

BALLATER & CRATHIE COMMUNITY COUNCIL (B&CC)

Ballater Flood Defences Update Meeting

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Minutes of a Meeting held on Thursday 7th April 2022, 7pm-9pm

Victoria Hall, Station Square Ballater

<p>Panel: Alexander Burnett MSP - Chair Richard Frimston - BCCC Flood Issues Group (FIG) John Bannerman (FIG) Tom Flynn (FIG) Rachel Kennedy - Principal Engineer, Aberdeenshire Council Gavin Miles - CNPA Head of Planning</p> <p>Apologies SEPA Cllr Peter Argyle (Report submitted)</p>	<p>Also: David McNeill - Ballater Golf Club Steve Gow - Ballater Golf Club Sandy Mitchell - Ballater Caravan Park Allan Harrison - Ballater Caravan Park</p> <p>Members of Public</p>
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1. Welcome and Apologies for Absence

Alexander Burnett welcomed the audience to the Hall. A statement had been received from SEPA regarding their absence. Cllr Peter Argyle had issued a statement which would be read by Rachel Kennedy. Cllrs Paul Gibb and Geva Blackett attended as well as Claudia Leith and Sarah Brown who are both standing in forthcoming local council elections.

2. Update from Ballater & Crathie Community Council

Richard Frimston introduced himself as secretary of the Flood Issues Group, a sub-committee of the Community Council. The meeting had been called to gauge the views of the community should the funding for Option 3A be granted. The Scottish Government will decide on this later this year. It is very possible that Option 3A will not receive funding, but the Community Council feels it is essential for the village to understand the process should funding be forthcoming and to be fully engaged in the consulting process. The work done by RPS which resulted in Option 3A being put forward by Aberdeenshire Council for funding is basically a feasibility study and a more detailed engineering report still requires to be completed. Rachel Kennedy of Aberdeenshire Council would take the audience through that process.

3. Aberdeenshire Council Update, Process & Likely Timelines

In the first instance, Rachel Kennedy read out the statement submitted by Cllr Peter Argyle, explaining the current Aberdeenshire Council position. Local authorities must introduce flood management plans, which should be long-term strategic rather than reactive. However, the current North-East Plan, 2016-2022, was able to take in the effects of Storm Frank on Ballater and Aberdeenshire. There were 230 properties, both residential and non-residential, affected by Storm Frank and Option 3A, at a proposed cost of £31 million, was put forward in February 2019 as a means of safeguarding these properties in the event of

another major flood. Option 3A consists of a 3.3km corridor along the river, with options for major earthworks and concrete walls, stretching from Sluievannichie, through the middle of Ballater Golf Course and the Ballater Caravan Park towards the waterworks on the eastern side of the village. However, building costs are subject to inflation, but protection of life and property is essential. The benefits and disadvantages of the current proposed works must be discussed in view of other options.

Rachel Kennedy then continued to explain the process which would follow should Option 3A receive Scottish Government funding. As Principal Engineer (Major Projects) for Aberdeenshire Council, she had already been responsible for the Stonehaven Flood Scheme, which was primarily civic, and the Huntly Flood Scheme, which was primarily rural. Option 3A is a combination of both hard walls and major earthworks. It is NOT a quick process. If funding is received, then a detailed engineering study would be required. The following steps would be undertaken:

- Appointment of a dedicated project manager
- Appointment of a consultant to take the project through to delivery stage
- Undertake a topographical survey
- Ground investigation
- Structural investigation
- Ecological assessment
- Land registry search
- Utility search
- Specialist input eg landscape designers, golf course designers etc.

This would in turn lead to the next stage of Preliminary Design Approval which would involve the following steps:

- Stakeholder engagement - so consultation with the Community Council, Ballater Golf Club and Ballater Caravan park and any other interested parties
- Look at design constraints and refinements following this consultation
- Produce a detailed design
- Obtain planning consents from CNPA, SEPA, Historic Environment Scotland and others
- Legal Order - under the Flood Risk Management (Scotland) Act of 2009. This is now a formal stage. If confirmed, then the construction stage would start thereafter.
- Consultation - would now be ramped up to quarterly, monthly meetings with the community, newsletters, website information etc.

The Legal Order Process, which allows the Council to build on land which it does not own, is the next stage.

- Flood order is advertised
- Objections are gathered
- Meetings with objectors
- Findings of these meetings reported back to Council
- Recommendations which can be (i) confirm the scheme with no modifications, (ii) confirm the scheme with some modification or (iii) reject the scheme.

