard Lochhead stated publically first week of October, 2012, that coastal erosion is not a Government matter and Government will not get involved. Therefore more reason for Petition to go forward.

### **Petition background information**

Local Authorities have legal responsibilities but no legal obligation to do anything about coastal erosion, even when households and public utilities are at severe risk of being washed away by coastal erosion. SNH, SEPA and other agencies/quango's have the power to stop work to prevent coastal erosion but no moral or financial responsibility to those that suffer as a result of Coastal erosion. Marine Scotlands role appears only to be to issue permits for such work to be carried out. Procedures need to be simplified to the point where Local Authorities have legal responsibility and liability to carry out engineering works to prevent loss of property (both private and public) without interference from other agencies.

Coastal erosion is a natural on going process around the UK shores. Depending on the geography and material of the foreshore, it will always be eroded unless the sea

shrinks as during an ice age period. Occasionally and under specific conditions new deposits will appear on beaches or in shallow areas forming islands. However it is generally accepted that coasts will recede as wave action acts like a rasp on wood, constantly wearing down small quantities of the beach surface as the tide rises and falls. Every time a wave comes in, it goes back out. In out, in out – simple action. Every time a wave goes out it drags material with it, irrespective of the state of the tide. The forward motion of an incoming wave may push some material ahead of it, but it is harder to push a stone uphill than roll it down a hill, basically the shape of a beach. Ask any child what happens to its sand castle when the tide comes in. Whereas a river or stream has a constant flow downstream, the sea does not. Whereas a river constantly pushes a load in front of it, the sea with its in out motion cannot move the weight and volume forward like a river. When debris brought down by a river hits the sea it is separated by weight. Timber and flotsam are washed ashore while stones and gravel precipitate and are moved about the sea bed. I am not aware of any beach in Scotland that is increasing in area because of sea action pushing sand or gravel ashore.

The sea bed and shore to high water mark is owned (with a very few exceptions) by the Crown Estates. Nobody “owns” the sea but all activities relating to the marine environment are controlled by Central Government.

The sea does not just go “up” and “down” in depth with the tide. The sea is a living, dynamic force with many currents within its volume. The currents of the sea cut east to west, west to east, north to south, south to north and in any other combination of directions. Where a wind forces a sea current at an angle to the shore more erosion shall occur. Probably one of the biggest influences on tidal movement, especially in coastal waters is the wind. Many things create the currents. They are influenced by the width of the channel the sea is in – the narrower the channel (such as between islands) the greater the power and speed of the current. Lunar power controls the movement of the sea – Spring tides and Neap Tides as well as the daily changing tides. Ocean currents collide with inshore tides, creating eddies and other power points. Ocean currents pushing through between the Northern Isles and the Continent cause various tidal currents and eddies. “Strong” or “heavy” seas create different types of current and erosive currents when they crash against a shore.

If one actually sits and watches the action of the sea in any particular area over a period of time, you see that the material dragged from the beach is spread across the sea bed. Lowering the depth of the sea (hence need for dredgers to open sea going channels) as well as choking out living organisms that would normally live on the sea bed. These organisms can be a major part of the local environmental food chain. If they die, then the eco system that relies on them die as well. Waves over shallow areas are more erosive than “normal” waves in deeper water.

In the past 400 to 600 years, man has, using his resources, built on and developed coastal plains for habitation, agriculture and trade. In the past 2 centuries development of these sites has increased at a fast rate while coastal erosion is mostly slow and gradual, suddenly creeping up on an unsuspecting population. Human activity over centuries has controlled, constrained and sculptured the environment we live in and on. This is an on-going battle and nature must not be allowed to completely take over. We, the human population, must take steps as and when necessary to control the actions of nature. If not, like the dinosaurs, we may face extinction. If not managed and controlled, the environment can kill and change itself.

Current legislation puts the Local Authority in charge of coastal erosion prevention and protection. However, the emphasis is on flooding, not erosion. In reality erosion comes before flooding. All though Local Authorities have the responsibility, other agencies/quangos/NGO's all have an input and a say. These organisations are so bound up in what they will and will not allow, it can take years for any work to be finally approved. By then it is often far too late to save land and property. The Marine Agency's role on matters affecting the shoreline only seems to be if construction work is done that might interfere with shipping.

