**Essex Coastal Forum meeting – Meeting Notes**

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| **Date:** | 7th November 2019 | |
| **Time:** | 2 - 4 pm | |
| **Venue:** | Committee Room 1, County Hall, Chelmsford CM1 1QH | |
| **Chairman:** | Cllr Simon Walsh (SW) Essex County Council (ECC) | |
| **Attendees:**  **In attendance:** | Tom Pavitt (TP)  Mark Johnson (MJ)  Andy Millar (AM)  Roy Read (RR)  Shirley Anglin (SA)  Cllr John Aldridge (JA)  Cllr Mike Steptoe (MS)  Cllr Arthur Williams (AW)  Cllr Mark Durham (MD)  Cllr Mike Mackrory (MM)  Catherine Bailey (CB)  Andrew St Joseph (ASJ)  Kieren Alexander (KA)  Matt Wilson (MW)  James Ennos (JE)  Catherine Robaldo (CB)  Rebecca Bromley (RB)  Nicky Spurr (NS)  Peter Riches (PR)  John Brien (JB)  Roger Lankester (RL)  Keith Ager (KA)  Paul White (PW) | Marine Management Organisation (MMO)  Environment Agency  Natural England (NE)  Essex Highways (EH)  Essex Highways – part of meeting  ECC Regional Flood and Coastal Committee  ECC Regional Flood and Coastal Committee  Rochford District Council (RDC)  Maldon District Council (MDC)  Chelmsford City Council (CC/c)  Colchester Borough Council (CBC)  Essex Coast Organisation (ECO)  Royal Society for the Protection of Birds (RSPB)  Maldon District Council (MDC)  Tendring District Council (TDC)  EA Thames Estuary 2100  Anglian Water (AW)  Essex County Council  The Crown Estate  Harwich Haven Authority  Tollesbury Parish Council  Hullbridge Parish Council  Hullbridge Parish Council |

1. **Welcome, introductions and apologies**

Attendees welcomed to the meeting and introductions made. Apologies received to be circulated with the minutes of the meeting.

**Post Meeting note** : the following apologies had been received – Trudie Bragg (Castle Point BC), Belinda Colliss (Historic England), John Lindsay (EA), Mark Nowers (RSPB), Cllr Ron Woodley (Southend Council).

SW agreed to an additional agenda item for TP to provide an update re Marine Management Organisation workstreams.

1. **Minutes and Matters Arising**

RL : page 1 – re matters arising from Mar 2019 meeting – in addition to the value of hedges for biodiversity, RL considered borrow dykes to also have key importance for birds and insects.

ASJ : page 3, para 2 re RAMS and habitat creation : ASJ asked for clarity over the potential for RAMS to result in habitat creation.

**Action : SP to provide some further information relating to RAMS and habitat creation**

**Post meeting note** : SP advised that RAMS was still at a very early stage in starting to deliver the mitigation measures so no projects have been worked up as yet.

The partner Local Planning Authorities are only just starting to collect funds with the first priority to appoint the delivery officer.  Once the level of available funding is clearer the Steering Group will start programming mitigation projects, at which stage a technical group (mainly containing ecologists and site managers) will be needed to help advise on priorities.  It might be that some larger habitat creation will be achieved through other Habitat Regulations mitigation required for larger schemes.

ASJ : the Bird Aware website included a photo of cyclists on the sea wall, and as the Coast Path is for access by foot, suggested this photo should be changed.

**Action NS : Liaise with the Recreational Avoidance and Mitigation Strategy (RAMS) officers to seek to get the cycling photo changed.**

**Post Meeting Note : picture online has been replaced.**

RL : page 4 re HMS Beagle – RL highlighted a full size replica of HMS Beagle exists in Chile. Cllr Steptoe thanked RL and advised that RDC were already aware of the replica’s existence.

Subject to any changes required from above, the minutes were approved.

1. **Terms of Reference Update**

Following the action at the last meeting, NS had worked with Steve Plumb (Thurrock Council / RAMS Steering Group) to draft revised Terms of Reference for the Essex Coastal Forum to incorporate governance for the RAMS. These were considered by the Forum and adopted.

1. **The Work of the Crown Estate – Peter Riches**

Peter is the coastal agent for The Crown Estate for Essex, Suffolk, Norfolk and the Thames Estuary up to Hampton Court.

