

EAST AYRSHIRE COUNCIL

POLICY AND RESOURCES COMMITTEE – 28 MARCH 2000

FLOOD WARNING SCHEME – REQUEST TO THE SCOTTISH ENVIRONMENTAL PROTECTION AGENCY (SEPA)

Joint Report by Directors of Development Services and Community Services

1 PURPOSE OF REPORT

- 1.1** To recommend submitting a formal request to The Scottish Environmental Protection Agency for the installation of a flood warning scheme for the River Irvine and Kilmarnock Water.

2 BACKGROUND

- 2.1** Following the succession of flood events in recent years affecting properties in Kilmarnock and Crookedholm over an extended area the Departments of Community Services and Development Services, together with Strathclyde Police, have established ad hoc arrangements to monitor rainfall and river levels of provide some advance warning of the need to set up an emergency response to deal with serious flooding. These arrangements have served the Council adequately to date. But the potential risk of flooding appears to be increasing, and a more robust flood warning mechanism would be desirable.
- 2.2** Following the flood event last December there have also been requests from private businesses for advance warning of flooding. Without a systematic flood warning system in place the council has not been in a position to offer such a service. The introduction of a flood warning system by the Council at the present time could incur liabilities if it proved to be inaccurate due to the ad hoc arrangements.
- 2.3** Since the major flooding events of 1994 SEPA has been given the remit of establishing flood warning systems where they would appear to be justified. Following the last December event the Director of Development Services wrote to SEPA requesting them to consider establishing a flood warning scheme for the River Irvine and Kilmarnock Water. This was further discussed at a meeting with the Head of Hydrology at SEPA together with the Director of Community Services. SEPA indicated that they would wish to receive a formal request from the Council supported by the Police.

3 FORMAL REQUEST TO SEPA

- 3.1** In order to operate a flood warning scheme SEPA require a system of river level and rainfall gauges. Such gauges are in place at key locations, although additional gauges would improve the ability to provide advance warning of

flooding events. The installation of a full flood warning scheme should not require substantial investment in measuring equipment and stations.

3.2 In deciding whether to set up a flood warning system SEPA will consider the benefits in relation to the costs. At the recent meeting it was pointed out to SEPA that:

- ◆ There have been three major flooding events, resulting in properties being inundated, within the last five years – no other urban area in Scotland has experienced the same pattern of flooding
- ◆ The flood defences which have been put in place, and further flood defences which will be constructed if additional funding is received from the Scottish Office, require active management to be effective – manual operation of flood gates and non-return valves is required at a number of key points
- ◆ If the gates and valves in the existing system are not closed, or if river levels rise above those experienced last December a large number of properties would be affected by flooding, as in 1994 and 1995

3.3 The Council has established a close working relationship with the Police in responding to flood emergencies. The Director of Community Services has consulted the Police on the proposed formal submission to SEPA.

4 FINANCIAL IMPLICATIONS

4.1 In some areas local authorities have made financial contributions to the operation of a flood warning system by SEPA. It has been pointed out to SEPA, however, that the Council has invested substantial sums in flood prevention measures within the Kilmarnock area, in addition to the funds provided by the Scottish Executive. It has been made clear that the Council would wish SEPA to consider 100% funding of a scheme for the River Irvine and Kilmarnock Water.

5 LEGAL IMPLICATIONS

5.1 SEPA have discretionary powers in the Agriculture Act 1970 as amended by the Environment Act 1995 to provide flood warnings. If SEPA accede to the Council's request to provide a flood warning system, then approximate legal safeguards should be incorporated in the agreement to ensure the Council is not held liable for any failure of the flood warning system.

6 RECOMMENDATIONS

6.1 It is recommended that the Committee agree to the submission of a formal request to SEPA to provide a flood warning scheme for the River Irvine and Kilmarnock Water.

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22 March 2000
SC/JR

BACKGROUND PAPERS

Nil

For further information on the contents of this report, please contact Stephen Chorley, Director of Development Services, on 01563 576011 or William Stafford, Director of Community Services, on 01563 576023.

AGENDA