



**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE
SERVICES COMMITTEE ON 4 DECEMBER 2018**

SUBJECT: LOCAL FLOOD RISK MANAGEMENT PLAN INTERIM REPORT

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,
PLANNING & INFRASTRUCTURE)**

1. REASON FOR REPORT

- 1.1 To ask Committee to agree the Local Flood Risk Management Plan Interim Report for the Findhorn, Nairn and Speyside Local Plan District, note the drafting, by Aberdeenshire Council, of the Interim Report for the North East Local Plan District and agree extracts of this report relating to the two Potentially Vulnerable Areas PVAs in Moray, as drafted by Moray Council.
- 1.2 This report is submitted to Committee in terms of Section III (F) (21) of the Council's Scheme of Administration relating to the Flood Risk Management (Scotland) Act 2009.

2. RECOMMENDATION

2.1 It is recommended that Committee :

- (i) agree the Interim Report for the Findhorn, Nairn and Speyside Local Plan District, under Section 37 of the Flood Risk Management (Scotland) Act 2009;**
- (ii) note the drafting of the Interim Report for the North East Local Plan District, under Section 37 of the Flood Risk Management (Scotland) Act 2009 by Aberdeenshire Council and agree to ratify this report at a future meeting of this committee; and**
- (iii) agree extracts of the North East Interim Report that relate to the two PVAs in Moray, as drafted by Moray Council.**

3. BACKGROUND

- 3.1 On 3 May 2016 a meeting of this Committee agreed the Local Flood Risk Management Plans for the North East Local Plan District and the Findhorn, Nairn and Speyside Local Plan District (paragraphs 6 and 7 refer).

- 3.2 Under Section 37 of The Flood Risk Management (Scotland) Act 2009 the lead authority is required to undertake a review of the Plan and publish a report on the conclusions of the review. This report must include information on the progress that has been made towards implementing the measures identified in the Plan. This review must be undertaken not less than two years or more than 3 years after publishing the Plan, i.e. between June 2018 and June 2019.
- 3.3 Moray Council is the lead authority for the Findhorn, Nairn and Speyside Local Plan District and is responsible for publishing the Interim Report for this district. The Interim Report has been drafted in consultation with the partner organisations for this district, which are SEPA, Highland Council, Cairngorm National Park Authority, and Forestry Commission Scotland. A copy of this report is provided in **APPENDIX 1**.
- 3.4 The Interim Report for the North East Local Plan District will be drafted and published by Aberdeenshire Council. The differences in committee cycles means that this report is not yet available, however, extracts of the report for the two Potentially Vulnerable Areas in Moray are provided in **APPENDIX 2**. A full copy of this report will be submitted to a future meeting of this Committee for ratification.
- 3.5 If agreed by this Committee it is proposed that the Interim Report for the Findhorn, Nairn and Speyside Local Plan District will be published in March 2019. This publication date has been provisionally agreed with the other thirteen lead authorities, SEPA and Scottish Water, such that the Interim Reports for all fourteen Local Plan Districts in Scotland will be launched at the same time as Scottish Government's annual report on flood management in Scotland. It is currently proposed that these documents will be launched at the Scottish Flood Management conference in February.
- 3.6 The majority of the actions in the plan are expected to be delivered within the timescales set when the Plan was published in 2016. It is important that any actions, such as studies where the actions identified are to be taken forward for consideration in the plans for Cycle 2, meet the deadline of December 2019.
- Findhorn, Nairn and Speyside Local Plan District**
- 3.7 The majority of the actions for Moray in the Findhorn, Nairn and Speyside Local Plan District are maintaining existing flood management assets and improving data sets. There is one coastal flood protection study in the Lossiemouth Seatown area, the findings of which will be sufficiently complete for consideration in the Cycle 2 strategies and plans. Actions identified in the Surface Water Management Plans for Elgin, Rothes and Aberlour will also be taken forward for consideration in Cycle 2. The Surface Water Management Plan for Forres has not been progressed. A modelling study being undertaken by Scottish Water will inform the plan for Forres and this study will not be complete until 2020. The Surface Water Management Plan will be progressed when the findings of the Scottish Water study are made available to the Council.

North East Local Plan District

- 3.8 As with the Findhorn, Nairn and Speyside Local Plan District the majority of the actions for the Moray area are maintaining existing flood management assets and improving data sets. This plan includes an action to construct a Flood Protection Scheme for Newmill, which was completed in December 2016. There is one coastal flood protection study for Portgordon, the findings of which will be sufficiently complete for consideration in the Cycle 2 strategies and plans. High level Surface Water Management Plans have been completed for Keith and Buckie and any actions identified in these plans will be taken forward for consideration in Cycle 2. While not identified as an action in the strategies and plans, Moray Council completed a coastal flood protection study for Portessie and the findings of this study will be put forward for consideration in the Cycle 2 strategies and plans.

Funding

- 3.9 In Cycle 1 grant funding from Scottish Government matched demand for all of the proposed flood protection schemes put forward by local authorities. During the development of these schemes some of the costs increased. To accommodate this increase in cost Scottish Government decided to extend the funding period for Cycle 1 until 2026 utilising some of the funding that would have been available for projects put forward for consideration in Cycle 2. As a result grant funding for schemes put forward for consideration in Cycle 2 will not be available until 2026.

4. SUMMARY OF IMPLICATIONS**(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

Flood Risk Management is a key priority in the 10 year plan “Building a better future for our children and young people in Moray.”

(b) Policy and Legal

The Interim Report is a statutory requirement under Section 37 of the Flood Risk Management (Scotland) Act 2009.

(c) Financial implications

There are no financial implications associated with this report.

(d) Risk Implications

There are no risks associated with the recommendations in this report.

(e) Staffing Implications

There are no staffing implications associated with the recommendations in this report.

(f) Property

There are no property implications associated with the recommendations in this report.

(g) Equalities/Socio Economic Impact

An Equalities Impact Assessment is not needed because the recommendations in this report do not impact on people.

(h) Consultations

The Corporate Director Economic Development Planning and Infrastructure, Head of Direct Service, Legal Services Manager (Property and Contracts), P Connor, Principal Accountant, Head of Development Services, The Manager (Development Management), Lissa. Rowan, Committee Services Officer and the Equal Opportunities Officer have been consulted and comments have been taken into account.

5. CONCLUSIONS

5.1 Moray Council is the Lead Authority for the Findhorn, Nairn and Speyside Local Plan District. Under Section 37 of the Flood Risk Management (Scotland) Act 2009, this Council must undertake a review of the Local Flood Risk Management Plan for its Local Plan District and publish an Interim Report on the conclusions of that review.

5.2 If agreed by this Committee Moray Council will publish the Interim Report for the Findhorn, Nairn and Speyside Local Plan District in March 2019.

Author of Report: Debbie Halliday, Consultancy Manager

Background Papers: None

Ref: