

Environment Development Policy Group – 25 February 2010**SEAWEED ON BEACHES****Report of: Head of Environment Services****Statutory Powers:**

Environment Protection Act 1990

Natural Environment and Rural Communities Act

Financial Implications: None**Purpose**

To outline the Council responsibility for managing seaweed on beaches together with gaining member approval on existing policy for the management of the seaweed.

Priorities Maintaining a Clean & Natural Environment**Recommendations**

That the Environment Policy Development Group RECOMMENDS to Executive that Council be RECOMMENDED that the policy for management of seaweed as described in the report be formally adopted.

Background/The Issues

1. The Council has a statutory duty to keep amenity beaches generally clear of all types of litter and refuse. between 1 May and 30 September. Cleanliness of other types of beaches are at the discretion of the Council.
2. A major review was undertaken on beach cleaning in 2003. The Council made the decision that they would only clean beaches that were under the direct control of the Council.
3. There is a general misunderstanding that the Council must have a duty to clear seaweed as it appears on the beaches. It must be noted that under the Environmental Protection Act 1990 and the Clean Neighbourhoods Act 2006 seaweed is not classified as litter and so under waste management legislation the Council has no obligation to remove the material.
4. During certain times of the year and weather conditions seaweed will accumulate on some beaches. In normal circumstances and depending on the tides the seaweed will often be washed out to sea (either entire or broken down fragments). The only occasion when seaweed may be removed from a beach is if the material becomes a statutory nuisance. This may occur if the material has turned putrescible.

Way forward

5. Seaweed is a living organism, and the washing up of its detritus during storms and the winter is part of the natural process and the best practice option so that the natural processes and biodiversity of the environment is maintained is to allow the material to return to the sea by natural means. [The seaweed strandline may be an important transient habitat, ultimately supporting more mobile animals such as feeding birds. Fragments of the seaweed maybe important within the upper shore community as a source of 'humus' and nutrients]
6. In normal circumstances seaweed will not be removed from a beach unless it becomes a statutory nuisance. If and when it is deemed to be a statutory nuisance then the material will either be removed from the beach if it is contaminated with other waste or returned to the sea by mechanical means. It must however be noted that there may be a risk of the seaweed washing back on the next tide or onto an adjacent beach. It would therefore be necessary to undertake a risk assessment to determine if this may be an issue.. The risk assessment would also consider impact (direct & indirect) on natural communities at the lower shore
7. While the seaweed remains on the beach the Council or its agents will 'clean' it of litter. If however it is obvious that the seaweed is so contaminated with other waste that even allowing it to return to the sea would not be a viable option then the seaweed will be removed from the beach.
8. Once the material has been removed from the beach then there are two options.
 - Composting, providing the contaminates are not an issue
 - Land filling or other treatment if the material including the contaminated material is not viable for composting.
9. The district has confirmed with Devon County Council that DCC will pay for the cost of processing the material under their obligation as the districts disposal authority.
10. There may be occasions when certain members of the local community including businesses may place pressure onto the Council to remove seaweed from beaches. Their argument may be based on aesthetic reasons or perception of smell. It must be made clear that the Council policy is based on its duty to maintain the biodiversity of the environment and that this obligation can not be met by removing seaweed based on the pretence of smell and appearance. This principle will still stand even if the third parties offered payment for the activity.

Risk Assessment

Risk	Mitigation
Seaweed is removed from beaches without considering the Council duty in relation to conserving the biodiversity of the environment.	Remove seaweed from a beach only when it becomes a statutory nuisance.
Seaweed is replaced back into the sea but does not disperse and returns to the shore.	Undertake a risk assessment which will consider local conditions.
Seaweed is replaced back into the sea but has a detrimental effect on the local habitat	Undertake a risk assessment which will consider local conditions.

Conclusion

11. Seaweed is a living organism, the detritus of which has appeared on our beaches for millions of years. There is a natural process that manages how the material is recycled. We should support this process and only intervene when it is really necessary. There may be objections to this stance but the Council must be firm and support its obligation in relation to biodiversity.

Chris Lucas
Head of Environment Services

Environment Policy Development Group
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Stuart Jellings
Logistics and Support Services Manager