

PE1459/D

Environment and Forestry Directorate

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**The Scottish
Government**
Riaghaltas na h-Alba

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Scottish Parliament
Edinburgh
EH99 1SP



LEGACY 2014
XX COMMONWEALTH GAMES
SCOTLAND

Your ref:

Our ref:

7 March 2013

Dear Mr Howlett

PETITION PE1459

Thank you for your letter of 24 January asking for views on the above petition and the discussions that took place at the meeting of the Public Petitions Committee on 22 January.

We do understand that there are concerns about the potential impact of coastal erosion on coastal communities.

That is why work is being undertaken by the Centre for Expertise for Waters (CREW) to develop a better understanding of the risks associated with coastal erosion across Scotland, including how this may change with climate change impacts. The project aims to establish a measure of the susceptibility of the Scottish coastline to erosion. The outputs from this study will be incorporated into the strategic appraisal of flood risk management measures that SEPA will be carrying out under the Flood Risk Management (Scotland) Act 2009 for areas that have been identified as having a significant risk of coastal flooding.

As is mentioned in the petition, local authorities are the coast protection authorities and have discretionary powers under the Coast Protection Act 1949 to carry out such coast protection work as may appear to them to be necessary or expedient for the protection of any land in their area against erosion and encroachment by the sea.

The Scottish Government provides funding for flood and coast protection through the local Government settlement. Local Authorities can apply for this funding on the basis of criteria agreed by the Scottish Government and COSLA. A total of £73 million was available in this

spending review period, on top of the £53 million funding that was allocated to existing projects and included within local authorities' General Capital Grant allocations. Local authorities are also free to allocate additional resources to manage coastal erosion from within the overall funding provided to them by the Scottish government and from within their own resources.

The petition also suggests that the consultation process for coast protection schemes is too long and that the views of local people are not taken into account. However, a large part of the consultation process is in place to safeguard the property rights of local people. As with flood protection works, the provision of coastal defences can have impacts on individuals, communities and the environment and requires careful and thorough planning. Some work may have to be carried out on private land, and the procedures set out in the 1949 Act safeguard property rights by giving property owners an opportunity to object when proposals might adversely affect their property and a right to be heard at a public local inquiry. It is important that schemes reasonably balance the interests of an individual and the wider community.

An opportunity to take a more strategic and integrated look at coastal defence issues along with tourism, fisheries, planning and development will be provided when the Draft National Marine Plan goes out for public consultation in summer 2013. A National Marine Plan (NMP) will support the management and sustainable use and development of Scotland's seas from 0 to 200 nautical miles. The Draft NMP sets out marine planning policies for key marine industries and activities supporting their economic growth while ensuring growth occurs in balance with the protection of natural and historic heritage. Future regional marine plans and licensing/consenting decisions that affect the sea must be taken in accordance with the NMP.

To protect Scotland's coasts, the Draft National Marine Plan sets out policies to ensure developments and activities in the marine environment are resilient to, and do not unacceptably affect, coastal processes and flooding. The Draft NMP also supports the principles of integrated coastal zone management (ICZM), supporting integration of marine and terrestrial plans and ensuring planners consider relevant non statutory plans such as shoreline management plans and ICZM plans.

I hope you find this information helpful.

Yours sincerely

Judith Tracey
Head of Managing Flood Risk Team