**Action : NS to make a scaled version of Peter’s presentation available to Members.**

**Post Meeting Note :** this was sent out to Members alongside the minutes of the meeting.

The Crown Estate is regulated by an Act of Parliament with 100% of profits returned to General Fund of HM Treasury. Its portfolio includes almost all UK territorial sea out to 12 nautical miles and approx. 50% of foreshore and tidal inshore waters as well as substantial property portfolio on land.

The Coastal Estate enters into agreements with interested parties for the occupation of Crown Land to enable range of activity to take place in the coastal zone including port development, moorings, reclamation, wildfowling etc.

Coastal Erosion and Coast Protection : The Crown Estate is not a Coastal Protection Authority and has no statutory role to play re coast protection. Their involvement is instead as that of a landowner, facilitating others to undertake activity on their land, with the ability to charge for certain activities.

One example provided was in Hopton (Norfolk) where a caravan park owner was concerned re loss of beach / cliffs which could affect his operational business. For 2nd case in the UK, he was consented to undertake a private coast protection scheme with creation of 10 rock groynes. As his venture was purely a commercial scheme to protect private businesses, he was required to pay rent to the Crown Estate for the area of beach required for the establishment of the rock groynes. The Crown Estate has engaged in many other schemes including the Clacton to Holland on Sea Scheme, where no charges have been made due to the scheme’s focus being on public benefit.

Offshore Wind : Much happening off the East Anglian coast now and in the future.

Offshore aggregates – a number of sites exist (mainly for sand and gravel for construction) off the east coast of Lowestoft / Gt Yarmouth.

**Questions**

ASJ : how are charges determined when the foreshore boundary becomes saltmarsh e.g. Deben Estuary Partnership has tried to retain saltmarsh by putting poles in? PR responded that the Deben Estuary projects, have generally occurred in areas already leased to others and hence the Crown Estate would not get involved.

If schemes are undertaken for community benefit, habitat creation and / or protection then these are generally permitted without charge, although sometimes written consent is required. Examples involving recharge can be more difficult e.g. Mersea Harbour protection scheme is not being charged although it is acknowledged that the scheme will result in some (but difficult to quantify) commercial benefits.

JA : As Mean High Water keeps moving, does this cause conflict? PR advised that if the changes are through natural processes then the Crown Estate’s boundary would move inland accordingly. At Bacton (Norfolk) sandscaping scheme where dry land has been created through the deliberate placement of material on top of Crown Estate assets – in this circumstance the land hasn’t ceased to be Crown Estate land. PR also advised that if excavations have been undertaken to artificially create something then the Crown Estate wouldn’t claim the additional intertidal area which had been created.

AM : Although recognised that The Crown Estate is not a conservation body per se, was it a Section 28 public body under the CROW Act 2000 as if yes, this would mean that it had a duty to further the conservation of Sites of Special Scientific Interest. PR said that yes, this was his understanding. AM felt that this could be a useful hook for The Crown Estate to support beneficial sediment use on intertidal SSSIs to help saltmarsh restoration.

ASJ : is there a different view regarding changes to the line of the defence made through managed realignment to those resulting from the abandonment? PR : the Crown Estate register up to the seawall and if the seawall is breached through managed realignment then the boundary wouldn’t move, but if the boundary becomes naturally tidal then it would move inland accordingly.

PW (Hullbridge PC) : Asked for clarification over a point made by PR in his presentation that the Crouch Harbour Authority comes under the remit of ECC and asked whether ECC would therefore be responsible for any erosion on the River Crouch. PR responded that he wouldn’t say that would be the case.

RL : thanked PR, on behalf of Tollesbury Parish Council, for his handling of their fairway issues, and the provision of information.

1. **Harwich Haven Authority and Capital Dredge Update – John Brien**

**Action : NS to make John’s presentation available to Members.**

Harwich Haven Authority (HHA) is a statutory harbour authority and trust port. It includes the ports of Ipswich, Harwich and Felixstowe. A number of functions are provided including a vessel traffic service and pilotage service. They are responsible for all activities that occur on the water and are funded by costs placed on the ships.

