



## Meeting Note

### KPFG Committee Meeting 23<sup>rd</sup> November 2016

**Location:** Kemnay Academy

**Time:** 7.00pm

#### Present:

##### **Committee Members**

Ken Ledingham (Chairman)  
Helen Chalmers  
Jude Galas  
Alistair Gill  
John McNicol  
Jim Buchan

Tamara Forgie-Watt – Sanctuary Housing  
Paul Hendy- The Scottish Flood Forum  
Irene Ferguson- Kemnay Community Council

##### **Aberdeenshire Council**

Gavin Penman – Project Manager  
Lee Watson- Acting Principal Engineer

##### **Scottish Water**

Diane Burgess – Regional Community Team Manager  
Ben Bickle – Flooding Team  
Kevin Muir – Drainage Engineer Flooding Investigation Team

##### **Apologies**

Steve McGill

**Welcome:**  
Ken Ledingham welcomed all to the meeting and suggested that we should deal with the business involving members of Aberdeen Council and Scottish Water in the first place. This was agreed.

1. **Temporary flood protection at KP-** response from Council to list of questions about Watergate barrier with Gavin Penman and Lee Watson from Aberdeenshire Council with input from representatives from Scottish Water.

Lee Watson spoke for the council, he described the history and the position of Kemnay in relation to the flooding in January. He indicated that Kemnay is not a PVA at present but SEPA are likely to designate Kemnay as a PVA in 2019 before the Council's next planning cycle which starts in 2022. In the meantime he said that the Watergate temporary barrier can be deployed without planning permission so it a potential solution until such time as a

permanent barrier can be looked at. Lee used slides to show the proposed barrier route which will connect the two existing bunds. This route involved a change in direction mid route as shown in some of his slides below.



## Proposed route of Watergate Barrier



(All slides used available from Jim Buchan on request)

Alistair Gill asked why a straight route cannot be used, acknowledging that it would be a longer route.

Jim Buchan asked if the council has taken advice from the supplier of Watergate about introducing a bend. Council representatives responded that they have taken advice and that additional ballast at the point where the barrier bends would deal with this issue. Jude Galas asked "What about the impact of floating debris such as trees etc?". Kevin Muir (Scottish Water) indicated that there would be less force of flow in the area where the barrier would be deployed so debris will not float into this area with much velocity.

Ken Ledingham suggested at this point that we should move on to the written answers to the committee questions which had been sent to the Council previously.

**Question:** Ken asked if the system will be purchased?

**Answer:** Gavin Penman stated as the project cost is over £50k it will be necessary to obtain a fully detailed quote and obtain permission to proceed with the purchase from the Garioch Area Committee. He stated that he does not foresee any obstacles to approval being granted.

**Question:** Ken asked what arrangements apply to the provision of pumps?

**Answer:** Gavin thinks that rather than purchase pumps it would be preferable to have a company contracted to provide them when needed. When a flood threat has been declared, the pumps will be brought on site in readiness for use. These pumps would also be serviced to ensure that they are in good working order when needed.

Ken stated that the Rotary club has offered to donate a pump to both Kembhill Park Flood Group and Milton Meadows Residents Association.

**Question:** Ken asked "What sort of storage container will be provided?  
Will it be vandal proof?"

**Answer:** Assurance was given that it would be a metal container which would be very secure.

**Question:** Ken asked if electrical generators will be provided to power floodlights.  
In view of the fact that there are no street lights in the area where the system needs to be deployed this would be useful. Lights would be needed during deployment and later on to visually monitor the system in use.

**Comment:** Kevin Muir suggested that there would be a need to provide security monitoring when the system is deployed.

The police should also be informed to see what they can do to provide added security such as additional patrols. Paul Hendy suggested that a web Cam surveillance system would be good to allow remote monitoring.

**Answer:** Gavin stated that the Council intend to give 12 hours notice of a flood alert so that we can have the barrier deployed in good time and in good light. No explicit commitment to provide power generators was made.



**Comment:** Kevin Muir thought we should plan to “over react” in the first place to get the deployment exercise well rehearsed. This could be done by having volunteers execute the setup procedure before a real emergency occurs.

**Question:** Ken asked when the Garioch Area Committee will come to a final decision and the full proposal would be ready.

**Answer:** Gavin stated that the next committee meeting he would be able to present his proposals to is in January so the detailed proposal would be designed and available for the community to see at that time.

**Question:** Ken asked if lifejackets would be provided for volunteers?

**Discussion:** This gave rise to some discussion, Kevin Muir stated that if a life jacket is needed people are in an area where they might be in danger which would be better avoided. Paul Hendy commented that it may be better to prepare for a potential accident where a volunteer might find themselves in the water. Some comments were made about the power of flowing water with the best advice being to keep well clear of moving water.

**Request from a member of the public to join the meeting:**

At this point Diane Burgess, who had been called out of the meeting earlier by the person, returned to the meeting and asked if the person could attend the meeting to observe. Committee members agreed unanimously that this would not be appropriate as the person is neither a member of KPFG or this committee. Diane again left the meeting to inform the person of this decision and returned.

