

Members' Library Service Request Form

Date of Document	18/10/24
Originator	Ian Chalmers
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Document Title	Musselburgh Flood Protection Scheme MLS report - Appendix A.1

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For Publication

Additional information:

Authorised By	Carlo Grilli
Designation	Service Manager - Governance
Date	18/10/24

For Office Use Only:	
Library Reference	98/24
Date Received	18/10/24
Bulletin	Oct 24

Subject: (0001) Objections.
Sent: 20/03/2024, 17:03:13
From: [Redacted]
To: Musselburgh Flood Protection Objections

Follow Up Flag: Follow up
Flag Status: Completed

You don't often get email from [Redacted]. [Learn why this is important](#)
CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern

I hereby object to the Musselburgh Flood Protection Scheme.

Having looked at the scheme operations and having taken into account that, in all my [Redacted] years living in Musselburgh, I have never known any major damage caused to property due to flooding, I feel the scheme seems to me to be a major sledgehammer to crack a very small nut situation.

[Redacted]

Sent from [Outlook for Android](#)

Subject: (0002) objection letter
Sent: 21/03/2024, 16:59:52
From: [REDACTED]
To: Musselburgh Flood Protection Objections

Follow Up Flag: Follow up
Flag Status: Completed

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To whom it may concern,

Dear Sir/Madam,

I am writing to you to state my objection and to express my opinion considering the Flood Protection Scheme.

I am a gardener by trade and studied horticulture and countryside management at college and i think that to build any concrete wall on the banks of the river Esk in Musselburgh is absolutely unnecessary.

There is no risk of flooding, where the river enters the sea, because of the high and low tides in the sea. While living on the bank of the Esk I already noticed, that even after heavy and long lasting rain, water in the river drops significantly in low tide. And practically never go off the banks causing any danger or inconvenience to anyone.

Another reason is to keep rivers Esk banks as natural as possible, because lots of people enjoy the natural view, like to go for a walk on the grass there and a concrete wall just spoil that.

Respectfully

[REDACTED]

Resident in [REDACTED]

Subject: (0003 NO ADDRESS) No to the wall
Sent: 22/03/2024, 11:41:19
From: [REDACTED]
To: Musselburgh Flood Protection Objections

Follow Up Flag: Follow up
Flag Status: Completed

Categories: NO ADDRESS

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I category object to East Lothian council building a wall in my town.

I could go on with insulting and offensive language but I won't for now.

It is not your decision, it is the people of Musselburgh's decision to have the right to make this decision.

East Lothian council are not fit for purpose in any decision that involves the good people of this dwindling county.

[REDACTED]

Subject: (0004) Letter of objection to MFPS
Sent: 22/03/2024, 14:11:28
From: [REDACTED]
To: Musselburgh Flood Protection Objections
Cc: [REDACTED]

Follow Up Flag: Follow up
Flag Status: Completed

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[REDACTED]

22 March 2023

LETTER SENT BY EMAIL TO: mfpsobjections@eastlothian.gov.uk

Dear Team dealing with objections to the MFPS,

I write to object to the recently published Musselburgh Flood Protection Scheme. I am a resident of Musselburgh, albeit not directly beside the river or the coast. I write also as an ELC Council Tax contributor and out of concern for my neighbours who will be directly affected by any installation of a concrete barrier wall. I am not directly by the riverside but will be within earshot of any pile-driving due to take place by the riverside (see below*).

I object to the published scheme because:

- I regularly walk along the Esk riverside and this was one of my main reasons for choosing to live here. I have no desire to see a concrete wall and would prefer a nature-based solution;
- The land adjacent to the river is in many parts 'common good land' and as such, any interruption to their usage should be compensated for - is this going to happen and if so, from which funding source (but not from council tax of course)?
- * For the duration of the scheme (an estimated five years until completion?!) it will involve extensive pile-driving along the riverside. I do not want to hear this for the next five years. My house is situated between Queen Margaret University ([REDACTED] above and behind me) and the river below (same distance). I currently hear the pile-driving every day taking place at QMU. I do not wish to have the same noise coming from the river;
- I do not agree that the scheme is the most cost-efficient option and am concerned that this will increase our Council Tax;
- I have not had the opportunity to access the alternative proposals that were ruled out when the EIA was being put together;
- I am unhappy that when residents asked to see the data underpinning the scientific calculations made by the project team that these requests were ignored. Is this information being withheld?;
- I believe that man-made interventions cannot prevent flooding downstream – I would prefer the focus to be on more preventative work upstream to slow and/or store the water before it reaches Musselburgh.

Please acknowledge receipt of my letter of objection, in writing. Please advise me of next steps, and timescales.

Yours faithfully,
[REDACTED]

Subject: (0005) Flood Protection Scheme
Sent: 23/03/2024, 13:17:32
From: [REDACTED]
To: Musselburgh Flood Protection Objections

Follow Up Flag: Follow up
Flag Status: Completed

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To the council, my name is [REDACTED]. I would like to state my my objection to the proposed flood defence scheme in the town of Musselburgh as its totally, financially and fundamentally wrong for the town at this time. I have lived in the town for [REDACTED] years and NEVER EVER seen a serious flood in all that time. The cost alone is inexcusable, an estimated £103,000,000 for action against possible global warming and rising sea levels of 50 - 60 years ahead is wrong and the cost will double and the taxpayers will suffer. The river Esk needs dredged nothing more. No more bridges are needed the ones we have are good enough ? Why build a bridge at the mouth of the river, who's going to cross it ? save for a few dog walkers, its crazy. The proposed walls along the river bank upstream past the Rennie bridge is unnecessary as the river would have to rise 15 -20 feet for the river to flood to cause road problems. Concrete walls at the beach to hold back the sea is as crazy as bringing back King Canute ??? The banking along the river is raised in most areas of Musselburgh to stop swollen rivers and could be improved by simple and cheap dredging of the river bed at far lower cost than the £millions the council propose but as the building of the Scottish parliament and the Edinburgh Trams fiasco proves the cost of £103,535,000 wont even come close to the final bill and the Musselburgh people or East Lothian Council do not have that kind of money in our small town and you will say the government will help but you know the will give only some of the cash with the council tax paying the rest ? Its a bad idea that will make a lot of people rich but totally to early a problem to commit such a vast amount of taxpayers money when it could be upgraded over the next 50 years or more. I urge you to think of the townspeople's objection to the scheme instead of a few councillors opinion. This is too big an expense to the town for a few politicians to make and the residents should have the vote. There will be many elections before this massive construction is finished and the cost WILL rise well above the estimated cost. I personally doubt this project can be stopped now and the decision is probably already made but think on East Lothian council is already struggling for money, how can they hope to afford adding £100,000,000 + to their budget ??

Subject: (0006) MAIL: MFPS Objection letter received 26/03/2024 from [redacted]
Sent: 29/04/2024, 12:44:38
From: Legal
To: Musselburgh Flood Protection Objections
Attachments: [20240326 MFPS Objection letter from \[redacted\].pdf](#)

Follow Up Flag: Follow up
Flag Status: Completed

This has not been sent previously to the MFPS Objections only sent to Carlo Grilli, Ian Forrest & Andy Duncan on 26/03/2024.

Thanks
[redacted]

[redacted] | [redacted] | Legal | East Lothian Council | John Muir House | Haddington
EH41 3HA | [redacted] | [redacted] or [redacted]

Please note my working days are Monday to Thursday

Verbal abuse and threatening behaviour is never acceptable. #zerotolerance

We're living through stressful times right now, and everyone's feeling it.

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

Please, be nice.



