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Date: *7 April 2010*

NOTIFICATION OF PORTFOLIO HOLDER DECISION(S)

On 7 April 2010, Cllr E J Heron, the Environment Portfolio Holder, made the following decision(s). Any member of the Council, who is not a Portfolio Holder, who considers that this decision should be reviewed should give notice to the Monitoring Officer (Grainne O'Rourke) (in writing or by e-mail) to be received **ON OR BY 14 APRIL 2010**.

Details of the documents the Portfolio Holder considered are attached.

DECISION:

To respond to the public consultation on the North Solent Shoreline Management Plan (SMP) as follows:

- (a) That the Portfolio Holder supports, in principle, the proposed policies that affect the shoreline within New Forest District Council's area, but notes that the proposed policies affecting privately owned landholdings and defences may be revised due to comments and responses received from landowners during the public consultation period through the consultation process
- (b) That the emerging SMP provides part of the evidence base for the Council's Sites and Development Management DPD, particularly in relation to defining possible Coastal Change Management Areas.
- (d) That representations be made to the Environment Agency to request that any compensatory habitat requirements identified in the Appropriate Assessment should be secured and delivered through the Regional Habitat Creation Programme.
- (e) That following the conclusion of the consultation period and any consequent amendments being made to the SMP by the Project Team, a report be prepared, in discussion with Elected Members and submitted to Cabinet for their consideration as to whether to approve the final SMP policies.

REASON(S):

This reflects the Council's decision in respect of the Shoreline Management Plan (Minute 6 of Cabinet meeting on 6 July 2009) prior to its publication for consultation.

ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

As set out in the report attached.

CONFLICTS OF INTEREST DECLARED:

None.

For Further Information Please Contact:

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ENVIRONMENT PORTFOLIO HOLDER DECISION

NORTH SOLENT SHORELINE MANAGEMENT PLAN

1. ITEM FOR DECISION

- 1.1 This Council is a Member of the Joint Steering Group that developed the policies within the North Solent Shoreline Management Plan. On 6 July 2009 (minute 6 refers) the Cabinet approved a draft plan to form the basis for the public consultation exercise.
- 1.2 While the Council has agreed the overall content and policies set out in the consultation document, it is still necessary to submit a response.
- 1.3 This report provides the Council's consultation response to the proposed policies for the coastline between Hurst Spit and Redbridge for the draft North Solent Shoreline Management Plan.

2. BACKGROUND

- 2.1 Shoreline Management Plans (SMPs) are an important component of the Department for Environment, Food and Rural Affairs' (Defra) strategic framework for the future management of coastal erosion and tidal flood risks to people, the developed and natural environments. SMPs require economic, environmental and technical assessments to demonstrate the viability of any proposed policy. An SMP is a non-statutory document that aims:
 - to balance the management of coastal flooding and erosion risks, with natural processes, and the consequences of climate change
 - to determine technically, economically and environmentally sustainable policies for management of the shoreline over 3 epochs:
 - present day (0-20 years);
 - medium-term (20-50 years);
 - long-term (50-100 years).
- 2.2 Discrete lengths of coastline have been defined based on natural sediment movements and coastal processes, and the assets and features potentially at risk of flooding and/or erosion within the coastal zone, rather than administrative boundaries; these are termed Policy Units. A single policy has been applied per epoch per Policy Unit.
- 2.3 The SMP policies as defined by Defra are:
 - Hold the Line (HTL) - Maintain or upgrade level of protection provided by defences
 - Advance the Line (ATL) - Build new defences seaward of existing defences
 - Managed Realignment (MR) - Allowing the shoreline to move backwards or forwards, with management to control or limit movement
 - No Active Intervention (NAI) - Not to invest in providing or maintaining defences

- 2.4 The North Solent SMP is the first revision to the Western Solent and Southampton Water SMP and the East Solent and Harbours SMP, completed in 1998 and 1997, respectively. The coastline covered by this Plan extends from Selsey Bill, in the east, to Hurst Spit, in the west, and includes Portsmouth, Langstone and Chichester Harbours.
- 2.5 The draft North Solent SMP is currently available for public consultation between February 1st and April 23rd 2010.
- 2.6 This Council has limited landholdings within the West Solent and along the western frontage of Southampton Water as the majority of the shoreline between Redbridge and Hurst Spit is privately owned. NFDC landholdings include: sections of Hurst Spit (Policy Unit 5F01) and Calshot Spit (Policy Unit 5C15); parcels of land landward of the Keyhaven-Lymington seawall (Policy Unit 5C22) and Lymington River flood defences (Policy Unit 5C21); Shore Road, Hythe and Hythe Marina (Policy Unit 5C14).
- 2.7 The proposed policies that apply to the NFDC owned frontages, with the exception of Calshot Spit, are to Hold the Line for the next 100 years; for Calshot Spit (5C15) the intention is to change from Hold the Line to a No Active Intervention policy in 50-100 years as it will become technically unfeasible or unsustainable to continue to defend, and the spit will become increasingly vulnerable; the need to relocate facilities and assets in the long-term will become increasingly likely.
- 2.8 It is important to note that the Hold the Line policy option does not secure Flood and Coastal Defence Grant in Aid funding and other sources of funding may be required to implement policy intentions. Such issues would be investigated and determined through more-detailed coastal management and defence studies or schemes.
- 2.9 The proposed policies affecting privately owned landholdings and defences may be revised due to comments and responses received from landowners during the consultation process.
- 2.10 With regard to privately owned landholdings and defences, the final SMP policies will provide part of the evidence base for the Council's Sites and Development Management Development Plan Document, particularly in relation to defining possible Coastal Change Management Areas. The SMP is one material consideration that planners refer to when forming planning decisions. Planning applications from private owners with regard to coastal and flood defences will be considered on a case by case basis and not determined solely on the SMP coastal defence policy. No managed realignment, or environmental enhancement opportunities will be imposed or implemented in these circumstances without the landowner's full consent. This Council is the Coastal Protection Authority for the entire frontage between Hurst Spit and Redbridge and the planning authority for the shoreline between Fawley and Redbridge, on the western shore of Southampton Water; the National Park Authority is the planning authority for the Western Solent shoreline between Hurst Spit and Fawley.
- 2.11 Further detailed studies are required to determine the future management of sites identified as potential managed realignment opportunities for habitat creation; these studies will consider the environmental socio-economic and recreation value of these sites. These sites should be considered as part of a strategic Solent-wide assessment of the network of sites that support the high tide roost for waders and wildfowl.

