



The Scottish Parliament  
Pàrlamaid na h-Alba

**POW OF INCHAFFRAY DRAINAGE COMMISSION (SCOTLAND) BILL  
COMMITTEE**

**AGENDA**

**6th Meeting, 2018 (Session 5)**

**Wednesday 12 September 2018**

The Committee will meet at 10.00 am in the Adam Smith Room (CR5).

1. **Pow of Inchaffray Drainage Commission (Scotland) Bill:** The Committee will consider objections to amendment 9, taking evidence from—

Mr and Mrs K Watkins, Objectors;

Hugh Grierson, Commissioner, and Jonathan Guest, Commissioner, Pow of Inchaffray Drainage Commission;

Shirley Davidson, Solicitor, McCash & Hunter (Clerks to the Commission);

Jonny Willett, Surveyor, Savills;

Alastair McKie, Solicitor, Anderson Strathern (agents for the Commissioners);

and then from—

Mr Ian Macgregor, Objector;

Hugh Grierson, Commissioner, and Jonathan Guest, Commissioner, Pow of Inchaffray Drainage Commission;

Shirley Davidson, Solicitor, McCash & Hunter (Clerks to the Commission);

Jonny Willett, Surveyor, Savills;

Alastair McKie, Solicitor, Anderson Strathern (agents for the Commissioners).

2. **Pow of Inchaffray Drainage Commission (Scotland) Bill (in private):** The Committee will consider the evidence given at item 1.

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Clerk to the Pow of Inchaffray Drainage Commission (Scotland) Bill Committee  
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The papers for this meeting are as follows—

**Agenda item 1**

Clerk's Cover Note

POI/S5/18/6/1

**Pow of Inchaffray Drainage Commission (Scotland) Bill Committee**

**6th Meeting, 2018 (Session 5), 12 September 2018**

**Consideration Stage – phase two**

**Evidence on objections to amendment 9**

**Background**

1. The Committee published its Preliminary Stage report on 3 November 2017.<sup>1</sup> This report was debated during the Preliminary Stage debate held in the Parliament on 16 November 2017.<sup>2</sup> The Parliament agreed to the general principles of the Pow of Inchaffray Drainage Commission (Scotland) Bill and that it should proceed as a Private Bill. The Bill therefore has proceeded to Consideration Stage.

2. The purpose of Consideration Stage is to consider the detail of the Bill. In this instance, the Stage consists of two distinct phases. The first phase involved the consideration of further evidence submitted and the Committee meeting in a quasi-judicial capacity to consider and dispose of the objections to the Bill. The second phase involves the consideration of the amendments lodged to the Bill, and of objections lodged to the identified amendment (see below) and to consider each section, schedule, and the long title of the Bill.

3. Once Consideration Stage has been completed the Bill will proceed to Final Stage, which consists of the Parliament considering any further amendments lodged and then deciding whether to pass the Bill.

**Phase two - amendments and detailed consideration of the Bill**

4. Following the consideration and disposal of the three objections<sup>3</sup>, members of the Committee could lodge amendments to the Bill, with a deadline of 18 June 2018. Fifteen amendments<sup>4</sup> were lodged in total, all by the Convener on behalf of the promoters of the Bill.

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<sup>1</sup> Pow of Inchaffray Drainage Commission (Scotland) Bill Committee (2017). Preliminary Stage report. Available at:

<https://digitalpublications.parliament.scot/Committees/Report/POI/2017/11/3/Pow-of-Inchaffray-Drainage-Commission--Scotland--Bill---Preliminary-Stage-Report#>

<sup>2</sup> Scottish Parliament. Official Report, 16 November 2017. Pow of Inchaffray Drainage Commission (Scotland) Bill Preliminary Stage debate. Available at:

<http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=11196&i=102063>.

<sup>3</sup> See details in the Pow of Inchaffray Drainage Commission (Scotland) Bill Committee's Consideration Stage Report. Available at:

<https://digitalpublications.parliament.scot/Committees/Report/POI/2018/5/24/Pow-of-Inchaffray-Drainage-Commission--Scotland--Bill---Consideration-Stage-Report#Introduction>.

<sup>4</sup> Pow of Inchaffray Drainage Commission (Scotland) Bill. Amendments lodged at Consideration Stage. Available at:

[http://www.parliament.scot/Pow%20of%20Inchaffray%20Drainage%20Commission%20\(Scotland\)%20Bill/Daily\\_List\\_15\\_June.pdf](http://www.parliament.scot/Pow%20of%20Inchaffray%20Drainage%20Commission%20(Scotland)%20Bill/Daily_List_15_June.pdf).

### *Screening of amendments*

5. Before proceedings on amendments could begin (consideration of amendments and agreement of each section of the Bill and the long title), the Committee conducted a two-stage screening process. Firstly, it considered whether any of the amendments lodged adversely affected private interests. The Committee determined that amendment 9, which relates to the new land plans submitted to Parliament in May 2018 (replacing those submitted when the Bill was introduced) adversely affected private interests. The Committee came to this view because the new land plans result in new heritors being identified and required to pay an annual assessment, and to at least one other annual assessment being increased compared to the assessment under the previous land plans.

6. The Committee then considered whether amendment 9 had sufficient merit that there was a possibility of it being agreed to after further scrutiny, and agreed that it did.

7. Amendment 9 states—

*In section 27, page 9, line 23, leave out <with the Bill for this Act> and insert <in the Office of the Clerk of the Parliament on 3 May 2018>*

8. The effect of the amendment is to ensure that the land plans used for the Bill, which show the land which benefits from the Pow, are those which were submitted on 3 May 2018, and not those submitted when the Bill was introduced on 17 March 2017. The promoter's estimates of how this is likely to affect annual assessments can be viewed online<sup>5</sup>.

9. As the Committee decided that amendment 9 adversely affects private interests and has the sufficient merit described, the formal proceedings on amendments have been put on hold to allow for a notification and objection process.

10. As amendment 9 was lodged on behalf of the promoters, they were responsible for notifying the holders of private interests adversely affected by the amendment of its terms and implications and of how they could lodge an objection to it.

11. The Committee agreed that all current and prospective heritors should be notified and that an objection period of 60 days be allowed. The deadline for objections was Monday 20 August 2018.

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<sup>5</sup> Pow of Inchaffray Drainage Commission. Schedule of Heritors – residential and commercial – based on plot size (19 June 2018). Available at: [http://www.scottish.parliament.uk/S5PrivateBillsProposals/Schedule\\_of\\_Heritors\\_\(Plot\\_Area\)\\_19062018.pdf](http://www.scottish.parliament.uk/S5PrivateBillsProposals/Schedule_of_Heritors_(Plot_Area)_19062018.pdf).

