

## **BRIEFING NOTE**

### **RCC 322 Access Road to Tesco Store**

#### 1. Background

- 1.1. This Briefing Note is intended to provide background information to the Ward Members for the briefing meeting on Wednesday 27<sup>th</sup> August (following the end of the Full Council meeting).

#### 2. RCC Process

- 2.1. The Road Construction Consent application 322 was received in late 2009 from Arup Consultants on behalf of Tesco Stores Ltd. It was issued in January 2010. The design incorporated a SUDS drainage system using infiltration trenches adjacent to the access road.
- 2.2. The works were substantially completed by April 2011 and at that time road adoption was anticipated to proceed subject to remedial works, CCTV of the drainage system and as-built drawings.

#### 3. Heavy Rainfall/Surface Water/Flooding

- 3.1. Following a heavy rainfall event on 23<sup>rd</sup> December 2012 communications with the agent for the RCC led to investigations about the original site investigations (trial pits) and drainage design. The developer carried out pumping and other remedial works at their expense.
- 3.2. A further heavy rainfall event caused further surface water ponding and drainage issues on 29 January 2014
- 3.3. The most recent event occurred on 12 August 2014 and caused substantial difficulties.

#### 4. Legislation Situation and Possible Interventions

- 4.1. As the original access road was submitted to provide for the commercial development there is no Road Bond in place as security for the completion of the works (including drainage). The responsibility and liability for the private road remains with Tesco Stores Ltd.
- 4.2. The agent and applicant have been advised that Moray Council will not adopt this road until there is an adequate drainage system in place.
- 4.3. There appears to be a solution available, however it involves a 'deal' between the commercial business and the house builder (already involved through part funding of the first section of access road).
- 4.4. Possible interventions are in two strands:
  - 1) Letters to be issued by the Legal Service to the two parties involved urging them to resolve the situation through agreement/co-operation (this approach has brought about some success in other RCC situations). The intention is for a working drainage system that would then enable the road to be adopted.
  - 2) The Council to take on an arbiter type role to urge the two parties to achieve a 'deal'. An approach has been made by the residential developer for the Council to consider taking on this role.

Summary Notes (photographs and extracts from communications)	
Date	Note
12/08/14	<p>Find attached photographs of flooding at Tesco, Buckie yesterday.</p> <p>As agreement has been reached with all relevant parties can you confirm if a programme has been implemented for the new drainage arrangement.</p>
11/08/14	
01/07/14	<p><u>HIGH IMPORTANCE</u></p> <p>We do not appear to have received a response to the most recent request for an update on the drainage arrangements for the Tesco Buckie Access Road.</p> <p>Unfortunately, as previously indicated this now means that I am going to have to raise the matter with my Senior Manager (Stephen Cooper, Head of Direct Services) and most probably with the Ward Members and Economic Development and Infrastructure Services Committee.</p> <p>If, in the meantime, you do have a positive update please advise me at the earliest opportunity.</p>
02/05/14	<p>I note that all agreements have been obtained to enable the proposed updated drainage arrangements to be implemented.</p> <p>However, it seems that 'no action' has been taken to implement the new drainage arrangement. Will you please confirm that this is the case as we will have to prepare a situation report for the Economic Development and Infrastructure Committee Members who compose the Local Road Authority.</p> <p>If your client does have a programme to implement the new drainage arrangement I formally request that this is shared with Moray Council. I confirm that at this stage the access road will not be accepted for adoption without the new drainage arrangement being completed.</p> <p>I look forward to receiving an update on the status of the new drainage arrangements and ask that the information is provided within the next 2 weeks (Friday 16 May 2014).</p>

Summary Notes (photographs and extracts from communications)	
Date	Note
29/01/14	
01/10/13	<p>Based on the information provided in the Arup drainage investigation report and subsequent trial pits I have looked at a number of options to provide a positive outlet for the surface water drainage on the section of carriageway in question. Note that we will require further information on the existing surface water infrastructure and hope that you will be able to assist where possible. Options as follows;</p> <p><b>Option 1</b> – Connect attenuated flow to the top of the newly installed surface water drain which serves the new housing development to on the south of the site.</p> <p><b>Option 2</b> – Connect attenuated flow to “MH CP4” (Middle of Roundabout) which is the top manhole on the surface water line which serves the roundabout on the A942 and the adjacent “Whispering Pines” development.</p> <p><b>Option 3</b> – Outfall attenuated flow to Burn of Buckie through Tesco development and third party land as shown in attached sketch.</p> <p>Note that all of the above options will require approvals from the relevant asset owners and SEPA.</p>
01/07/13	<p>Interpretation of Results</p> <p>However, although the ground conditions can be shown to be permeable, the water table is clearly high and the ground beneath and around the trenches is already saturated. CIRIA C697 suggests that the base of any infiltration structure should be 1m above the water table.</p> <p>It can therefore be seen that the infiltration rates achieved are very useful and that this is not the reason for the drainage system not working as designed. The high water table is hindering the infiltration rate and reducing the capacity of the system.</p> <p>Next Steps</p> <ul style="list-style-type: none"> <li>• Gather information on existing drainage in the area;</li> <li>• Select most appropriate outfall;</li> <li>• Outline approval process;</li> <li>• Detailed design of new outfall;</li> <li>• Application for approval</li> </ul>
07/01/13	<p>We have discussed this issue with our client Tesco who have now tasked their contractor with inspecting the road gullies, soakaway chambers and infiltration trenches that make up the road drainage system.</p> <p>We will report back once this initial investigation has been undertaken.</p>

**Summary Notes (photographs and extracts from communications)**

<b>Date</b>	<b>Note</b>
24/12/12	<p>URGENT: RCC 322 Tesco Buckie Access Road</p> <p>The attached photograph taken on Sunday 23 December 2012 shows the situation on the access road.</p> <p>I am advised by colleagues that the SUDS system is not coping with the levels of surface water and there is also an indication of problems with the foul sewer in the area (possibly from surface water entering that system).</p> <p>We require your urgent attention to investigate the situation, consider options for improvement to the drainage system and discuss proposals with us at the earliest possible opportunity.</p>
23/12/2012	