



## DRAFT MINUTE FOR KPFGB MEETING 22/06/17

### **Present**

Ken Ledingham (Chairman)  
Jim Buchan (Secretary)  
John MacNicol (Treasurer)  
Jude Galas  
Irene Ferguson  
Alastair Gill  
Vicky Harper (Councillor)

### **Apologies**

Helen Chalmers  
Steve McGill  
Tamara Forgie-Watt

### **1. Apologies and welcome:**

*Ken welcomed those present and give apologies for the members who were unable to attend. He also welcomed Vicky Harper one of the three recently elected councillors for this area.*

### **2. Discussion with Vicky Harper, SNP Councillor:**

*Vicky introduced herself and said that she is still going through her training and induction program but will be starting her official duties in a week or so. She indicated that she was here to listen to our concerns with a view to understanding our issues. Vicky has had a meeting with Douglas Milne, the Garioch Area Manager at Aberdeenshire Council and reported that he is planning to have meeting with SEPA. Arrangements are in place to have SEPA attend the next Garioch Area Committee meeting.*

*Ken referred to the paper he had sent to the three new councillors and drew attention to various issues which he raised in it. Vicky confirmed that she was ready to listen to our concerns.*

*In paragraph two Ken raised the issue that the Council intend to use the NOAH (New Overall Accountable Hierarchy) tool to prioritise its work program in relation to Flood Prevention in Aberdeenshire. Ken emphasised that the residents of Kembhill Park need the support of local councillors to increase pressure on the Council to prioritise Kemnay as part of the NOAH process and to have the village added to the list of Potentially Vulnerable Areas (PVA's) which the Council will consider for the next six year flood prevention work cycle. It was noted that Ballater was not on the original list for works to be done during the current work cycle but as it was already classed as a PVA it was possible to add it to the list. Kemnay does not have PVA status and anything Councillors can do to rectify this situation would be appreciated. Vicky stated that she cannot make any promises at this time but was keen to help.*

*Another issue Ken raised is that the Council requires that planning permission is granted for work on any flood prevention measure which is to be completed. They also have to follow guidance from SEPA which requires that a Flood Risk Assessment (FRA) to be carried out before any work can proceed. Ken indicated that a FRA has already been done as part of a failed planning application to build houses in Fetternear Estate. This study focused on the effects of flood conditions on the Fetternear side of the river but Ken thought that it might be*



of use to KPFGB. Vicky said she was aware of this report and thought it could be useful in helping to get Kemnay PVA status.

Jim commented however that to satisfy SEPA a full FRA would be needed which would take account of the downstream effects of any flood prevention work done on the Kembhill Park side of the river.

Ken indicated that Council officials have indicated that they do not have the capacity to conduct a FRA on Kemnay at present. KPFGB have suggested that they might outsource the FRA work to an outside contractor but this idea has been rejected by Council officials. Irene stated that the Council would normally outsource such work in any case and use a company such as Fairhurst who carried out the Fetternear assessment.. This will require considerable funding however which is not currently available to the Council. Ken mentioned that there might be money available from the Belwin scheme to fund an FRA. Vicky was not aware of this scheme but agreed to find out more about it. Ken indicated that any help the Councillors could give in this matter would be appreciated.

It was also pointed out that the cost of a permanent barrier similar to the one at Port Elphinstone could be less than the cost of Watergate but it was understood that for the council to take forward any work it would need to be based on a "properly engineered" basis to ensure it met current flood protection standards. It was acknowledged that this would be the case even if it was a temporary barrier that was being built.

Ken turned next to the issue of the current review by SEPA of the list of PVA's in Scotland which is not due to be completed until 2019. KPFGB want Kemnay to be included as a PVA well before that date. If we are unable to change the Scottish Government's position on this issue it will not be until 2022 that the Council will be in a position to include Kemnay in their flood prevention plans.

Alastair reminded the group that Scottish Ministers can ask SEPA to conduct a review of PVAs earlier. KPFGB has presented a parliamentary question via our MSP asking Ministers to use their powers to conduct a review sooner than 2019. The answer from the Cabinet Secretary Roseanna Cunningham is that she is not minded to use her power to do so at this time. Alastair has written again to our MSP to ask if he will find out under what circumstances the Minister would agree to use this power. The group agreed that this issue is worth further investigation.

Alastair also mentioned in passing that the project to rebuild the Port Elphinstone bund simply positioned it on its original location. If a new FRA had been carried out it might have resulted in the bund being rerouted to the other side of the playing fields nearer the houses and in doing so increasing the size of the flood plain.