*Objections to amendment 9*

12. Two admissible<sup>6</sup> objections were received to amendment 9. These can be seen online<sup>7</sup> and are reproduced at Annexe A. At its meeting on 12 September 2018 the Committee will take evidence on them from the objectors and the promoters.

13. Given that each objection raises a different basis of objection to amendment 9, the Committee will hear from objectors separately as follows—

- i. Objection 1: Mr and Mrs K Watkins; and then
- ii. Objection 2: Mr Ian Macgregor (speaking to the objection in the name of Mr I and Mrs K Macgregor).

14. A written submission, referenced in the objection by Mr I and Mrs K Macgregor, was made by Mr John and Mrs Joyce Tait. This can be seen online and is also attached with this paper as part of Annexe B.

15. The evidence session will give an opportunity for the objectors and promoters to set out their arguments and to test these arguments through cross-examination. The Convener will manage these proceedings and the Committee will have the opportunity to question all witnesses. At the end of the consideration of each objection, both sides will have the opportunity to sum up and make any final points.

16. The Committee will reach a decision on the merits of each objection at its meeting on 26 September 2018. Each objection may be accepted or rejected. Acceptance could involve, for example, the Committee recommending additional measures the promoters could take (including by seeking to amend the Bill at Final Stage) to offset the adverse impact on the objectors, or could lead to the Committee not agreeing to the amendment at Consideration Stage. The Committee has agreed to publish a second Consideration Stage report to explain its decisions.

**Remaining provisional Consideration Stage timetable**

12 September	Evidence on objections to amendment 9 from objectors and promoters.
26 September	Consideration and disposal of objections lodged to amendment 9
	Consideration of a second Consideration Stage report.

<sup>6</sup> For details of the criteria for the admissibility of objections to amendments see the Guidance on Private Bills (May 2017), available at:

<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/79081.aspx>.

<sup>7</sup> Pow of Inchaffray Drainage Commission (Scotland) Bill. Objections lodged at Consideration Stage to amendment 9, available at:

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/104909.aspx>.

*The Parliament is in recess from 6-21 October*

24 October                      Consideration of any amendments and consideration of  
the sections, schedules and Long Title of the Bill.

**Clerk**

**Pow of Inchaffray Drainage Commission (Scotland) Bill**

## Annexe A

**OBJECTIONS LODGED TO AMENDMENT 9 PROPOSED TO THE POW OF INCHAFFRAY DRAINAGE COMMISSION (SCOTLAND) BILL AT CONSIDERATION STAGE**

**OBJECTION 1- MR AND MRS K WATKINS**

Re: Objections to Amendment 9: Pow of Inchaffray Drainage Commission (Scotland) Bill

We are the owners of the property known as Inchaffray Abbey [address supplied] (“our property”) which is affected by the proposed Amendment 9 to the Bill. Although our property is known as Inchaffray Abbey, we do not own the actual Abbey site which may have caused some confusion with respect to land area assessment. Our land surrounds the Abbey site and the majority of it together with the Abbey ruins have been designated a Scheduled Monument.

By a letter dated 7th June we were informed by the solicitors for the Promoters that the effect of Amendment 9 to the Bill would be to increase our annual payment for maintenance of the Pow drainage from £276 plus VAT to £1,379 plus VAT (or £1654.80). This was the first time the Promoters had clearly set out the scale of increase affecting our property and came as a complete shock to us.

We wish to make the following objections:

**1. The Area of our property has been incorrectly calculated.** The Abbey site occupies 0.5 Acre. The area owned by us should therefore be reduced to 2.31 Acres (2.81- 0.5).

**2. Most of the land has been wrongly categorised.**

a) A copy of the original planning permission granted by Perth and Kinross Council dated 2-9-1986 stipulated “*the house site shall be restricted to 0.1 hectare (i.e. 0.247 Acre) and “no agricultural or Industrial development will be permitted on the site or in the immediate vicinity of the Abbey”* [Appendix supplied and available at this link:

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/104909.aspx>

The reason given was:

*“In the interests of amenity and in order to protect the setting of Inchaffray Abbey which is a category B listed building of Architectural or Historic Interest and is a Scheduled Monument of national importance.”*

b) Historic Environment Scotland have designated the Abbey site and surrounding land as a Scheduled Monument (see Appendix 1 scheduled area outlined in red). It is protected by the Ancient Monuments and Archaeological Areas Act 1979 and hence the prospect of any of our land being developed, residentially or otherwise, is



remote. The categorisation of the land as residential rather than amenity bears no relationship to fact.

Despite the Scheduling of our property and the clear reference in the planning permission to the residential aspect being restricted to 0.247 acres, the remainder being limited for amenity reasons, the Commissioners have incorrectly categorised the property as wholly residential. The correct categorisation would be 0.247 acres residential with 2.063 as amenity land.

**3. Our private interests will be affected** as the increased financial burden is considerable. We are, unlike the farming operations along the route, unable to reclaim VAT so the actual cost to us would be £1654.80 per annum.

**4. Amendment 9 to the Bill would seem to penalise heritors with large gardens** but not anyone with agricultural land. We note that none of the agricultural lands have had such a massive increase in their annual costs for drainage and that the farm land's practical benefit for profit far outweighs that of a garden.

**5. Assumed value for residential land is overstated.**

6. The Bill does not seem to provide for a resolution of disputes by an impartial tribunal, this is brought into sharp relief by the mis-categorisation of land referred to above.

My wife and I hope you will consider the points raised above carefully.

## **OBJECTION 2 - MR I AND MRS K MACGREGOR**

1. We, Mr I & Mrs K Macgregor, residing at 'Centre Cottage, Nethermaines of Gorthy, [exact address supplied], hereby object to amendment 9 of the 'Pow of Inchaffray Drainage Commission (Scotland)' Bill being promoted by The Pow of Inchaffray Drainage Commission (Scotland).

2. Our interests would be adversely affected by the amendment to the Bill because it would impose an additional financial burden onto our household.

