

THE MORAY COUNCIL
MINUTE OF MEETING OF THE FLOOD ALLEVATION SUB-COMMITTEE
27 AUGUST 2008
COUNCIL OFFICE, ELGIN

PRESENT

Councillors L Bell, J Hogg, I Ogilvie, P B Paul, J Russell.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors McIntyre, Divers, Shand and Stewart

ALSO PRESENT

Councillor B Jarvis.

IN ATTENDANCE

The Director of Environmental Services, the Consultancy Manager, P Haslam, Senior Engineer (Flooding and Coastal Protection), Bob Bryce Senior Engineer, Coastal & Rivers (Royal Haskoning), Shona Weir, EC Harris, A Russell, Morrison Construction A McEachan, Principal Solicitor (Commercial & Conveyancing) and the Principal Committee Services Officer, Clerk to the meeting.

ALSO IN ATTENDANCE

Mr Alastair Dyer, Waste Water Infrastructure Co-ordinator, Scottish Water

1. CHAIR

In the absence of the Chairman the Clerk, in terms of Section 6(i) of Standing Orders, invited the meeting to appoint a Chair for the meeting and it was unanimously agreed that Councillor Russell take the Chair.

2. ADDITIONAL BUSINESS

In terms of Standing Order 25 (iv) the Committee agreed to accept the undernoted item as an additional item of business to be transacted at the meeting on the Chairman certifying that, in his opinion, it required to be considered on the grounds of urgency given the timescales involved:-

‘Moray Flood Alleviation Schemes: Scottish Water Assets’

The Meeting further agreed that it be taken as item 9(c) on the Agenda.

3. DECLARATION OF GROUP DECISIONS

In terms of the relevant Standing Order 20 and the Councillor's Code of Conduct the meeting noted that there were no declarations from Group Leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the agenda.

4. WRITTEN QUESTIONS

The Meeting noted that there were no written questions.

5. FORRES (RIVER FINDHORN AND PILMUIR) FLOOD ALLEVIATION SCHEME – FLOOD PREVENTION ORDER

There was submitted a report by the Director of Environmental Services informing the Sub-Committee of objections to the Forres (River Findhorn and Pilmuir) Flood Prevention Order and ask the Sub-Committee to note programme implications and approve further negotiations with objectors.

Prior to consideration of the report the Meeting noted that 8 objections had been received and not 7 as stated at page 10 of the report.

Following consideration the Sub-Committee agreed to note objections to the Forres (River Findhorn & Pilmuir) Flood Prevention Order and the programme implications and approve further negotiations with objectors.

6. FORRES (BURN OF MOSSET) FLOOD PREVENTION SCHEME: PROGRESS

Councillor Paul joined the meeting during discussion of this item.

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the progress of Forres (Burn of Mosset) Flood Prevention Scheme.

During discussion concern was expressed regarding local press coverage and complaints made by residents in regard to the level of vibration being experienced by compaction work.

In response the Senior Engineer (Flooding and Coastal Protection) advised the Meeting of the actions taken to inform those residents affected of the works planned which would have included the impact of the vibration, which may be felt and advised that members of the contractors site staff had visited those residents who had complained to reassure them that no damage will be caused to their homes. He further stated that he had responded to all those who had contacted him.

The Director of Environmental Services stated that, whilst he was pleased to hear how Morrisons, as the contractor and who was responsible on site, had responded to the residents, he would wish to look further into the complaints.

Following consideration the Sub-Committee agreed:-

- (i) to note the Monitoring Report No 4 for the Forres (Burn of Mosset) Flood Prevention Scheme 2005 for May, June and July 2008;
- (ii) that the progress be reported to the Council, and
- (iii) that the Director of Environmental Services investigate further the residents complaints regarding the vibration issue which had been the subject of a report in the local press.

7. ROTHES FLOOD ALLEVIATION SCHEME: PROGRESS

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the progress of Rothes Flood Alleviation Scheme.

Following consideration the Sub-Committee noted the progress for Rothes Flood Alleviation Scheme for the period ending 31 July 2008 and agreed to report progress to the Council.

8. FORRES (RIVER FINDHORN & PILMUIR) FLOOD ALLEVIATION SCHEME: PROGRESS

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the progress of Forres (River Findhorn & Pilmuir) Flood Alleviation Scheme.

Following consideration the Sub-Committee agreed to:-

- (i) note the progress for Forres (River Findhorn & Pilmuir) Flood Alleviation Scheme for the period ending 31 July 2008;
- (ii) approve a change to the Forres (River Findhorn & Pilmuir) Flood Alleviation Scheme Programme as explained in the progress report as follows:
 - 1 Completion of consents and approvals – Autumn 2009; and
 - 2 Earliest start of construction – Autumn 2009
- (iii) report progress to the Council.

9. ELGIN FLOOD ALLEVIATION SCHEME: PROGRESS

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the progress of Elgin Flood Alleviation Scheme.

During discussion the Director of Environmental Services advised the meeting that whilst negotiations will continue in regard to the objections, it was unlikely that they would all be resolved through negotiation and stated that an approach will be made to the Chairman of the Planning and Regulatory Services Committee for a special hearing to be called to listen to the objectors

and a report on this will be brought back to the next meeting of the Sub-Committee. He further advised that as Members would be aware, the cost of the schemes are escalating and will require to be looked at, and that this will be reported to this Sub-Committee as a matter of course through the monitoring reports.