BE NICE
RESPECT US AS WE RESPECT YOU

[REDACTED]

East Lothian Council
John Muir House
Haddington
East Lothian EH41 3HA



Your Ref: CG/11481

25 March 2024

Dear Carlo Grilli,

Musselburgh Flood Protection Scheme Notification

Thank you for your letter of 14/03/24. We are writing to object to the recently published Musselburgh Flood Protection Scheme. We are directly affected by the scheme both because our home is shown in the flood maps as at risk of flooding, and because we constantly use the many amenities of Musselburgh that would be impacted by the scheme.

These are the grounds of our objections:

Conflict with Scottish Government policy

According to the Minister Mairi McAllan (last December) "The Scottish Government recognizes the importance of natural flood management (NFM) measures in reducing, slowing or otherwise managing flood waters across catchments and along the coast while also delivering multiple environmental benefits." NFM could include various techniques to slow the flow of the river through the catchments and to encourage the natural dune system along the coast, but these possibilities have been discounted, putting the MFPS in conflict with Scottish Government policy.

Scottish Government guidance says that a range of scenarios should be included, yet the MFPS is tied to a 1:200-year event. The Council has thus judged what is necessary protection without being able to consider a range of options – again in conflict with Scottish Government policy.

Conflict of interest / Lack of proper process / Lack of transparency

The engineers appointed to design the MFPS were allowed to write the Environmental Impact Assessment (EIA). This is a clear conflict of interest and incompatible with good governance. Furthermore, the engineers carried out an options appraisal that ruled out all alternatives to the current scheme, in which they have a vested interest, without those options being made available for public scrutiny or debate.

In January this year, the Council agreed to the scheme progressing, even though it had not seen the full EIA, meaning that the decision had no proper basis.

Requests by local residents to see the data the project team is using in its scientific calculations have been ignored.

East Lothian Council has commissioned a report on the coast from Dynamic Coast, but this report has not been made publicly available, which means that the Council is not being open about the evidence on which it is basing major decisions.

The scheme has become entangled with the Musselburgh Active Toun (MAT) proposals, which contribute little if anything to flood protection. Significantly, planning permission should be required for the proposed MAT paths and bridges, but the flood scheme has apparently been deemed to give those permissions, and no information has been made public about which parts of the MAT will bypass planning on account of being included in the flood scheme. Bypassing planning permissions, even if legal, is itself a case of disregard of proper process.

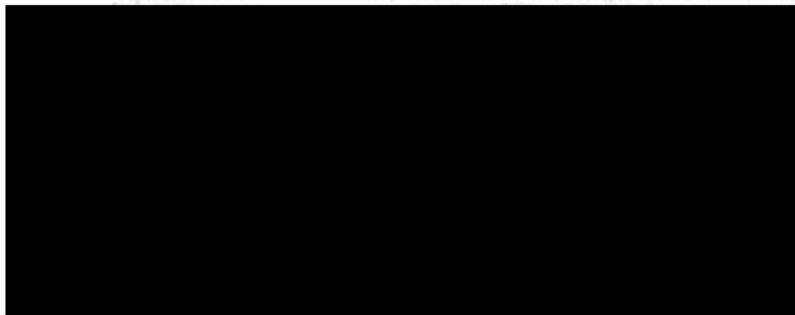
No proper breakdown of the soaring cost of the project has been made public.

Absence of cost controls

The anticipated cost of the project is constantly escalating. It has already topped £100 million, and the Council has been warned that it will probably rise further. The Council has apparently voted the project through without having a clear idea of the final cost and without imposing a cap.

Please respond in writing to this letter and the objections it raises. Please let me know if anything we have written is inaccurate. Please also advise us of the next steps and timescales.

Yours sincerely,



PS: we have so far received two copies of your letter and the enclosure at this address, and I know of many other people who have received multiple copies.

British Heart
Foundation
Royal Mail supporting
heart health with BHF
bhf.org.uk

Royal Mail
Edinburgh
Mail Centre
25-03-2024
14102588



Mr Carlo Grilli
East Lothian Council
John Muir House
Haddington
East Lothian
EH41 3HA

RECEIVED
26 MAR 2024

Subject: (0007) Fwd: [REDACTED]
Sent: 26/03/2024, 07:31:02
From: [REDACTED]
To: Musselburgh Flood Protection Objections

Categories: [REDACTED]

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[REDACTED]

> 26/03/2024

>
>
>

> I am writing to you to register my objection to the proposed flood scheme. In particular I want to object to the proposed use of common good land for the use by the construction companies as their private builders yards. This is Common Good Land and should not become Private Bad Land surrounded by fences which excludes me .

> I am a [REDACTED] pensioner and my medical condition restricts me [REDACTED] and In addition to this [REDACTED] issues which restrict my freedom to travel far from my house. .Consequently I regularly use both Fisherrow Links and Murdochs Green which I can access as my two places to enjoy the views, the peace and quiet , to meet friends and chat , to enjoy the fresh air . I have no alternatives ,I have no garden , [REDACTED] so escaping to these dear green places is therefore so beneficial for my emotional health.

> I don't want to be excluded for years. Let the Private Construction firms rent private fields to store their vehicles and materials away from our town and let me enjoy my twilight years in the peace and beauty of these common green spaces .

>

Please acknowledge receipt of my letter of objection in writing and please let me know the next steps and estimated timescales
> Yours

> [REDACTED]

Subject: (0008) Morar Living, Harbour House, 131 New St, Musselburgh, EH21 6DH, objection to Flood Protection measures.
Sent: 26/03/2024, 10:23:54
From: [REDACTED]
To: Musselburgh Flood Protection Objections
Cc: [REDACTED] Simply UK; [REDACTED], Morar UK

Follow Up Flag: Follow up
Flag Status: Completed

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Dear Sir/Madam,

I'm writing to formally lodge objection for these proposed works on behalf of our asset the above location.

We believe the flood protection measures as proposed would significantly undermine the amenity of the Home leading to a marked deterioration to the quality of life for our residents. They have clearly been designed without taking these matters into account.

It is critical our residents continue to benefit from the current pleasant open aspects they enjoy, indeed that is the one of the prime parameters they cite when deciding to move into the home.

As you can imagine this is a multi-million-pound investment within the local community, creating an aspirational environment for both the staff and residents. Undermining that would cause severe pressure on the ability to market the rooms and preserve the overall experience for our residents both existing and yet to come. That is completely unacceptable to us.

Can you please acknowledge receipt of this email and advise if you need any further information from us at this point?

Kind regards,



Mobile: [REDACTED]
Email: [REDACTED]
Headoffice Tel: +44 (0) 141 333 1495
Headoffice Address: Stewart House, Pochard Way, Bellshill, ML4 3HB
Southern Region Tel: +44 (0) 204 541 4300
Southern Region Address: Ground Floor, 722 Capability Green, Luton, LU1 3LU



Simply UK Holdings Ltd ; Registered in Scotland (SC631897): At: Stewart House, Pochard Way, Strathclyde Business Park, Bellshill, ML4 3HB
Simply Develop UK Ltd; Registered in Scotland (SC439929): At: Stewart House, Pochard Way, Strathclyde Business Park, Bellshill, ML4 3HB
Simply Care Group UK Ltd; Registered in Scotland (SC615845): At: Stewart House, Pochard Way, Strathclyde Business Park, Bellshill, ML4 3HB
Simply Investment Real Estate Ltd ; Registered in Scotland (SC631763): At: Stewart House, Pochard Way, Strathclyde Business Park, Bellshill, ML4 3HB

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Subject: (0009) Fwd: Draft
Sent: 26/03/2024, 13:21:58
From: [REDACTED]
To: Musselburgh Flood Protection Objections

Categories: [REDACTED]

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FAO
Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington

26.03.2024

I am writing to you to register my objection of this project asking to use our Common Good Land as temporary builders yards. I use this land for recreation , myself ,my family and most importantly as a play area with my grandchildren .We live in Fisherrow but do not have a garden so need these spaces .I don't want to have to travel at my expense to another area to enjoy grass and open spaces to socialise .to jump.to sit and picnic,Why should I have to give up my green space for a multinational company .ELC pretend to promote a Green agenda and are good at talking but they need to demonstrate their commitment by banning this company from locking us out off our Green lungs .

