

THE MORAY COUNCIL
MINUTE OF MEETING OF THE FLOOD ALLEVIATION SUB-COMMITTEE
30 OCTOBER 2013
COUNCIL OFFICE, ELGIN

Present

Councillors G. Alexander (Chairman), J. Allan, L. Creswell, G. Leadbitter, A. McLean, P. Paul, R. Shepherd and A. Skene.

Apologies

Apologies for absence were intimated on behalf of Councillors J. Divers, M. Shand and A. Wright

In Attendance

The Consultancy Manager, the Project Manager (Elgin Flood Alleviation Scheme), the Project Manager (Forres (River Findhorn & Pilmuir) Flood Alleviation Scheme), the Technical Support Officer (Consultancy), Mr A McEachan, Legal Services Manager (Property and Contracts) (for Item 6) and the Democratic Services Manager, Clerk to the meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 and the Councillor's Code of Conduct, 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 or any declarations of Member's Interest in respect of 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 Elgin Flood Alleviation Scheme.

During discussion, some confusion arose in regard to the description relating to the revision to risk allowance as detailed in the table contained in Appendix 1 of the report and it was agreed that in future when referring to the revision to risk allowance, the wording of the column relating to "remaining allowance" will be revised to read "revised remaining allowance".

Thereafter, the Sub-Committee agreed :-

- (i) to note the Monitoring Report No 17 for the Elgin Flood Prevention Scheme 2007 for August to end of September 2013;
- (ii) to report progress to the Council, and
- (iii) that in future when referring to the revision to risk allowance, the wording of the column relating to “remaining allowance” will be revised to read “revised remaining allowance”.

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.

Following consideration, the Sub-Committee agreed to:-

- (i) note the Monitoring Report No 7 for the Forres (River Findhorn & Pilmuir) Flood Alleviation for August to end of September 2013; and
- (ii) report progress to the Council.

5. MORAY FLOOD ALLEVIATION SCHEMES: FINANCIAL MONITORING SUMMARY

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

Following consideration, the Sub-Committee agreed to note that:-

- (i) the estimated capital cost of Schemes accords with the approved Financial Plan as far as can be ascertained at this point, with the exception of Forres (Burn of Mosset);
- (ii) following further review of risk and forecast construction and other costs the out-turn for the Elgin Scheme is forecast to be £792,833 under budget;
- (iii) following further review of risk and forecast construction and other costs the out-turn for the Forres (River Findhorn & Pilmuir) Scheme is forecast to be £2,512,632 under budget; and
- (iv) forecast out-turn costs for the Rothes Scheme remain £2.4 million below budget.

6. QUESTION TIME (PARA 6)

Prior to discussion the Chairman advised the Meeting that he wished to raise a question relating to compensation claims in respect of the Forres (River Findhorn &

Pilmuir) Flood Alleviation Scheme and sought advice from Mr A McEachan, Legal Services Manager (Property and Contracts) as to whether the question should be discussed in confidence. In response Mr McEachan advised that due to the possibility of the discussion resulting in identifying claimants, he was of the opinion that the question should be discussed in confidence.

The Meeting resolved therefore to take the question in confidence in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, and that the public and media representatives be excluded from the meeting during consideration of the item of business so as to avoid disclosure of exempt information of the class described in paragraph 6 of Part 1 of Schedule 7A of the Act.

Thereafter Councillor Alexander sought clarification on whether any guidance had been issued to landowners and or their agents regarding compensation and what can be claimed against for those affected by the flood alleviation works. In response Mr A McEachan, Legal Services Manager (Property and Contracts) advised guidance had been provided to all affected landowners and or their agents at the outset of the flood alleviation works. The Consultancy Manager also clarified the Council's position in terms of the Flood Prevention (Scotland) Act 1961