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**REPORT TO: ECONOMIC, DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 6 FEBRUARY 2024**

**SUBJECT: KINGSTON COASTAL EROSION**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND FINANCE)**

**1. REASON FOR REPORT**

1.1 To inform the Committee of the requirements to undertake Erosion Protection Works to the west of Kingston.

1.2 This report is submitted to Committee in terms of Section III (19) of the Council's Scheme of Administration relating to the Flood Risk Management (Scotland) Act 2009.

**2. RECOMMENDATION**

**2.1 It is recommended that Committee agree to progress coastal protection works to the west of Kingston.**

**3. BACKGROUND**

3.1 Kingston on Spey is located on the west bank of the River Spey as it flows into the Moray Firth. The village of Kingston sits behind a small tidal lagoon. To the north of the lagoon is a shingle ridge that reduces the impact of wave energy before it reaches the landward bank of the lagoon. The ridge then blends into the natural coastline as it heads west of the village.

3.2 The community has previously raised concerns about the condition of the shingle ridge and the potential for erosion on the landward bank, as well as concern of the ridge collapsing to the west of the village and erosion rates around the green spaces within the village.

3.3 At a meeting of this Committee on 8 February 2022, Members agreed to progress the development of a Coastal Adaptation Plan for the Moray coastline (Paragraph 8 of the minute refers). Kingston was the first coastal area investigated as part of the proposed plan, as the coastline in this area is known to be vulnerable to erosion. The Coastal Adaptation Plan will include a Regional Plan and eleven Local Plans. Over the last year the Regional Adaptation Plan has been drafted along with five Local Plans, including Kingston. The remaining six Local Plans are being developed and the Coastal

Adaptation Plan is programmed for completion in March 2024. The completed Coastal Adaptation Plan will be submitted for Members consideration at the meeting of this Committee on 30th April 2024.

3.4 Over the last 18 months the rate of erosion of the natural coastline at Kingston between the Lein Car Park and the village has been significant at around 2m/year. The erosion has exposed demolition material from the former precast concrete works, which is now spilling onto the beach causing health and safety issues due to protruding sharp objects. The debris is now entering a Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) and will have a detrimental effect on the status of these designations. The Regulatory body has the ability to prosecute Moray Council if it can demonstrate that the debris is damaging the SSSI features.

3.5 The change in erosion at Kingston has now met one of the triggers within the draft Coastal Adaption Plan. Below is an extract from the draft Kingston Coastal Adaptation Plan showing this trigger: -

