COUNTRY LAND & BUSINESS ASSOCIATION (CLA)

RESPONSE TO CONSULTATION

ON THE

SEVERN ESTUARY SHORELINE MANAGEMENT PLAN 2009

Introductory comments

The Country Land & Business Association (CLA) is the membership organisation representing those responsible for land, property and business throughout rural England & Wales. Its 36,000 members are responsible for roughly half of the land area of England and Wales. The CLA leads and advises its members on a wide range of issues affecting rural land and business and lobbies government to adopt policies to foster a thriving, living and working countryside.

The CLA is pleased to be able to participate in the review of the Severn Estuary Shoreline Management Plan (SMP) as the plan and policies adopted represent issues of great importance to the future of numerous land based agricultural, tourism and other businesses which are located around the Severn Estuary.

Having reviewed the 'Overview' and 'Initial Policy Appraisal' documents for each of the Theme Areas into which the Estuary has been divided for the purposes of the SMP review, it is clear that similar issues affect land based businesses located all around the estuary. For this reason we feel our input would be of most use if submitted in the form of an overall response for the whole Estuary SMP, rather than comments on individual Theme Areas. This was discussed and agreed as an appropriate way forward between representatives of the CLA, Environment Agency (EA) and Atkins at the Stakeholder Event held at Penarth on 10/06/09.

The CLA has considerable expertise in rural matters. We feel we have valuable points to make on the Severn SMP proposals which in their current form lack consideration of several key issues.

Overall CLA comment on the Shoreline Management Plan Process

Shoreline Management Planning should be viewed primarily as a means of managing a dynamic physical process and guiding future decision making. It should not be an exercise in the application of current government funding formulae.

Observations on the Content of the Severn Estuary 'Overview' and 'Initial Policy Appraisal' Documents

Having reviewed these documents, the SMP process to date seems to ignore the potential impact on land based enterprises, particularly farm businesses. These are businesses like any other, except that their primary production asset is the land itself. This is potentially under threat from policies of 'No Active Intervention' which appears to be the 'preferred option' along several stretches of rural coast. From the policy documents a 'Hold the Line' policy appears only worthy of further appraisal along stretches of coast characterised by more urban land uses. Whilst no-one would argue that urban residents and businesses should not be properly defended from coastal flooding, it should not be at the same time acceptable for rural residents and businesses to not be defended from the same flood risk – particularly those businesses such as farms whose essential production asset is the land itself. If future coastal flooding is to be diverted to farmland to protect other areas then a system needs to be put in place to adequately compensate the farm businesses affected for the losses in productive capacity incurred.

There is also the issue of loss of irreplaceable productive agricultural land which does not appear to be recognised in the SMP objectives or proposals. Land, particularly that used to grow food (and increasingly fuels too), is a national asset and need to be conserved particularly as the UK will play a growing role in producing food for the rising world population over the 100 year timeframe of the SMP.

The objectives set out for each Theme Area in the consultation documents include those which aim to manage the risk of flooding to 'people and property' and to 'commercial and economic assets and activities and tourism'. Agricultural land is certainly 'property' and an 'economic asset' and farming is certainly a 'commercial activity'. However, we feel that the potential impact on productive land and farm businesses is so significant over the 100 year horizon of the SMP, that a further objective should be added that specifically refers to managing flood risk to productive agricultural land. We feel, and we are confident others will increasingly agree, that this is just as important as any of the other objectives set out in the 'Overview' documents because 'food and environmental security' are likely to be of increasing strategic importance over the 100 year timeframe of the SMP

In the context of the above, we propose that this objective could be worded as follows:

- ***To maintain the productive and environmental capacity of farmland and the wider countryside***

We feel that there is much merit in the objectives listed in the Overview documents. However any set of underpinning objectives for the SMP which ignores the thrust of the arguments above and the important additional objective stated, is flawed given the 100 year timeframe of the SMP strategy and the food and environmental security challenges facing the country during this period.

Other Important principles

We also feel there are numerous other principles and arguments which are important in formulating a coherent and purposeful flood and coastal defence policy. These are initially introduced by 'answering' two pertinent rhetorical questions below. We then set out an alternative 10 point plan for flood and coastal defence which we feel if followed would improve the quality of all SMP's

Why maintain the flood defences on our rivers when some people argue that the environmental case and the social case is for river channels that evolve and flood agricultural land, not people's homes?

