

COAST PROTECTION POLICY

1.0 EXECUTIVE SUMMARY

The Coast Protection Act 1949 ('the Act') defines the Council as the Coast Protection Authority for Argyll and Bute and sets out the Authority's powers in relation to the protection of the Coast. The Council currently does not have any formal policy in place relating to the Act.

The attached policy document covers: Outline Coast Protection Principles, Management Arrangements and sets out how Priorities will be set in terms of allocating resources. Information is provided in respect of other matters pertaining to the coast such as litter clearance and the disposal of carcasses of cetaceans stranded on the shore.

This draft policy document is effectively formalising custom and practice historically carried out by the Council.

Members are asked to:

- Note and endorse the report.
- Approve that the Coast Protection Policy be taken to the Policy and Resources Committee for approval as Council policy.

COAST PROTECTION POLICY

2.0 SUMMARY

- 2.1 The attached policy document covers: Outline Coast Protection Principles, Management Arrangements and sets out how Priorities will be set in terms of allocating resources.

3.0 RECOMMENDATIONS

- 3.1 Members are asked to:

- Note and endorse the report.
- Approve that the Coast Protection Policy be taken to the Policy and Resources Committee for approval as Council policy.

4.0 DETAILS

- 4.1 The Coast Protection Act 1949 ('the Act') defines the Council as the Coast Protection Authority for Argyll and Bute and sets out the Authority's powers in relation to the protection of the Coast.
- 4.2 Section 4 of the Act provides that 'a coast protection authority shall have power to carry out such coast protection work, whether within or outside their area, as may appear to them to be necessary or expedient for the protection of any land in their area.' There are no duties placed upon the Council as the Coast Protection Authority by the Act. The length of coast includes all land bounded by the sea in Argyll and Bute extending to Craighendran Pier in the Firth of Clyde. Certain stretches of tidal waters are excluded, for reasons which are not explained in the Act. The River Clyde is excluded, above a line drawn from the seaward or western end of the Princes Pier, Greenock, to the seaward end of Craighendran Pier and as such, there is no Coast Protection Authority for the stretch of coast upstream of Craighendran Pier.
- 4.3 The Council has a duty to maintain roads entered on the list of public roads as the Roads Authority under the Roads (Scotland) Act 1984. Works undertaken to protect public roads against erosion and encroachment by the sea may be carried out by the Council acting as the Roads Authority or Coast Protection Authority.

- 4.4 It is the aim of Argyll and Bute Council to provide a service with respect of the above that will provide protection of the coastline within the budget allocated in accordance with the priorities of the policy outlined in this document.
- 4.5 Responsibility for management and prevention of erosion rests with the landowner of the land concerned. By necessity the Council's priority for spending will be to protect roads and infrastructure in its ownership/control.
- 4.6 The attached policy document covers: Outline Coast Protection Principles, Management Arrangements and sets out how Priorities will be set in terms of allocating resources. Information is provided in respect of other matters pertaining to the coast such as litter clearance and the disposal of carcasses of cetaceans stranded on the shore.

5.0 CONCLUSION

- 5.1 The attached policy document covers: Outline Coast Protection Principles, Management Arrangements and sets out how Priorities will be set in terms of allocating resources. This draft policy document is effectively formalising custom and practice historically carried out by the Council.

6.0 IMPLICATIONS

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| 6.1 | Policy | Document proposes a policy for coast protection |
| 6.2 | Financial | The Policy sets out how available resources will be prioritised |
| 6.3 | Legal | Policy is based on legislation |
| 6.4 | HR | None |
| 6.5 | Equalities | None |
| 6.6 | Risk | There are significant risks to the Council in terms of the condition of the coast protection infrastructure. |
| 6.7 | Customer Services | None |

**Executive Director of Development and Infrastructure
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APPENDICES

Appendix 1 – Coast Protection Policy and Strategy