Before work can be carried out, a commercial justification has to be submitted to

Central Government to trigger the release of funds to have the work carried out. The trigger for such work seems to be the threat of “flooding” (quote of David Gowans, contracted Flood Alleviation Consultancy Manager for Moray Council)

As the money for such a project is from the public purse it is only right that justification should be made. However, the procedures for calculating the type and amount of work required are, in the opinion of many if not most, flawed. At a public meeting in Garmouth Public Hall in 2010, the then Director of Planning for Moray Council said that before any work could be done (in relation to coastal erosion), a computer based study would need to be done. The cost of that study (in relation to a 5 km length of beach) would be between £1 million and £4 million pounds. £1 million pounds would buy 30,000 tonnes (15000 cubic metres) of armour rock.

Part of the procedures in making a decision on coastal protection is the “consultation process”. As many as 24 or more public bodies/agencies/quango’s/NGO’s can be involved in discussions on a project to prevent coastal erosion. Far too often the wishes and needs of the residents/owners of property under threat are pushed aside by the large number of agencies, quango’s and other bodies that are part of the “consultation process”.

In general, the public feel that the representatives of these organisations are academics, ideologists and to a lesser degree “tree huggers”. The ideological opinions of many (with some or no statutory powers) are far too often heeded while those same bodies/individuals have no financial interest or responsibilities for any decision taken on advice/ objections/comments made by them. One thing that comes through in every meeting, published or public statement is the complete absence of common and practical sense and/or total hands on experience of such work. The advice and local knowledge of residents or experienced individuals is totally ignored in favour of computer models, academia and theory. Exactly the same criticism is made of those involved in river erosion, a subject for another day.

Local knowledge should head the list of information in any consultation report. People who live in the area, face the situation every day, often over a life time and know the currents, the action of the waves and can normally predict very accurately what will happen if work is done at point A and not B and vice versa. Is the weakness of academics and ideologists their often inability to understand and work with an individual who has good local knowledge and common sense but no letters after his name?

To speed up the process, reduce damage caused by delays in decision making and reduce the long term cost to the public purse, “consultees” should have no power to block any decision making process and action plan where lives and property are at risk. Details of any coastal erosion scheme should be publicised as normal. However, all the various agencies/quangos/ other bodies and various organisations should only be entitled to make their views known. Those views/opinions should only be views/opinions, not directives, to block the applications and the early commencement of work. History shows time and time again that many of these bodies post objections purely because of some academic ideological ideas they may have over specific minute (in real terms) interest they may have. While everyone stands around discussing what often is one very small part of the environment, many other far larger environmental and historical things are destroyed. One area of concern is the refusal by SEPA and SNH in particular to sanction the use of armour rock to protect vulnerable areas.

The current system of evaluating and carrying out coastal erosion prevention is long winded, allows organisations with no financial or other responsibilities too much say which. At the end of the day puts at risk the environment as well as people’s lives and property. People with property at risk have no legal rights or powers to prevent their property being eroded. As the high water moves inland over people’s property, the land eroded and taken by the sea becomes the property of the Crown Estates. Land and property covered by the sea is Crown property.

### Related information for petition

Petition 878 is a previous attempt by me and my local community to have the same matters addressed. Nothing was done then and the situation has now become dangerous for over 100 households

### Do you wish your petition to be hosted on the Parliament's website to collect signatures online?

YES

### How many signatures have you collected so far?

0

### Closing date for collecting signatures online

30 / 11 / 2012

### Comments to stimulate online discussion

Coastal erosion is not something new. However in recent decades it has become more of a problem as areas that have been inhabited by man come under threat. The coast is owned by the Crown Estates who generate large sums of money from the sea bed and coastal waters around Britain. They have no responsibility to prevent coastal erosion, even when communities are at risk. Under legislation, Local Government has the responsibility for controlling and dealing with local coastal erosion. The key trigger to doing prevention work is whether or not the land will be flooded plus will the cost of intervening protect assets with a higher value than the cost of the works. If it is deemed prudent to carry out coastal erosion prevention work, studies are commissioned and the project priced out. Central Government pays 80% of the cost and the remainder comes from Local Government.