

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE – 11 JANUARY 2006

FLOOD PREVENTION – BIENNIAL REPORT

Report by Executive Director of Development and Property Services

1. PURPOSE OF REPORT

- 1.1 To inform Committee of the publication of the Biennial Report which is required under the Flood Prevention (Scotland) Act 1961 as amended.

2. BACKGROUND

- 2.1 With the introduction of the Flood Prevention and Land Drainage (Scotland) Act 1997 which amended the Flood Prevention (Scotland) Act 1961, East Ayrshire Council is required to prepare and publish a report on a two yearly interval specifying the measures required to be taken to prevent or mitigate the flooding of non-agricultural land within its area.
- 2.2 The 1961 Act as amended states that “Every Local Authority shall cause the watercourses in their area to be assessed from time to time for the purpose of ascertaining whether any such watercourse is in a condition which is likely to cause flooding of land, not being agricultural land, within or outwith their area”, and “that their exercise of any power mentioned in section 2(1)(a) of this Act would substantially reduce the likelihood of such flooding, they shall exercise that power accordingly”.
- 2.3 The maintenance provisions do not apply to ground or surface water run off outwith a watercourse or inadequate drainage.
- 2.4 Flood prevention measures, such as walls etc, are not a duty under the above 1961 Act as amended.

3. FLOOD PREVENTION ACT – FOURTH REPORT

- 3.1 A report complying with the legislation has been compiled and is enclosed in Appendix A.
- 3.2 This report has been circulated to libraries within East Ayrshire.

4. LEGAL IMPLICATIONS

- 4.1 The publishing of this report is a duty under the Flood Prevention (Scotland) Act 1961 as amended.

5. FINANCIAL IMPLICATIONS

5.1 The costs will be contained within the Roads Divisions Budgets.

6. RECOMMENDATIONS

6.1 The Committee is invited to note the report and its publication to comply with the requirements of the Flood Prevention (Scotland) Act 1961 as amended.

James Lavery
Executive Director of Development and Property Services

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LIST OF BACKGROUND PAPERS

Nil

For further information please contact John McRobert on 01563 576310

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FLOOD PREVENTION (SCOTLAND) ACT 1961 as amended by the FLOOD PREVENTION AND LAND DRAINAGE (SCOTLAND) ACT 1997

REPORT - NOVEMBER 2005

This report is the fourth to be published by East Ayrshire Council following the introduction of the amendment to the above 1961 Act.

This report is required to outline:

- a) the measures which the Council consider they require to take to prevent or mitigate the flooding of non-agricultural land in their area;
- b) the measures which the Council have taken since the date of publication of the previous report to prevent or mitigate the flooding of non-agricultural land;
- c) all occurrences of flooding of such land since the previous report.

a) East Ayrshire Council considers the following measures to be undertaken.

- 1 Assess watercourses from time to time to ascertain whether they are in a condition likely to cause flooding to non-agricultural land.
- 2 Identify previous areas of flooding. Survey and consider options for possible flood prevention schemes.
- 3 Record river level and rainfall levels, made available by SEPA, for the River Irvine and Kilmarnock Water catchment areas.
- 4 Ad-hoc monitoring of weather conditions.
- 5 Identify lengths of urban culverted watercourses that may give rise to a potential flooding problem as a result of partial/complete blockage.
- 6 Discuss with Planners and Developers at an early stage the possible development of floodplain areas and the drainage requirements therein.

b) Measures that East Ayrshire Council have taken since the last report.

1. Inspection of the main watercourses through towns/villages where it is considered that there may be a risk of flooding.
Noted during the inspections such things as:
 - general condition of river beds and banking;
 - adverse condition of any existing defences;
 - obstructions or possible obstructions to the flow of the watercourse;
 - debris, natural or otherwise, lying within the watercourse;
 - condition/efficiency of inlets and outfalls.
- 2 The Council has at locations in the River Irvine and Kilmarnock Water removed the build up of excessive sand/gravel beds from both mid stream and adjacent to riverbanks.
- 3 Removal of general items of waste from watercourses, identified from the river inspections and also as a result of public complaint.
- 4 Removal of tree trunks lying within watercourses, washed downstream as the result of high water.

