

**REPORT TO:**            **PLANNING AND TRANSPORTATION COMMITTEE -  
26 JANUARY 2004**

**REPORT ON:**        **FLOOD PREVENTION AND LAND DRAINAGE (SCOTLAND) ACT  
1997**

**REPORT BY:**        **DIRECTOR OF PLANNING AND TRANSPORTATION**

**REPORT NO**        **50-2004**

**1        PURPOSE OF REPORT**

- 1.1    To advise committee on the completion of the fourth biennial report on flooding and to seek approval for the publication of this Report as required by the Flood Prevention and Land Drainage (Scotland) Act 1997.

**2        RECOMMENDATIONS**

- 2.1    It is recommended that the Committee:
- a    Note the content of the fourth biannual report on flooding; and
  - b    Authorise the publication of this report.

**3        FINANCIAL IMPLICATIONS**

- 3.1    The cost of publishing the report is estimated to be minimal and will be contained within the Planning and Transportation revenue budget for 2003/2004.

**4        LOCAL AGENDA 21 IMPLICATIONS**

- 4.1    The risk of serious flooding adversely affecting the built environment will be reduced by meeting the requirements of the Flood Prevention and Land Drainage (Scotland) Act 1997

**5        EQUAL OPPORTUNITIES IMPLICATIONS**

- 5.1    There are no equal opportunity implications.

**6        BACKGROUND**

- 6.1    The Flood Prevention and Land Drainage Act 1997, requires a report to be published every two years setting out:
- All occurrences of flooding since the date of the previous report;
  - The measures taken to prevent or minimise the risk of flooding since the previous report; and
  - The measures required to prevent or mitigate flooding in the future.

- 6.2 Since the publication of the previous report in 2001, there has been one major incidence of flooding recorded. This occurred in the central Broughty Ferry and the St Vincent Street Underpass. It should be noted that this report does not deal with local flooding events caused by blocked road gullies etc.
- 6.3 Ongoing inspection and maintenance works to watercourses in the area is essential to ensure that these are kept clear and free from obstructions at critical points such as bridges and culverts.
- 6.4 A copy of the main report is provided in Appendix A. The full report will be issued to Community Councils and placed in all libraries and Council reception points as well as being published on the Council's web site.

## **7 CONSULTATIONS**

- 7.1 The Chief Executive, Director of Finance, Director of Support Services and the Emergency Planning Officer have been consulted.

## **8 BACKGROUND PAPERS**

- 8.1 Report No 430/97 - Flood Prevention and Land Drainage (Scotland) Act 1997.

Mike Galloway  
Director of Planning and Transportation

K Laing  
City Engineer

KL/EH  
Dundee City Council  
Tayside House  
Dundee

19 January 2004

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**Cover photograph courtesy of the Courier and Evening Telegraph Dundee**

## **REPORT IN TERMS OF SECTION 3 OF THE FLOOD PREVENTION AND LAND DRAINAGE (SCOTLAND) ACT 1997**

### **1 BACKGROUND**

1.1 On 26 May 1997 the Flood Prevention and Land Drainage (Scotland) Act 1997 came into force. This placed a duty on local authorities to:

- assess watercourses in their area from time to time to determine whether their condition is likely to cause flooding;
- carry out maintenance works on watercourses which would significantly prevent or mitigate the likelihood of flooding; and
- to prepare and publish reports.

The 1997 Act limits Local Authorities responsibilities to the flooding of non-agricultural land. Where any flood prevention works would benefit only one person or organisation, then the Local Authority is not required to carry out such works.

1.2 The first report was published in December 1997 and it is a requirement of the act to publish further reports every two years setting out:

- all occurrences of such flooding since that date;
- the measures which have been taken since the date of publication of their previous report; and
- the measures that are required to prevent or mitigate the flooding of non-agricultural land in their area;

1.3 The purpose of publishing these reports is to ensure that local people and other interested parties have ready access to local authority records and information with regard to flooding in their area. This report is the third to be published.

1.4 The City Council seeks the participation of the citizens of Dundee in providing information on flooding within the City. This report sets out the current position as far as it is known and proposes appropriate future action.