Yours
[REDACTED]

Please acknowledge receipt of my letter of objection, in writing. Please advise me of next steps, and timescales.

Subject: (0010) [REDACTED]
Sent: 26/03/2024, 13:51:44
From: [REDACTED]
To: Musselburgh Flood Protection Objections

Categories: [REDACTED]

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FAO
Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington

26.03.2024

I am writing to you to register my objection of this project as I feel the Council is being profligate with the Public purse. They are initiating a project that they have no hope of financially maintaining over the projected life of these flood walls .They cannot manage at the moment in Musselburgh exampled by the closure of the Brunton Halls ,the closure of Eskgreen's supported accommodation and many more examples.I think it is unfair to saddle generations to come with such a huge maintenance bill for a Councillors vanity project.

Yours
[REDACTED]

Subject: (0011) [REDACTED]
Sent: 26/03/2024, 15:26:57
From: [REDACTED]
To: Musselburgh Flood Protection Objections

Categories: [REDACTED]

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FAO
Carlo Grilli

Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington

26.03.2024

I am writing to you to register my objection of this project as I feel the Council is taking the lazy way out and not exploring Nature Based Solutions .

We all need to be Greener and build a sustainable future for generations to come and this over reliance on tar , felled trees and concrete is a yesterdays solution .The Council is lazy in ignoring alternative voices .We should be employing local workers not multinationals ,we should be looking at the long term maintenance of these walls by local workers ,people embedded in our community .There is so much more we could do to promote the Green aspirations of our community .We should be leading by example and not increasing our carbon footprint for our children . ELC should engage with the community and create a partnership of solutions and ideas rather than the imposition of concrete.

Yours

[REDACTED]

Subject: (0012) Edgelaw Reservoir (Objection)
Sent: 26/03/2024, 15:58:34
From: [REDACTED]
To: Musselburgh Flood Protection Objections

Follow Up Flag: Follow up
Flag Status: Completed

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I would like to lodge an objection to your plans for Edgelaw Reservoir, as by dropping the water level by 2mtrs would affect the whole footprint of the surrounding banks and inlet burn (Fullerton Burn) of the Reservoir, the fishing club which has maintained and looked after the fishery for 20yrs would cease to exist. The groups [REDACTED] use the Reservoir free of charge are.
Roswell disability Centre
Edinburgh Recovery centre
British Legion veterans
These groups and many more would be deprived of access to the outdoor activities Edgelaw has to offer.
The banks and edges would be dangerously exposed and any members of the public including the many dog walkers we have on a daily basis would be put in danger of falls or death due to the many silt areas exposed when the water level is lowered and exposes These areas.

[REDACTED]

[REDACTED]

[Sent from Sky Yahoo Mail on Android](#)

Subject: (0013) Flood Scheme Musselburgh
Sent: 26/03/2024, 20:14:16
From: [REDACTED]
To: Musselburgh Flood Protection Objections
Attachments: [Flood Scheme letter.docx](#)

Follow Up Flag: Follow up
Flag Status: Completed

Categories: [REDACTED]

You don't often get email from [REDACTED] [Learn why this is important](#)

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Please find attached an objection letter to the above scheme.

Sent from [Mail](#) for Windows

Service Manager - Governance
Legal Services
East Lothian Council
John Muir House
Haddington
EH41 3HA

[REDACTED]

25th March 2024

Dear Mr Grilli,

I am writing to object to the recently published Musselburgh Flood Protection Scheme. I am a lifelong resident of Musselburgh and have concerns about the scale of the scheme.

In the [REDACTED] years I have lived in the town, I have never known a major flooding event. I accept that there may be a need for some flood defences, due to the future impact of global warming, rising tides, etc. but this plan seems excessive and expensive. I walk regularly along the river and promenade and it is devastating to think that we will lose the beautiful landscapes in our town. The height of the walls is a concern and the impact it will have on people in wheelchairs, children in pushchairs – their view is going to be a concrete wall. Even as an able-bodied adult, I fear the loss of these natural views and outlooks that are so important for mental health and general wellbeing. I also fear the harm that would be caused to the wildlife in the town, both when the walls are built and during the construction period.

I would urge you to look at alternatives to the plan as it stands. Surely there are more natural options that can be explored. Your own literature about the scheme implies that the flood risk is not an imminent concern, it is more future-proofing, so surely there is time to look at other options.

Yours sincerely,

[REDACTED]

Subject: (0014) Flood Scheme
Sent: 26/03/2024, 20:33:29
From: [Redacted]
To: Musselburgh Flood Protection Objections
Attachments: [Flood Scheme Objection.docx](#)

Follow Up Flag: Follow up
Flag Status: Completed

Categories: [Redacted]

You don't often get email from [Redacted] [Learn why this is important](#)

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Please find attached objection letter to the scheme.

Service Manager - Governance
Legal Services
East Lothian Council
John Muir House
Haddington
EH41 3HA

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

26th March 2024

Dear Mr Grilli,

I am writing to object to the recently published Musselburgh Flood Protection Scheme. I am a resident of Musselburgh, I work in the town and have serious concerns about the scale of this scheme.

In the [REDACTED] years I have lived in the town, I have never known a major flooding event. I accept that there may be a need for some flood defences, due to the future impact of global warming, rising tides, etc. but this plan seems excessive and expensive. I walk regularly along the river and promenade and it is devastating to think that we will lose the beautiful landscapes in our town. The height of the walls is a concern and the impact it will have on people in wheelchairs, children in pushchairs – their view is going to be a concrete wall. [REDACTED] [REDACTED] [REDACTED] bike rides with the Cycling Without Age charity – these outings would be greatly impacted by the walls and embankments as most of the views on their journey would be blocked by them.

I also fear the harm that would be caused to the wildlife in the town, both when the walls are built and during the lengthy construction period.

I would urge you to look at alternatives to the plan as it stands. Surely there are more natural options that can be explored. Your own literature about the scheme implies that the flood risk is not an imminent concern, it is more future-proofing, so surely there is time to look at other options.

Yours sincerely,

[REDACTED]

Subject: (0015) [REDACTED]
Sent: 27/03/2024, 11:10:12
From: [REDACTED]
To: Musselburgh Flood Protection Objections
Cc: [REDACTED]

Categories: [REDACTED]

You don't often get email from [REDACTED] [Learn why this is important](#)

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FAO
Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington

27.03.2024

I am writing to you to register my objection of this project as I feel the inclusion of the MAT elements lumped into flood protection scheme makes it impossible for me to fully understand , .
As a local rate payer I think it is imperative that ELC give us a better understanding of these MAT costs .These have nothing to do with preventing flooding and I feel the Council is not adhering to their own guidelines .Have they sought planning permission for these changes ,what are the cost implications for the rate payers ,what evidence is there for these MAT proposals ,where are the costings ,where is the consultation .I feel railroaded into accepting these changes without proper representation.Is this legal lumping two separate projects under one banner

Yours
[REDACTED]

Subject: (0016) [REDACTED]
Sent: 27/03/2024, 12:03:55
From: [REDACTED]
To: Musselburgh Flood Protection Objections
Cc: [REDACTED]

Categories: [REDACTED]

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Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington

27.03.2024

I am writing to you to register my objection of this project as I feel that [REDACTED] the Council has ignored [REDACTED] needs by adopting these proposals .
The construction of so many barriers and concrete is adversely going to reduce [REDACTED] access the facilities and amenities [REDACTED]. I feel the Council is discriminating against [REDACTED] disabilities by treating [REDACTED] differently .The outcome of all this building work will result in a reduced quality of life [REDACTED]. I will have reduced access to the sea and the river ,reduced sight of these views and that is not fair .