3. Our grounds of objection are as follows.

1. We do not believe that our property at Nethermaines of Gorthy is situated on "benefited land." Our property is dated circa 1852 (information obtained from the National records of Scotland who stated that there were no accurate records of construction dates from that period) and although not on the map dated 1846 it does appear on the map dated 1856 (Quote from 'POW OF INCHAFFRAY DRAINAGE COMMISSION (SCOTLAND) BILL COMMITTEE 2nd Meeting 2017, Session 5' at page 3/4, 10:15, para 2 states:-

*"In 1846, there were no buildings on the benefited area."*

If our house was indeed built in or around 1846, after the survey for the map of that time, then it must surely have been built on land which was suitable and not named as benefited.

2. Our property was an addition to the original farm layout shown on the map dated 1846 and lies approximately 10 metres to the south of the original farm buildings. All these buildings are built on an elevated piece of land with a noticeable drop into the agricultural land surrounding the property to the immediate south of the boundary. There has been a further two houses built on this elevated land around 1900 and 1930.
3. The original farm buildings are now a residential home known as 'The Steading' and are owned by Mr and Mrs J Tait. Mr Tait who is a retired Civil Engineer has conducted a detailed survey of the land from Pow Water to the boundaries of the properties at Nethermaines of Gorthy. Mr and Mrs Tait will be submitting a letter of concern with the findings of their survey and we ask that you refer to their findings to substantiate our objection.
4. After receiving a letter from McCash & Hunter dated 07 June 2018 we were informed that our home had been added to a list of properties. This list shows properties which are 'allegedly' located within the land area which benefits from the drainage provided by the Pow of Inchaffray ("benefited land"). This letter also invited interested parties to attend the public meeting to be held on 25 June 2018. At this meeting we asked the question "What is the formal definition of "benefited land"? No verbal or documented definition was given and the question has somehow been omitted from the formal minutes which were taken at the meeting. We therefore would like to ask again "What is the definition of "benefited land"? And why after some 170 years have our properties been proposed to be added to this area?
5. During the public meeting held on 25 June 2018, it was consistently emphasised that this bill was in relation to a 'drainage scheme' and did not cover flood prevention; however, the quote at page 19/20, 11:00, para 3 from the 'POW OF INCHAFFRAY DRAINAGE COMMISSION (SCOTLAND) BILL COMMITTEE 4th Meeting 2017, Session 5' shown below, clearly mentions that this is also flood alleviation.

*“All residential properties benefit directly from the pow, which enables them to have surface water drainage and foul drainage, and which enables some to have flood alleviation.”*

6. We can find no justification as to why our property should be considered to be part of this drainage scheme when it drains directly into the Downie Burn, a natural watercourse, and not the Pow. The water course we refer to as the Downie Burn has been named as such on maps dating back to before 1863, however the Pow of Inchaffray Drainage Commission refer to this watercourse as the Carsehead Mile.
7. We ask why maps dating back 170 years are being used to define the boundaries of “benefited land” and to their accuracy and why a survey has not been commissioned to see which properties indeed do benefit. These old maps show field boundaries, water courses, buildings and a very limited number of contours and therefore do not show that our property is built on an elevated piece of land, some 17 feet above the lower level of the Pow (this figure was obtained during Mr Tait’s survey). We therefore formally request that Mr Tait’s survey be taken into account to determine whether or not our property lies within the area referred to as “benefited land”.

**Annexe B**

**Written submission by Mr John and Mrs Joyce Tait (PDF of submission, and annexes, attached)**

Mr John and Mrs Joyce Tait

10<sup>TH</sup> August 2018

Dear Sirs,

Pow of Inchaffray Drainage Act "Amendment 9"

We wish to make a submission to the Pow of Inchaffray Drainage Committee, primarily with regard to the inclusion as heritors of the three houses at Nethermains of Gorthy.

We are not heritors but have lived at Nethermains of Gorthy for 34 years and feel obliged to participate in the debate and add our thoughts and observations to the discussion.

Firstly we wish to comment on Mr Symon's 12<sup>th</sup> December 2017 submission and in particular his statement under item 10 where he implies that recent residential development has taken place at Nethermains of Gorthy. This is totally untrue, unless he calls post 1847 recent, those houses were built between the following dates,

- Centre Cottage dates from 1850 to 1856
- Old Farmhouse dates from 1920 to 1925
- Burnside Cottage dates from 1956.

I certainly do not consider these dates recent and presume these houses would have been built to accommodate farm tenants and employees. With regard to all properties at Nethermains of Gorthy substantial renovation and modernization has taken place over a number of years to bring these properties into the 21<sup>st</sup> century and make them fit for modern day living.

Secondly "we have the burn with three names." In Mr Symon's submission dated the 8<sup>th</sup> January 2018 on page 6 he states that Nethermains of Gorthy Farm is bounded on its East side by Carsehead Mill Burn (present day Carsehead Mile), we do not recognize either of these names. This natural water course is called the Downie Burn and has had that name since , and I imagine long before the first Ordinance Survey map was produced by Captain Pratt in 1864. This is also the name shown on the current 1:25000 O.S. MAP.

We recognize why Mr Symon would want to keep the Carsehead Mile name as this is what is shown on the 1851 map, however since all the title deeds to the properties refer to the Downie Burn, and the properties are registered with SEPA for their discharge from septic tanks and surface water, we don't see how this is possible. Surely if these maps and

documents are to form an Act of Parliament, it is vital that they are correct. The only place that Carsehead Mill Burn would have existed was where the lade runs from a point north of Carsehead Farm to the Mill dam and where the overflow from the dam runs in a north easterly direction to reconnect to the Downie Burn (see sketch appendix 1 ), however I believe these two section are no longer in use.

There seems to be some confusion in this area. At the meeting in Gask Hall on the 25<sup>th</sup> June 2018, we pointed out to Mr Willet that the map was showing that the Pow Commission were now maintaining the Downie Burn rather than Gorthy Mill Burn and we now notice that Mr Symon's sketch PO1/S5/18/1/1 shows Carsehead Mile burn on the left hand side of this burn and Carsehead Mill burn on the right hand side. This is misleading as the Gorthy Mill burn is on the right hand side of the Downie burn. Incidentally the Gorthy Mill burn is also a misnomer because the area coloured green on our sketch "also appendix 1" is in fact a manmade ditch to divert what was the Gorthy Mill Burn from its original course to a route round the perimeter of the field and to connect into the Downie Burn pre 1846.

