

DATA LABEL: PUBLIC



ENVIRONMENT POLICY DEVELOPMENT & SCRUTINY PANEL

RIVERLIFE: ALMOND & AVON – ALMOND BARRIERS PROJECT – MID CALDER WEIR

REPORT BY HEAD OF OPERATIONAL SERVICES

A. PURPOSE OF REPORT

The purpose of this report is to provide a further update on progress in the development of the project to adapt Mid Calder Weir to allow fish passage and to enhance access to the weir from Mid Calder.

B. RECOMMENDATION

The Panel is recommended to note and consider the following recommendations, which are intended to be submitted to Council Executive for approval

1. Note the progress being made on detailed design to adapt the weir at Mid Calder, restoring fish passage; and
2. Approve efforts to secure realignment of the National Cycle Network route (NCN75) between Pumpherston Road, Mid Calder and East Calder Wastewater Treatment Works and authorise officers to secure external funding and necessary consents leading to detailed design and construction, if the proposal proves feasible.

C. SUMMARY OF IMPLICATIONS

I Council Values

Focusing on our customers' needs; being honest, open and accountable; providing equality of opportunities; making best use of our resources; and working in partnership.

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

Policy: The Scottish Biodiversity Strategy identifies the role of local authorities in meeting national species and habitat priorities.

Legal: The Water Environment & Water Services (Scotland) Act 2003 requires local authorities to carry out their statutory functions and duties in a way, which adheres to the principles of the European Water Framework Directive.

The Nature Conservation (Scotland) Act 2004 places a duty on officials and public bodies to further biodiversity.

Delivery of the active travel component of this

		project would contribute to improved road safety and further encourage active travel.
III	Implications for Scheme of Delegations to Officers	None
IV	Impact on performance and performance Indicators	Across Scotland river quality has improved significantly over the last 25-years and just under half of our rivers are now of good status. Ambitious targets have been set for rivers, with an objective for 87% to be at good or high-status by 2027. SOA1308-11 (% of water bodies achieving high or good status).
V	Relevance to Single Outcome Agreement	<p>SOA 3. Our economy is diverse and dynamic, and West Lothian is an attractive place for doing business;</p> <p>SOA 6. Older people are able to live independently in the community with an improved quality of life;</p> <p>SOA 7. We live longer, healthier lives and have reduced health inequalities;</p> <p>SOA 8. We make the most efficient and effective use of resources by minimising our impact on the built and natural environment.</p>
VI	Resources - (Financial, Staffing and Property)	<p>Financial: Funding for RiverLife projects derives from the Scottish Government's Water Environment Fund (WEF) and National Lottery Heritage Fund (NLHF).</p> <p>Officers to apply for Places for Everyone grant funding through Sustrans to fund the realignment of the NCN 75.</p> <p>Staffing: The Council is represented by officers on individual project groups and the RiverLife Project Board. The National Lottery Heritage Fund and Scottish Government provide additional resources to support the project through a number of pre-agreed activities discharged by Forth River Trust.</p> <p>Property: The Council has riparian ownership, of the right (south) bank to the middle of the river.</p>
VII	Consideration at PDSP	Not applicable.

VIII Other consultations

The following organisations and individuals have been consulted in work leading to preparation of this report:

NETs, Land & Countryside Services, Forth District Salmon Fishery Board (FDSFB), Householders with left (north) bank riparian ownership, Mid Calder Community Council (MCCC), Mid Calder Weir Project Group, RiverLife: Almond & Avon Project Board, Scottish Government, Scottish Environment Protection Agency (SEPA) and Sustrans.

D. TERMS OF REPORT

1.0 Mid Calder Weir

- 1.1 In May 2020, Council Executive approved a proposal to authorise officers to commission work to determine the optimum location and technical design of a Larinier-type technical fish pass at Mid Calder Weir to restore fish passage.
- 1.2 In arriving at the proposed location and layout, close to the right (south) bank of the river (Appendix 1 attached), specialist consultants considered available guidance, hydrology, fish ecology, wildlife crime, installation of a fish counter, the effects of debris and sedimentation, appearance and whole-life costs.
- 1.3 Specialists from Forth Rivers Trust, Forth District Salmon Fishery Board and the Scottish Environment Protection Agency have contributed to the proposal by providing feedback in response to a draft report and layout and support what is proposed. Whilst the proposal in plan form is unlikely to change significantly, detailed design and modelling is ongoing, and could potentially result in slight shifting of location or changes to detailing.
- 1.4 As this stage of the project has developed, there has been regular dialogue between those householders that have riparian ownership from the left (north) bank of the river, the consultants and a council official to ensure that everyone remains informed about what is proposed and allow concerns to be addressed.
- 1.5 Mid Calder Community Council and Ward Members have also been advised of the proposals.
- 1.6 Dialogue is underway with planning officials, which will lead to an application for planning permission being lodged shortly. A further meeting is proposed, beforehand, with householders in an attempt to avert any last-minute concerns.