Yours
[REDACTED]

Subject: (0017) [REDACTED]
Sent: 27/03/2024, 22:49:53
From: [REDACTED]
To: Musselburgh Flood Protection Objections
Cc: [REDACTED]

Categories: [REDACTED]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

FAO
Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington

28.03.2024

I am writing to you to register my objection of this project as I wanted to clarify that the East Lothian Council Cabinet who took the initial decision to progress this flood protection scheme in 2029 was lawful and adhered to their own policy and procedures in coming to their decision and whether this can be evidenced.

I would also like to clarify the makeup of this cabinet and whether any Musselburgh Councilors were members of this cabinet who took such a monumental decision about our town's future. I would also like to know whether the register of councillors sitting on this particular cabinet is available to the public as are the minutes of the meeting where the project was ratified.

Yours

[REDACTED]

Subject: (0018 NO ADDRESS) FW: Flood Protection Scheme
Sent: 02/04/2024, 10:20:30
From: Grilli, Carlo
To: [REDACTED]; Musselburgh Flood Protection Objections

Follow Up Flag: Follow up
Flag Status: Completed
Categories: NO ADDRESS

Hello,

Thank you for your engagement with the Musselburgh Flood Protection Scheme. This email is to confirm that your correspondence has been received and has now been forwarded to the objection inbox.

Under the Flood Risk Management (Scotland) Act 2009, the notification of the Musselburgh Flood Protection Scheme commences on Thursday 21st March 2024. Objections can be made about the proposed scheme until Wednesday 24th April 2024.

All e-mails received to this inbox will remain unread until the end of this objection period.

Kind Regards,

East Lothian Council

From: [REDACTED]
Sent: Saturday, March 30, 2024 11:38 PM
To: Grilli, Carlo [REDACTED]
Cc: Bennett, Ruaridh <rbennett@eastlothian.gov.uk>; Cassini, Cher <ccassini@eastlothian.gov.uk>; McIntosh, Shona <smcintosh1@eastlothian.gov.uk>; Lorna.Slater.msp@parliament.scot; Alison.Johnstone.msp@parliament.scot; FoySol.Choudhury.msp@parliament.scot; Colin.Beattie.msp@parliament.scot; kenny.macaskill.mp@parliament.uk
Subject: Flood Protection Scheme

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Mr Grilli,

I am writing to object to the Musselburgh Flood Protection Scheme. I am a Musselburgh resident who regularly uses public services in the town but most importantly, I am a taxpayer who demands accountability from those in government and who spend on my behalf. Furthermore, I have concerns about the environmental and public impact of the proposed scheme.

I object to the published scheme because:

No alternative methods of prevention have been proposed and thoroughly examined beyond the 'Preferred Scheme'. How can residents support any council proposal without alternates to consider?

Transparency has lacked throughout perfunctory consultation processes. Methods of communication have been insufficient (see website FAQs) and printed guides have served as marketing in preference to balanced information.

Legitimate environmental concerns have been dismissed without open, honest discussion. Jacobs themselves have undertaken much more environmentally considerate methods, yet Musselburgh is to settle for less. How can ELC expect residents to have confidence in the scheme when our concerns and suggestions have been sidelined?

Costs continue to rise - with no safeguard, and no breakdown. Considering current economic pressure and cuts to public services, it is beyond belief to throw vast amounts on a '1-in-200yr' risk.

How can ELC justify the construction and expense of any flood prevention scheme while continuing to green-light extensive housing developments which affect the water table? I have no confidence in ELC's intentions to 'protect' Musselburgh when such duplicity occurs.

Access to local services such as schools, libraries, and healthcare, will be disrupted for an extended period of time due to road closures and diversions in already congested areas. It is acceptable to assume emergency service access will be affected and therefore increased risk to life is perceivable.

Please acknowledge receipt of my letter of objection.

Verbal abuse and threatening behaviour is never acceptable. #zerotolerance

We're living through stressful times right now, and everyone's feeling it.

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

Please, be nice.

BE NICE
RESPECT US AS WE RESPECT YOU

East Lothian Council

Subject: (0019) Objection to Musselburgh Flood Protection Scheme 2024

Sent: 31/03/2024, 11:39:16

From: [REDACTED]

To: Musselburgh Flood Protection Objections

Follow Up Flag: Follow up
Flag Status: Completed

You don't often get email from [REDACTED] [Learn why this is important](#)

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[REDACTED]

Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington
EH41 3HA
[REDACTED]

Dear sir / madam

I am writing to object to the recently published Musselburgh Flood Protection Scheme. As a resident within the flood maps, just two minutes walk from the Esk River, I will be directly affected by the proposals sent by your office, reference CG/114811, dated 14 March 2024. Furthermore, as a tax payer I am disgusted at the cost of these proposed measures.

My main reasons for objecting to the published scheme are:

- There has not been sufficient investigation in to natural measures that could be used for the scheme. What is proposed will have a considerable and incredibly damaging affect upon the natural area with a huge environmental impact
- As mentioned above, the costings for the proposed scheme are unbelievable - I do not believe due diligence has been used when exploring cost effective measures. I would welcome your response on how this work has been proposed and which organisations you have contacted in developing the proposal for works. Furthermore, where is a breakdown off the proposed work at a cost of £103,535,000?
- The Scottish Government & COSLA working group on flooding has recognised the model of uncapped funding (known as Cycle 1) allows project consultants/developers to expand flood schemes into much larger, and more costly, projects. The escalating costs of this project should be scrutinised and capped to prevent further inflation of project and costs.
- I do not believe that East Lothian Council and partners have properly investigated all measures. I understand that East Lothian Council has commissioned a report on the coast from Dynamic Coast, but this is not yet available publicly – why and how is the Council making a decision without being open about all the evidence?
- The Council was informed that Natural Flood Management (NFM) should be restricted to 3 interventions (use of 2 small reservoirs in the Pentlands, and a tree-catcher in Dalkeith Country Park). NFM could include a whole range of techniques to slow the flow of the river throughout the catchments, and to

encourage the natural dune system along the coast. The fact these were discounted at the start is wrong and the situation is made worse by the exclusion of NFM decided upon in October.

- The Council halted inclusion of NFM on the advice of the project team in October 2023. The evidence to support this was a report on the Eddleston Water project. That report is flawed, and the science behind the report was presented to the Council in a misleading way. NFM can and should take centre-stage in flood protection.
- All the indications are that the use of NFM, nature-based solutions and a flood resilience (rather than prevention) approach are preferred over building flood walls. Even in massive river catchments like the Severn, these approaches are being discussed and trialled. The flood walls in Brechin (built/renewed 2015) recently failed. The flood gates in Perth recently failed. Man-made interventions cannot prevent flooding downstream – we need to do more upstream to slow/store the water so it doesn't rush down through the town.
- The Scottish Government is heading towards NFM. On 23 December 2023, [the Minister stated](#) "The Scottish Government recognizes the importance of natural flood management (NFM) measures in reducing, slowing or otherwise managing flood waters across catchments and along the coast while also delivering multiple environmental benefits." Why is ELC not in step with the Scottish Government?

Please acknowledge receipt of my letter of objection, in writing. Please advise me of next steps, and timescales.

