

**THE HIGHLAND COUNCIL
FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009 (“the 2009 Act”)
AND
THE FLOOD RISK MANAGEMENT (FLOOD PROTECTION SCHEMES,
POTENTIALLY VULNERABLE AREAS AND LOCAL PLAN DISTRICTS)
(SCOTLAND) REGULATIONS 2010 (“the 2010 Regulations”)**

SMITHTON & CULLODEN FLOOD PROTECTION SCHEME 2016

NOTICE is hereby given pursuant to Section 60 and Schedule 2 of the Act and Parts II, III & IV of the Regulations, that the Council proposes to make the above flood protection scheme. This constitutes a notice under Paragraph 1 of Schedule 2 of the Act and under Paragraph 7 of the Regulations.

The effects of the operations proposed under the Scheme will be:

- To generally reduce the risk of flooding to residential, community and business properties along the Smithton Burn from Murray Terrace to Murray Place, (Smithton) through the re-establishment of open channel flow and improved channel conveyance.
- To generally reduce the risk of flooding to residential, community and business properties along the Smithton Burn from Smithton Park to its confluence with the Culloden Burn West at Culloden Park, (Culloden) through the adaptation of the existing infrastructure, re-establishment of open channel flow and creation of a flood attenuation area through the provision of flood defence embankments for flood storage purposes.
- To generally reduce the risk of flooding to residential, community and business properties along the Culloden Burn West from Redburn Avenue/Lochlann Court to Culloden Centre, through the provision of a new culvert at Redburn Avenue/Lochlann Court (Culloden) thus improving channel conveyance.
- To generally reduce the risk of flooding to residential, agricultural, community and business properties along the Culloden Burn West from Culloden Park to its confluence with the Cairnlaw Burn, through the adaptation of the existing infrastructure and creation of a flood attenuation area through the provision of flood defence walls and embankments for flood storage purposes.

The scheme documents can be inspected during the period from 26/04/2016 to 24/05/2016 inclusive at:

- The Highland Council, Council Headquarters, Glenurquhart Road, Inverness, IV3 5NX, between 9.00am and 5.00pm, Monday to Friday.
- Culloden Library, Keppoch Road, Culloden, Inverness, IV2 7NL, Mon - 10:00 - 17:00; Tue - 13:00 - 17:00; Wed - 10:00 - 20:00; Fri - 10:00 - 14:00; Sat - 10:00 - 13:00.
- At Smithton-Culloden Free Church of Scotland, Murray Road, Smithton, Inverness, IV2 7YU on Wednesday 4th May, between 12:30pm and 7:30pm (1-day only drop-in session).
- Online, at
http://www.highland.gov.uk/info/1210/environment/80/flood_alleviation_schemes/3

Any objection to the proposed scheme must be in writing and include the name and address of the objector and must be accompanied by a statement of reasons for the objection. Where an objector has an interest in any land on which the proposed operations are to be carried out or which may be affected by any of the proposed operations or by any alteration in the flow of water caused by any of the operations that person's objection must include details of the land in which the objector has an interest, disclosure of the nature of the objector's interest in the land, and details of which aspects of the proposed operations affect the objector. If no valid objections are made to the scheme, then the Council must make the final decision to confirm or reject the proposed scheme. If, however there are objections which are not valid objections under Paragraph (3) (2) of Schedule 2 of the Act, the Council may make a preliminary decision and hold a hearing to consider the proposed scheme, before confirming or rejecting the scheme. Where valid objections are made to the scheme, the Council will consider the objections and make a preliminary decision to either (a) confirm the proposed scheme without modification, or (b) confirm the proposed scheme with modifications, or (c) reject the proposed scheme. Where an objection is received from a relevant objector, who is a person to whom paragraph 5(6) of Schedule 2 of the Act applies, the Council must notify Scottish Ministers of the preliminary decision. The Scottish Ministers must then decide whether to consider the scheme or not. If the Scottish Ministers decide to consider the scheme and valid objections remain, then the Scottish Ministers must cause a Public Local Inquiry to be held. After considering the outcome of the Public Local Inquiry, the Scottish Ministers must make the final decision to: (a) confirm the proposed scheme without modification, or (b) confirm the proposed scheme with modifications, or (c) reject the proposed scheme. Where the Scottish Ministers decide not to consider the scheme; the Council must hold a hearing to consider the proposed scheme. Following the outcome of the hearing, the Council must make the final decision to (a) confirm the proposed scheme without modification, or (b) confirm the proposed scheme with modifications, or (c) reject the proposed scheme. Notification of the final decision, whether made by the Council or the Scottish Ministers will be given.

Any objection to the scheme must be made during the period 26/04/2016 to 24/05/2016 inclusive to: Flood Risk Management Team, Project Design Unit, Council Buildings, Dingwall, IV15 9QN.

Any queries or clarifications regarding the Scheme can be obtained by emailing S&C.FPS@highland.gov.uk or telephoning 01349 868812.

Stewart D. Fraser,
Head of Corporate Governance,
The Highland Council

26/04/2016