- Maintaining defences on our rivers is **not** incompatible with good environmental and social policies. Only 3% of Environment Agency expenditure goes on keeping clear river channels. If they were kept clear, then river carrying capacities would not be compromised, land would not be unnecessarily flooded and the protection for towns and cities would not be adversely affected.

- Economic viability is essential for land based businesses, especially farming businesses, to play their positive role in managing the countryside. Unnecessary and unplanned flooding of agricultural land – and roads and other property - benefits neither business nor environment, and if land is prematurely flooded at times when further heavy rainfall is expected it may not be able to absorb excess water just when its capacity to do so may be most needed. Unseasonable flooding aggravated by lack of maintenance also prevents adequate grazing in valley bottoms and the consequent loss of biodiversity.

- A planned approach to using agricultural land as a "wash land", for managed flooding, in agreement with the land owners and managers concerned, to protect built up settlements, is a far more effective way to utilise the capacity of land to absorb excess water. Land managers need to be properly recompensed for economic losses sustained as a result of providing this wider public benefit.

- Rural communities, as well as towns and cities, have social needs and entitlements, and it should not be assumed that the loss of quality or value of their property – which may include significant investments in agricultural buildings and equipment - arising from reduced flood defences, is an acceptable price for them or the economy of these areas to be required to pay.

- Land for producing food, energy, textile, pharmaceutical and industrial products is a national asset (and will become an even greater asset with climate change and the need for global food supplies) not a liability, as it is treated in the Government's cost/benefit calculations.

Why protect our coast? Sea levels in the east and south are rising, as a result of the tilting British land mass, and of climate change. Why should the British taxpayer be expected to pay to try to do what Canute showed could not be done?

- Once coastline is lost, it is unlikely ever to be recovered, and at the pace that sea level is rising, practical defensive action taken now may be capable of protecting coastal land for up to 100 years to come.

- Action now means less need for dramatic action later – it is sensible to make a "stitch in time" now (although the effect of the Treasury's current cost/benefit formula is to do the opposite, by undervaluing the long-term benefits in relation to the upfront costs).

- It is a fallacy to assume that sacrificing agricultural land in order to concentrate spending on defending towns or to promote habitat will meet the needs either of local inhabitants or the environment. From a purely engineering point of view, such action may eventually raise the difficulty and cost of defending coastal settlements – leaving many protected areas on difficult to defend promontories. Secondly, once maintenance of sea defences is reduced, the resulting blight extends beyond agriculture to local businesses and properties. Conversely, where such defences are maintained, the benefits are felt in re-investment in other property and revitalisation of local communities and economies. Moreover, unmanaged breaches of sea defences do **not** create valuable new habitats, and managed realignment works only do where there is sustained and often costly effort put into environmental land management. This can happen only in certain locations and with the agreement and commitment of the landowners. Even then it can be sustained only where there is an economic use for the land. So action to defend built up areas must be coherent and embrace agricultural or other sparsely populated coastlines too.

- An alternative to hard defences, in those places where such defences may no longer be the best engineering solution is not inaction, but the development of "soft defences", such as beach re-charging and/or reefs, to stabilise the coast. Other countries, such as the Netherlands, do it.

- Coastal management involves much more than flood defence alone. There are a range of issues to be considered as part of proper integrated coastal zone management involving a wider range of public and private partners.

The CLA alternative 10 point plan for flood and coastal defence

- **1. Government should match its commitment to flood and coastal defence to the need.** The Defra-commissioned and objective Foresight report in 2004 showed the need to increase our commitment over time to defence, and that this cannot be avoided. Indeed, to seek to avoid costs now will lead to greater costs later.

  Compared with public expenditure as a whole, **current spending on flood and coastal defence is modest, equivalent to less than 3 days' spending on the NHS, or one twentieth of 1 per cent of UK GDP** – in order to retain the integrity of our country and to insure against the need for our land to be available should climate change require the UK to increase its future food production to feed rising global demand as is increasingly viewed as likely.

  Defences should be maintained on a regular basis rather than allowing standards to fall. Once the scope for practical and managed alternatives to existing defences has been fully explored, through shoreline management plans and catchment defence management plans, expenditure decisions can be reviewed, if necessary upwards. These plans should heed the views of local businesses and communities.

  Enhancing the flood defence budget using regeneration or business finance should to be fully exploited. Self help schemes – by individual landowners or communities should be encouraged.

- **2. Maintenance is as important as capital works.** Recently introduced outcome measures and prioritisation methodology, together with the introduction of block grant, should help but the Environment Agency still tends to think in terms of capital schemes rather than maintenance. .