2.0 National Cycle Network Route 75

- 2.1 A route for construction access to the weir has not yet been established. Three options are being explored. Currently, only one provides the prospect of quality, long-term access to the weir for the purposes of maintenance.
- 2.2 The National Cycle Network (NCN) is a network of signed paths and routes extending throughout the United Kingdom for walking, cycling and wheeling. Sustrans, the UK walking and cycling charity, as custodians of the NCN, envisage a network of routes, which are sufficiently wide and fully accessible for all legitimate

users. The section of NCN 75 within proximity of the proposed fish pass (extending from Pumpherston Road to the west edge of the East Calder Wastewater Treatment Works) currently comprises steep path gradients, stepped access, unbound path construction and reduced path width. This does not accord with Sustrans NCN design principles and opportunities to improve this route have the potential to provide immediate benefits to local people and increase overall patronage of the route.

- 2.2 Officers are therefore in talks with Sustrans, about the potential realignment and upgrading of this part of the route, which would also provide attractive, long-term access to the weir and to Almondell Country Park beyond. In assessing feasibility, however, consideration still needs to be given to the potential impact on the functional flood plain and consequent flood risk, and ensure that the quality of what may later be proposed is consistent with its location within Mid Calder Conservation Area.
- 2.3 The residents of Powie's Path, with whom officers have been in discussion, and who look directly across the river towards the proposed alternative route have indicated support for the concept and see significant benefit to the community, particularly as it would allow the less-able to enjoy access to the Almondell Country Park from Mid Calder. They have also suggested that consideration be given to extending the proposed route eastwards, to approximately 50 metres downstream of the weir on the basis that it is currently one of the less-appealing sections of this otherwise attractive walkway.

E. CONCLUSION

Council Executive has previously approved a proposal to proceed with detailed design and determination of the optimum location for a technical fish pass at Mid Calder Weir.

Consultants have now confirmed the broad location, layout and appearance of the structure and continue to refine its design.

Officers have been engaging with those householders that have riparian ownership from the left (north) bank and have their support and have kept the Community Council and Ward Members up to date as detailed design has progressed.

Access to the weir and to Almondell Country Park beyond is currently compromised. Work is underway to investigate the feasibility of realigning part of this route, which has the potential to provide improved access for all.

Dialogue with planning officials is underway to prepare the ground for an application for planning permission to be submitted shortly.

The Panel is being asked to note the progress being made and recommend to Council Executive that it approves the proposal to investigate realignment of NCN 75 and, if feasible, proceed with design and construction.

F. BACKGROUND REFERENCES

Consultation on SEPA's Second River Catchment Management Plan for the Scotland River Basin District - Report by Head of Operational Services to the Environment Policy Development & Scrutiny Panel - 23 April 2015

SEPA consultation on developing the second river basin management plan for the

Scotland River Basin District:

http://www.sepa.org.uk/water/river_basin_planning/scotland.aspx

Barriers to Fish Migration - River Almond - Report by Head of Operational Services to the Environment Policy Development & Scrutiny Panel - 04 June 2015

Barriers to Fish Migration - River Almond - Report by Head of Operational Services to the Council Executive - 30 June 2015

RiverLife: Almond & Avon Programme - Report by Head of Operational Services to the Environment Policy Development & Scrutiny Panel - 13 September 2016.

