

EXTRACT MINUTE – CABINET, 11 MARCH 2014

7. SCARBOROUGH SPA OPTIONS APPRAISAL AND PROJECT APPRAISAL REPORT

The Cabinet considered a report by the Chief Executive (Reference 14/52) which presented the findings of the draft Project Appraisal Report (PAR) for the Scarborough Spa coastal defence and cliff stabilisation scheme, the estimated cost of the project based on the PAR, together with a recommended action plan. In respect of the scheme, Mr Steve Crawford was invited to put the public question he had submitted, to which the Cabinet Member for Harbours, Assets, Coast and Flood Protection, Councillor Cockerill duly responded. The question and response are set out below.

‘Bearing in mind that South Bay is one of the safest beaches in the UK, has an excellent safety record for water users and that surfing and other water sports are vital, growing forms of sustainable tourism, can the Council assure me that the proposed defences are the safest alternative available and will cause no significant hazard to these pursuits?’

Thank you for your question and interest in this matter.

The Council fully appreciates the role that surfing and other water sports play in sustainable tourism and appreciates the work undertaken by those in this area to further the reputation of the Borough as one of the UK’s leading holiday resorts.

It is important to note that at this stage, the increase in the cost of the proposed works and subsequent issues around affordability means that there is no immediate plan to implement the proposed defences. In addition, the project has yet to receive technical approval from the Environment Agency and the scheme remains subject to change. It is therefore difficult to provide an exhaustive response to this question at this time. However I would like to highlight the following points:

- The scheme referred to in the Project Appraisal Report aims to manage all the risks under review. No one risk can be looked at in isolation. Wave overtopping at the Spa presents one risk to members of the public who may be unaware of its dangers and therefore be unable to properly assess the risk of walking along the Spa promenade in high seas.
- Surfing is an inherently dangerous activity despite all that is undertaken to mitigate the risks involved. I am informed by regular surfers that the ever changing conditions present on a beach and in the sea, mean that they are used to carrying out their own dynamic risk self-assessments before entering the sea. I would expect such diligence to continue no matter what solution is finally implemented. To this end, surfers would need to exercise their own judgement as to the safety of conditions as they currently do in relation to the risks created by the existing vertical seawall.

- The North Bay has rock armour and is a more popular surfing beach and we are unaware of any major incidents there to date.
- Under the current proposed scheme access to the beach would not be reduced. There will still be three access points through the rock (one at either end, and one opposite the cliff lift)
- Safety notices could be incorporated within any scheme to highlight risks to surfers. Continuing education through local media and local surf schools/shops would also help increase safety awareness amongst the surfing community.

Whilst I welcome the opportunity to emphasise the points referred to above, I need to emphasise that Mr Carwford has referred to the proposed defences as they are currently drawn. As noted in the Cabinet report, this scheme in its current incarnation is unaffordable to the Council. Whilst the Council works with its partners to consider the future of the scheme, we will continue to explore every possibility for delivering the outcomes necessary which may well lead to changes in the proposed defences. This scheme will not stand still and I look forward to engaging further with the public and interested stakeholders in the future.'

In introducing the report, Councillor Cockerill noted its far reaching consequences, the history of the preferred scheme comprising rock armour, wave return wall and slope stabilisation works which had been the subject of the PAR, but critically the findings of the additional and far more extensive ground investigation works completed last year. These investigations and the subsequent slope stability analysis had determined that the cliff stabilisation measures needed to be much more extensive than previously envisaged, with a requirement for a wider and deeper array of piles, longer soil nails, more ground anchors and more planting and landscaping. As a result of these findings, the costs had increased to a total of £24.153m. Also of critical importance, was the change in funding arrangements for coastal defence works since the preferred strategic solution was selected in 2009. Previously, such schemes would have usually been eligible for 100% grant aid by DEFRA, supplemented by Supported Capital Expenditure Revenue if less than 100%; now DEFRA had adopted a 'Partnership Approach' to funding, whereby DEFRA monies had to be supplemented by contributions from 'beneficiaries' of schemes which had a low overall benefit. In the case of the Scarborough Spa scheme, of the £24.153m total, £12.7m was required from beneficiaries, principally the Borough Council. This had rendered the scheme in its current form unaffordable. Councillor Cockerill acknowledged the opposition there had been in some quarters to the rock armour, but there had been no viable alternative put forward as a solution to the problems of increased sea levels and climate change over the next 100 years. Given the financial shortfall, the Council had no choice but to alter its approach to addressing the ongoing risks of the condition of the seawall, wave overtopping and slope instability (the latter now identified as a priority for action). This would be by engaging with local MPs and Government departments to refer

the project to an alternative Risk Management Authority, including an option for the phased implementation of works, and by the Council developing a risk management plan in respect of over-topping and cliff instability. However, Councillor Cockerill did highlight his concerns that by achieving a transfer of responsibility to a different agency – the Environment Agency or the County Council – the Borough Council did not lose some input into the project, given the wealth of experience and knowledge within the authority. The Chairman of the Environment and Economy Scrutiny Committee, Councillor Allanson was then invited to comment on the report. He noted the opposition over ten years ago to the rock armour on the Marine Drive which had since proved a very successful scheme. He shared others' concerns about the change in the Government's approach to funding coastal protection works, in particular the impact on small district councils, and undertook to raise the matter at the Local Government Association Coastal Issues Group's annual conference in Scarborough. Councillor Allanson also referred to the potential for funding support from the European Union, given the Council's previous involvement in the European coastal LIFE project. Members were in support of the pragmatic way forward recommended in the report, but were concerned that sufficient arrangements were in place to monitor a situation which if allowed to deteriorate, could have enormous consequences, not only for the Spa, but for the wider South Cliff area, and the local visitor economy. The Council's Projects Manager, Mr Bourne assured Members that a robust monitoring regime was already in place including a twice yearly inspection of the sea wall, and weekly monitoring of the Spa cliffs, supporting a dynamic ongoing risk assessment. Invited to comment on the report and debate, Mr Crawford commended the report's thoroughness, but noted the issues and risks rock armour posed to water users including surfers, as evidenced by rescues on the North Bay, and that in developing a sustainable and sensible solution to protecting the coast, the Council needed to take account of these issues and risks. In summing up, the Chairman noted that all funding avenues would be explored to progress the scheme, and that there would be full public consultation as the options developed. In terms of a timetable, Mr Bourne undertook to report back with an update in three months' time.

RESOLVED that the Cabinet make the following recommendations to full Council:

- i) note the recommendation from the S151 officer that the scheme is unaffordable;
- ii) advise the Environment Agency that the full implementation of the proposals is unaffordable for the Council and resolve to instruct officers to engage with local Members of Parliament and Government departments to consider the future of coast protection works within the Borough with a view to referring the issue to an alternative Risk Management Authority, being either the Environment Agency or North Yorkshire County Council for their consideration, including an option for phased implementation of works.

- iii) note that in order to comply with the grant funding conditions already entered into by the Council, the Council is required to submit the completed study to the Environment Agency. Cabinet is therefore recommended to agree to submit this to the Environment Agency Large Projects Review Group for their Technical Approval. Members are asked to note that this submission or any subsequent approval in no way commits the Council to implement or fund the proposals;
- iv) note the risks identified to persons and property from over-topping and cliff instability and instruct officers to develop a risk management plan to be brought back to Cabinet for consideration.

Reasons

To address the identified problems within the Spa area.