Yours sincerely,



Subject: (0020) FW: Proposed flood protection scheme
Sent: 02/04/2024, 10:05:58
From: Grilli, Carlo
To: [REDACTED] Musselburgh Flood Protection Objections

Follow Up Flag: Follow up
Flag Status: Completed

Dear [REDACTED],

Thank you for your engagement with the Musselburgh flood Protection Scheme. This e-mail is to confirm that your e-mail has been received and passed onto the Musselburgh Flood Prevention Scheme Objections mailbox.

Under the Flood Risk Management (Scotland) Act 2009 the notification of the Musselburgh Flood Protection Scheme commences on 21 March 2024. Objections can be made about the proposed scheme until Wed 24 April 2024.

Your e-mail will not be read until the end of the objection period.

From: [REDACTED]
Sent: Tuesday, April 2, 2024 9:39 AM
To: Grilli, Carlo [REDACTED]
Subject: Proposed flood protection scheme

You don't often get email from [REDACTED] [Learn why this is important](#)

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Dear Sir

I am writing to object to the recently published Musselburgh Flood Protection Scheme.

I live at [REDACTED]

Some of the reasons I object to the published scheme are because:

- it disrupt my daily living circumstances.
- I went to the display and discovered an approx 5' berm built right opposite my flat
- it is the only scheme currently proposed. Why?

Never mind the time and disruption involved, the money which this will cost will doubtless grow. Meantime, this could and should be spent on more immediate concerns, including helping the elderly and other socially deprived citizens of the area

Please acknowledge receipt of my letter of objection, in writing. Please advise me of next steps, and timescales.

Yours Faithfully,

[REDACTED]

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We're living through stressful times right now, and everyone's feeling it.

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

Please, be nice.



BE NICE
RESPECT US AS WE RESPECT YOU

From: Legal
Sent: 02 April 2024 11:22
To: Musselburgh Flood Protection Objections
Cc: Grilli, Carlo
Subject: (0021) Objection Letter received by post - 02/04/2024, [REDACTED]
Attachments: 20240402 MFPS objection letter from [REDACTED].pdf
Follow Up Flag: Follow up
Flag Status: Completed

[REDACTED] | [REDACTED] | Legal | East Lothian Council | John Muir House |
Haddington EH41 3HA | [REDACTED] | [REDACTED] or [REDACTED]

Please note my working days are Tuesday to Friday

Verbal abuse and threatening behaviour is never acceptable. #zerotolerance

We're living through stressful times right now, and everyone's feeling it.

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

Please, be nice.



BE NICE
RESPECT US AS WE RESPECT YOU

[REDACTED]

31/3/30

Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington
EH41 3HA

Dear Sir,

I am writing to object to the recently published Musselburgh Flood Protection Scheme. As I do not think a wall will be effective. I have only seen Musselburgh slightly flooded and I am [REDACTED]. The water was nowhere near the Esk or the sea front. It was in the high street in Musselburgh. A lot of council money is put into other towns in East Lothian rather than Musselburgh. I would rather see any money put into Musselburgh to enhance it rather than money put in to diminish the beauty of the sides of the Esk and the sea front. The parts of Musselburgh that are under the river/sea levels should be tackled by more drainage as excessive rain is a paramount factor in flooding as we have seen recently in numerous towns in UK. I am not near the river or the sea but I do not want this wall as I see it as a blight on the most attractive parts of our Town.

Yours faithfully

[REDACTED]

[REDACTED]

Subject: (0022) Objection .Increased Graffiti opportunities

Sent: 02/04/2024, 11:49:36

From: [REDACTED]

To: Musselburgh Flood Protection Objections

Cc: [REDACTED]

Categories: [REDACTED]

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FAO

Carlo Grilli

Service Manager – Governance

Legal Services

East Lothian Council

John Muir House

Haddington

02/04/2024

I am writing to you to register my objection of this project as I feel that the presence of so many concrete walls in the town will result in an increase of graffiti .This vandalism will reduce the value of my house as at the moment we look out over the beach to the scaup and the sea when it is in and it's beautiful ,graffiti never is .

Every Friday ,every week our street is covered in litter.The cause of this litter is firmly at the door of ELC. They cause the litter because their recycling receptacles are not fit for purpose.They are susceptible to being blown by the wind as they are badly designed and litter gets strewn across streets

.In the same way ELC is creating a negative environment by promoting miles of blank canvases for the graffiti artists to impose their "art" upon us all. Although we suspect that the concrete contracts are already a done deal can we not agree to bury them under landscaping wherever possible .

Yours

[REDACTED]

Subject: (0023) Objection .Loss of our Quality of Life
Sent: 03/04/2024, 08:24:40
From: [REDACTED]
To: Musselburgh Flood Protection Objections
Cc: [REDACTED]

Categories: [REDACTED]

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FAO
Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington

03/04/2024

I am writing to you to register our objection of this project as we feel that the potential of so much hard landscaping and the loss of land for builders yards for years ahead is poor stewardship of our town .

My wife and I [REDACTED] try to get out together whenever the weather is favourable and have a favoured route [REDACTED]. This is all scheduled to be taken away from us .We honestly believe that the tiny group of Councillors making decisions on our behalf are not knowledgeable enough to make the right decision about such a momentous change to our town .This cannot and should not be decided in isolation from the rest of the County and Country .We need a National Strategy ,a National Solution for Scotland .

We agree that something National needs to be planned but we object to this scheme as it is being driven by Private Enterprise in pursuit of profit .Lets do the right thing for those that follow us and step back from this madness and reject this project.

Yours
[REDACTED]

Subject: (0024) FW: objection to the recently published Musselburgh Flood Protection Scheme.
Sent: 04/04/2024, 13:07:00
From: Grilli, Carlo
To: Musselburgh Flood Protection Objections
Attachments: [redacted] [Flood letter .docx](#)

Follow Up Flag: Follow up
Flag Status: Completed

FYI

From: [redacted]
Sent: Thursday, April 4, 2024 12:39 PM
To: Grilli, Carlo [redacted]
Cc: [redacted]
Subject: objection to the recently published Musselburgh Flood Protection Scheme.

You don't often get email from [redacted]. [Learn why this is important](#)
CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good Afternoon

Please find letter of objection to the Musselburgh Flood Prevention Scheme

I hope you find this to be in order

Kind Regards

[redacted]

Please note we are registered with quick quotes.
Visit us at [redacted]



[redacted]

The information in this email is confidential and the contents are not to be disclosed to anyone other than the addressee, except with the authority of [redacted]

The opinions expressed within this email represent those of the individual and not necessarily those of [redacted]

If received in error please advise the sender and delete from your system.

Verbal abuse and threatening behaviour is never acceptable. #zerotolerance

We're living through stressful times right now, and everyone's feeling it.

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

Please, be nice.



BE NICE
RESPECT US AS WE RESPECT YOU

[REDACTED]

Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington
EH41 3HA

4th April 2024

Dear Sirs

I am writing to object to the recently published Musselburgh Flood Protection Scheme.

[REDACTED]
[REDACTED] East Lothian Council has commissioned a report on the coast from Dynamic Coast, but this is not yet available publicly – why and how is the Council making a decision without being open about all the evidence? Why is ELC not in step with the Scottish Government.

Local residents have asked to see the data underpinning the scientific calculations of the project team, but these requests have been ignored. What is the reason for the lack of transparency

The engineers appointed to design the project have also been allowed to write the Environmental Impact Assessment (EIA). They carried out an options appraisal that ruled out all alternatives to the current scheme, without those options being made available for public scrutiny or debate. Throughout the scheme the consultants and engineers have not been subject to challenge or adequate scrutiny.

On 23 January 2024, the Council agreed to the scheme progressing, even though they had not had sight of the full EIA, only a ‘non-technical summer

I would ask that a public enquiry is put in place to ask for more transparency in the process Before any agreement is accepted.

