

### **Phase 3 of Coastal Erosion Protection - Shotley Parish Council Resolution**

*(as passed at the Extraordinary Meeting of the Council held on November 1st 2017)*

Following extensive consideration, the Shotley Parish Council unanimously concluded that it was not in a lawful, morally acceptable or financially viable position to deliver Phase 3 at present or in the foreseeable future.

**A Parish Council is not legally permitted to incur expenditure on coastal erosion or sea defences.**

**The alternative would be to use a legal loophole to justify that erosion protection would be incidental to the maintenance of the footpath.**

**Suffolk County Council “Rights of Way” is the Statutory body with the duty to maintain public footpaths.**

**The total cost of Phase 3 is estimated at £250, 000. However, this is an estimate and it could be significantly more.**

External funding sources are no longer certain in these times of Government financial restraint. Ownership of the land in some areas also remains challenging.

A considerable amount of time, effort and financial resources have already been spent on this project, and although phases 1 and 2 were completed with a degree of success, some of the processes might be described as 'creative' and borderline. Lessons have had to be learnt and the Parish Council would be under scrutiny by the various statutory and controlling bodies with any future work and could be open to legal challenge.

With an emerging Local Plan, a Neighbourhood Plan, the Ganges and Marina developments, and a number of other priorities and considerations for this council, it would not be appropriate to divert resources and effort so disproportionately to this one project.

Moreover, responsibility for ongoing maintenance and repair could potentially expose the council to financial commitments it could not reasonably hope to meet from parish funds, which must in principle be equitably distributed within the parish and not exclusively benefit any small number of residents.

The Parish Council strongly believes **that if this project is to be progressed, it must be by a statutory body**, such as the Environment Agency, Suffolk County Council, Natural England etc, who would have the professional acumen, resources, legal requirements and financial capacity so to do.

**The Parish Council will remain supportive of a statutory body wishing to take charge of this or any other project for the benefit of Shotley and all of its residents.**