Table 1. Proposed draft SMP Policies October 2009

	Policy Unit from to		Epoch 1 0-20yrs	Epoch 2 20-50yrs	Epoch 3 50-100 yrs	Officer recommended response
5C14	Redbridge	Calshot Spit	Hold the Line	Hold the Line	Hold the Line	Support in principle
5C15	Calshot Spit	Calshot Spit	Hold the Line	Hold the Line	No Active Intervention	Support in principle
5C16	Hillhead, Calshot	Inchmery	No Active Intervention	No Active Intervention	No Active Intervention	Support in principle
5C17	Inchmery	Salternshill (Beaulieu River)	No Active Intervention	No Active Intervention	No Active Intervention	Support in principle
5C18	Salternshill	Park Shore	Hold the Line	Hold the Line*	Managed Realignment	Support in principle
5C19	Park Shore	Sowley	Hold the Line	Hold the Line	Hold the Line*	Support in principle
5C20	Sowley	Elmer's Court	No Active Intervention	No Active Intervention	No Active Intervention	Support in principle
5C21	Elmer's Court	Lymington Yacht Haven	Hold the Line	Hold the Line	Hold the Line	Support in principle
5C22	Lymington Yacht Haven	Saltgrass Lane	Hold the Line	Hold the Line	Hold the Line	Support in principle
5F01	Hurst Spit	Hurst Spit	Hold the Line	Hold the Line	Hold the Line	Support in principle

* = potential for realignment of defences, but requires further studies to confirm the future management of the site. This is likely to be a range of options from HTL to Managed Realignment. This is likely to result in doing something different, to recognise coastal change. The study will address the economic, environmental and social implications and flood management issues of the site. To be reflected in the implementation plan of strategy and Action plan of the SMP.

3. CONSULTATION UNDERTAKEN

- 3.1 Consultation and discussions have been undertaken with Officers and Elected Members from the Environment Agency, Natural England, the other Local Authority and County Council partners in the project with regard to the proposed policies and will continue during the consultation period, considering responses in order to confirm the final plan and policies.
- 3.2 The Communications Team was involved to select the most suitable methods of disseminating the draft North Solent SMP to the public. There were 8 public exhibitions across the study area, including one at Lymington Town Hall on 1st February 2010.
- 3.3 Once the consultation responses have been analysed and any necessary revisions made, the final North Solent SMP will be considered by the Environment Review Panel and the Cabinet for adoption. Key Members, including ward councillors and the Council's representative on the Steering Group, will be consulted on proposed revisions to policy.

4. FINANCIAL, CRIME & DISORDER AND EQUALITY & DIVERSITY IMPLICATIONS

- 4.1 There are no direct implications as a result of this decision.
- 4.2 Compensation Habitat requirements will be financed and secured through the EA's Regional Habitat Creation Programme. Currently there are no District Council-owned landholdings that have been identified as potential habitat creation sites.

5. ENVIRONMENTAL IMPLICATIONS

- 5.1 The North Solent Shoreline Management Plan fully considers environmental implications at all stages of policy development; the process includes an Appropriate Assessment, Strategic Environmental Assessment, and Water Framework Directive Assessment.

6. ENVIRONMENTAL REVIEW PANEL COMMENTS

- 6.1 The Environment Review Panel at their meeting on 12 November 2009 agreed the revisions to the draft North Solent SMP and the proposed policies as set out for public consultation. The Panel are mindful that private landowner's responses may result in changes in policy in the final plan.

7. ANY OTHER OPTIONS CONSIDERED AND REJECTED

- 7.1 As detailed in the Report

8. RECOMMENDATION

- (a) That the Portfolio Holder support, in principle, the proposed policies that affect the shoreline within New Forest District Council's area, but note that the proposed policies affecting privately owned landholdings and defences may be

revised due to comments and responses received from landowners during the public consultation period through the consultation process

- (b) That the emerging SMP provides part of the evidence base for the Council's Sites and Development Management DPD, particularly in relation to defining possible Coastal Change Management Areas.
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- (e) That following the conclusion of the consultation period and any consequent amendments being made to the SMP by the Project Team, a report be prepared, in discussion with Elected Members and submitted to Cabinet for their consideration as to whether to approve the final SMP policies.

SIGNED: CLLR E J HERON

Cllr E J Heron, Environment Portfolio Holder

DATE: 7th April 2010

For Further Information Please Contact:

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Date on which notice given of this Decision - 7 April 2010
Last date for call-in - 14 April 2010