Following consideration the Sub-Committee agreed to:-

- (i) note the progress for Elgin Flood Alleviation Scheme for the period ending 31 July 2008;
- (ii) report progress to the Council; and
- (iii) note that a special meeting of the Planning and Regulatory Services Committee is to be sought in order to hear the objectors and the outcome of this will be reported to the next meeting of the Sub-Committee.

10. LHANBRYDE FLOOD PREVENTION SCHEME: REVIEW OF IMPOUNDING EVENT ON 22 NOVEMBER 2007

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the storage event analysis of Lhanbryde Flood Alleviation Scheme following the impounding event of 22 November 2007.

Following consideration the Sub-Committee agreed to:-

- (i) note the contents of the report entitled “Lhanbryde November 2007 – Storage Event Analysis”;
- (ii) approve the following actions recommended in the report:
 - (a) Remove the trees growing in the channel immediately downstream of Station Road Bridge as they cause water levels to be increased and potentially compromise the performance of Lhanbryde FAS;
 - (b) Ensure regular maintenance of the Lhanbryde Burn bed, channel, and structures (especially Station Road Bridge) to avoid channel or structure blockage; and
 - (c) Regular inspection of the left bank and floodplain at cross sections 4 and 5 is undertaken to ensure that localised private ‘gardening’ works do not alter bank and floodplains levels and compromise the scheme.

11. MORAY FLOOD ALLEVIATION SCHEMES: MONITORING OF ESTIMATED COSTS TO BRING SCHEMES TO CONSTRUCTION START STAGE FOR FINANCIAL YEARS 2006 – 2011

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the development of Moray Flood Alleviation Schemes to construction start stage for the period 2006 – 2009 in respect of financial monitoring. This report also advised the Sub-Committee of key factors affecting future costs and funding of schemes.

The Consultancy Manager advised the meeting of concerns regarding third party compensation regarding the Forres (Burn of Mosset) Flood Scheme in light of indications that these may well exceed that allocated within the Scheme Budget. He further advised that the Head of Estates Services would be reporting on compensation to third parties to the Economic Development and Infrastructure Services Committee in accordance with normal procedures and that a further report would be submitted to this Sub-Committee when more up to date information regarding these costs becomes available.

Following consideration the Sub-Committee agreed to:-

- (i) recommend to The Moray Council approval of the estimated costs to construction start stage for this financial year;
- (ii) Note the actual expenditure to 31 January 2008 for 2007 – 2008 against estimates and that Public Local Inquiry (PLI) and advance property costs are additional, but have been included in the projections for this and the next financial year;
- (iii) Note the expenditure to the end of the previous financial year;
- (iv) Note the estimated capital cost of schemes and the anticipated expenditure profile that accords with the approved Financial Plan; and
- (v) Note the impacts of construction cost inflation and action to reduce costs.

12. TYOCK BURN CULVERT REPLACEMENT: HYDRAULIC REVIEW

There was submitted a report by the Director of Environmental Services asking the Sub-Committee to approve the recommendations of the final report 'Tyock Burn: Hydraulic Model Update & Culvert Advice and to approve further work to improve the operation and maintenance of Tyock Burn.

In response to the question raised in regard to the timescale for the proposed actions, the Senior Engineer (Flooding and Coastal Protection) advised that a programme would be reported to the next meeting of the Sub-Committee

Following consideration the Sub-Committee approved the recommendation in the final report “Tyock Burn: Hydraulic Model Update & Culvert Advice” that:

- (i) Pillbox, Ashgrove, Moycroft and Wards Road structures are not resized for flood alleviation purposes; and
- (ii) That the Council invest any available funds in improving the frequency and effectiveness of inspection and maintenance of the Tyock Burn culverts, particularly the ASDA culvert to ensure they perform at maximum hydraulic capacity.

The Sub-Committee also approved further work to:

- (iii) Construct a sediment trap before the entrance to ASDA culvert to reduce the need to remove sediment from the inside of the confined space; and
- (iv) Investigate other works that would improve the operation and maintenance of Tyock Burn
- (v) that a report on the programme for the works proposed be brought back to the next meeting of the Sub-Committee.

13. MORAY FLOOD ALLEVIATION SCHEMES: SCOTTISH WATER ASSETS

Under reference to paragraph 6 of the Minute of the Meeting of this Sub-Committee dated 18 June 2008, there was submitted a report by the Director of Environmental Services advising the Sub-Committee of the outcome of a meeting between senior officers of the Council and Scottish Water to agree a joint position in relation to progressing the Moray Flood Alleviation Schemes which will require works to Scottish Water assets.

On the invitation of the Chairman, Mr Dyer addressed the meeting and advised of the integrated approach which had been agreed to look at flooding issues and advised of Scottish Water’s current investment plans and future investment plans. Thereafter he responded to Members questions.

Thereafter the Chairman thanked Mr Dyer for his attendance at the meeting and agreed with Members that this was an excellent step forward.

Following consideration the Sub-Committee agreed to note:-

- (i) the outline process agreed with Scottish Water with respect to work to Scottish Water assets necessary for the completion of Moray Flood Alleviation Schemes:
- (ii) the action as agreed for work required to augment Scottish Water

assets to complement Moray Flood Alleviation Flood Prevention Schemes, and

- (iii) that further issues regarding Scottish Water Assets would be reported in the Scheme Progress Reports.

14. QUESTION TIME

There were no questions.