Anyone who has additional information on known flooding risk areas which have not been identified in this report is invited to bring it to the attention of:

The City Engineer  
Planning and Transportation Department  
Crichton Street Dundee City Council  
Floor 14, Tayside House

DUNDEE DD1 3RB

## **2 IDENTIFICATION OF WATERCOURSES**

A schedule of all watercourses within the Council's boundaries has been prepared and is set out in Appendix 1. The map in Figure 1 shows the location of all known watercourses and is based on information gathered from historical records. Many of the watercourses have been culverted or piped below ground level at some time in the past and have subsequently been either diverted for industrial purposes in earlier times or more recently moved to make way for development works. Accordingly, precise records have been difficult to obtain. Where there is doubt over the exact line of a watercourse, the anticipated line has been shown as a broken line on the plan.

The main watercourses which affect the city are:

- River Tay;
- Dighty Water and its tributaries, the Gelly, Whitfield, Fithie and Murroes Burns;
- The Logie Spout/Scourin' Burn;
- Lochee Burn; and
- Dens Burn.

### **3 REVIEW OF FLOODING EVENTS SINCE DECEMBER 2001**

Since the previous report in 2001 there has been one significant event resulting in damage to property and disruption to residents and local businesses. This occurred on the 30/31 July 2002 and result in flooding to the Gray Street/ Long Lane area of central Broughty Ferry and at the St Vincent Street railway underpass.

The specific rainfall event was reported as a 1 in 100 year event for the month of July, however, the cause of the flooding was ultimately determined as blockages in the main sewers. These sewers are the responsibility of Scottish Water who subsequently arrange to have them surveyed and cleared to remove the blockages.

## **4 MEASURES TAKEN SINCE DECEMBER 2001**

### **4.1 Assessment of Watercourses**

The 1997 Act requires the Council to assess watercourses from time to time to establish whether or not their condition is likely to lead to flooding of non-agricultural land. Inspections have been carried out, concentrating particularly at known flood risk areas, during periods of heavy rainfall.

### **4.2 Flood Alleviation Operations**

4.2.1 Since the publication of the 2001 report no flood alleviation operations have been implemented.

### **4.3 Hydrological Studies**

The existing computer models of the Dighty and its tributations are maintained and reference is made where development impacts the watercourses.

### **4.4 Flood Emergency and Warning Planning**

In the event of a major emergency involving flooding, the City Council has in place an integrated emergency management procedure which has four main aims:

- To clarify the roles of the organisations involved in dealing with emergencies;
- To ensure that the City Council are able to provide the resources at its disposal in dealing with the emergency;
- To provide information on the support and assistance available from the City Council and all other agencies and organisations; and
- To ensure that appropriate arrangements are in place to co-ordinate the City Council's response to such an emergency.

As part of the overall emergency plan a detailed section on 'Response Measures to Flooding Emergencies' has been issued.

As part of this procedure, the City Council has access to information from various sources to assist in the warning of potential flooding occurrences. Information on severe weather conditions, atmospheric surge conditions in the Tay estuary and predicted tide levels is collated. In addition, contacts have been made with the Scottish Environment Protection Agency (SEPA) who can provide information on flow levels due to extreme events such as snow melt combined with heavy rainfall with the Tay catchment area.

The information obtained from these various sources is analysed and used to predict the likelihood of flooding in low lying areas adjoining the estuary such as the Broughty Ferry area at Fisher Street where a combination of adverse conditions occasionally results in local flooding events. Similarly, for the other watercourses, meteorological information is used to assess the risk of flood events occurring. In addition, SEPA has now introduced a telephone Floodline Service for the whole of Scotland. This provides public information on the possible risk of flooding 365 days a year 24 hours a day. Callers will receive details of any flood warnings in force in their area. There is also an option to speak to a duty officer if necessary. The service is based at SEPA's new communications centre in Perth. **The Floodline number is 0845 988 1188** and is also available on SEPA's web site.

#### **4.5 Flood Appraisal Group**

A formal Flood Appraisal Group has now been established and incorporates representatives from the City Council, the Scottish Environment Protection Agency, the North of Scotland Water Authority, Angus Council, Association of British Insurers and Railtrack. In addition the following organisations have an open invitation to attend and are circulated with minutes of meetings; Perth and Kinross Council, University of Dundee and University of Abertay.

This Group presently meets as required.

#### **4.6 Development Control - SUD's Group**

All development within the City is controlled to ensure that it complies with the Guidance given in National Planning Policy Guidance NPPG 7 and that where appropriate, Sustainable Urban Drainage Systems (SUD's) are incorporated. This is achieved largely through the work of the SUD's Group which meets on a fortnightly basis.

This Group comprises representatives from Dundee City Council together with representatives from SEPA and NoSWA. They meet with developers and their Agent. to review proposed developments and to offer guidance on acceptable measures for dealing with surface water and to ensure that development does not encroach inappropriately into the flood plain.