Our third point – We will now come to the three houses at Nethermains of Gorthy and try to see how these properties benefit from the Pow. As previously mentioned all drainage waters are conveyed to the Downie Burn which is under the jurisdiction of the Environmental Authority and not directly to the Pow which lies more than half a kilometre away. So we are only left with imaginary land drainage to the Pow. Neither of the maps that we have looked at have any contour lines on them so in effect they don't even tell you which way a burn is running, unless you are acquainted with the lie of the land. To overcome this problem at Nethermains of Gorthy we carried out a land survey and have plotted this information on a longitudinal section (appendix 2) to show the vertical profile of the land between the Pow and where these houses lie. These three houses are sitting on the same plateau, and on virtually the same altitude as the former farm buildings which has been agreed would not have been built on suspect land. We would ask you to look at this longitudinal section and as you proceed from right to left between chainage 500 metres and 537 metres you will see a sudden rise in the ground level, this ground has a gradient of 1 in 18.2 or 5.5%, if you consider that a camber of 1 in 40 is adequate to run water of a road and that sewers are laid at gradients of up to 1 in 100 we do not see how water could possibly lie on this surface. Furthermore during and after torrential rain conditions the Downie Burn spills over onto the lands of Nethermains of Gorthy at approximate chainage 300 metres plus due to the fact that the diverted Gorthy Mill Burn shown green on our sketch tries to force its way into the Downie Burn. The problem is that the diverted Gorthy Mill Burn is like an enormous stilling pool nearly 750 meters long and with no gradient, see appendix 3 and with a cross sectional area as shown on our drawing (appendix 4). By the time the water reaches its confluence with the Downie Burn it has no energy, the Downie Burn which has considerable momentum and velocity means it is like trying to join a motor way without an acceleration lane, the water entering from the side causes the flow in the main stream to slow down and back up to such an extent that it spills over and runs down through the field



towards the Pow where it is barred from entering because of an earth bund built presumably to retain the water within the Pow confines. This water builds up to a depth of approximately 750 millimetres before an area of the Downie Burn river bank (similar to a weir) allows any additional flow to return back into the Downie Burn (we have shown the area that floods on a sketch ( appendix 5 ) and a photograph of the same). This flooding normally takes place in the autumn and winter and because of the poor permeability of the soil this water lies for a long period of time until it either evaporates or eventually percolates away. Back in 2005 when we wanted to install a new septic tank for the steading we had to employ consulting engineers "Allen Gordon and company" to carry out a percolation test to satisfy SEPA that the ground was permeable enough to allow a soak away to work. From the results it was clear that the ground was unsuitable due to the high clay content and that an alternative method had to be adopted. We mention this to substantiate why the flood water lies in the field for so long and although these tests were carried out in the garden of the steading we have no reason to suspect that the bottom of the field would be any different, in fact the time taken for the flood water to disperse proves this very point.

We also think that the surveyor must have had a formula to work out the limit of the benefited land so that everyone knew that they were treated the same as their neighbours and to this end we have checked the altitude of the benefited land on the south side of the Pow. To do this we have interpolated a level from the current 1:25000 O.S. map and scaled the limit of benefited land from the commissioner's drawings. These calculations in appendix 6 clearly show that the limit of benefited land on the south side of the Pow and opposite Nethermains of Gorthy is at an altitude of 39.05m above sea level, carrying out a similar exercise at Nethermains of Gorthy the altitude at the boundary fence works out at 39.40m above sea level, that is 0.35m above the limit on the south side and indicates that these houses were not built on benefited land and totally reject their inclusion.

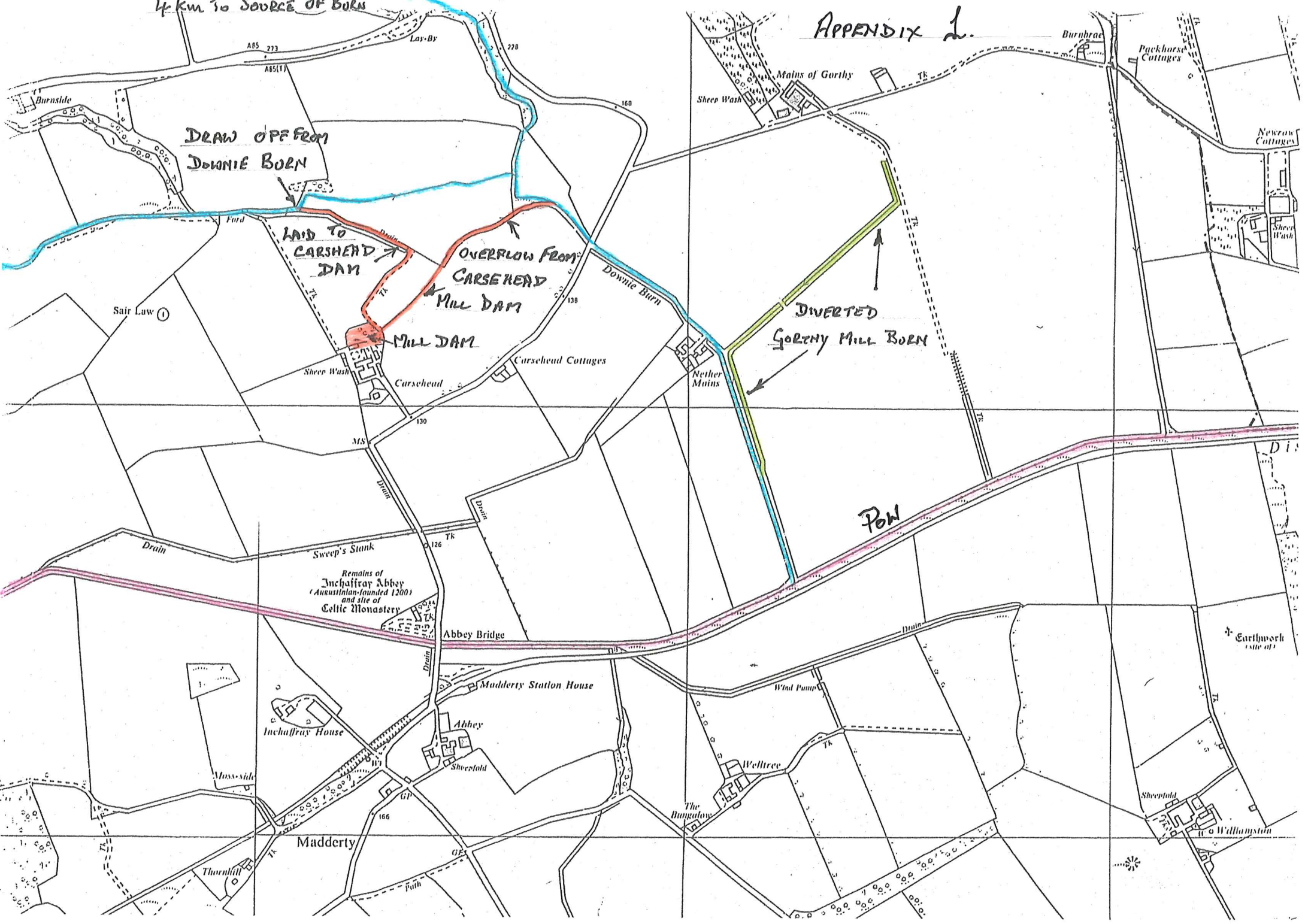
In conclusion we find it astonishing that a modern day act of parliament is being sought using historical information, surely this process should have started with a survey of the current land situation and proceed from there.