- Council's decision is referred to Scottish Ministers and it can either be returned to the Council or a PLI can be held.
- If a PLI is held, then scheme can be confirmed or rejected depending on result of PLI.

Rachel Kennedy pointed out that 80% of project costs would be borne by Scottish Government while 20% would be paid by Aberdeenshire Council. Any increase in costs would be borne by Aberdeenshire Council.

If Option 3A receives confirmation of funding in August 2022, then Rachel Kennedy believed that a Project Manager could be in place by December 2022, a consultant would be appointed by Spring 2023, with surveys taking up much of 2023. A preliminary design could be produced by 2024, followed by consultation. Depending on the response to the preliminary design (major objections would severely impact the timescale), the detailed design might be available in 2024/25, with the Legal Order following in 2025/26. The construction work would be put out to tender in 2027 with work possibly starting in 2028. The timescale, however, is very difficult to pin down. Rachel Kennedy urged the community to participate in consultations, become involved in community led projects, and exploit the scheme for the benefit of the local community, eg in ensuring local apprenticeships are offered.

4. Cairngorm National Park Authority Process and Views

Gavin Miles, Head of Planning, explained that the CNPA would be a consultee in the process, but would not have a formal role in the process. CNPA would expect Aberdeenshire Council to take on board differing points of view as much as possible, but CNPA would not lead on this issue.

5. Ballater Golf Club

David McNeill, as elected president of Ballater Golf Club, explained the Club's current view. While accepting that flood defences were required, the Golf Club had grave concerns about Option 3A. The Golf Club had not been involved in any discussions regarding Option 3A. The Golf Club would expect a guarantee that the course would be restored and requested a 3-D model of how the course would look during and after work. The Club needed to know if there would be compensation for loss of income and grounds during the works. Should Ballater Golf Club be lost to the village, it would represent a significant economic loss to the village. The Club attracted visitors to the area and held annual events to encourage visitors to the course. There are currently 25 people employed by the Golf Club, so the loss of the course would have a disastrous impact on villagers. Ballater Caravan Site was adjacent to the Course, and they were mutually dependent on each other. Option 3A represented the biggest change to the course in its 130-year history and the Golf Club required assurances that they would be consulted.

6. Ballater Caravan Park

As Chairman of Ballater Community Enterprise which runs the Caravan Park, Sandy Mitchell outlined the importance of the site to the village. Profits from the Caravan Park feed into schemes operated by its holding company, the charity Ballater (RD) Ltd (BRD) for the benefit of the village. Following the destruction of the caravan park by Storm Frank, it took a great deal of effort to restore it to its present excellent condition. The site now has 50 touring pitches and 50 seasonal pitches. The cost was in the region of £500,000 but was greatly helped by the goodwill of local contractors and contributions from locals as well as significant funding from the Princes Fund. Should a further major flood occur, the Caravan Park cannot count on more goodwill of this nature. To this end, since no commercial insurance is available to protect against the cost of rebuilding, BCE has undertaken to set up its own self-built insurance fund,

aiming for £400,000. So far, the total is £175,000, bearing in mind that BCE continues to contribute to BRD (£20,000 in the last year), as well as continuing to improve and maintain facilities in the park. The caravan park is very popular; it is well run and maintained by wardens, Robbie & Susan Paton, while the riverside location is perfect. Indeed, the riverside pitches are always the first to be reserved. The caravan park is next door to an excellent golf course and shops are all within walking distance. If Option 3A goes ahead, then 70% of the site would be lost, including the toilet block, and the remaining 30 pitches would not be feasible to operate. The alternative location proposed to the east of the village is still part of the flood plain and is currently earmarked for housing. If 3A goes ahead, the caravan park will cease to exist and a potential income of £3 million over the life of the current lease would be lost to the village.

7. Questions for the panel & 8. What should BCCC do?

Why was Option 3A chosen? RPS looked at this option as being the best in terms of cost set against benefits. However, a member of the audience pointed out that RPS had failed to carry out a full evaluation of what the social and environmental effects of 3A would be on the village. Under the terms of Flood Risk Management (Scotland) Act, the effects of any flood defence work undertaken should be moderate, but the destruction of the Golf Course and Caravan Park cannot surely be seen as moderate, particularly in terms of economic benefits to the village. Concerns were also raised about funnelling any flood water towards the bridge and if the bridge would be able to withstand the flow of water. Several of the audience expressed dissatisfaction with SEPA for failing to send a representative to the meeting to answer such concerns. It was also made clear by audience members that the walls and earthworks would need to be of substantial height, so becoming eyesores and not enhancing the aesthetics of the village.