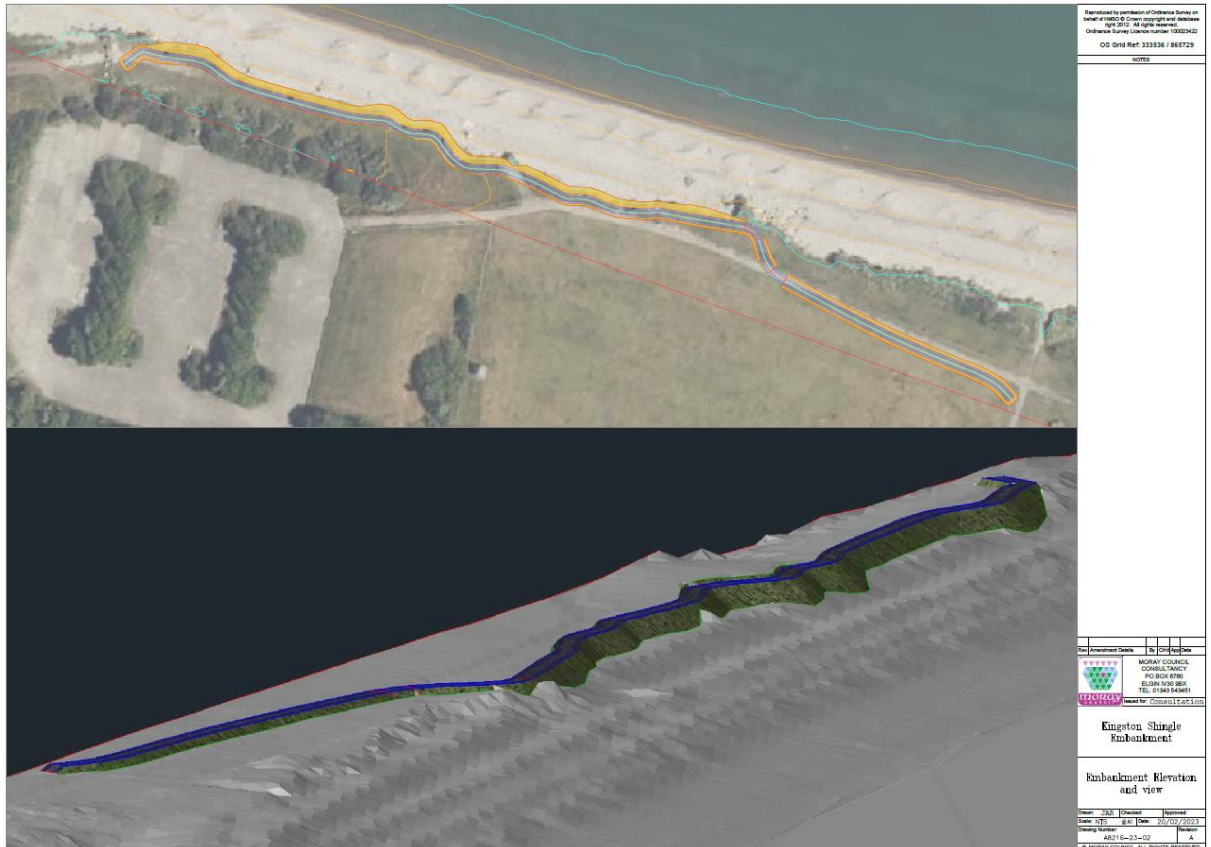
CMU	Maximum historical change rate (m/year)	Present-day distance of feature to coast (m)		Erosion trigger level 1: Coast X m from feature	Erosion trigger level 2: Coast X m from feature
2	-2.0	Lien Carpark	10	10	4

3.6 As the erosion is placing one of the Council’s assets, Lein Car Park and amenity space at risk the proposed work complies with the criteria set out in the Council’s erosion policy: **“The Council may undertake erosion protection work where its assets are at risk. These assets may typically be buildings, bridges, roads and flood and coast defence infrastructure”**.

It is proposed that the council brings forward actions for sustainable coastal protection works at Kingston which is exceptional due to its SSSI status. This will also reduce the risk to public safety from the exposed debris from the old concrete works and support maintenance of a council asset. While there has been significant erosion in recent months along sections of the Moray Coastline outside of Kingston, such as Findhorn and Lossiemouth, at the point of writing the report this erosion has not led to the combination of issues set out for Kingston and would not comply with our erosion policy. As such it is not proposed to undertake coastal protection works in these areas at this time. These areas are included in the Coastal Adaptation Plan, which will be considered by members in the spring.

3.7 Managing coastal erosion is a complex process and in this location, the complexity is due to the high sediment load carried down the River Spey, combined with the sediment drift along Spey Bay. The environmental designations in this area mean there will be restrictions on the type of works that can be undertaken.

- 3.8 The proposed work is to install a new shingle ridge along the edge of the coastline. The ridge will be approximately 500mm high with naturally sloping sides, which will be sympathetic to the SSSI. The ridge will be installed from the west side of Lein Car Park to east end of the green space tying back into the main shingle ridge at the lagoon, as shown in the image below. The shingle will be sourced from within the SSSI, in line with advice provided by NatureScot. The works will require consent from Marine Scotland and NatureScot. A drawing of the proposed works is provided in **Appendices A and B**.



- 3.9 An allowance of £74,226 is in the Capital Plan for 2024/25, this value is the allowance which has been made as part of general capital allocation for coastal adaptation to undertake this type of work. The Scottish Government Coastal Change Adaptation Fund is available to fund specific coastal activities, including case studies for coastal protection works. Moray Council has bid to use Kingston as a case study, which will help inform best practice for sustainable ongoing management of shingle beach where erosion is high. The bid has asked for £75,607.50 including cost associated with providing feedback and lessons learned to other local authorities. If successful, this funding will be used to undertake the works at Kingston, and officers are currently waiting to hear from Scottish Government on the success of our application.
- 3.10 Moray Council officers will continue to monitor the situation with routine monthly inspections and after a significant storm event.

