

THE MORAY COUNCIL
MINUTE OF MEETING OF THE FLOOD ALLEVIATION SUB-COMMITTEE

4 FEBRUARY 2009

COUNCIL OFFICE, ELGIN

PRESENT

Councillors J Russell (Chairman), L Bell, J Hogg, I Ogilvie, P Paul, M Shand and D Stewart

APOLOGIES

Apologies for absence was intimated on behalf of Councillors J Divers and D Ross

IN ATTENDANCE

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

1. 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.

2. BRIEFING BY DIRECTOR OF ENVIRONMENTAL SERVICES

The Director of Environmental Services gave a confidential briefing to Members with regard to the progress on compensation claims.

3. WRITTEN QUESTIONS

The Committee noted that there were no written questions.

4. ELGIN FLOOD ALLEVIATION SCHEME: PROGRESS

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the progress of the Elgin Flood Alleviation Scheme for the period ending 21 January 2009, details of which were set out in Appendix 1 to the report. A summary of subsequent key milestones were set out in Section 3.3 of the report.

The Consultancy Manager spoke to the report and thereafter responded to Members' questions. The meeting noted that on the 13th/14th January a workshop was held to try and speed up the scheme in order to bring forward the completion date and reduce the construction period, cost and risk in combination with trying to reduce the flood risk to residents of Elgin. The Director of Environmental Services advised a workshop had been held in Elgin with SEPA, Scottish Government, Glasgow City and Highland Council to improve CAR, the licensing process for flood schemes. The meeting also noted that the Flood Team was continuing to meet with those with concerns with a view to reducing the number of objections.

In response to a question from Councillor Shand regarding the usage of Boroughbriggs as a heliport, the Consultancy Manager advised that he would consult with emergency planning partners and he was confident that an alternative could be found.

Following consideration, the Sub-Committee agreed to:-

- (i) note the progress for Elgin Flood Alleviation Scheme for the period ending 21 January 2009;
- (ii) approve the changes to the Elgin Flood Alleviation Scheme programme as explained in the progress report and as follows:-
 - Complete Site and Works Information – August 2009
 - Commence Target Setting – September 2009
 - Identify Funding – September 2009
 - Agree Terms and Start Working on Site – April 2010
 - Complete Elgin Flood Alleviation Scheme – Summer 2013; and
- (iii) note that a progress report would be submitted to the Moray Council.

5. FORRES (RIVER FINDHORN AND PILMUIR) FLOOD ALLEVIATION SCHEME: PROGRESS

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the progress of the Forres (River Findhorn & Pilmuir) Flood Alleviation Scheme for the period ending 21 January 2009, details of which are set out in Appendix 1 to the report. A summary of subsequent key milestones was set out in Section 3.3 of the report.

The Consultancy Manager spoke to the report and thereafter responded to Members questions. The meeting noted that the Flood Team were working with landowners and objectors with a view to reducing the number of objections. The Consultancy Manager advised that McKenzie & Cruickshank were not willing to discuss issues with the Flood Team unless an alternative site could be found for them and that this may lead to a public local inquiry.

Following consideration the Sub-Committee agreed to:-

- (i) note the progress for Forres (River Findhorn & Pilmuir) Flood Alleviation Scheme for the period ending 21 January 2009;
- (ii) approve the changes to the Forres (River Findhorn & Pilmuir) Flood Alleviation Scheme programme as explained in the progress report as follows;
 - Consents and approvals to April 2010.
 - Earliest construction start to September 2010.; and
- (iii) note that a progress report would be submitted to the Moray Council.

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

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the progress of the Forres (Burn of Mosset) Flood Prevention Scheme. There was appended to the report Monitoring Report No 7 and a summary of subsequent milestones was set out in Section 3.3 of the report.

Ms Weir and Mr Russell spoke to the report and thereafter responded to Members' questions. The meeting noted that the works were within target. There had been an accident in January and no-one had been seriously injured. The incident had been reported to the Health & Safety Executive. The Consultancy Manager advised that there was a pre-arranged visit by the Health & Safety Executive and the Senior Health & Safety Adviser of the Council, Royal Haskoning and Morrison Construction and they had received a positive reaction from the Health & Safety Executive on management of health and safety.

There had been a stakeholders meeting on the 18th December 2008 with a large turnout and feedback had been positive. Questionnaires had been sent out and were being processed and this would be part of a future report.

Following consideration, the Sub-Committee agreed to:-

- (i) note the monitoring report No 7 for the Forres (Burn of Mosset) Flood Prevention Scheme for November 2008 to end of December 2008;
- (ii) note that a progress report would be submitted to the Moray Council.

The Director of Environmental Services left the meeting at the end of this item.

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 the Rothes Flood Alleviation Scheme. There was appended to the report Monitoring Report No 2 and a summary of subsequent milestones was set out in Section 3.3 of the report.

Mr Strachan spoke to the report and thereafter responded to Members' questions. The meeting noted that the Health & Safety Executive visited the site and were pleased with the safety measures.

In response to a question from Councillor Paul as to whether the dispute regarding contaminated land had been resolved, why this had not been highlighted to the Sub-Committee earlier and how had the situation arisen as the issue was costing money, the Consultancy Manager advised that a meeting had been held with the various officers and it was hoped to get earlier access to the site but that no conclusion had been reached.

Councillor Paul advised that if there were the same issues elsewhere this would incur delays and additional costs.

The Consultancy Manager advised that he had spoken with SEPA and they had advised that they could issue the CAR licence by the end of March. He further advised that a report would be submitted to the Moray Council on the 25th February 2009 regarding the target cost and budget proposal for the whole of the Rothes Scheme. Indications were that the costs would be within budget agreed by the Council on 5 November 2008.

Following consideration, the Committee agreed:-

- (i) to note the monitoring report No 2 for the Rothes Flood Prevention Scheme for November 2008 to end of December 2008;
- (ii) to note that a progress report would be submitted to the Moray Council; and
- (iii) that with reference to P12 Item 4.1 of the report, the Director of Environmental Services provides the Moray Council on the 25th February 2009 with a detailed review of the reasons for the delays, their implications on cost and timescales and proposals for the prevention of similar occurrences in the future.

8. 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.

The Consultancy Manager spoke to the report and thereafter responded to Members questions. Mr McEachan, Principal Solicitor (Commercial & Conveyancing) advised that a public inquiry would typically run for 2-3 weeks and that there was intense activity in preparing a case, dealing with

objectors/companies and leading evidence on behalf of the Council to support the scheme, etc.

Following consideration, the Sub-Committee agreed to:

- (i) note the actual expenditure to 31 December 2008 for 2007-2008 against estimated and that Public Local Inquiry (PLI) and advance property costs were additional but have been included in the projections for this and the next financial year.
- (ii) note the estimated capital cost of schemes and the anticipated expenditure profile; and
- (iii) a proposal for an updated monitoring format be submitted to the next meeting of the Sub-Committee on 1 April 2009.

9. MORAY FLOOD ALLEVIATION – CHANGES TO THE TEAM

There was submitted a report by the Director of Environmental Services updating the Sub-Committee of changes introduced to the management structure of Moray Flood Alleviation resulting from staff movements and changing needs.

Councillor Paul asked that a visit be made to the Rothes and Forres Flood Alleviation Schemes in order for Members to be made aware of the work which was being carried out and the Consultancy Manager advised that he would arrange for this to happen in the spring.

Following consideration, the Sub-Committee agreed to note the changes to the team structure.