There was also considerable scepticism regarding guarantees of consultation with stakeholders as David McNeill pointed out that Option 3A was presented to the Golf Club just one month before being sent to the Scottish Government as the preferred option.

John Bannerman (FIG) said he was not surprised at the reactions to option 3A. As he saw it, the village needed guarantees that worries & concerns about 3A would be addressed during the process of design. The RPS report believed the bridge would withstand the flow of water resulting from the walls and earthworks, but reassurance was required. And the village needs to know if it is the best option. The Council have not revealed all the other options. Option 1b in the RPS report was rejected because it would potentially cost £127 million and the cost of rebuilding Ballater following flood damage was put at £30 million, so this was not a feasible option. Adoption of Option 3A meant that the scheme could be included in the current cycle of government funding, otherwise it would have been another 5 years before the next cycle of funding. If funding is not granted for Option 3A, then the community need to be actively engaged in looking at other options in plenty of time for next application.

A member of the audience pointed out that the RPS report had not undergone an independent technical peer review. It doesn't consider the full economic impact of the works on the village - the cure might be worse than the flood. This is a major engineering project with an uncertain timescale. Meanwhile, minor flood events are not being thought about. Option 3A is a major response to a major event.

Tom Flynn (FIG) said it was clear from the audience that there had been no consultation with the village from RPS and that there was serious scepticism regarding any future opportunities for consultation. Furthermore, the economic benefit of the Golf Course and Caravan Park to the village had not been considered. There was still uncertainty as to whether the line of the wall

and bund was fixed or was subject to modification and finally, if the village doesn't want option 3A, then what can be done. The Flood Issues Group had been looking at the problem in 4 ways. Firstly, to encourage people to invest in property level protection and to this end, there had been visits from the Scottish Flood Forum to the village to review properties and propose protection solutions. Secondly, to look at smaller projects in response to lower-level risks of flooding. Thirdly, to look at the issues raised by Option 3A. Fourthly, to consider the solution on the basis of the Dee Catchment area, so looking at upstream storage as per Option 1b, which could mean no wall in Ballater and would benefit towns and villages along the whole length of the River Dee and not just in Ballater. RPS set the cost of upstream storage (£127 million) against the benefits of protecting Ballater (£30 million) but it should have been set against protecting property and people along the whole length of the River Dee. Slowing the flow of water in the Muick, Gairn and Clunie would reduce the volume of water in the Dee and would represent a long-term solution with wider benefits.

There was concern that should the wall be built, there was no assurance that the river would not flood above Sluievannachie and sweep through the village, behind the wall.

A show of hands showed no support for Option 3A and a clear indication that nobody believes that the process could result in a better interpretation of Option 3A.

A member of the audience pointed out that there was potentially a far bigger issue at stake and that Aberdeenshire Council risked taking a short-sighted approach should they continue with Option 3A. Climate change, with future drought being potentially a greater problem than flooding, means that upstream storage would become a viable solution, ensuring water supplies maintained for communities along with Dee.

The question was raised as to when, if ever, public works had come under budget, with Option 3A potentially costing closer to £40 to £60 million. The budget would not allow for major modifications to the engineering details. Moreover, given the timescale outlined by Rachel Kennedy, then the wall might not be completed for 10-15 years, meaning that the village needs to look NOW at something that would work with realistic funding. We do need to protect those who experienced the worst of Storm Frank.

9. The Way Forward & 10. Minor Works Issues

John Bannerman reported that RPS are currently undertaking another study on behalf of Aberdeenshire Council following the high river of February 2021, when the river moved away from the Glen Muick bank and closer to the village bank, so the flood risk may have changed since 2015. It is time to look at other possible actions to be taken, such as removing dead trees from the riverbed, rebuilding the bund (and on what line), and possibly pushing the river flow back towards the bank of Glen Muick. The results of this study will be presented in August, and it is intended to hold another public meeting then to encourage the community to comment.

Alexander Burnett thanked the audience for their input, and thanks to Rachel Kennedy, Gavin Miles and the Flood Issues Group of Richard Frimston, John Bannerman and Tom Flynn who were committed to finding a solution to the way forward for the community regarding flood defences. Thanks also to Ade Scripps for technical input.