Irene asked Vicky if there is a list of all the changes in personnel in the Council since the recent elections. Vicky confirmed that there is a list being made up which will be available soon. She also mentioned that Doug Milne is retiring.

**Action:** Vicky to make the new list of Councillors and Officers available to KPFGB



*Irene asked Vicky if KPFGB can be told what the cost of having a contractor on standby will be to deploy the Watergate barrier. It was agreed that this information should be in the public domain.*

*Ken indicated that he had written to all three ward Councillors about issues relating to drain cleaning on the path around Kembhill Park. Vicky confirmed that Hazel Smith has taken this up with Doug Milne. Ken agreed to follow up this issue with Hazel to see what action is taking place.*

*There was some discussion about the possibility of KPFGB employing a company like Fairhurst to conduct a FRA. This work might be funded through a grant. Once this has been done it was felt this might help in Kemnay being classified as a PVA by SEPA. This might in turn mean that the Council could add Kemnay to their work plans at an earlier date.*

### **3. Feedback from KCC meeting, Steve/Irene:**

**Action:** Irene to talk to Sub Sea to see if they would be interested in transporting and deploying the barrier as they are locally based.

*Irene has spoken to Wesubsea but they are not interested in bidding for this contract as this task is not part of their core business.*

*Steve was not present at this meeting so no detailed report was available but Irene offered comments about relevant issues.*

*Irene said that Steve reported to KCC that there are plans for KPFGB to have another dry run of setting up the Rotary Club pump and that KPFGB is still pursuing the issue of PVA status with the MSP and MP. Irene said that insurance of flood group owned equipment stored in the Council container will not be covered by their policy so flood groups will need to make their own arrangements for cover. She also indicated that the Council is in the process of appointing a local contractor to be responsible for deploying the Watergate barrier.*

*At a future meeting of KCC a guest speaker from the Scottish Flood Forum will be in attendance but it is not known who this will be as changes are taking place at SFF.*

### **4. Minute of meeting 17/04/17, approval and circulation:**

*One minor amendment was made and the minute was approved for publication.*

**Action:** Jim to publish the minute on the KPFGB website and inform members and residents via the Mail Chimp lists.

### **5. Matters arising:**

#### **a) Boundary walls flood defence idea:**



Ken has had costings from a local builder but needed further information to bring back to the committee.

**Action:** Ken to follow up costings with the builder.

*Ken indicated that he had now received costings for a wall and flood gates to fill any gaps. The wall would extend for 250meters, be 1 Meter high and be 225mm thick. Cost are estimated to be in the region of £70k+VAT for the wall and £70k + VAT for Flood Gates (20 of these would be needed). The total estimate would be £140k + VAT.*

*After discussion, it was agreed that this was a useful exercise but that it will be necessary to ensure that the design is based on a specification which reflects the pressure which the wall and gates will be subjected to in the event of a flood.*

*It was felt that the possible cost of this project might be similar to, or even greater than the cost of rebuilding the existing bund, and extending it, based on the same construction specification as that used for the Port Elphinstone bund.*

**Action:** Jim agreed to approach the Port Elphinstone contractor to see if they could provide an estimate for building a similar bund which follows the route of the current Kembhill Park bund including the missing section between the sewage works and Bremner Way. **Jim Buchan**

**Action:** Once this has been obtained Alastair will approach companies about getting a FRA done to assess the effect of rebuilding the bund. **Alastair Gill**

**Action:** Irene agreed to approach SEPA and ask if they have a recommended specification for the design of a flood barrier wall. **Irene Ferguson**

Other actions arising from the previous meeting under this heading :-

1.) Discussion then took place about the possibility of a community art project such as the Sleeping Dragon idea which had first been raised by the committee.

**Action:** Eleanor said she would ask Alan Hanna from Sanctuary Housing to come and have a conversation with KPFGB as he has experience of this sort of project.

*Eleanor was not present and she had not provided any further feedback on this as yet.*

2.) Ken then mentioned other ideas the group has been considering such as building large raised flower beds across the “wild flower garden” area.

**Action:** Eleanor agreed to provide information about the Empowerment legislation. She will also try to identify someone with a “good listening ear” in the planning department and refer us to this person.