HHA is seeking to improve the maritime connection through deepening the existing 16 mile long deep water access channel to either 15.5m or 16m below Chart Datum through a capital dredge which has been planned for a long time. The increased depth would allow a significant increase in the operating tidal window for a wide variety of ships.

Many investigations have already been undertaken including to determine the nature of the material in different locations and at different depths. The results show that the majority of the material that will be dredged will be of a very heavy clay type with an estimated 2 - 3 million m3 of material likely to be forthcoming which will be suitable for beneficial use (sand and gravel). Anything deemed not to be useful will go to the Inner Gabbard Gap disposal site (something that the fishermen are comfortable with). A dredge surcharge (of 30% of their existing fees) has been introduced for the vessels using the harbour to fund the dredge.

An application for MMO consent was submitted in August 2019 and is subject to a 42 day consultation ending on 2nd December 2019. MMO consent might be obtained as early as March 2020 although it could be later than this dependent on whether significant issues are raised.

An Environmental Statement has been produced which exceeds 2000 pages, together with a Non Technical Summary.

HHA is aware of some local schemes looking to use some of the dredged material for beneficial use (BU) purposes including one by Mersea Harbour Protection Trust which already has consent and EA approval for a funding allocation (looking to repeat works undertaken in 2000). The RSPB are also interested in a scheme for Horsey Island.

It is anticipated that the dredge will be completed in 2022 (Spring completion for a 15.5m dredge and later in the year for a 16m dredge).

**Questions**

MJ : How much flexibility is there for the scheduling of the specific schemes for beneficial use? JB : There would be a degree of flexibility but it wasn’t envisaged the scheme would be brought forward.

PR : commented that the disposal to Gabbard East (22 miles to the East) is a substantial distance away and asked why a nearer licenced site nearer couldn’t be used. JB explained that a nearer site is able to be used for the disposal of maintenance material due to its more dispersive nature but the nature of the capital dredge material meant this site wasn’t viable.

Regarding any fees to The Crown Estate, JB advised that HHA were not occupying the seabed but were interfering with it. If a commercial advantage was to be achieved by HHA, then the Crown Estate would have been looking for payments to be made, but as HHA is not profit making it would be very difficult to determine who would be the beneficiaries and what the charges would be, and hence the Crown Estate were not making charges.

AM : have potential BU discussions happened individually or together? JB advised that individual discussions had taken place with many different interested parties.

AM commented that the harder geological nature of the clay would not be suitable for saltmarsh creation / regeneration. JB commented that if NE have projects that could use maintenance silt, then HHA would be open to suggestions in the future.

ASJ : felt the bathymetry would be significantly affected and questioned what the cost would be to Mersea Harbour for getting material? JB : once the different beneficial use proposals had been scoped, they could be included in the contractors quotes, enabling the cost differential between taking the material to the original site vs the cost of transporting to the different beneficial use schemes could be determined. HHA would then be seeking the additional ‘overcost’ to be paid for by the ‘receiver’. It is estimated that this could be in the region of £2-3 per m3.

Some other potential beneficial use projects were mentioned including for the Dengie peninsular, and also the River Crouch where there were considered to be some distinct cells where material could be beneficial. These were both thought of as potential considerations for future maintenance dredged material.

JB : Alignment of material with projects is difficult. In 2000 a number of projects had been already scoped and ‘sitting on the shelf’, but JB recognised that EA haven’t had the opportunity/resources to have a similar suite of projects lined up this time.

1. **Environment Agency updates – Mark Johnson**

**Essex**

Shoreline Management Plan (SMP) refresh taking place for 20 SMPs nationally. Not a 3rd generation of SMP but to check they remain current and to see if they can be made more accessible. The process does not involve policy changes which, if needed, should be made by the agreed route (SMP Working Group and ECF).

Southend Strategy has finally been recommended for approval which effectively gives the green light for projects including at Shoebury Common.

**Works and planned works**

Stansgate : project complete following collaborative work with Wallasea Farms.

Planned and future works at Seawick and Cockett Wick – underway but having to work hard to secure the funding.

Mersea Harbour Scheme : EA have given approval using Essex Local Levy funding.

EA have renewed the contract with the Essex Coast Organisation to allow small scale works to be undertaken and costs to be reimbursed to the landowners.