RiverLife: Almond & Avon Programme - Report by Head of Operational Services to the Council Executive - 11 October 2016

RiverLife: Almond & Avon - Novation & Procurement Exemption - Report by Head of Corporate Services to the Council Executive - 23 October 2018

RiverLife: Almond & Avon Programme - Report by Head of Operational Services to the Environment Policy Development & Scrutiny Panel - 30 October 2018

RiverLife: Almond & Avon Programme - Report by Head of Operational Services to the Council Executive - 13 November 2018

RiverLife: Almond & Avon - Almond Barriers Project - Mid Calder Weir - Report by Head of Operational Services to the Environment Policy Development & Scrutiny Panel - 10 March 2020

RiverLife: Almond & Avon - Almond Barriers Project - Mid Calder Weir - Report by Head of Operational Services to the Council Executive - 26 May 2020

Appendices/Attachments:

Appendix 1 - Plan Showing the Proposed Location and Layout of the Technical Fish Pass at Mid Calder Weir

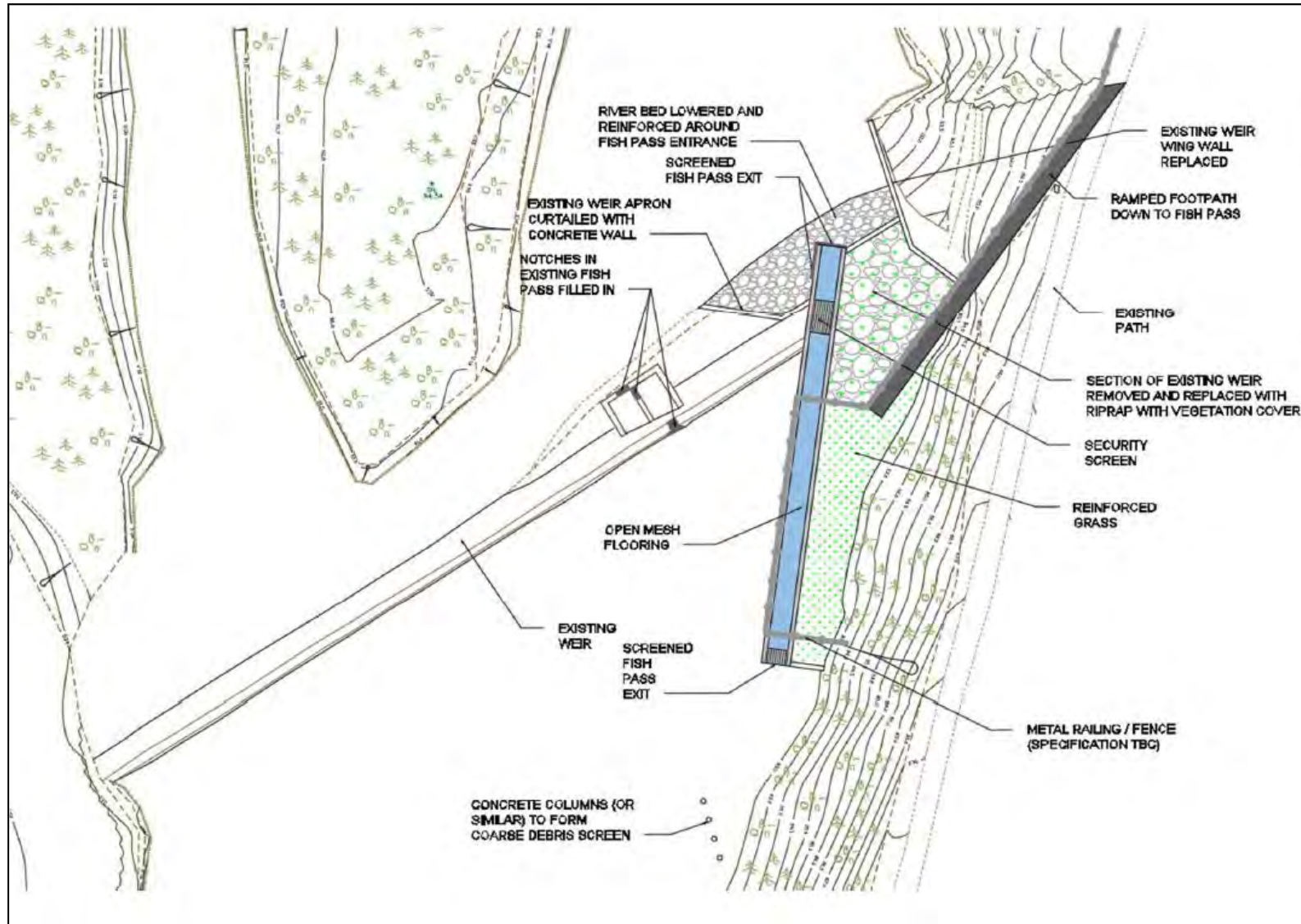
Appendix 2 - Aerial photograph showing existing route and proposed realignment of NCR75