*Eleanor had sent Ken information about the Community Empowerment legislation. His opinion is that we could apply to the Council to take over the wild flower garden area and manage/develop it to create a flood barrier which met SEPA requirements but he thought we needed more advice from Eleanor on this matter. There are clearly funding considerations about such a project. The consensus was that it is too early to approach funding bodies and*



*we should wait until we have a more detailed plan and then consider funding/grant applications.*

**Action:** Ken to take this forward and report back to a future meeting.

**b) Contact with Stuart Donaldson, MP:**

**Action:** Paul to contact Rosanna (Cunningham) and report back to the next meeting.

*Paul was not present to report on his contact. Carried forward to next meeting.*

**c) Letter to Alexander Burnett, MSP:**

Discussion followed about the Flood Risk (Scotland) Act and its current deficiency. It was felt that the reasons which Roseanna Cunningham gave in her Parliamentary reply to take no action at this time over the PVA legislation were lacking in merit and that we should continue to challenge the Scottish Government on this question.

**Action:** Alastair agreed to write back to Alexander Burnett on the basis of the above discussion.

*Alastair has written back to the MSP asking if there is anywhere in Scotland that was flooded which was not listed as a PVA and if there were any existing PVAs that have never been flooded. Jim asked Alastair to provide a copy of the letter for inclusion in this minute.*

**d) Web site funding:**

**Action:** Jude will follow this up and report back with any further funding leads.

*Jude reported that she has no further leads at present and reiterated that many funding sources exclude funding websites.*

**Action:** Jim agreed to issue details of the website to the local community via a Mail Chimp update.

*Jim confirmed that this has been done on facebook and via Mail Chimp.*

**e) Application for Charitable status-**

**Action:** Jim to try to get these forms completed and have AVA comment on them before submitting.

*The form has been completed and discussed with Aberdeenshire Voluntary Action. In order to make a submission for Charitable Status we need to nominate at least three Trustees. Jim suggested that the three KPFGB office bearers should be put forward as trustees but that having other members of the committee would also be desirable. We also need to statement about the core purpose of KPFGB which Ken and Jim agreed to produce. It was*



*agreed that we would then proceed with the application. Office bearers and committee members were asked to fill in Trustees forms which Jim provided. This to be done this before the following weekend.*

**Action:** *Jim/Ken to produce description of KPFGB purpose*

**Action:** *John to provide a statement of accounts to support the application*

**Action:** *Jim to send the application, Office bearers and committee members to complete trustee forms and hand back to Jim ASAP.*

*Vicky Harper left the meeting at this point.*

*Ken asked if we should invite other Ward Councillors to future KPFGB meetings. It was agreed that we should be even handed and extend an invitation to the other two Councillors and that Ken should take this forward.*

**Action:** – *Ken Ledingham*

**f) Collection of data on house damages-**

**Action:** *Jim to ask members and residents again for the information.*

**Action:** *Jim to do an email to Paul to query how the FloodRe scheme should work and to get clarification as to whether customers are having to pay for the fund by increased premiums.*

*Jim said no action has been taken on this as yet.*

**g) Meeting with David Fyfe, Fetternear Estate:**

**Action:** *Jim will phone David Fyfe*

*No further action as yet.*

**h) Drain cleaning:**

*John reported that the drains have been cleaned but there was concern that the overgrown grass and weeds have not been cleared as yet.*

**Action:** *Ken will follow-up by writing to the Council again.*

*Ken had written to each of the ward Councillors and will continue to follow this up. It seems that in spite of some initial activity this work has not been completed in a satisfactory manner.*

**i) Rotary pump:**

**Action:** *Jim to email Milton Meadows group to see if they are interested in also purchasing CamLock Connectors; this would mean we could exchange hoses.*



**Action:** Jim to price a soft output hose.

**Action:** Ken to ask the Council (Graeme) if the main hose and/or pump can be stored in the container.

*Nothing to report as yet on pump actions. Jim will complete these actions ASAP.*

*Ken has spoken to council about storage of the pump in the container – this is OK but there will be no insurance cover. Ken has a key – it was agreed that the KPFGB office bearers should each keep a key.*

**Action:** Ken agreed to get keys cut and issue to John and Jim accordingly.

**j) Letter to Stuart Donaldson, MP:**

Ken had circulated the response from Rosanna Cunningham to Stuart Donaldson. Despite her negative response about a change in the Flood Risk (Scotland) Act it was agreed that there is merit in keeping this issue alive.

**Action:** Ken to draft a response and circulate to committee members.

Stuart has lost his seat to Andrew Bowie (Conservative) so Ken said he had decided to wait for him to get his feet under the table before contacting him. Others felt that we should proceed to write to him in any case.

It was thought that it would be good if he could come to meet with both Flood Groups.