ASJ : provided an example of a successful minor repair following a 0.5m surge, which had resulted in a partial breach of the sea defence. Within 5 days, the EA had confirmed they were happy with emergency repair to proceed and the works had been completed. ASJ had some concerns re coastal access projects, that are supported in principle, but questioned how the Coast Path could develop a funding stream to enable minor works to ensure path is worthy of National Trail status.

He had concerns regarding the impact of increased levels of foot traffic and the risk of overtopping and felt surface improvements should be considered (if necessary, hardened). ASJ advised that landowners would be able to do this work which was of interest to SA (Essex Highways).

**Action :** ASJ and SA to discuss the potential role of landowners in undertaking Coast Path surface improvements / maintenance.

Thames Estuary

Business case approved for refurbishment to the Canvey southern shoreline, with detailed design over the next 12 months. Business case for rebuild of Worlds End Pumping station also approved and moving to detailed design. Thames Estuary 2100 (TE2100) looking at 100 year strategic management of the Thames, working in collaboration with councils and led by EA. Actions are being assigned to range of councils / partners. MJ and Simon Hawkins (EA Area Director) will be meeting relevant organisations that have a role in Flood and Coastal Erosion Risk Management to make them aware of the strategic approach and their role in this.

RL : when the refresh is undertaken, will the Marine Policy Statement (MPS) and its priorities be taken into account as the MPS happened after the last SMP produced. TP responded that he regularly meets with the TE2100 team to ensure the tie in between the 2 Plans.

KA was concerned re a situation at Hullbridge following works undertaken 2 years ago. MJ agreed to get an EA colleague to contact KA to update him on the situation.

**Action :** MJ to get relevant EA rep to contact KA with an update re Hullbridge.

1. **Natural England Updates – Andy Millar, Natural England**

* Bradwell B (proposed new Nuclear Power Station build) is a major piece of casework. There are significant environmental risks attached to this that need to be considered but also potential environmental benefits from Net Gain if well managed.
* Lower Thames Crossing which will be environmentally complex to deliver and may require habitat mitigation and potential Net Gain.
* Essex ‘RAMS’ (Recreational Avoidance Mitigation Scheme) for birds
* Adaptive coast protection ideas including for Walton’s Naze corner and Shoeburyness.
* The recent breach of the seawall Coalhouse Fort near Tilbury, has potential implications for the route of the England Coast Path, is close to one of the corridors for the proposed Lower Thames Crossing, and will require a discussion with EA and landowners about whether to repair the wall or not. Depending on the outcome of that there may be habitat creation opportunities.
* England Coast Path
  + Tilbury to Southend – had intended to publish in January, but due to Tilbury overtopping there are likely to be delays.
  + Wallasea to Burnham on Crouch – running slightly behind schedule with an anticipated publication date of mid December... not anticipating any show stoppers.
  + Maldon to Salcott - awaiting establishment grant application from Essex Highways
  + Salcott to Jaywick – delays due to the Sweetman / People over Wind cases, HRA being undertaken with anticipated publication in Jan 2020.
  + Southend to Wallasea - published and open to objections until December (timeframe unaffected by Purdah for forthcoming election).
  + Mersea – report was published June but dependent on HRA and Secretary of State approval

JA : Ownership of the land doesn’t change once it’s been designated as Coast Path, but who has responsibility for maintaining access? AM advised that Coast Path maintenance will fall to ECC (together with grant from NE). Essex Highways are working with NE to determine the routes for the gaps where there aren’t existing Public Rights of Way - new sections of Coast Path not previously public rights of way will have a low level of occupier liability, similar to open access land regulations.

ASJ : Increased use of the path for walking will result in a higher level of maintenance being required and questioned how this could be funded – his understanding was that NE would pay 75% and ECC to pay 25% - was this correct?

SA - understands funding will come through central government as with other national trails. A complex formula exists regarding how the funding is calculated which considers overtopping of seawalls, length of public right of way etc. She highlighted that there is a current debate re future funding.

A National Trail Partnership will be established, with responsibility for the management of the Coast Path to ensure National Trail Quality Standards are maintained. The Quality Standards are underpinned by management principles relating to experience, enhancement, engagement and economy (The 4 E’s). The National Trail Partnership will determine how funding is spent.