Thank you for taking the time to read this submission.

Yours faithfully

4 km To SOURCE OF BORN

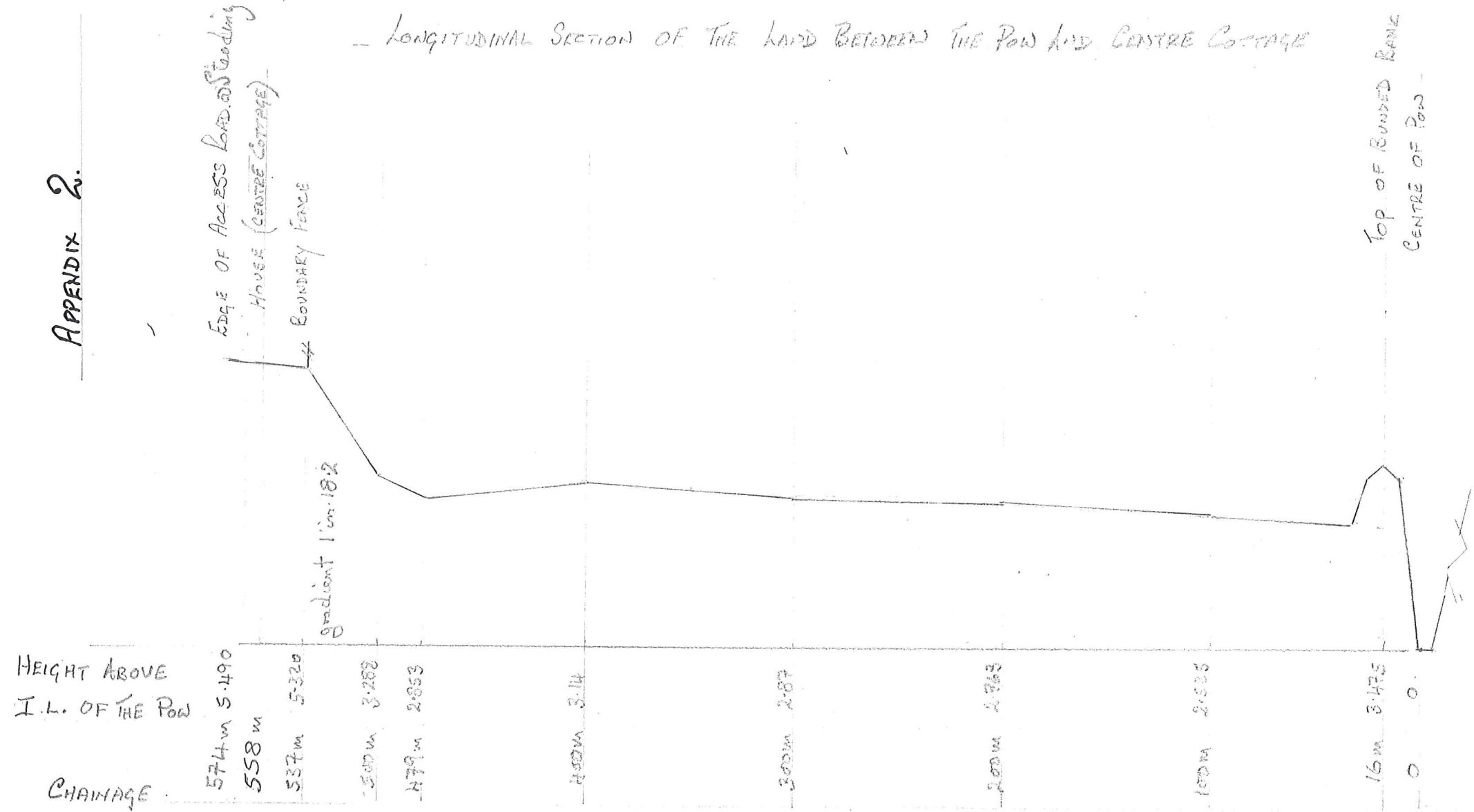
# APPENDIX 2.





