

THE MORAY COUNCIL

MINUTE OF MEETING OF THE FLOOD ALLEVIATION SUB-COMMITTEE

2 NOVEMBER 2011

COUNCIL OFFICE, ELGIN

PRESENT

Councillors J Russell (Chair), J Divers, J Hogg, I Ogilvie, D Ross, M Shand and D Stewart and A Wright (Deputy Convener) (Ex-Officio).

APOLOGIES

Apologies for absence were intimated on behalf of Councillors L Bell, P Paul and G McIntyre (Convener) (Ex Officio).

IN ATTENDANCE

The Corporate Director (Environmental Services), the Head of Direct Services, the Consultancy Manager, the Project Manager, Elgin Flood Alleviation Scheme, Ms S Weir (EC Harris), Ms B Hellett & Ms D Halliday (Royal Haskoning), Mr A Russell, Morrison Construction, the Community Planning & Development Manager, Mr A McEachan, Legal Services Manager (Property & Contracts) and the Senior Committee Services Officer, Clerk to the meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 and the Councillor's Code of Conduct the meeting noted 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

There were no written questions

3. ELGIN FLOOD ALLEVIATION SCHEME: PROGRESS

There was submitted a report by the Corporate Director (Environmental Services) updating the Sub-Committee on the progress of the Elgin Flood Alleviation Scheme. There was appended to the report a copy of the Monitoring Report No 04 covering the period August to the end of September 2011.

During discussion the meeting noted that the affected businesses in Grampian Road had either moved or were in the process of moving much of which was due to the work of Ms D Halliday (Royal Haskoning). The meeting also noted that, subsequent to the preparation of the report, asbestos has been found underneath the concrete floors of some of the already demolished properties in Grampian Road and following test results it has been ascertained that blue, brown and white asbestos is present. The Health and Safety Executive (HSE) has been notified and advice is being taken on the removal, in consultation with the HSE. Whilst it is not, at this time, seen as a significant risk to progress it will be dependent on the process for removal. The removal of the asbestos can be covered within the risk allowance within the scheme for general unforeseen ground conditions. The meeting also noted that, at the request of Scottish Water, an alternative solution to the pumping station at Moycroft is being investigated which if agreed will have significant benefits in terms of the programme and costs. It was also confirmed that a planning application will require to be submitted in respect of the contaminated land remediation works at Deanshaugh, Elgin and that a public exhibition, in respect of the work, will take place at the end of November 2011 and a planning application submitted mid January 2012.

In response to questions regarding the proposed contaminated land remediation works at Deanshaugh the meeting noted that the works will include appropriate land drainage and that on completion, which will be on the completion of the scheme in the summer of 2015, it is intended to return the area to full use as a playing field. In regard to the maintenance of the Tyock Burn it was noted that although the work is carried out by the Roads DLO the management of the maintenance is still to be carried out by officers within the Flood Risk Management Section within the Consultancy Section of Environmental Services.

Following consideration the Sub-Committee agreed:-

- (i) to note Monitoring Report No 04 for the Elgin Flood Alleviation Scheme 2007 for August to the end of September 2011;
- (ii) to report progress to the Council. And
- (iii) that arrangement be made for a presentation to be given to members of the Sub-Committee and Elgin North Ward members on the pre-application consultations prior to the commencement of the consultation process.

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

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

Prior to considering the report the Consultancy Manager advised the meeting that, in his role as Chairman of the Scots Flood Risk Management Group, he had attended a meeting on Tuesday 1 November 2011 with representatives of CoSLA, Scottish Government Flood Risk Management Finance Officials, and Local Government Directors of Finance to look at the distribution of funds for future flood schemes for the comprehensive spending review with a view to making a recommendation thereon to the CoSLA Leaders meeting on Friday 4 November 2011. Whilst he could not make any comment on the confidential discussions there was a need for Moray to be ready to bid should funding become available and work has already commenced on updating the cost estimates for the scheme.

Following consideration the Sub-Committee agreed to:-

- (i) note the progress for Forres (River Findhorn & Pilmuir) Flood Alleviation Scheme for the period ending 24 August 2011; and
- (ii) report progress to the Council.

5. ROTHES FLOOD PREVENTION SCHEME: PROGRESS

There was submitted a report by the Corporate Director (Environmental Services) updating the Sub-Committee on the progress of Rothes Flood Alleviation Scheme. There was appended to the report a copy of the Monitoring Report No 18 covering the period August to the end of September 2011.

In response to a question regarding an underspend in the budget for the scheme it was noted that the end of November had been programmed for the final accounts in respect of the Rothes Flood Prevention Scheme and that it was understood that it would be unlikely for the Scottish Government to seek to claw back a percentage of the underspend and that this position will be clarified in the report to the next meeting of the Sub-Committee.

Following consideration the Sub-Committee agreed to:-

- (i) note Monitoring Report No 18 for the Rothes Flood Alleviation Scheme for the period August to the end of September 2011; and
- (ii) report progress to the Council

6. MORAY FLOOD ALLEVIATION SCHEMES: FINANCIAL MONITORING SUMMARY

There was submitted a report by the Corporate Director (Environmental Services) providing the Sub-Committee with a financial monitoring summary in respect of Moray Flood Alleviation Schemes. There was appended to the report details of the actual costs and commitments to 30 September 2011.

Following consideration the Sub-Committee agreed to:-

- (iii) note the progress for Forres (River Findhorn & Pilmuir) Flood Alleviation Scheme for the period ending 30 September 2011; and
- (iv) report progress to the Council.

7. QUESTION TIME

Councillor Ross, whilst acknowledging that his question may be straying from the remit of the Sub-Committee, enquired as to what measures the Council was taking to assist the communities of Garmouth and Kingston in light of their continuing concerns regarding flooding especially when approaching the period when the water levels and flow will be on the increase. He advised the meeting that he had been advised that the mouth of the River Spey has swung 200/300 yards westward in the past year and the shingle bank is still building up in the middle of the river and there continues to be erosion at the Kingston side of the river. In response the Consultancy Manager advised the meeting that reports on a Business Case have been submitted to the Council's Economic Development & Infrastructure Services Committee which indicated that the benefits do not outweigh the costs and therefore a flood alleviation scheme cannot be progressed. The council has engaged with the communities to look at ways they can help themselves, a view which is supported by the Scottish Government as local authorities have a duty not only to look at flood alleviation schemes but a wider range of measures to help reduce the risk of flooding such as flood warning and community resilience and it has to be a community effort as much as a Council effort.

As a supplementary question Councillor Ross enquired as to what assistance the Council could offer local contractors in regard to contracts/consents to remove the shingle from the middle of the river. The Consultancy Manager advised the meeting that that he was not convinced that removal of the shingle would alleviate the risk of flooding and he would require scientific evidence to support the assumption before he could make a recommendation to the Council/

Councillor Divers sought an update on the position of localised roads flooding, especially in New Elgin and Rothes. The Consultancy Manager advised the meeting he has had meetings, including on-site, with representatives of Scottish Water and the Council's Roads Maintenance Manager with a view to resourcing appropriate funding from the respective organisations to undertake a study of the problem. To date the Council has, as part of the budget setting proposals, included an element under Flood Risk Management for consideration for inclusion in the budget to undertake a study of the problem. Scottish Water however has not made the same progress and he understood that as there is no central capital resources available within Scottish Water to undertake this work it may be appropriate for it to be raised at a local level which he proposes to do at the earliest opportunity.