- 3.11 If committee is minded to approve the recommendation then a community engagement/information event will be held in the Kingston/Garmouth area. The event will allow the community to see what works are planned, review what information will be going in to the adaption plan, as well as see information on the monitoring we undertake.

#### **4. SUMMARY OF IMPLICATIONS**

**(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

“Empowering and Connecting Communities”.

**(b) Policy and Legal**

There are no policy or legal implication associated with the recommendations in this report. The works comply with the Council Erosions Policy which was agreed at a meeting Policy and Resources Committee on 20 January 2015 (Paragraph 6 of the minute refers). The Regulatory body has the ability to prosecute Moray Council if it can demonstrate that the debris is damaging the SSSI features.

**(c) Financial implications**

If the bid for funding from the Scottish Government Coastal Change Adaptation Fund is not successful, the works will need to be funded from the allowance included in the Council’s capital programme .

**(d) Risk Implications**

If the works are not undertaken there is a risk of rapid erosion along the identified area with the possible loss of the Lein Car Park. The Council could be in breach of both Environmental and Health and Safety legislation if this work is not undertaken. The Regulatory body has the ability to prosecute Moray Council if it can demonstrate that the debris is damaging the SSSI features. There is a risk that if an individual were to injure themselves, on the exposed material on the beach Moray Council may be liable for a claim.

Within the wider moray coastline there will be potential risk to assets along the Moray coastline. Once complete the adaption plans will highlight those areas where there is risk and the trigger points at which an action may need to be taken.

**(e) Staffing Implications**

Development of the project will be undertaken within existing flood team resources.

**(f) Property**

If works are not undertaken, there may be a partial or complete loss of Lein Car Park, which is operated by Moray Council. There will also be continued loss of amenity and play space, which is owned by the Council.

**(g) Equalities/Socio Economic Impact**

There are no equalities / socio economic implications associated with the recommendations in this report.

**(h) Climate Change and Biodiversity Impacts**

The works identified are being undertaken due to climate change. The proposed solution is a sustainable solution using materials from within the area of the works and do not introduce non-native material and use natural process rather than hard defences.

**(i) Consultations**

Depute Chief Executive (Economy Environment and Finance), Head of Environmental and Commercial Services, Head of Economic Growth and Development, Chief Financial Officer, Legal Services Manager, Equalities Officer and Committee Services Officer have been consulted and their comments incorporated into the report.

**5. CONCLUSION**

**5.1 A significant change has occurred at the west of Kingston, where erosion of the land round Lein Car Park has met the 1st trigger of the Kingston Adaption Plan.**

**5.2 Erosion has also exposed debris from the old concrete works, which is creating a hazard to public safety and impacting on environmental designations and Council assets.**

**5.3 Works are required in the interest of public safety and to protect Council assets in an environmental designated area.**

Author of Report: Will Burnish, Senior Engineer

Background Papers:

<b>Committee</b>	<b>Paper</b>	<b>Minute</b>	<b>Date</b>
ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE	<a href="#">ADAPTION PLAN FOR COASTAL EROSION - KINGSTON</a>	<a href="#">Minute 8</a>	08/02/2022
POLICY AND RESOURCES COMMITTEE	<a href="#">COUNCIL POLICY IN RELATION TO EROSION</a>	<a href="#">Minute 6</a>	20/01/2015
ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE	<a href="#">COUNCIL POLICY IN RELATION TO EROSION</a>	<a href="#">Minute 9</a>	25/11/2014
ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE	<a href="#">BANK PROTECTION AT KINGSTON UPON SPEY</a>	<a href="#">Minute 9</a>	30/09/2014
ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE	<a href="#">BANK PROTECTION AT KINGSTON UPON SPEY</a>	<a href="#">Minute 6</a>	11/03/2014
ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE	<a href="#">BANK PROTECTION AT KINGSTON UPON SPEY</a>	<a href="#">Minute 12</a>	25/06/2013

ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE	<a href="#">FLOOD RISK AT KINGSTON AND GARMOUTH</a>	<a href="#">Minute 9</a>	18/12/2012
ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE	<a href="#">ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE</a>	<a href="#">Minute 9</a>	23/10/2012

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