# APPENDIX 2.

## LONGITUDINAL SECTION OF THE LAND BETWEEN THE POND AND CENTRE COTTAGE

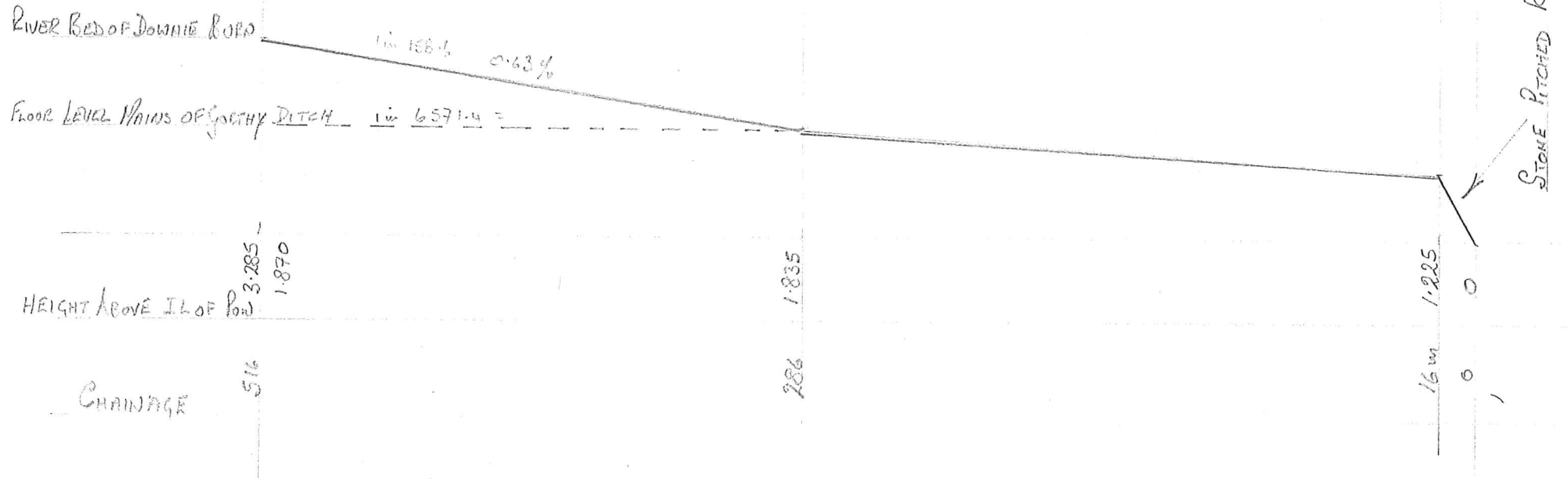


### SCALES

HORIZONTAL 1:2500  
 VERTICAL 1:100

APPENDIX 3

LONGITUDINAL SECTION OF THE DOWNHILL ROAD AND MAINS OF GORBY DIVERSION DITCH

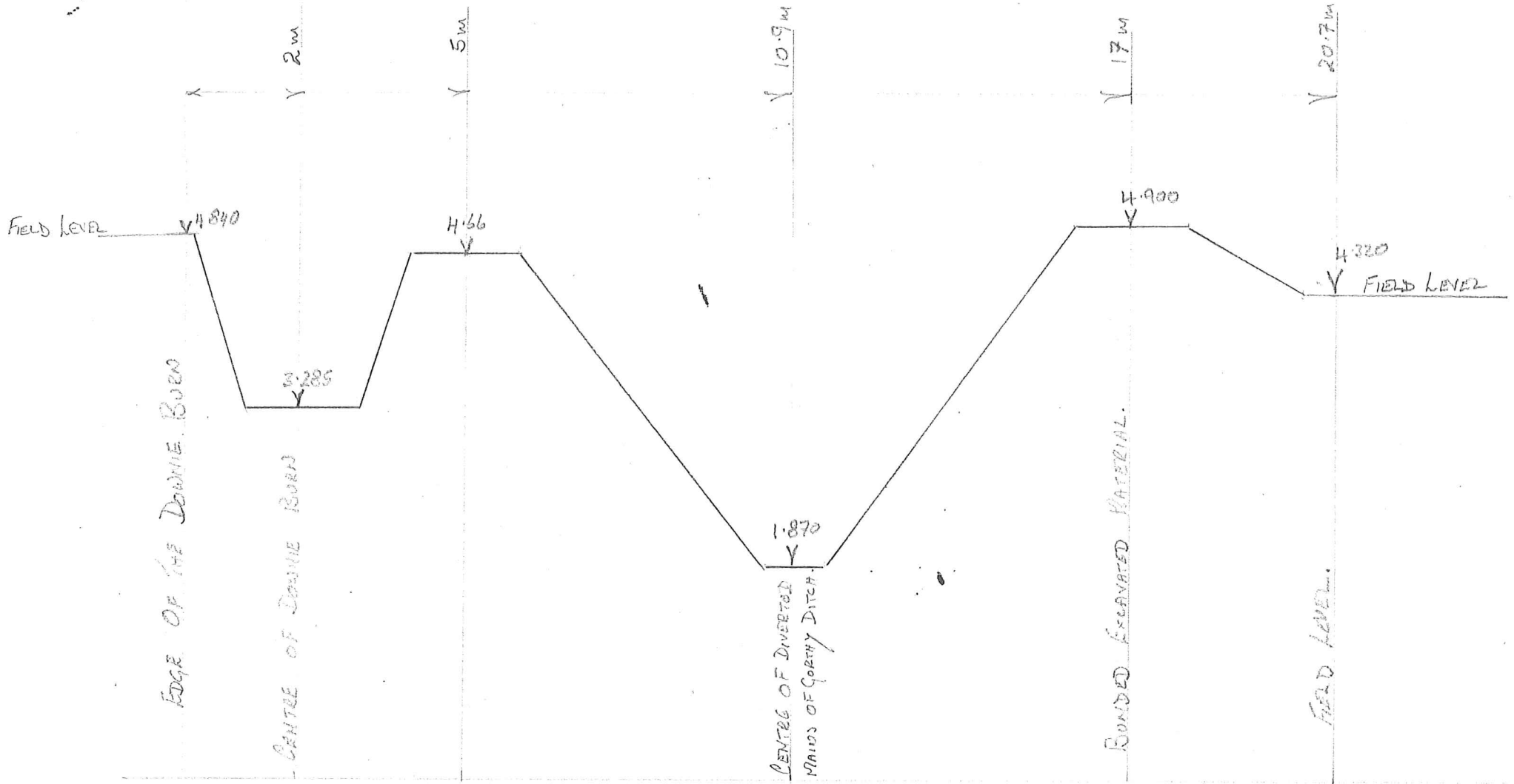


SCALES.