**Question:** Ken asked about volunteer’s insurance cover if they were deploying the Watergate barrier? Can the Council clarify what activities would be covered?

**Answer:** It was agreed by Gavin that he will provide information on what activities would be covered.

**Question:** Irene asked if there is any update on Insurance for General Village Volunteers. Gavin stated that there is cover for Kemnay Community Council to which Irene agreed, however, added that it was recently stated by Colin Gray of AC that the matter of insurance for General Village Volunteers is with the insurers and the Scottish Government. Gavin to get this further clarified.

**Action** – Gavin said he would get this clarified and report back to the committee in writing.

**Conditions of insurance Provision:**

- Gavin will have to keep a register of named people who will be trained and covered by the insurance policy.
- Only those on an authorised volunteer list will be covered.
- Ad hoc volunteers would not be covered.





- Council will provide an initial training session to registered volunteers.

Gavin stated that all registered volunteers must be trained. It was suggested that Simon Crowther, who is supplying the Watergate barrier might be invited to provide a training session for volunteers.

**Question:** Jim asked “What are the exact timescales for provision of the Watergate solution”?

**Answer:** Gavin said that subject to the suppliers ability to deliver and the Garioch Area Committee having approved the expenditure the barrier could be delivered quite quickly after that.

**Question:** Jim asked if the Watergate solution was deployed, would this prejudice any expenditure to provide a future permanent solution?

**Answer:** Gavin stated that if the Kembhill Park community were to accept the temporary Watergate system this will not prevent further money being spent when we become a PVA and a full flood risk survey has been completed in relation to the effect of a permanent barrier on communities downstream.

Gavin reaffirmed that Watergate is a temporary solution and that it would not prevent a permanent solution being provided once Kemnay is a PVA and a study has been done.

**Question:** Jim asked if this can be put in writing.

**Answer:** Gavin again stated that this is a temporary measure (but did not commit to put this in writing)

**Action** Jim to write to Gavin to seek written confirmation on this point.

Jim then commented that “It may be possible that the Watergate solution is more costly than another temporary solution”

Gavin stated that “the Watergate system is the best temporary solution for this location and is cost efficient”

Gavin repeated that as the Watergate barrier is a temporary solution there was no need for a full flood risk study to be done.

**Question:** Alistair asked what was the cost of a flood risk study.

**Answer:** Gavin stated that it would be approximately £100k. Lee Watson pointed out that it would be full Kemnay area study, not just for Kembhill Park and it would be funded nationally.

**Comment:** Kevin commented that if a temporary flood bund was built it would impact on sites both up and down stream.

**Discussion:** Some discussion followed about the Port Elphinstone bund. Gavin stated that this was a reconstruction to restore that bund to its original state. There was a lot of rabbit burrow damage which led to its collapse during the flooding. There was also a flood study done when it was originally built.

**Comment:** Paul said that putting the Watergate system in place would have the same effect on water being diverted downstream every time it is deployed. The impact of having a barrier are the same whether it is a deployable temporary solution such as Watergate or a “temporary” earth bund design.

**Answer:** Gavin stated “If we need to build a “temporary” earth bund solution, this would raise the issue of planning permission being required and delay matters further.

**Question:** Jude raised the issue of Abergeldy castle and the construction work which was done by putting stones in the river to support the building after the flood damage there and asked what planning permission was given to do this?

**Answer:** Gavin confirmed that the Council was not involved in that project in any way and did not elaborate.

**Question:** Jim asked “what if an earth bund similar to Port Elphinstone was built on the basis that it can be removed or modified if a future study was to indicate that an alternative solution should be installed with a different construction or route?”.

Ken raised the issue of getting a section of the existing bund repaired as there is quite a dip near the houses at numbers 43 to 45 which might lead to the bund being breached in high water conditions.

**Answer:** Gavin stated that he would be reluctant to do this work until a flood risk study has been conducted.

**Comment:** Jim stated that based on the PE bund costings (which Gavin has confirmed to Jim), a similar solution at Kembhill Park could cost less than the indicative cost of the Watergate system.

Jim emphasised however that we still want the Watergate barrier but that we need to keep a conversation going about doing something different of a temporary nature which may be less costly to the Council in the long run and completely remove any risk to people who otherwise would have to deploy the Watergate barrier every time there was a threat of flooding.

**Discussion:** There followed discussion concerning the Port Elphinstone bund where Gavin stated that it is not formal bund and its construction is not what would be required for a formal flood protection device resulting from a full flood risk study.

Jim asserted that this means that it must be a temporary bund and that it might be appropriate to consider such a construction at Kembhill Park.

Irene asked if a temporary earthenworks bund would require a flood study. Gavin said that it would not.

Alistair also commented that a construction of this type could be subject to removal/upgrade as a consequence of a full flood risk study in the future.

**Answer:** Gavin stated that he would need to consult his planning department colleagues but agreed to go away and look at this possibility. He stated that this might delay matters somewhat.