Contact Person: Graeme Hedger, Senior Professional Officer, 07774 479863, graeme.hedger@westlothian.gov.uk

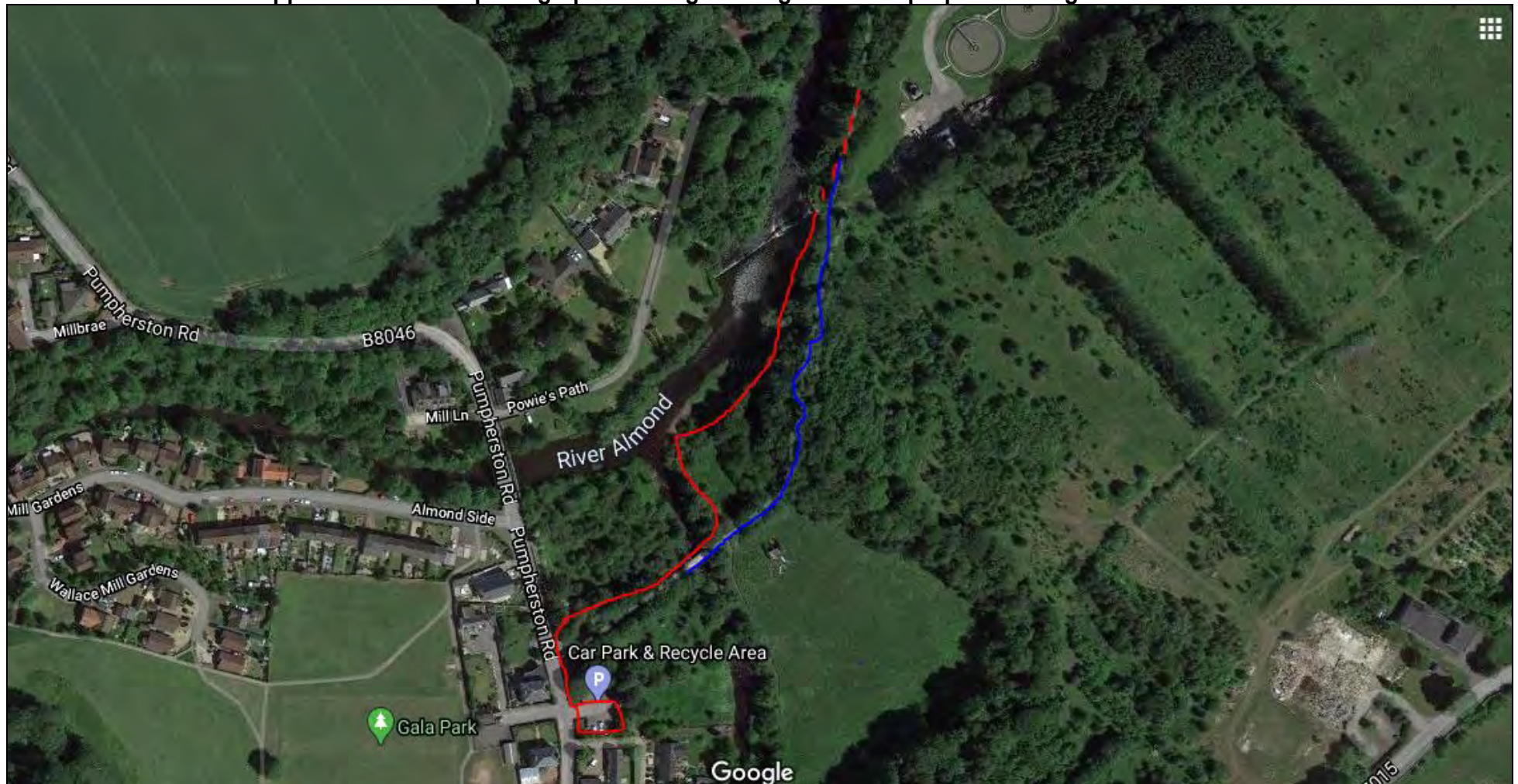
CMT Member: Jim Jack, Head of Operational Services

Date of meeting: 15 September 2020

Appendix 1 - Plan Showing the Proposed Location and Layout of the Technical Fish Pass at Mid Calder Weir



Appendix 2 – Aerial photograph showing existing route and proposed realignment of NCR 75



Existing route - blue
Proposed realignment - red