HORIZONTAL 1:2500

VERTICAL 1:100

CROSS SECTION OF THE DOWNIE BURN AND MAINS OF GORTHY DIVERSION DITCH AT CHAINAGE 516 m

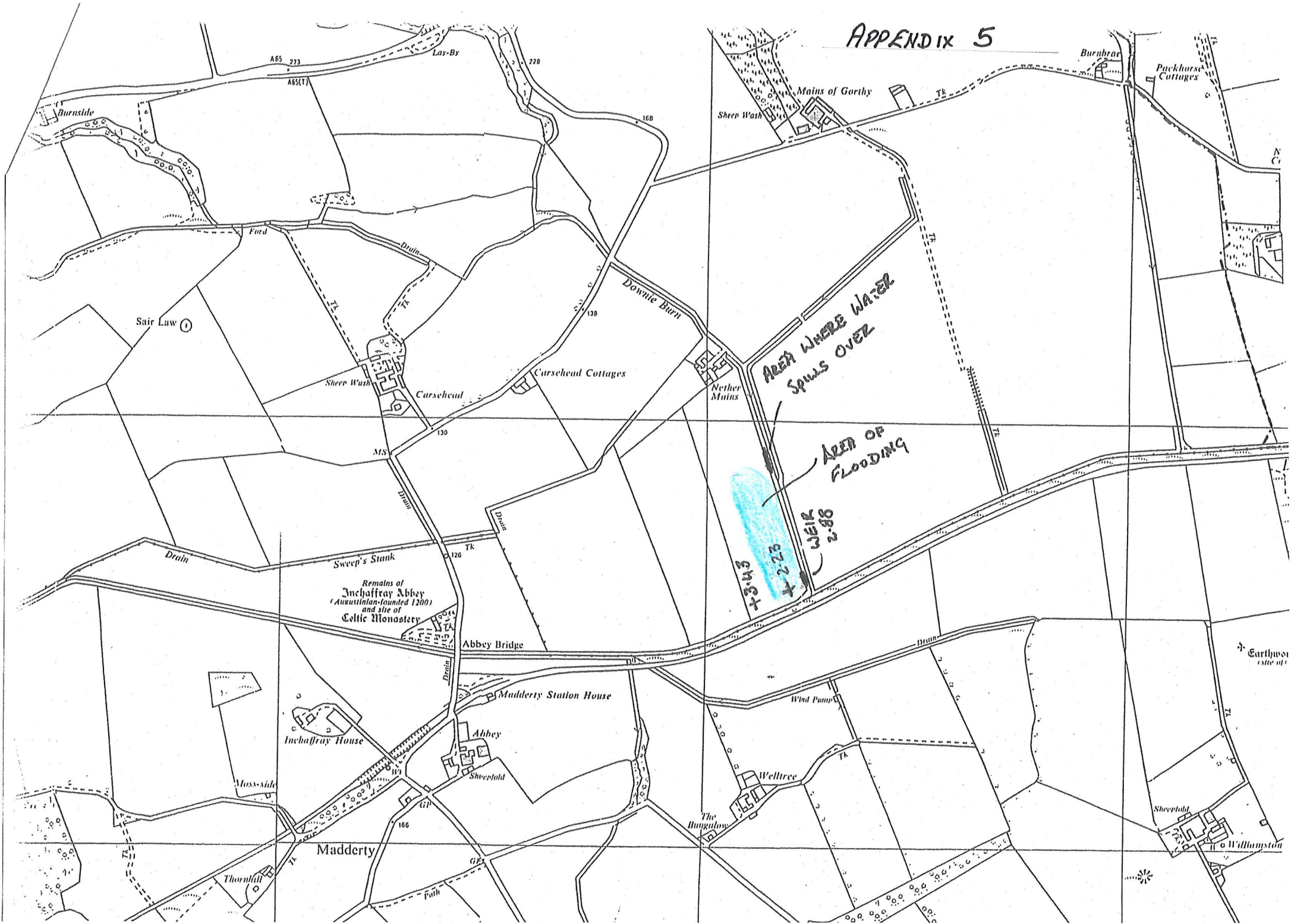


APPENDIX 4

NOTE:- ALL SPOT LEVELS ARE HEIGHTS ABOVE THE FLOOR OF THE POND.

SCALES	
HORIZONTAL	1:100
VERT	1:50

APPENDIX 5









Calculation sheet to establish levels at the limit of benefited land.

- 1). South side of the pao opposite the Downie burn, scaled dimension from the centre of the pao to the limit of benefited land is 230m.

From the O.S. - 1:25000 map:-

Contour 40m - scales 250m from the centre of the pao.

Contour 50m - scales 460m from the centre of the pao.

So this gives a gradient of  $\left(\frac{460-250}{10}\right) = 1 \text{ in } 21 \text{ or } 4.76\%$ .

If we then interpolate a level for the benefited limit the

calculation is  $40 - \left(\frac{250-230}{21}\right) = 39.05 \text{ m above sea level.}$

- 2). Similarly at 500m West of the Downie burn and on the South side of the pao the scaled dimension from the centre of the pao to the limit of benefited land is 90m.

From the O.S. - 1:25000 map:-

Contour 40m - scales 100m from the centre of the pao.

Contour 50m - scales 240m from the centre of the pao.

So this gives a gradient of  $\left(\frac{240-100}{10}\right) = 1 \text{ in } 14 \text{ or } 7.143\%$

If we then interpolate a level for the benefited limit the

calculation is  $40 - \left(\frac{100-90}{14}\right) = 39.29 \text{ m above sea level.}$

Taking the mean of the two calculations this gives an altitude of 39.17m

3) At Nethermains of Gorthy we are looking to establish a level at a distance of 537 m from the poe (the distance shown on our longitudinal section to the boundary).

From the OS - 1:25000 map:-

Contour 40m - scales 570 m from the centre of the poe

Contour 50m - scales 1120 m from the centre of the poe

So this gives a gradient of  $\left(\frac{1120-570}{10}\right) = 1 \text{ in } 55 \text{ m or } 1.82\%$