- 5 Informed riparian owners of damage to boundary walls and riverbanks that may, if further deterioration occurs cause a potential flooding problem to the surrounding area.
- 6 Actuated, from time to time as a result of the monitoring procedures indicating a possible occurrence of flooding, two floodgates on the above defences. This prevented the lower lying areas of Burnside Street and Stoddard International Ltd located in Kilmarnock from flooding. It should be noted that East Ayrshire Council has no Legislative responsibility to operate such a system.
- 7 Annual maintenance contract issued for the two floodgates and various pen stocks/slucice gates.
- 8 Minor Flood Works Contract issued for the implementation of various minor flood alleviation measures throughout East Ayrshire which include construction of manholes for access and inspection purposes, construction of headwalls and installation of security screens at culvert inlets.
- 9 Cleaned out sections of urban culverted watercourses including the removal of debris from manholes.
- 10 Closed Circuit Television Surveys of some lengths of culverted watercourses.
- 11 Removal of debris from in and around culvert headwalls/trash screens highlighted as a result of the routine inspections.
- 12 Discussed with Planners and Developers, both before and as a result of Planning Applications submitted to Council.
- 13 Substantially completed the Flood Prevention Scheme contract for the Crookedholm, Riccarton/Glencairn area Kilmarnock and the Galston/Cessnock attenuation scheme in November 2004. (The construction of these Works began in August 2003). Works now completed apart from minor snagging. Successfully obtained funding through East Ayrshire Council's Capital Programme and the Scottish Executive for this work.
- 14 Engaged Specialist Consultant's for the preparation and submission to the Scottish Executive of a Flood Prevention Order for the mitigation of flooding in the town of Galston. The Scheme was submitted to the Scottish Executive in February 2005 for confirmation. As there is currently an objector to the scheme, if the objection cannot be resolved, a Public Inquiry will be required.
- 15 Continued improvements to drainage systems in Auchinleck.
- 16 As a consequence of flooding incidents in August and October 2004, the field drainage ditch to the rear of housing at Gilfoot, Newmilns was deepened and widened to alleviate the potential for the ditch to be overwhelmed during periods of intense heavy rainfall of short duration.

c) Occurrences of Flooding

Since the last report, there have been instances of inundation of water from the watercourses in the East Ayrshire Council area which require to be reported (these are known occurrences to the Roads Division):

- 1 05 February 2004
On the above date, heavy intense rainfall for a short duration in the late afternoon in the northern area of East Ayrshire caused a sudden rise in river levels within the catchment.
Localised flooding occurred within Kilmaurs and Crosshouse from the Carmel Water affecting a small number of low lying properties in Kilmaurs (one property had some water in the hall), otherwise only gardens and roads were inundated.

- 2 09 May 2004
On the above date, heavy intense rainfall for a short duration in the Craufurdland Water catchment caused a sudden increase in surface water run-off from open fields which overwhelmed a number of small culverts.
Drainage pipes from a private road to the east of Waterside overtopped and sent flood waters on to the main A719 through Waterside.
The flow followed the contours of the road to discharge in to the Craufurdland Water further downstream, inundating one property on Main Road (house floor level not affected) and flowing through a new development site (not occupied).

- 3 10 August 2004
On the above date, heavy intense rainfall over short duration resulted in the field drainage ditch to the rear of the properties at Gilfoot, Newmilns overtopping and causing flooding to the garden areas of Nos 46 and 47 Gilfoot.

- 4 04 October 2004
On the above date, heavy intense rainfall over a prolonged period when the ground conditions were already saturated caused the field drainage ditch to the rear of properties on Gilfoot, Newmilns to overtop.
Although flood waters flowed through the gardens of several properties and caused flooding on the road, houses were not inundated.

- 5 07 November 2005
On the above date, prolonged heavy rainfall throughout the day caused a significant rise in the level of the Connel Burn which passes through the small hamlet of Leggate on the outskirts of New Cumnock.
The culvert carrying the burn below the B741, Dalmellington Road was unable to cope with the volume of water which resulted in the watercourse rising upstream of the culvert and overtopping the river bank to flow through the adjacent housing.
Several properties were affected, 3 properties were inundated, 3 properties had gardens and outbuildings inundated and a number of properties had only gardens affected.

East Ayrshire Council will continue to carry out work within the scope of the Flood Prevention (Scotland) Act 1961 as amended to lessen the likelihood of flooding to areas of non-agricultural land.

***EAST AYRSHIRE COUNCIL
ROADS & TRANSPORTATION DIVISION
NOVEMBER 2005***