## **5 FURTHER MEASURES TO BE TAKEN**

### **5.1 Maintenance Inspection and Remedial Works**

It is proposed to continue with regular inspections to monitor the condition of watercourses within the city boundaries. These inspections shall be carried out on a rolling programme and shall be prioritised with the areas of highest risk being targeted as requiring the greatest use of resources.

As a result of these inspections it may be necessary for the City Council to use its powers under the Flood Prevention (Scotland) Act 1961 to instruct maintenance works to be carried out. These powers would only be used where the maintenance works would substantially reduce the likelihood of flooding occurring and where the flooding is likely to affect more than one owner.

### **5.2 Identification of Capital Works**

Where the inspections show that there is a requirement for more substantial works, other than routine maintenance, then consideration will be given to promoting a flood prevention scheme. Should such a scheme be required and funded from Capital then the Council would have to exercise its powers under the 1961 Act to promote such works.

### **5.3 Continuing Liaison**

In order to help reduce the risk of flooding occurring in the future, it is vital that the City Council maintains and builds on its current links with other organisations and bodies. In order to achieve this, the City Council shall seek to develop closer links in this regard with the following organisations:

- Perth and Kinross Council;
- Angus Council;
- Scottish Environment Protection Agency;
- North of Scotland Water Authority;
- Scottish Natural Heritage; and
- Scottish Office Agriculture, Environment and Fisheries Department

### **5.4 Control of Future Development**

Existing planning legislation already provides for the possibility of new development and must assess the risk of any such development in areas identified as being prone to flooding. In addition the National Planning Policy Guidance No 7 "Planning and Flooding" contains further detailed guidance on the inter-relationships between planning and flood risk issues.

Future development within the City shall continue to be controlled through the work of the SUD's Group in line with the National Planning Guidelines given in NPPG 7 and where appropriate, by reference to national guidance in the form of the design manual for Scotland & Northern Ireland; 'Sustainable Urban Drainage Systems' (S.U.D.S) this document is supported and promoted by amongst others, COSLA, SEPA, Scottish Water & Scottish Executive to deal with the disposal of surface water from development sites. To allow new development to proceed, a balance has to be achieved between improving surface water disposal through the use of SUDS as

recommended by SEPA and the requirement to reduce the risk of flooding. Such SUDS have the combined benefit of improving water quality and attenuating surface water discharges in order to minimise the risk of flooding downstream and upstream of the development.

## **5.5 E-Documents**

It is proposed to utilise the Council's Graphical Information System (GIS) to manage the database of Flooding sites and their history.

It is also intended to record significant rainfall events and have the information available for cross referencing against flood sensitive sites contained in the database.

The 2003 report will be made available for public access on the Council's Website.

## **BIBLIOGRAPHY**

The Flood Prevention and Land Drainage (Scotland) Act 1997

The Flood Prevention (Scotland) Act 1961

National Planning Policy Guideline No 7 - "Planning and Flooding"  
Scottish Office Environment Department

A Guide to Surface Water Best Management Practices - SEPA 1996  
'Sustainable Urban Drainage Systems' (Design Manual for Scotland & Northern Ireland)  
Sustainable Urban Drainage Scottish Working Party - 2000

Planning Advice Note 61  
Planning & Sustainable Urban Drainage. July 2001

Liaison with Planning Authorities – SEPA.

COSLA Task Group on Flooding Report – March 2003.

Development Control Guidance Note on Flood Risk (Draft)  
SCOTS Flooding Group – December 2003.