#### **Comments:**

Lee stated that at PE there was funding that the council was able to apply for which is not available here. Gavin stated that the land at Kembhill Park is privately owned. Jim countered this by stating that he has the official documentation from the Land Registry which states that ownership is with the Council (this is available for viewing). It was then argued that in this case the protection was for private property. Ken stated that Port Elphinstone is the same as the houses there are private properties.

Paul Hendy raised a concern that the Kembhill Park bund may not be robust enough to withstand water pressure from one side. In January water flowed around both sides and pressure would have been equalised. Gavin stated that the bund is well stabilised but that the construction details are unknown.

**Answer:** Gavin said that SEPA need to give their blessing to an earth bund and seemed to agree that he might give an earth bund consideration.

## **2. Report from Scottish Water – Diane Burgess, Kevin Muir and Ben Bickle**

**Question:** Ken asked Scottish water if they have considered building a flood defence along the riverside perimeter of the Sewage Works.

**Answer:** Ben Bickle responded that this has not been considered as it not be the most effective place to build a barrier and others agreed. This idea was therefore discounted.

**Question:** Ken asked if there is a legal responsibility on Scottish Water to protect private properties.

**Answer:** Ben stated that their legal people say that they have no legal responsibility to build a barrier to protect housing from outflow from their plant during flooding. Their only responsibility was for the safe operation of the sewer system and pipework to and from the plant.

Ken stated that he has an e-mail from the local MSP which seems to contradict this statement based on a meeting which Alexander Burnett had had with the CEO of SEPA the previous day.

**Answer:** Ben stated that he would like to obtain more information on this issue so that he can give it further consideration.

**Action:** Ben to investigate and report back

**Question:** Ken asked “Was raw sewage washed out of the SW plant into KP houses?”

Answer: Ben said that– there was no evidence of the sewerage system flooding – e.g. coming up through toilets and shower pans etc.

**Comments:**

Jim stated that his toilet could not flush.

Kevin stated that if it did not over flow then this is classified as loss of service not a flooding incident.

John stated that some people on upstream side of Kembhill Park had the toilet overtopped with water.

Diane said that people can report sewage flooding incidents to SW on their helpline.

Kevin suggested that KPFPG should collect evidence of any properties where the sewerage system caused discharge into peoples houses and to report to SW on 0800 078078

Kevin said that each call is recorded as a separate incident and that more calls increase the effectiveness of the models which are used to monitor how their system is working.

**Question:** Ken asked if we could have leaflets which give advice to people on what to do in relation to sewage issues.

**Action:** Diane agreed to supply these factsheets.

**Action KPFPG:**

Need to get details of houses where there was sewer flooding, houses where sewage flooded over the toilet bowls. Kevin will come to survey – photos of evidence will also be useful.

For future we need to report where sewer flooding takes place.

**Action**



We need to test Scottish Water's position about legal responsibility where sewage works are close to houses. This is in the context of the e-mail from our MSP.

**Action:** Kevin to talk to the SW waste water team to confirm if there was a flow of sewage from the SW plant to the KP houses. Ben said there is an overflow concern about the tanks at this site and work is ongoing to resolve this problem.

Kevin said he had looked at the title deeds for the SW plant and he cannot identify any information that the site was expanded at any time and that the bund was at one time any longer than it is now. He also drew attention to the fact that a tree which had been felled earlier this year was located in a direct line from the end of the bund going towards the fence at the plant and that no trees were located on top of the bund. This suggests that the bund stopped where it does today and did not continue any further.

**Question:** Ken asked about whether there was any raw sewage escape from the sewage works from the outlet pipe into the river.

**Action:** Kevin said he would look in to this and meet the drainage team at SW workout whether sewage escaped inside or outside the plant.

Ben said that this matter will be fully investigated and reported back.

#### **Action summary:**

Lee and Gavin to talk to the Council planning department and SEPA to see if they can put a PE like bund in place on a "temporary" basis until such time as a full flood risk study can be carried out.

Gavin said that he was still very keen to go ahead with the Watergate barrier and not to consider a temporary earth bund at this time but agreed to look at the possibility.

**Question:** Tara asked if a full flood risk study could be brought forward?

**Answer:** Gavin stated this cannot happen as they do not have the resources at this time as they are fully committed on other flood prevention measures elsewhere in Aberdeenshire and it that it would have to be part of the next flood prevention planning cycle.

**Question:** Ken asked "what guarantee is there that we can get work done in the next planning cycle?"

**Answer:** Gavin said that he thinks this is likely to happen.

**Question:** Alistair Gill returned to the earlier discussion about the Watergate solution. He stated that if a clear 4 metre wide corridor for the Watergate is needed will some trees have to be felled to provide this?

**Answer:** Gavin indicated resistance to this and said that they would be able to deploy the device in the position indicated on their plan.



As the time was late and full discussion was felt to have taken place, Ken drew the discussion to a close. He did however ask for one item to be discussed which involved the allocation of visitor lists to committee members as part of a recruitment drive to encourage more residents to join KPF. After discussion lists were allocated.

It was agreed to carry forward the remaining agenda items to the next meeting.