

1. Introduction

- 1.1. The Coast Protection Act 1949 defines coast protection work as - “any work of construction, alteration, improvement, repair, maintenance, demolition or removal for the purpose of the protection of any land and includes the sowing or planting of vegetation for the said purpose”.
- 1.2. The Highland Council is the Coast Protection Authority, in terms of The Coast Protection Act 1949.
- 1.3. This Policy confirms the Council’s obligations for maintenance of existing works of coast protection, and states the circumstances under which the Council will consider the provision of new coast protection measures, within the limited resources available. However, each individual case will be determined according to its particular circumstances.
- 1.4. Where formula based contributions are indicated, these will be applied on the basis that they will not result in a contribution greater than that provided for by the Coast Protection Act 1949.

2. Multi-Agency/Partnership Working

- 2.1 The Council will work in partnership with other agencies and contribute technical advice as well as facilitating funding opportunities. Such an approach would provide a multi-agency strategy and solutions for improving coast protection measures which the Council on its own cannot provide.

3. Maintenance

- 3.1 Except as described in 3.2 and 3.3 below, the Council will maintain only those measures which were constructed by the Highland Council, or by previous coast protection authorities, as formal coast protection schemes.
- 3.2 The Council will not normally maintain formal coast protection schemes constructed by others. If failure to do so would result in serious erosion which could threaten residential property, the Council will, at its discretion, consider the funding of maintenance.
- 3.3 Where measures were installed under “Job Creation” or similar schemes, and where no clearly responsible authority exists, the Council will, at its discretion, consider the funding of maintenance.

4. New works

- 4.1 In the following circumstances the Council will consider provision of coast protection measures, and will seek voluntary contributions from those benefiting from a protection scheme as set out below:

a. **Existing Communities:**

Protection of existing communities from erosion should receive first priority; inconvenience by flooding from overtopping should receive lower priority; no charges would generally be levied against property owners benefiting from the schemes and therefore only worthwhile schemes with a benefit/cost ratio greater than 1 would be undertaken.

b. **Small Groups of Houses and Individual Houses:**

These would be treated as in a. above, provided that in the case of small groups of houses, at least one house (and in the case of individual houses, that house) is permanently occupied, does not constitute a second home and is not let as a business.

c. **Septic Tanks:**

Privately owned septic tanks would be eligible for protection provided that:

- (i) there is reasonable evidence that at the time of its construction, the tank was situated out with the inter-tidal zone;
- (ii) attempts have been made to keep properly maintained, any privately owned coast protection measures protecting the tank; and
- (iii) a contribution of 25% (with a minimum contribution of £600 index linked at 1st April 2014) be obtained from the owner benefiting, based on the total estimated cost, or the final out-turn cost, whichever is the lesser.

d. **Sports or Recreational Facilities:**

The general protection of Sports or Recreational Facilities, for example golf courses will only be undertaken by the Council in exceptional circumstances. Where protection is being considered then the club will be required to contribute a minimum of £50 per head of club membership. The value of the contribution rate will be index linked from 1st April 2014.

Membership of Sports or Recreational Facilities is defined as a member paying a full membership fee. O.A.P.'s, juniors and others paying a reduced fee and non-playing members are not included.

e. **Rights of Way, Coastal Paths and Amenity Areas:**

The protection of amenity areas (including rights of way and coastal paths) will not, in general, be undertaken by the Council.

Where other agencies are promoting protection of such amenity areas the Council may, in exceptional circumstances, make a contribution towards the

cost of such protection. This contribution may be in the form of technical assistance with the design and statutory procedures.

In each case the funding package and arrangements for future maintenance of the proposed protection scheme will require the express approval of the Council.

f. **Farm, Crofting or Estate Land, Commercial Properties and Caravan Sites:**

No schemes will be funded to protect Farm, Crofting or Estate Land, Commercial Properties and Caravan Sites, however free technical advice will be given to proprietors if requested.

g. **Council Roads:**

The protection of roads is a charge against the roads budget, and will not be funded as coast protection measures.

h. **Other Public Bodies, National Bodies and Utilities:**

The Council will not fund any schemes to protect land owned by this category of proprietor.