

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

**27 MAY 2009**

**COUNCIL OFFICE, ELGIN**

**PRESENT**

Councillors J Russell (Chairman), I Ogilvie, P Paul, D Ross and M Shand.

**APOLOGIES**

Apologies for absence was intimated on behalf of Councillor L. Bell, J. Divers, J. Hogg and D. Stewart.

**IN ATTENDANCE**

The Director of Environmental Services, the Consultancy Manager, Mr P Haslam (Senior Engineer), Mr B Bryce, Senior Engineer, Coastal and Rivers (Royal Haskoning), Mr B Strachan & Mr A Russell (Morrison Construction), Ms S Weir (EC Harris), Mr A McEachan, Principal Solicitor (Commercial & Conveyancing) and Mrs 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. WRITTEN QUESTIONS**

The Committee noted that there were no written questions.

**3. 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 and on key factors affecting future costs and funding of schemes.

The Consultancy Manager spoke to the report and thereafter responded to Members' questions.

Following consideration the Sub-Committee agreed to:

- (i) note the actual expenditure to 31 March 2009 for 2008-2009 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; and
- (ii) note the estimated capital cost of schemes and the anticipated expenditure profile that accords with the approved Financial Plan.

#### **4. MORAY FLOOD ALLEVIATION SCHEMES: FINANCIAL MONITORING SUMMARY**

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the Moray Flood Alleviation Schemes in respect of financial monitoring and of key factors affecting costs of schemes.

The Consultancy Manager spoke to the report and thereafter responded to Members' questions. The meeting noted that the change in the estimated final cost would be adjusted in the report to the next meeting.

In response to a question from Councillor Ross regarding whether the contaminated land team estimated the costs and why, when paying consultants, savings were not found earlier in the scheme, the Consultancy Manager advised that the problem at Mosset Tavern had required investigation. There had been two courses of action which could have been followed, either the scheme could have been held up or make a risk allowance and move on with the works. He advised that the Flood Team and Haskoning had made the estimate with regard to risk. There was a need to outweigh the costs against the benefits and take elements of calculated risk.

In response to Councillor Paul regarding the increased cost of consultants, the Consultancy Manager advised that there had been changes in the design, in order to save monies and he planned to investigate what was outstanding.

Following consideration the Sub-Committee agreed to:

- (i) note the actual expenditure to 27 April 2009 for financial year 2009-2010;
- (ii) note the estimated capital cost of schemes and the anticipated expenditure profile that accords with the approved Financial Plan as far as can be ascertained at this point; and
- (iii) a report coming back regarding site supervision and design fee costs for Rothes.

#### **5. 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.

The Consultancy Manager advised that a Public Inquiry had been set for the 23<sup>rd</sup> September 2009 and would last roughly three weeks.

The Director of Environmental Services advised that there had been a preliminary meeting with the Reporter who had determined who was to speak at the Inquiry and that he would accept written submissions. He felt that the main concern was that the Reporters findings be submitted to the Scottish Government as soon as possible.

The Consultancy Manager advised that papers were to be issued by the 12<sup>th</sup> June to objectors and this was a considerable amount of work. Mr Haslam had a meeting to establish the impacts on the sewer networks and Scottish Water were to advise of their improvement plan for introduction into the programme. He further advised that with regard to Pansport Bridge, there had been a number of discussions and the design work was progressing well and should be ready by November.

In response to a question from Councillor Ross regarding what the Director of Environmental Services had taken from the preliminary inquiry, the Director of Environmental Services advised that the Reporter had asked if there was the possibility of alternative flood schemes as he had family connections upstream and he may have had to declare an interest.

In response to a question from Councillor Ross with regard to site visits, the Director of Environmental Services advised that it was normal procedure for the reporter to visit the sites and he had already taken an initial look at where problems may arise. He further advised that if the Reporter were to ask objectors to be on site then the Council would also have to be present as he should not meet objectors separately.

Following consideration, the Sub-Committee noted the progress for the Elgin Flood Alleviation Scheme for the period ending 11 May 2009.

## **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 Forres (Burn of Mosset) Flood Prevention Scheme.

Ms Weir and Mr Russell spoke to the report and thereafter responded to Members' questions. Ms Weir advised that the risk register would be updated for the next meeting. Mr Russell advised that the work appeared to be ahead of schedule and they hoped to be finished at the beginning of August. The Director of Environmental Services advised that initial enquiries had been made with the Scottish Government to mark completion.

Following consideration, the Sub-Committee agreed to:-

- (i) note Monitoring Report No 9 for the Forres (Burn of Mosset) Flood Prevention Scheme 2005 for March and April 2009; and

- (ii) report progress to the Council.

## **7. ROTHES FLOOD PREVENTION SCHEME: PROGRESS**

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

Ms Weir and Mr Strachan spoke to the report and thereafter responded to Members' questions. The meeting noted that SEPA had issued the car licence a month early and that the construction programme was now being reviewed as work could be brought ahead. There were outstanding contaminated land issues but the results had been received and work would continue. The pond was well advanced and the drainage was completed on the A941/Land Street. The bridge at Glen Grant would be done during their shutdown in July.

Mr Strachan also advised that the Scottish Government would be carrying out a month long study in July and if there were no badgers then work would commence in August. He further advised that the Burgh Chambers had been due to be demolished in June but that swallows were nesting therefore this work could not start till September. They had also undertaken investigations to mitigate any further impact from contaminated land and were awaiting the results.

In response to a question from Councillor Paul regarding a valve in Land Street, the Consultancy Manager agreed to replace the flap valve at Land Street Culvert with a lightweight one.

Following consideration, the Sub-Committee agreed to:-

- (i) note Monitoring Report No 4 for the Rothes Flood Prevention Scheme 2006 for March and April 2009;
- (ii) report progress to the Council; and
- (iii) note that the valve at Land Street Culvert would be replaced with a lightweight one.

## **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.

The Consultancy Manager spoke to the report and thereafter responded to Members' questions. The meeting noted that the Consultancy Manager had met with Dyke Community Council and that there would be more drawings produced and it was hoped that they would reach an agreement.

The Consultancy Manager advised that he had received notification today that Scottish Natural Heritage had withdrawn their objection.

Following consideration, the Sub-Committee noted progress of the Forres (River Findhorn & Pilmuir) Flood Alleviation Scheme for the period ending 12 May 2009.

## **9. TYOCK BURN: INFORMATION REPORT**

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the latest position regarding Tyock Burn.

The Director of Environmental Services spoke to the report and thereafter responded to Councillor's questions.

In response to a question from Councillor Paul regarding maintenance costs, the Director of Environmental Services advised that a programme would be written up and was part of the process.

In response to a question from Councillor Ross regarding the sediment trap, the Director of Environmental Services advised that it was a more cost effective method than leave the sediment to the culvert.

Following consideration, the Sub-Committee noted the latest position regarding Tyock Burn.

## **10. QUESTION TIME**

In response to a question from Councillor Paul regarding the parapet on the bridge at Blackburn, Mr Haslam advised that Morrisons were extremely good at finishing structures and this would be done.

## **11. FLOOD RISK MANAGEMENT (SCOTLAND) BILL**

The Consultancy Manager gave a presentation on the recently passed Flood Risk Management (Scotland) Bill and what the impact would be on the Council and thereafter answered Members' questions.