## Watercourses and Culverts      Appendix 1

Name	Length (m)	Watercourse Location
Dighty (open)	12192	Bridge at Baldovan to Estuary
Gelly Burn (open)	1219	Old Glamis Road to Claverhouse Road
Gelly Burn	3048	Macalpine Road/Dalmahoy Drive   Old Glamis Road/Macalpine Road
Whitfield Burn (open)	2286	Berwick Drive to Fithie Burn
Whitfield	762	Berwick Drive
Fithie Burn (open)	1097	Rear of Pitkerro Mill to Dighty
Gorrie Burn (open)	1096	Pitempton Farm and west from Strathmartine Road parallel to Sidlaw Avenue
Gorrie	365	Bridge at Baldovan/Pitempton Farm and Strathmartine Road/Pitempton Farm
Invergowrie (open)	1676	Rear Swallow Hotel to Estuary
Murroes (open)	1036	Pitkerro House to Dighty
Lochee (open)	1341	Gourdie Industrial to Invergowrie Burn
Lochee	3047	Burnside Street/Gourdie Industrial Estate
Camperdown Park (open)	792	Through park
Camperdown	396	Liff Road/Kingsway
Clive Road (open)	152	Rear of houses at Clive Road at right angles to Gelly Burn
Back Burn (open)	243	Rear to sub-station at Macalpine Road parallel to Birkdale Place
Back Burn	2090	Macalpine Road/Strathmartine Road and Baldragon Academy/Dighty
Mause Burn	396	Commerical Street/Dock Street
Dens Burn	2636	Glenogil Avenue/Arthurstone Terrace and St Roques/East Dock Street
Logie Spout	1036	Victoria Park/Edward Street
Scouring Burn	1179	Edward Street/Ward Road
Ward Road	481	Length of Ward Road
Perth Road	198	Perth Road/Foreshore
Perth Road	182	Foreshore at 590 Perth Road
Foster Road	243	Foster Road/Gelly Burn
Kingsway	610	Tesco/Clive Road
Craigiebank	631	Arbroath Road/Craigie Avenue to Strips of Craigie
Claypotts	1829	Ferndale Drive/Church Street
Barnhill	1432	Strathmore Street/Monifieth Road

Tay (open)		Invergowrie/Barnhill
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## Flood Risk Locations

## Appendix 2

No.	Name	Flooding Location	Flood Risk Potential	Flood Risk Category
1	Dighty (open)	Land between Harestane Road and Home Farm	Property damage and flooding or agricultural land	2
2		Dighty/Old Glamis Road junction	Flooding of local road	2
3		Land north of Trottick	Flooding of agricultural land	3
4		Land between Mill Ponds and Barns of Claverhouse Road	Recreational and property damage	1
5		Playing fields west of St Saviours school	Flooding of recreational ground only	1
6		Industrial land west of Forties Road	Property damage	2
7		Land between Pearce Avenue and Tom Johnstone Road	Flood plain	2
8		Land northwest of Lilac Cottage on A92 Arbroath Road	Flooding or agricultural land	3
9		Land west of Milton Park Monifieth	Property damage	
10	Gelly Burn	Dalmahoy Drive/Turnberry Avenue junction	Property damage	2
11		South of Primary school Turnberry Avenue	Property damage	2
12		Turnberry Avenue/Macalpine Road junction	Road flooding	3
13		Camperdown Road west of Strathmartine Road junction	Property damage	2
14		Gillburn Road south of Gillburn Primary School	Road flooding	3
15	Whitfield Burn (open)	Northwest of Berwick Drive/Ballumbie Road junction	Flooding of recreational ground	2
16	Fithie Burn (open)	Fithie/Drumgeith Road junction	Property damage	1

17	Gorrie Burn (open)	Gorrie Burn/Strathmartine Road junction	Property damage	1
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### Flood Risk Locations

### Appendix 2

No.	Name	Flooding Location	Flood Risk Potential	Flood Risk Category
18	Gorrie	Farm land between Strathmartine Road and Pittempton Road	Flooding of agricultural land	3
19	Invergowrie (open)	Southwest of Swallow Hotel	Flooding of agricultural land	3
20		Pedestrian bridge and track	Pedestrian access problems	2
21	Murroes (open)	East end of Barlow Avenue	Flooding of agricultural land	3
22	Lochee	Bridge at Denhead of Gray	Flooding of agricultural land	3
23	Mause Burn & River Tay	Town centre shops	Flooding of roads possibly linked to tidal effects and storm water overflows	1 1
24	Logie Spout	Industrial Development	Property damage	2
25	Perth Road	Riverside Avenue west of Wright Avenue	Localised flooding of road	3
26	Tay (open)	Fisher Street, Broughty Ferry	Damage to property and flooding or road due to tidal effects	1
27		St Vincent Street, Broughty Ferry underpass below railway line	Flooding of road associated with tidal effects	1
28	Back Burn	St Leonards Road/Cox Street	Flooding on road	2
29		Gray Street/Longforgan/ Broughty Ferry	PropertyDamage	2 (0)

\*() - Figure in brackets refers to flood risk category from previous report.

### Flood Risk Category:-

- 1 - Serious damage to property, risk of personal injury, major disruption to services and transportation links.

- 2 - Nominal damage to property, disruption of services and transportation links.
- 3 - Minor inconvenience or little disruption to members of the public.