Yours Sincerely

[REDACTED]

[REDACTED]

Subject: (0025) Objection to musselburgh flood protection scheme.

Sent: 04/04/2024, 15:44:23

From: [Redacted]

To: Musselburgh Flood Protection Objections

Follow Up Flag: Follow up
Flag Status: Completed

You don't often get email from [Redacted] [Learn why this is important](#)

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Dear Sir or Madame.

My Name is [Redacted]. I Live at [Redacted]

I am completely opposed to the scheme. It is un-needed and a complete waste of money. I have lived and worked in Musselburgh for [Redacted] and I have not seen the river flood. I walk along the river every day to my work and enjoy the beautiful walk that will be ruined by your scheme. The cutting down of trees and building of concrete walls can only be described as vadalism.

[Redacted] a comemerative bench [Redacted] and daily sit on it to look at the view of the river, not of a concrete wall.

The destruction of so many trees and green area will have a serious detrimental effect on the physical and mental health of me and my family.

You will make where I live and work and have raised a family [Redacted] not my town any more.

The thought of the the destruction you are causing my town, the local wild life, the quality of life, makes me so angry. It was not asked for and not needed.

I say no to this wanton destruction

[Redacted]

Subject: (0026) FW: Flood scheme objection
Sent: 04/04/2024, 16:51:34
From: Grilli, Carlo
To: Musselburgh Flood Protection Objections

Follow Up Flag: Follow up
Flag Status: Completed

Categories: [REDACTED]

From: [REDACTED]
Sent: Thursday, April 4, 2024 3:52 PM
To: Grilli, Carlo [REDACTED]
Subject: Flood scheme objection

You don't often get email from [REDACTED] [Learn why this is important](#)
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3rd April 2014

[REDACTED]
[REDACTED]

Dear Sir
I am writing to object to the recently published Musselburgh Flood Protection Scheme.

I live in [REDACTED] and my home is therefore not at risk of flooding. However I walk daily on the river paths and along the beach with my dog and with friends and family. I love the wildflowers, trees, insects birds and wildlife that Musselburgh is enriched by. The rare toothwort is a parasitic plant with beautiful purple petals. It is growing at the base of a number of mature trees right on the banks of the stretch just beyond the site of the old Mills. These mature trees not only suck up gallons of water they host so much flora and fauna that will be lost or disturbed if the plans go ahead in the proposed form.

I have been closely observing the plans for the flood defences and feel they are not appropriate. Too much concrete and measures that many experts agree can exacerbate flooding such as narrowing the river, removing trees and expanding hard landscaping. Expecting the Council to open sluice gates to deal with any flood water that gets past the walls is madness. Take a look at the roads and gulleys that are currently flooded after every rainy day. The council is unable or unwilling to deal with that. Stoneybank Terrace and Avenue gutters are constantly flooded and the road under the rail bridge on Monktonhall Road is dangerously awash.

There are other riverside towns where similar schemes have failed. Brechin suffered dreadful flooding despite previous measures taken to prevent this using concrete walls. I have family in the area and last years floods were devastating.

The brochures created have stylised pictures that do not show the true dimensions and plans but present in a way that is misleading and minimises the true impact - heights of walls and destruction of trees. Thanks to the investigation and hard work of a few residents a more accurate interpretation of the engineers measurements has been shared with concerned residents. The canalisation of the lower reaches of the Esk and the inability of those walking alongside to see the river easily are disastrous for wild life and residents alike.

The thought of years of noisy and dirty construction work that costs a fortune and ultimately results in long stretches of concrete walls and a narrow river we can't enjoy is very depressing.

Not working with areas further up river on a solution for possible future flooding is a mistake.

Flood plains and meanders are needed the length of the Esk. There are also better alternatives to concrete walls on the beach to protect Musselburgh from rising seas.

Yours sincerely

[Redacted signature]

Sent via BT Email App

Verbal abuse and threatening behaviour is never acceptable. #zerotolerance

We're living through stressful times right now, and everyone's feeling it.

Our staff are doing their best to assist local residents and businesses whilst delivering essential services.

Please, be nice.



BE NICE
RESPECT US AS WE RESPECT YOU



East Lothian Council

Subject: (0027) Tree Felling
Sent: 04/04/2024, 21:41:18
From: [REDACTED]
To: Musselburgh Flood Protection Objections
Cc: [REDACTED]

Categories: [REDACTED]

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FAO
Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington

03/04/2024

I am writing to you to register our objection of this project as we feel that the increased number of trees designated “red “ to be felled is too great and those designated “green is too vague and a misleading term for those that may be saved or felled“
We cannot accept that the ELC can proceed with a project that leaves the contractor to make these decision .The contractor is driven by profit not public interest .If the ELC abdicate responsibility to the contractor about tree felling it calls into question what other aspects of the contract they will wash their hands of .This cannot be allowed to proceed .where is the Green agenda in all of this .The ELC must furnish us with facts if we are to evaluate the impact of this project and we think they are failing us and it should be returned to the favoured contractor and corrected .Surely as the purse holder the ELC has a duty of care to the citizens of East Lothian to set out the scope of the work rather than allow adhoc changes to be made as the contract evolves.

Yours
[REDACTED]

From: [REDACTED]
Sent: 05 April 2024 10:57
To: Musselburgh Flood Protection Objections
Cc: [REDACTED]
Subject: (0028) Flood Risk Management - Musselburgh Flood Protection Scheme 2024 (Ref CG11481)
Attachments: ELC - Flood Risk Management Act 2009 - Musselburgh Flood Protection Scheme.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: NO OBJECTION

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Hello Carlo Grilli

Please accept this as confirmation that Homes for Life have no objection to the proposed flood risk management scheme.
Thank you for ensuring our notification.

Kind regards

[REDACTED]



Homes for Life

housing partnership



[REDACTED]



[REDACTED]



www.homesforlife.co.uk



Homes for Life Housing Partnership, 57 Market Street, Haddington, EH41 3JG



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Please notify the sender immediately if you are not the intended recipient, you must not copy, print, distribute, disseminate, disclose or take any action in reliance on it. If you have received this e-mail in error, please delete it from your computer system. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of

Homes for Life Housing Partnership. The recipient should check this email and any attachments for the presence of malware. Homes for Life Housing Partnership accepts no liability for any damage caused by any virus or malware transmitted by this email. Homes for Life Housing Partnership: is a recognised Scottish Charity No 028542 and Company Registration No. 188299.

Address: 57 Market Street, Haddington, East Lothian, EH41 3JG. Telephone: 01620 829300.

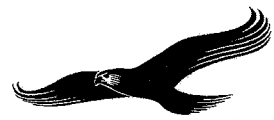
For more information on how we handle your data, please refer to our Privacy Notice on our website www.homesforlife.co.uk

****PLEASE BE AWARE OF CYBER-CRIME****

WE WILL NOT CHANGE BANK ACCOUNT DETAILS DURING THE COURSE OF A TRANSACTION, JOB OR CONTRACT AND NEVER BY EMAIL.

IF YOU ARE DUE TO TRANSFER MONEY TO HOMES FOR LIFE HOUSING PARTNERSHIP AND HAVE RECEIVED AN E-MAIL WITH THE SORT CODE AND ACCOUNT DETAILS YOU

SHOULD CALL YOUR HOMES FOR LIFE HOUSING PARTNERSHIP CONTACT TO VERIFY THESE DETAILS. PLEASE USE A PHONE NUMBER FROM OUR WEBSITE OR TERMS OF ENGAGEMENT LETTER AND NOT ONE FROM THE SAME E-MAIL AS CONTAINS THE BANK ACCOUNT DETAILS. WE WILL NOT ACCEPT RESPONSIBILITY IF YOU TRANSFER MONEY INTO AN INCORRECT ACCOUNT.