ASJ : landowners have a partnership with the Environment Agency regarding undertaking minor works to repair sea defences. He felt that a similar partnership could exist to facilitate quick simple repairs to the surface of the Coast Path to avoid any dropping of the surface which might result in an increased risk of breach. SA was positive about exploring such a proposal further.

Action : ASJ and SA to liaise to explore how landowner maintenance of the surface of the coast path could work in practice.

1. **Marine Management Organisation update – Tom Pavitt**

The draft South East Marine Plan has been submitted to Defra and the Secretary of State to review it, with the expectation the draft plan statutory 12 week consultation will open next year.

* Explore Marine Plans has been launched. Explore Marine Plans replaces the previous Marine Information System (MIS), delivering improved functionality for the user including spatially integrated Marine Plan policies, relevant data layers and Marine Licensing information. [MMO press release](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmarinedevelopments.blog.gov.uk%2F2019%2F11%2F04%2Fexplore-marine-plans-digital-service%2F&data=02%7C01%7C%7Cfc3984a01618466363ba08d76684c9ab%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C637090592814834941&sdata=pwPpqJWXm2RDrwRSC95J%2B7q%2F5i%2B68IaeL%2FzgCnsc31Q%3D&reserved=0)
* Harwich capital dredge open for MMO public consultation (MLA/2019/00371). Public register can be found [here](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmarinelicensing.marinemanagement.org.uk%2Fmmofox5%2Ffox%2Flive%2FMMO_PUBLIC_REGISTER%2F&data=02%7C01%7C%7Cfc3984a01618466363ba08d76684c9ab%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C637090592814834941&sdata=668dYAJc9CUWF4lWBBZVGpUAFG1Kc%2BVBrpiVZDBC2L4%3D&reserved=0), closes 1st December.
* Maritime fisheries fund as opposed to European maritime fisheries fun is launched. The new £15.4 million funding scheme is for the English fishing industry. [MMO press release](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fnews%2Fmarine-management-organiation-mmo-to-administer-new-154-million-funding-scheme-for-english-fishing-industry&data=02%7C01%7C%7Cfc3984a01618466363ba08d76684c9ab%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C637090592814844892&sdata=xaIWpjzMKR6%2BXel%2BcXHL2EvPYDFq9CFoZ1cMFNAFSYQ%3D&reserved=0)
* The Marine Management Organisation (MMO) has published its annual UK Sea Fisheries [Statistics](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fnews%2Ffishing-industry-in-2018-statistics-published&data=02%7C01%7C%7Cfc3984a01618466363ba08d76684c9ab%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C637090592814844892&sdata=eiBcQGdmmf7Z1c22gVesrDec%2FRvtHJt43yzD5mqrnsQ%3D&reserved=0) 2018.

1. **Items to be Noted – Nicky Spurr / all**

The following updates had been circulated prior to the meeting;

* Essex Path to Prosperity (CCF funded) Project
* Coastal Community Teams had been circulated prior to the meeting.

NS advised of 2 new jobs advertised by Natural England relating to the LIFE Recreation ReMEDIES initiative - Project Manager and Finance Officer which will focus on Restoring and Mitigating Erosion and Disturbance Impacts affecting the Seabed for 5 Special Areas of Conservation (including the Essex Estuaries SAC).

ECC had supported 2 applications for NERC funding under the Highlight Topic for The Impact of Legacy Waste in the Coastal Zone but had recently heard that neither had been successful, and we have learned also, that no proposals were successful for this Highlight Topic.

1. **AOB & Date and Venue of Next Meeting**

James Ennos provided a further update re the Jaywick Sands CCT that Homes England have approved the first stage of the Jaywick Sands Small Sites Fund bid which means that Homes England now have funding to appoint valuation consultants, technical consultants and lawyers who will provide the necessary reports that they will need to support the final bid approval paper. This is an important step towards securing funding for the project.

The date and venue of the next meeting had not been determined but would be towards end of February or early March 2020 at County Hall, Chelmsford. Details would be circulated with the minutes of the meeting.

**Date and Venue of Next Meeting :** confirmed after the meeting as follows

2-4pm on 9th March in Committee Room 1, County Hall, Chelmsford CM1 1QH