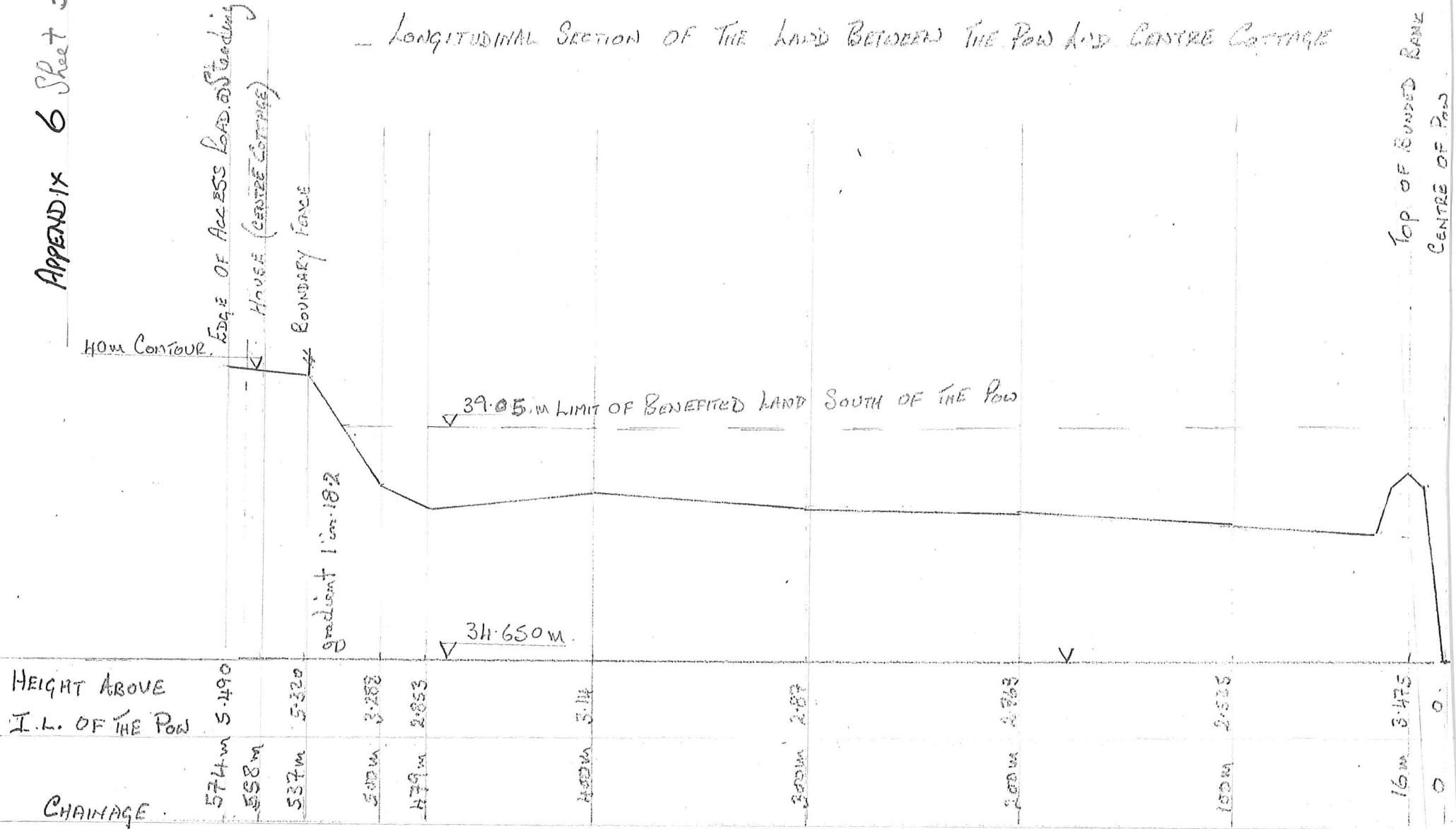
If we then interpolate a level for the boundary fence.

the calculation is  $40 - \left(\frac{570-537}{55}\right) = 39.40 \text{ m above sea level.}$

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Now that we have established that contour 40m passes very close to or through Centre cottage, we can relate the original section to Ordinance Datum and can extend the section south of the poe to confirm and substantiate our previous calc's

LONGITUDINAL SECTION OF THE LAND BETWEEN THE POND AND CENTRE COTTAGE



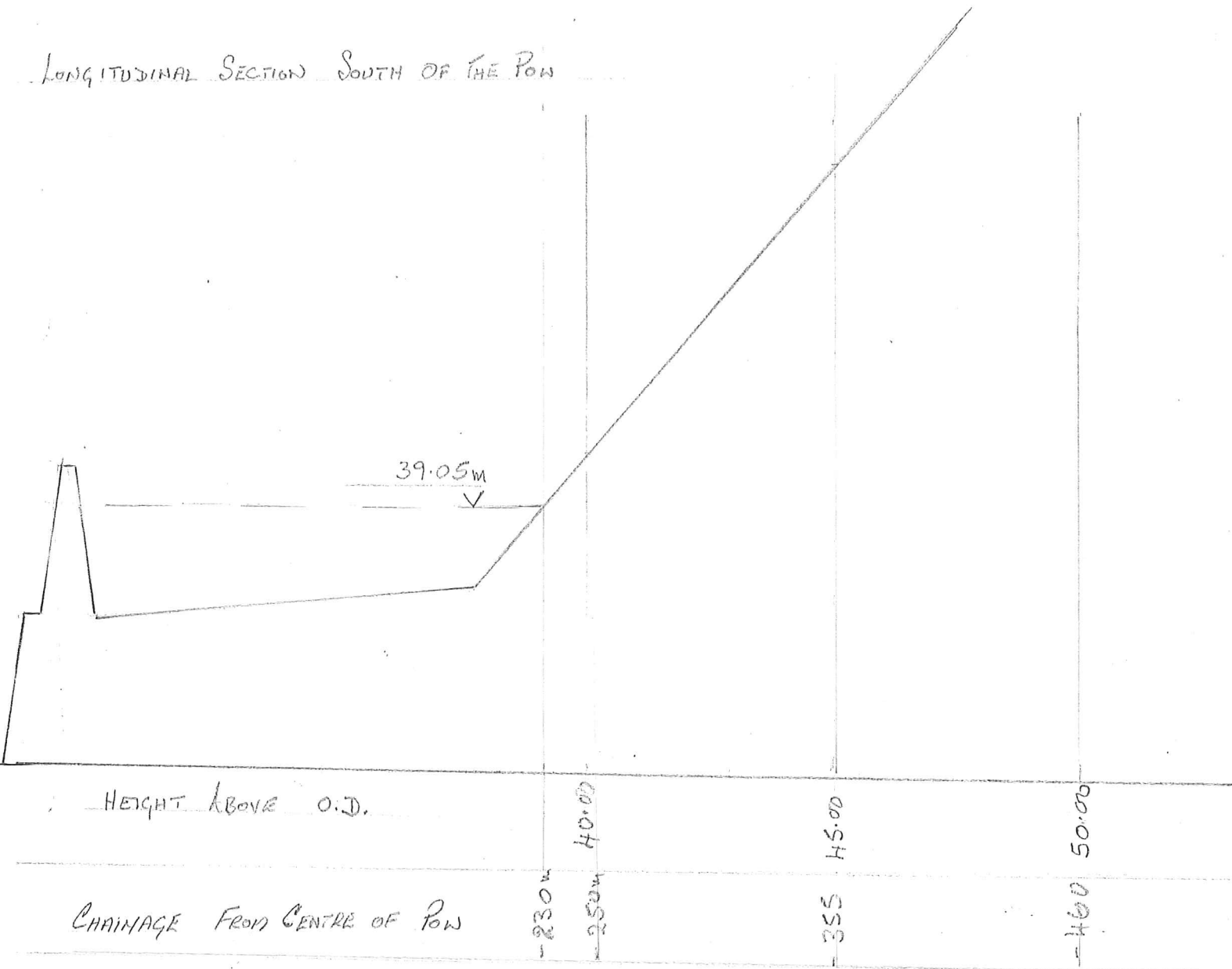
SCALES

HORIZONTAL 1:

VERTICAL 1:



LONGITUDINAL SECTION SOUTH OF THE POW



2500  
100