East Lothian Council

John Muir House
Haddington
East Lothian
EH41 3HA
Tel 01620 8272827

Our Ref: CG/11481
Your Ref: Scheme Notification
Date: 14 March 2024

HOMES FOR LIFE HOUSING PARTNERSHIP
Tolbooth Gate
57
Market Street
Haddington
EH41 3JG

20 MAR 2024

Dear Owner/Occupier,

FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009

MUSSELBURGH FLOOD PROTECTION SCHEME 2024

Pursuant to Section 60 and Schedule 2 of the above legislation, East Lothian Council proposes to make the above flood protection scheme ('the Scheme').

The Scheme comprises flood walls, flood embankments, replacement bridges, reservoir modifications, a debris trap, surface water pumping stations, culverting, repairs to existing structures, erosion protection measures, seepage protection measures, drainage works, landscaping works, road works, accommodation works, and environmental mitigation measures.

The Scheme will generally reduce the risk of flooding to in the order of 3,200 residential and non-residential properties in Musselburgh up to, and including, a 0.5% AEP (Annual Exceedance Probability) Flood Event (which is also known as a 1 in 200 year return period flood event) from the River Esk, Pinkie Burn, Musselburgh Mill Lade, and Firth of Forth plus an allowance for climate change.

East Lothian Council is required to serve a statutory notice upon you with regard to the Scheme under the terms of the relevant legislation. A copy of this notice is attached. The notice will be published on Thursday 21 March 2024 and any person may object to the Scheme on or before Wednesday 24 April 2024 as outlined in the attached notice.

The attached notice states that the Scheme documents and the Environmental Impact Assessment (EIA) Report may be inspected free of charge at the following locations:

- The Brunton Theatre, Ladywell Way, Musselburgh, EH21 6AA during the hours of 10:00 to 16:00 Monday to Friday inclusive, except Friday 29 March 2024 and Monday 1 April 2024;
- East Lothian Council, John Muir House, Court Street, Haddington, EH41 3HA during the hours of 09:00 to 17:00 Monday, Tuesday, and Thursday, 10:00 to 17:00 Wednesday and 09:00 to 16:00 Friday, except Friday 29 March 2024 and Monday 1 April 2024; and
- Dalkeith Library, 2 White Hart Street, Dalkeith, EH22 1AE during the hours of 10:00 to 17:00 Mondays and Fridays, 10:00 to 19:00 Tuesdays and Thursdays, and 10:00 to 13:00 Wednesdays and Saturdays.

A copy of the Scheme documents and the EIA Report may also be viewed online at www.musselburghfloodprotection.com

If you require further information about the Scheme, or wish to discuss the contents of this letter, please contact musselburghfps@eastlothian.gov.uk

Yours faithfully



15/10/2014 10:58

CARLO GRILLI

**Service Manager – Governance
Legal Services**

EAST LoTHIAN COUNCIL
FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009
AND
**THE FLOOD RISK MANAGEMENT (FLOOD PROTECTION SCHEMES,
POTENTIALLY VULNERABLE AREAS AND LOCAL PLAN DISTRICTS)
(SCOTLAND) REGULATIONS 2010 (AS AMENDED)**
MUSSELBURGH FLOOD PROTECTION SCHEME 2024

Pursuant to Section 60 and Schedule 2 of the above Act and Parts II, III & IV of the above Regulations, East Lothian Council (the "Council") proposes to make the above noted Musselburgh Flood Protection Scheme (the "Scheme"). This constitutes a notice under Paragraph 1 of Schedule 2 of the Act and under Regulation 7 of the Regulations.

The Nature and Location of the Scheme

The Scheme operations comprise the construction of flood walls, flood embankments, replacement bridges, reservoir modifications, a debris trap, surface water pumping stations, culverting, repairs to existing structures, erosion protection measures, seepage protection measures, drainage works, landscaping works, road works, accommodation works, environmental mitigation measures, and demolition of existing structures.

The Scheme operations are to be located:

- At Rosebery reservoir on the River South Esk, near the Temple, Midlothian;
- At Edgelaw reservoir on the Fullarton Water and Redside Burn, near Temple, Midlothian;
- On and nearby the River Esk in Dalkeith Country Park, near Whitecraig;
- On and nearby the River Esk in Musselburgh, between Inveresk Estate and the mouth of the River Esk at the Firth of Forth;
- On the Musselburgh Mill Lade, between the Eskmills weir and its discharge into the Pinkie Burn;
- On the Pinkie Burn in Musselburgh, between Pinkie Playing Fields and its discharge into the River Esk;
- On the Musselburgh coast between the mouth of the River Esk and the Brunstane Burn;
- On the Brunstane Burn, between Edinburgh Road and the mouth of the Brunstane Burn at the Firth of Forth; and
- On the Ash Lagoons Seawall in Musselburgh, between the mouth of the River Esk and Morrison's Haven.

In pursuance of the Council's functions under Part 4 of the Act, the Council considers that the benefits likely to be derived from carrying out the operations of the Scheme will be to generally reduce the risk of flooding to in the order of 3,200 residential and

non-residential properties in Musselburgh up to, and including, a 0.5% AEP (Annual Exceedance Probability) Flood Event (which is also known as a 1 in 200 year return period flood event) from the River Esk, Pinkie Burn, Musselburgh Mill Lade, and Firth of Forth plus an allowance for climate change.

The Scheme is likely to have a significant effect on the environment and is therefore subject to an Environmental Impact Assessment (the "EIA"). The results of the EIA have been incorporated into an environmental impact assessment report (the "EIA Report") which is included with the other Scheme documents.

Availability of the Scheme Documents and the EIA Report

The Scheme documents and the EIA Report are available for public inspection from Thursday 21 March 2024, free of charge at the following locations:

- The Brunton Theatre, Ladywell Way, Musselburgh, EH21 6AA during the hours of 10:00 to 16:00 Monday to Friday inclusive, except Friday 29 March 2024 and Monday 1 April 2024;
- East Lothian Council, John Muir House, Court Street, Haddington, EH41 3HA during the hours of 09:00 to 17:00 Monday, Tuesday, and Thursday, 10:00 to 17:00 Wednesday and 09:00 to 16:00 Friday, except Friday 29 March 2024 and Monday 1 April 2024; and
- Dalkeith Library, 2 White Hart Street, Dalkeith, EH22 1AE during the hours of 10:00 to 17:00 Mondays and Fridays, 10:00 to 19:00 Tuesdays and Thursdays, and 10:00 to 13:00 Wednesdays and Saturdays.

The Council uses a website for the purpose of giving information on each scheme proposed by it which is subject to an EIA.

A copy of the Scheme documents and the EIA Report may be viewed online from Thursday 21 March 2024 at www.musselburghfloodprotection.com

Printed copies of the Scheme documents and the EIA Report may be purchased at a cost of £1000. Requests for these, as well as for further information about the Scheme, can be made in writing. We will also consider requests for documents in other accessible formats. Please send any such requests to:

Structures & Flooding, East Lothian Council, Penston House, Macmerry Industrial Estate, Macmerry EH33 1EX.

or via email to musselburghfps@eastlothian.gov.uk

Representations in Respect of the EIA Report

Any person wishing to make any representations about the EIA Report may do so in writing to the Council on or before Wednesday 24 April 2024. Any such representations about the EIA Report which are received by the Council on or before

Wednesday 24 April 2024 will be considered before any decision is made on whether to confirm the Scheme. Such representation must be made in writing to:

Service Manager – Governance, Legal Services, East Lothian Council, John Muir House, Haddington, EH41 3HA.

or via the email address: mfpsobjections@eastlothian.gov.uk

Objections to the Scheme

Any person may object to the Scheme. For an objection to be valid, it must:

- Be made in writing;
- Set out the name and address of the objector;
- Be accompanied by a statement of the reasons for the objection; and
- Be received by the Council on or before Wednesday 24 April 2024.

