

## **EAST AYRSHIRE COUNCIL**

### **DEVELOPMENT SERVICES COMMITTEE – 16 DECEMBER 2003**

#### **FLOOD PREVENTION**

##### **Report by Director of Development Services**

#### **1. PURPOSE OF REPORT**

- 1.1 To seek the Committee's approval for the publication of a 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".
- 2.3 The 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 –THIRD REPORT**

- 3.1 A report complying with the legislation has been compiled and is enclosed in Appendix A.
- 3.2 This report will be 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** It is recommended that the Committee approve the report and its publication to comply with the requirements of the Flood Prevention (Scotland) Act 1961 as amended.

**Stephen Chorley**  
**Director of Development Services**

JMcR  
24/11/03

**LIST OF BACKGROUND PAPERS**

**Nil**

For further information please contact John McRobert on 01563 576310

**Implementation Officer: John McRobert**

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

## **REPORT - NOVEMBER 2003**

This report is the third 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 requires 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.**

The Council has:

1. Inspected the main watercourses through towns/villages where it is considered that there may be a risk of flooding, noting 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 Removed 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 Removed general items of waste from watercourses, identified from the river inspections and also as a result of public complaint.
- 4 Removed 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 has 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 statutory duty to operate such a system.
- 7 Issued annual maintenance contract for the two floodgates and various pen stocks/sluice gates.
- 8 Issued a Minor Flood Works Contract 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 Undertaken Closed Circuit Television Surveys of some lengths of culverted watercourses.
- 11 Removed debris from in and around culvert headwalls/trash screens highlighted as a result of the routine inspections.
- 12 Discussed with Planners and Developers development proposals, both before and following the submission of Planning Applications to Council.
- 13 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 Crookedholm, Riccarton/Glencairn area Kilmarnock and the Galston/Cessnock attenuation scheme. The Scottish Executive confirmed this on 05 November 2002. The construction of these Works began on 11 August 2003. Funding through East Ayrshire Council's Capital Programme and the Scottish Executive.
- 14 Undertaken the repair/replacement of the culvert through Woodlands Road, Sorn.
- 15 Carried out improvements to drainage systems in Auchinleck.
- 16 Prepared a contract to engage Specialist Consultant to prepare a Flood Prevention Order for the town of Galston. This contract was issued in December 2003.

### 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:

#### 1 **06 March 2002**

On the above date, after prolonged, heavy rainfall, locations in Kilmarnock were affected by flooding. New Mill Road and Little Bellsland Road were inundated by the River Irvine overtopping the banks. Old Street was affected by a surcharging sewer due to the high level of the River Irvine. The locations were visited and the appropriate emergency action taken. Access to some properties was cut off for a period but otherwise no properties were affected by flood waters.

B741 Dalmellington to Straiton Road flooded in the vicinity of Muck Bridge. This road is low lying and localised flooding occurs at times of heavy rainfall when the Muck Water overtops its banks. No properties are affected in this rural location.

#### 2 **08 September 2002 - Galston**

On the above date, after particularly prolonged, heavy, localised rainfall the Burn Anne overtopped at Bridge Street, Galston due to the rapid rise in river level and build up of material at recently installed debris posts.

The posts were installed upstream of the bridge to prevent possible blockages underneath the bridge.

The location was visited and appropriate emergency action was taken.

The configuration of the posts has subsequently been revised to improve the performance of the system and additional posts have been installed in a woodland area upstream of Galston to reduce the quantity of debris reaching the critical location.

#### 3 **24 May 2003**

On the above date, after a particularly prolonged, heavy, localised storm, Burn Road, Darvel was affected by flood waters when the Matthew Burn overtopped its banks. The location was visited and appropriate emergency action taken. Measures to reduce the volume of debris accumulating on culvert screens along the watercourse are being considered for the mitigation of flooding.

#### 4 **2 November 2003**

On the above date, after particularly prolonged, heavy rainfall areas of Kilmarnock, Newmilns and Darvel experienced flooding with some properties in Newmilns and Darvel being affected. The cause of which varied from gullies unable to cope, run off water from high ground and overtopping of Matthew Burn, Darvel and Caffle Burn, Newmilns. All locations were visited and the appropriate emergency action taken. The late and heavy leaf fall that occurred during the storm quickly blinded off the trash screens and gullies which impacted on the extent of inundation.

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 2003***