

## **Transportation and Infrastructure Committee Meeting: 11 November 2003**

### **Flood Prevention and Land Drainage (Scotland) Act 1997 Biennial Report**

#### **Report by the Director of Technical Services**

##### **1 Purpose of Report**

To present the biennial report as required under the Flood Prevention and Land Drainage (Scotland) Act 1997.

##### **2 Introduction**

The main provisions of the Flood Prevention and Land Drainage (Scotland) Act 1997 came into operation on the 26 May 1997. Amongst other things the Act amended the Flood Prevention (Scotland) Act 1961 and placed new duties on all local authorities in Scotland. The new duties are as follows:-

- (i) to carry out an assessment of watercourses;
- (ii) to carry out maintenance of water courses; and
- (iii) to publish biennial reports.

These requirements ensure that the general public has access to the records of the local authority in relation to the Act.

##### **3 Previous Reports**

The Council's Initial Report was published in January 1998 and this was followed with reports published in March 2000 and November 2001. This report covers the period October 2001 to October 2003.

##### **4 Assessments of Watercourses**

The Act requires the Council to assess watercourses from time to time to ascertain if they are in a condition likely to cause flooding of non-agricultural land.

Identified watercourses are inspected annually for potential future problems which may cause flooding. This includes checking inlet pipes and grills for debris, checking overgrown vegetation and examining the geometry of the watercourse for potential blockages.

Using maps detailing the extent of all known watercourses and which identify areas with known flooding problems, an assessment of flows from all new housing developments are evaluated and concerns raised where appropriate.

##### **5 Maintenance of Watercourses**

This section of the Act provides the Council with permissive powers to cleanse, repair or otherwise maintain in a due state of efficiency any watercourse, barrier or ancillary apparatus where there is a likelihood that flooding of non-agricultural land could occur.

During the summer/...

During the summer watercourses are inspected once a week and during the winter they are inspected twice a week. These inspections involve checking the inlets to culverts and the removal of debris (see Appendix A attached). This regular maintenance is particularly important where watercourses lead directly to the sea.

## **6 Biennial Report**

- (i) The measures the Council consider are required to prevent or mitigate the flooding of non-agricultural land in Orkney

Identify, monitor and inspect all watercourses and carry out any necessary maintenance works. Where necessary provide engineering reports on proposals to prevent any flooding.

Within the Winter Maintenance Plan, an integrated service is provided to deal with the extraordinary works associated with flooding caused by severe weather.

- (ii) The measures the Council has taken since the date of publication of its previous report to prevent or mitigate such flooding

Lynnburn, Kirkwall – The contract to pipe the open watercourse was completed.

Pickaquoy Road, Kirkwall (Phase 2) - The positive drainage system was completed.

Peedie Sea, Kirkwall – A report on flood prevention measures associated with discharges into and from the Peedie Sea has been commissioned. Concerns regarding further development within this catchment area have been raised and may delay some projects.

- (iii) All occurrences of such flooding since October 2001

During the period October 2001 to October 2003, 11 incidents were reported. In accordance with The Society for Chief Officers of Transport, Scotland (SCOTS) published notes for guidance, a number of these incidents did not conform to the definition of flooding. For example, a number of reports related to minor blockages associated with road gullies or with residents concerned about potential flooding.

The Council has a statutory duty to report the following:-

<b>Location</b>	<b>Frequency</b>	<b>Brief Description</b>	<b>Subsequent Action</b>
Main Street, Pickaquoy Road & Junction Road, Kirkwall	Occasional	High tide and heavy rain occurs	Warning sign until tide ebbs
Cromarty Square, St Margaret's Hope	Very occasional	High tide, heavy rain and debris blocked inlet to culvert	Clear debris from culvert
Muddisdale, Kirkwall	Occasional	Heavy rain and debris blocked inlet to culvert	Clear debris. New screens fitted to inlet pipes.
Pierowall, Westray	Very occasional	High tide and seaweed blocks culvert	Clear debris

## **7 Financial Implications/...**

## **7 Financial Implications**

The drainage and flood prevention revenue budget for maintenance of the existing system for 2003/04 is as follows:-

Drainage & Flood Prevention	£100,00
Drainage Cyclic Maintenance	0
Flood Relief	£250,00
	0
	<u>£40,000</u>
	£390,00
	<u>0</u>

The capital allocation for drainage and surface water/flooding improvements for 2003/04 and 2004/05 is contained in the 'Other Maintenance' Capital Programme where £67,000 and £71,000 respectively has been set aside for bridges and structures, surface water/flooding improvements, road safety improvements and minor improvements. The Roads revenue budget is used to pay for all minor improvements.

## **8 Legal Implications**

The Flood Prevention and Land Drainage (Scotland) Act 1997 places duties on the Council with a view to preventing the flooding of non-agricultural land.

## **9 Policy Implications**

The Council's policy on flood prevention is set out in the initial report of 1998 approved at the Roads and Environmental Services Committee meeting on 27 January 1998. The Stage 1 and Stage 2 proposals sets out the Council's policy on 'Measures to Prevent or Mitigate Flooding of Non-Agricultural Land in Orkney'.

## **10 Recommendations**

I recommend that the Committee note the biennial report on the occurrence of flooding from October 2001 to October 2003 and the measures taken, to prevent or mitigate flooding of non-agricultural land.

## **11 Contact Officer**

Sandy Bremner, Graduate Engineer, extension 2314.

Director

SB/AW  
25 October 2003

## Appendix A

### Schedule of culverts to be checked and cleared of debris once a week in summer twice a week during winter (October to April)

#### Kirkwall

Otterswick, Papdale East.	1 No.
Willow Road/Mill Street	3 No.
Muddisdale Road	2 No.
Weyland Bay	1 No.
New Scapa Road/Holm Branch	3 No.
Burgh Road (Peerie Sea)	1 No.
Crafty	1 No.
	<u>12 No.</u>

#### Stromness

Garson Road (School)	1 No.
Pumphouse	1 No.
Cairston Road	1 No.
Hillside Road	1 No.
Faravel	1 No.
Innertown Road	1 No.
Mayburn Court	1 No.
Marwick Playing Field	2 No.
	<u>9 No.</u>

#### St Margaret's Hope

Cromarty Square	1 No.
Front Road	1 No.
	<u>2 No.</u>