**Action:** Ken to draft and send a letter to Andrew Bowie

**Action:** Irene to check if he has a surgery in the area and will make arrangements to meet with him.

**k) Funding from Garioch Partnerships, purchase of equipment:**

Alastair said that his company are upgrading their equipment and he might be able to persuade them to donate their old handsets to KPFGB

**Action:** Alastair will make enquiries to see if the old handsets at his firm could be donated to KPFGB.

*No action as yet as the current radios have not been replaced as yet. There are 11 radios – Alastair to come back when this moves on.*

**l) Allocation of tasks in relation to the Emergency Resilience Plan and KPFGB organisation:**

**Action:** Jim will produce a form for people to fill their contact details and indicate what service they can offer.



**Action:** Jim to check up on this; see item “p” below.

**Action:** Jim to approach a local resident to ask about his volunteering to operate the Rotary pump in an emergency.

*Not done as yet.*

Steve has spoken to KP the local taxi firm. They are willing to provide assistance in an emergency with transport etc.

**Action:** Steve to pass contact details to Ken.

**m) List of volunteers to deploy Watergate when needed:**

Helen had said that it would be best to send an e-mail to Alan Findlater to ask what he would be able to offer in the way of help in an emergency.

**Action:** Ken has written to Alan and is now awaiting a reply. He has met him however in the village and he was very helpful. He is keen to provide any assistance required in the event of a future flood event.

**n) Sleeping Dragon art project:**

**Action:** All committee members to consider who might be approached to provide input to such a project and to make initial contact with folk they knew might be interested.

*Already discussed at 5 (a) above – awaiting further input from Eleanor*

**o) Watergate flood barrier:**

*Ken said that he had been told by a Greener Kemnay member that the container is likely to be moved from its present position to the main depot.*

**Action:** Ken will ask the Council about this arrangement and any implications.

*Ken has been given a key to the container and will make copies for Jim and John to hold. The Council has also indicated that there are no plans to move the container.*

**p) Contact details for KP residents:**

**Action:** Jim to produce a contact details form using one form that can work for both members and non - members.

**Action:** Jim to progress this as time permits

*Jim now has a membership form which can fulfil this purpose and will take this forward. He suggested that all volunteers should complete the form.*

**6. Update on Resilience Plan:**





Alastair shared his new draft of the plan for Zone 3 which is a section of the Kemnay Community Council Plan. He said that further work is now needed to complete the appendices.

**Action:** Alastair is to circulate an electronic copy to committee members. Members are asked to comment on the revised plan and, once it has been agreed, a copy will be passed to KCC.

*Alastair has completed this and sent it to committee members. When it is completed it will form an annex to the KCC plan.*

*All committee members were asked to read the latest version and give comments to Alastair as necessary.*

*Ken suggested that we need to have a procedure in place in the event of a flood warning so that committee members know what they need to do without having to consult one another in an emergency. Alastair agreed and suggested that a “table top” exercise be carried out to test the plan and see what additional steps we needed to take.*

*Discussion took place about a request from Lee Watson at the Council who was asking about the time which elapsed between a flood warning being given by SEPA and the flooding of houses during the 2016 event. This information was required in order to work out how much time was needed for a contractor to bring Watergate, flood lights and pumps on site and set these up.*

*After discussion it was suggested that Ken contact a resident in KP who had been keeping a close eye on the river at the time and might be able to give more details.*

**Action:** Ken to tell Lee Watson that we need the barrier deployed 3 hours before predicted flooding and to ask him what he is planning to put into the tender document.

*Jim suggested that we should have a committee meeting dedicated to going over the resilience plan. It was agreed that this meeting should be set up once the contractor has been appointed by the Council.*

## **7. Attendance at KCC meeting 29<sup>th</sup> June, 2017**

Ken to attend

## **8. Date and venue of next meeting:**

7pm, 20<sup>th</sup> of July, Kemnay Parish Church Centre, Jim to book.

## **9. AOCB:**

### **Feedback from Hustings meeting 1/06/17**

*Ken attended and asked pertinent questions about the flooding in Kemnay. Nothing substantial came out of this meeting but candidates were asked what they could do for Kemnay if they were elected in relation to our flood barrier problem so they are all well aware of the issues and hopefully will be of help going forward.*



**Attendance at Scottish Flood Forum conferences**

*There was no interest from members to attend.*

**Article about Ballater – Jude Galas**

*Jude drew attention to an article on the Council website about what they were doing in Ballater.*

**2017 AGM** – *It was agreed that we need to identify a location for this event. Planning for the AGM should be added to the agenda for the next meeting. Jim confirmed what the basic agenda should be. The date is set for the 21<sup>st</sup> of September.*