Where an objector under Paragraph 3 of Schedule 2 to the Act has an interest in any land on which the Scheme is to be carried out or which may be affected by any of the Scheme operations, or by any alteration in the flow of water caused by any of the Scheme operations, that person's objection must include:

- Details of the land in which the objector has an interest; and
- Disclosure of the nature of the objector's interest in the land; and
- Details of which aspects of the Scheme operations affect the objector.

Objections to the Scheme must be made in writing to:

Service Manager – Governance, Legal Services, East Lothian Council, John Muir House, Haddington, EH41 3HA.

or via the email address: mfpsobjections@eastlothian.gov.uk

Process and Possible Decisions

The Council is responsible for taking any decision to confirm the Scheme in accordance with Paragraph 4(1) or 9(1) of Schedule 2 of the Act, whereas the Scottish Ministers are responsible for taking any decisions to confirm the Scheme in accordance with Paragraph 7(4) of that Schedule.

Where the Council receives no valid objections to the Scheme, then the Council must make the final decision to confirm or reject the Scheme.

Where the Council receives a valid objection to the Scheme, the Council must consider the objection and make a preliminary decision to either:

- a) Confirm the Scheme without modification; or
- b) Confirm the Scheme with modifications; or
- c) Reject the 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 the 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 Scheme without modification; or
- b) Confirm the Scheme with modification; or
- c) Reject the Scheme.

Where the Scottish Ministers decide not to consider the Scheme the Council must hold a hearing to consider the Scheme. Following the outcome of the hearing, the Council must make the final decision to:

- a) Confirm the Scheme without modification; or
- b) Confirm the Scheme with modifications; or
- c) Reject the Scheme.

Notification of the final decision, whether made by the Council or the Scottish Ministers will be given to every person given notice.

Insofar as the Scheme involves "development" as defined by Section 26 of the Town and Country Planning (Scotland) Act 1997, Scottish Ministers must direct that planning permission under Section 57 of the Town and Country Planning (Scotland) Act 1997 shall be deemed to be granted, either upon their confirming the Scheme or following a request by the local authority where they have confirmed the Scheme. The deemed planning permission shall be subject to such conditions (if any) as may be specified in the direction.

For the purpose of Regulation 11(3) of the Regulations, the estimated cost of the Scheme operations proposed to be carried out is one hundred and three million five hundred and thirty-five thousand pounds sterling (£103,535,000).

Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington
EH41 3HA

15th March 2024

Subject: (0029) FW: Objection letter: Musselburgh Flood Protection Scheme
Sent: 05/04/2024, 11:26:36
From: Grilli, Carlo
To: Musselburgh Flood Protection Objections
Attachments: [Objection letter.pdf](#)

Follow Up Flag: Follow up
Flag Status: Completed

-----Original Message-----
From: [REDACTED]
Sent: Friday, April 5, 2024 11:23 AM
To: Grilli, Carlo [REDACTED]
Subject: Objection letter: Musselburgh Flood Protection Scheme

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Mr Grilli,

Please find attached a letter outlining reasons for our objections to the current flood prevention proposals.

Regards

[REDACTED]

[https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eastlothian.gov.uk%2Fimages%2FELC_Be_Nice_EMAIL_FOOTER__zerotolerance_1.png&data=05%7C02%7Cmfpsobjections%40eastlothian.gov.uk%7Cc493fcad4c0a462cf74308dc555adf52%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638479095979202040%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=bLz55I5FOPGt9KKQbl5BGzUULcpJbufLEU0kM4wwVX0%3D&reserved=0]



Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington
EH41 3HA

05.04.2024

Dear Mr Grilli

Musselburgh Flood Protection Scheme

We are writing to object to the recently published Musselburgh Flood Protection Scheme. Although our property is not at risk of flooding, we do regularly use the amenities currently within Musselburgh including walking along and enjoying the river and sea front and in particular the bird life.

We have been actively engaged with all the “consultation events” and have on a number of occasions expressed our concerns, however these do not seem to have been taken seriously.

We object to the published scheme because:

Firstly: the brief. The scheme is predicated on a once in 200 year event. The question must be asked; is this necessary?, and whether the scheme might look very different if it was designed for a once in 75 or 100 year event?

Secondly: lack of weight given to other options. Other options that don't appear to have been given due and full consideration include: nature based solutions, individual flood management at property level and the use of demountable flood protection and/or a combination of all these measures. A range of options/schemes should have been presented as per Scottish Government guidance.

Thirdly: the design approach. The current proposals are based primarily on unimaginative hard, high carbon, engineering. This is perhaps not surprisingly when the lead consultants are a firm of engineers who have designed several such schemes throughout Scotland. It is such an approach which can actually exacerbate the problem. Straightening and canalising rivers has been the cause of flooding problems in other areas while a holistic approach including re-wilding projects, extensive tree planting in upland areas and introducing sacrificial flood plains etc. have a positive effect both on the environment and in reducing

flood risk. We should be exploring sustainable low carbon environmentally sensitive solutions first. Additionally there is both a lack of any real high quality architectural and urban design input, it being entirely engineer led, as well as a lack of any real attempt at community input.

Fourthly: effect on the existing environment. The number of trees that will be felled and the effect on both the natural and urban environment of Musselburgh will be enormous, completely changing the unique character of the place. Any newly planted and/ or replacement trees will take decades to become mature.

Fifthly:cost. As tax payers we believe that the cost of the scheme is escalating out of all proportion at a time when council funding is decreasing. Although money will come from Scottish Government, we consider prioritising a projected once in 200 year flooding event, with all that entails, is the wrong priority at time when so many services are being cut.

Finally: disruption. There will be massive disruption for many years for a project of this size within Musselburgh town and surrounding areas including Inveresk. As a conservation village Inveresk already suffers from serious issues with regard to both the volume of traffic and speeding within the village. It was noted that during the construction of new houses in the area and the creation of the new lagoons at Musselburgh, heavy lorries were regularly going though the village. This went on for 18 months. If the flood prevention project goes ahead this could happen again as the road though Inveresk is used as one of the main arteries in and out of Musselburgh.

Please acknowledge receipt of my objection in writing and advise me of the next steps and timescales.

Your sincerely

████████████████████
████████████████████

Subject: (0030) Accidental Damages Costings
Sent: 05/04/2024, 12:47:31
From: [REDACTED]
To: Musselburgh Flood Protection Objections
Cc: [REDACTED]

Categories: [REDACTED]

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

FAO
Carlo Grilli
Service Manager – Governance
Legal Services
East Lothian Council
John Muir House
Haddington

05/04/2024

We are writing to you to register our objection of this project as we feel we cannot accurately assess the long term ELC financial implications of this work because we could not see anywhere the projected estimate costings of surveying vulnerable properties and meeting any subsequent damage to these properties during construction.
Our house will be impacted during the [REDACTED] of construction. Our house is circa 1840 [REDACTED]. We would insist that the ELC carried out a structural condition survey as we feel our house and drainage system would be susceptible to damage from the heavy plant movements and especially during the construction of concrete walls .
My wife and I enjoy the sea views [REDACTED] the wildlife , the ships, the regattas, the sail boats ,the rowing club etc and in dry weather sit on the Promenade benches meeting friends and family and playing on the beach with our grandchildren. This construction work will seriously damage our enjoyment of our environment [REDACTED]

Yours
[REDACTED]