- **3. Government should review its formulae for calculating cost/benefit.** In simple terms, the effect of the discount rate used by the Government is to understate the early benefits of taking action. As a result many schemes that would maintain sea defences in the face of sea level rise expected over up to 100 years fail. The effect is akin to deciding not to replace a leaky roof until the saturated ceiling falls in, because the benefits of mending the roof are invisible for a long time compared to the upfront cost**.** A "stitch in time" approach is needed.

- **4. People and property should be given as much consideration as birds.** The Habitat Regulations demand that designated environments need to be protected, almost regardless of cost – or where technically not possible then funds are needed to recreate the habitat elsewhere. This prevents a truly holistic approach to analysing flood defence spending. Defra's formulae for prioritising possible projects should have full regard to the need to safeguard rural communities and businesses and associated infrastructure. In addition, consideration should be given to creating a ring fenced fund for flood protection in rural areas, taking account of rural areas' contribution to the economy (30%), land mass (80%) and population (23%). In any case landowner contributions to the costs of defences should be taken into account in the prioritisation of schemes (this would be easier to do in the context of a ring fenced rural fund). Heritage should have equal protection with habitat.

- **5. Shoreline Management Plans (SMPs) and Catchment Flood Management Plans (CFMPs)** should take account of the whole coastal zone or catchment and should heed the needs of local businesses and communities. Decisions following SMPs or CFMPs, or otherwise, should recognise that **agriculture and other land based businesses, rural tourism, heritage, environmental stewardship, the local economy, infrastructure and the future of coastal or riparian towns or cities are inextricably linked.** The success of these towns, cities and local economies depends on the sound management of the land, including against flooding or coastal erosion, that surrounds (or partly surrounds) them. Sacrificing agricultural land to focus resources on defending a town or a particular habitat is rarely justified; it will be counter productive, because as the land is blighted so too is the underpinning for other businesses, tourism and environmental land management.

- **6. Defra and the EA should adopt "soft defence" techniques for coastal defence such as beach re-charging and reefs.** The beneficial effects of such defence can be seen at such places as Sea Palling in Norfolk, where there has been confidence to invest in local businesses and tourism, and compared to other places where defences have been abandoned, such as Happisburgh, where businesses and property have been blighted. The Netherlands uses up to 9 million tonnes of sand per year for re-charging compared to 2 million tonnes in the UK – some of that sand for Holland having been bought from dredging off the coast of the UK!

- **7. Landowners should have the right to maintain their own sea walls and fluvial defences with a simple and free process of consent**. Where doing so would have an adverse effect on the wider population or environment the refusal of consent should be accompanied by compensation for losses sustained by the landowner.

- **8. Managed realignment of coasts and other voluntary agreements,** for example with landowners to use their land for managed flooding – "wash lands" – or to reduce run off in the uplands, can be the right approach **if** they are planned in a holistic manner, designed with a primary flood management purpose, with fair payments to owners for the change in use of their land, and are made with the voluntary agreement of the owner. These agreements could be part of Environmental Stewardship, voluntary buy-out schemes or dedicated flood defence expenditure. If land is used for limited duration agreements, it should not then be given a designation, such as an SSSI, which ties up its long term use, with possible implications for its income earning potential and value.

- **9. CLA supports the transfer of overall responsibility for all flood and erosion defence on coasts to the Environment Agency,** with the proviso that the EA should be fully accountable and required to engage actively with and heed the views of landowners, other businesses and the public living in the area. The reinstatement of local flood defence committees rather than regional flood defence committees is desirable in ensuring proper local representation and understanding.

- **10. The planning system should support the Government's strategy.** CLA supports :

  - The revised PPG 25, with call in powers for the Secretary of State where developments are given consent in a flood or coastal erosion risk area
  - Local Planning Authorities to make full use of Section 106 agreements, to ensure flood defence problems caused by new developments are resolved and funded by individual developments
  - Regional Spatial Strategies and Local Development Frameworks to be required to include flood risk assessments
  - Any new flood plain development charge to be payable only by new developments, not by the businesses and other properties that were already there, often before more recent developments raised the risk of flood by increasing hard surfaces and run off in the area
  - PPG25 to provide clear guidance on mitigation measures which must be proportionate to the size of the proposed development

The CLA feels that a revision of the current Severn SMP objectives and proposed policies based on our comments set out above would provide a more sustainable long term plan for the Severn Estuary.

Country Land and Business Association
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