

REPORT TO: CITY DEVELOPMENT COMMITTEE – 25 APRIL 2016

REPORT ON: FLOOD PROTECTION SCHEME – CITY QUAY TO RIVERSIDE PARK

REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 157-2016

1 PURPOSE OF REPORT

1.1 To advise Committee of progress of the CITY Quay to Riverside Park Flood Protection Scheme

2 RECOMMENDATION

2.1 It is recommended that the Committee:

- a Notes the progress being made to implement the City Quay to Riverside Park Flood Protection Scheme.
- b Confirms the Flood Protection Scheme without modification.
- c Instructs the Executive Director of City Development to request that Scottish Ministers direct that planning permission for the Flood Protection Scheme shall be deemed to be granted, subject to such conditions as may be specified in that direction..

3 FINANCIAL IMPLICATIONS

3.1 Financial implications, at this time, are limited to staff costs which are allowed for in the Dundee City Council Capital Budget for 2016-19.

4 BACKGROUND

4.1 Reference is made to Article III of the meeting of the City Development Committee of 19 August 2013 when Committee considered Report 256-2013, noted the findings of the Dundee Coastal Study Stage 2 and authorised the progression of the prioritised measures identified within the Report.

4.2 Reference is also made to Article VI of the meeting of the City Development Committee of 28 March 2016 when Committee considered Report 117-2016, noted the progress being made towards the production of the Local Flood Risk Management Plan and approved the proposed actions to reduce flood risk including the flood protection scheme from City Quay to Riverside Park.

5 CURRENT SITUATION

5.1 Two objections to the Flood Protection Scheme were received, one from Forth Ports Ltd and the other from an individual member of the public.

5.2 The objection from Forth Ports Ltd has been withdrawn following discussion on the detail of the Scheme.

5.3 The objection from the individual member of the public, although received outwith the statutory period, was considered valid. Copies of the objection, and the response to the objection, have been passed to the Group Leaders and Conservative, Liberal Democrat and Independent Members. Committee is asked to note that the issues raised are not considered material to the proposed Scheme and that a preliminary decision has been made to confirm the Flood Protection Scheme without modification.

5.4 The member of the public is not a person to whom sub-paragraph (6) of Schedule 2 of the Flood Risk Management (Scotland) Act 2009 applies. Therefore, the local authority is not required to give notice of its decision to the Scottish Ministers.

5.5 Once a flood protection scheme is confirmed under the Flood Risk Management (Scotland) Act 2009 in respect of any operation under the scheme which would constitute development in terms of the Town and Country Planning (Scotland) Act 1997, the Scottish ministers must direct that planning permission for that development shall be deemed to be granted, subject to such conditions (if any) as may be specified in that direction.

6 POLICY IMPLICATIONS

6.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental assessment, Anti-Poverty, Equality Impact assessment and Risk Management. There are no major issues.

7 CONSULTATIONS

7.1 The Chief Executive, the Executive Director of Corporate Services and Head of Democratic and Legal Services have been consulted and are in agreement with the contents of this Report.

8 BACKGROUND PAPERS

8.1 None.

Mike Galloway
Executive Director of City Development

Fergus Wilson
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FW/RW/JM

13 April 2016

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