

Request: Flooding incidents caused by weather
Ref: ELIR00418
Received: 06.09.24
Responded: 19.09.24

Dear Edinburgh Leisure,

Can I please request, in the form of a spreadsheet such as Excel or CSV file, information on flooding incidents at council-run sports facilities. The flooding incidents should be in relation to weather-related incidents only (i.e. not as a result of plumbing incidents).

For the years 2013 to present I would like the following information for each flooding incident:

1. Date of flooding incident
2. Name of sports facility flooded
3. Address of sports facility
4. Description of area flooded - football pitch, rugby field, gym, etc.
5. Cost of damage/repairs (£)
6. Information if the facility had to be closed and if so, for how long

The information provided should only be in relation to flooding caused by weather.

If this request cannot be met within the cost limits for Freedom of Information requests, please can you provide me with advice and assistance on how I may refine my request.

Response

Category of response: Partial Release of Information / Information Not Held

Exceptions applied: EIR Regulation 10(4)(a), Regulation 11(2)

Edinburgh Leisure Head Office
Meadowbank Sports Centre
London Road
Edinburgh
EH7 6AE
Email: foi@edinburghleisure.co.uk
Edinburghleisure.co.uk

Registered Scottish Charity No: SC027450
VAT Reg: 703 762 349 Company Reg: 179259



Edinburgh Leisure
The Biggest Club in Town

The Environmental Information (Scotland) Regulations 2004 (EIRs) allow for the application of exemptions, and I have applied the following exemptions to some of the information requested.

- **Regulation 10(4)(a)** of the EIRs allows public authorities to refuse to make environmental information available if they don't hold the information when the request is received. Please see Appendix 5 & 6 for further information.
- **Regulation 11(2)** of the Environmental Information (Scotland) Regulations 2004 (the EIRs) sets out when personal data can and cannot be disclosed under the EIRs. Regulation 10(3) makes it clear that, where a request for environmental information includes personal data, the personal data must not be made available (i.e. disclosed) otherwise than in accordance with regulation 11. Please see Appendix 7 for further information

We asked all our venue managers for the information requested comments from each manager can be found in the 'Comments from managers' tab of the excel spreadsheet attached with this response letter.

We also looked through the unplanned closure forms and can't find any in relation to weather-based floods. The unplanned closure forms are completed by venues if their venue is closed due to an unplanned event e.g. not closed for maintenance. The managers complete these forms and send to our Health & Safety Team. There are a few floods which were equipment failure based but no weather-based floods recorded. We only have this info for the last year and a half.

Our response is outlined in the excel spreadsheet provided to requester, additional information and further explanations can be found in this letter.

Flooding incidents caused by weather

To provide a response we have used the following definitions of flooding:

Definition 1

"If there's a large amount of water somewhere there shouldn't be, most people will say there has been a 'flood'.

However, insurers will put claims for water damage into two separate categories - flooding and escape of water.

- Insurers consider 'flood damage' to be caused by events outside of the home. Examples include a river bursting its banks or seawater coming over coastal defences.
- If the water has come from a burst pipe or a leaking appliance, your insurer calls that an 'escape of water'. The source of the leak could be in your house or next door”.

“Floods can happen for various reasons and affect homes in many different locations. Some of the most common examples are:

- River flooding: where a river bursts its banks and water floods the surrounding area. Generally caused by heavy rain or melting snow, river floods can also happen as a result of blockages in streams. An example of a blockage could be a fallen tree.
- Coastal flooding: heavy storms and high sea levels can allow seawater to flood land, which affects homes in coastal areas.
- Sewer flooding: this often affects people living in more urban areas. Sewers that can't drain rainwater from an area fast enough allow excess water to build into a flood. The two biggest causes of this are high rainfall or blockages.
- Groundwater flooding: where water levels under the ground rise above normal levels and approach the surface. Continuous heavy rain (called pluvial flooding) can have lasting effects which carry on for weeks, or even months. It affects houses in many parts of the country, especially those located close to sea level”.

[Flooding Vs Escape of Water Differences | Swinton Insurance](#)

Definition 2

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“Floods often happen suddenly, particularly when caused by a natural event such as a river bursting its bank or during heavy rainfall. But that's not the only situation in which flooding can occur. A flood doesn't have to be a sudden or violent event. It can occur when water enters (or builds up) in a property slowly and steadily, and this doesn't necessarily have to be caused by a natural event. The key factor is that water built up, regardless of where the water came from.

Flood damage can also be caused by flooding outside the property. For example, if the property is surrounded by floodwater which leads to the walls becoming damp, we're likely to say that consumer has a valid flood claim, if the damp has caused damage to the property.

Similarly, we might say that damage has been caused by flood even if the water itself hasn't damaged the property. For example, if floodwater washes away enough earth to make a building unstable, we're likely to say that damage to the building was caused by the flood.

Where damage is caused by a build-up of water which has escaped from a pipe or domestic appliance, there may also be cover under the "escape of water" section of the policy”.

[Flood damage: Financial Ombudsman Service – Financial Ombudsman service \(financial-ombudsman.org.uk\)](#)

Please see Appendix 8

Request & Responses

For the years 2013 to present I would like the following information for each flooding incident:

1. Date of flooding incident

Release of Information

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Meggetland - 2021

Roseburn Park - various dates prior to 2021

See 'Information Held' tab of excel spreadsheet for further information.

Withheld under Regulation 10(4)(a) of the EIRs Information Not Held

For all other Edinburgh Leisure managed venues.

Unfortunately, we are unable to provide you with the information requested as it is not held by Edinburgh Leisure. Edinburgh Leisure does not hold the information requested for the venues we manage and therefore are unable to supply it. The reason we do not hold this information is that there have been no flooding incidents in relation to weather-related incidents at our venues.

There have been a few venues (Dalry Swim Centre, Leith Victoria Swim Centre and Portobello Swim Centre) where there has been ingress of water through the roof or ceiling but for the purposes of this response this has not been deemed to be flooding. These venues are highlighted in yellow in the excel spreadsheet (Reg 10(4)(a) and Comments from Managers tabs).

See 'Regulation 10(4)(a) Not Held' tab of excel spreadsheet for further information.

Please see Appendix 5.

Withheld - Information is not held, but maybe held by another authority

Flooding incidents relating to community access to high schools – due to City of Edinburgh Council managing these facilities through their Facilities Management team, if the detail being requested is held, it is most likely to be in their records. We believe some or all of the information requested relating to High Schools maybe held by another authority.

See 'Other Authority' tab of excel spreadsheet for further information.

CEC can be contacted using the link below:

[Make a Freedom of Information request | Instructions – The City of Edinburgh Council](#)

Please see Appendix 6.

Refusal Notice - Please note that this letter constitutes a formal notice under Regulation 10(4)(a) and Regulation 13 of the EIRs.

Application of Exemptions – Regulation 11 Personal Data

Response Document: Allan Park Initial Assessment Report_Redacted

Regulation 11 of the Environmental Information (Scotland) Regulations 2004 (the EIRs) sets out when personal data can and cannot be disclosed under the EIRs. Regulation 10(3) makes it clear that, where a request for environmental information includes personal data, the personal data must not be made available (i.e. disclosed) otherwise than in accordance with regulation 11.

Personal data must not be disclosed if it is:

- the personal data of the person requesting the information (regulation 11(1));
- the personal data of a third party – and other conditions apply (regulation 11(2)).

The exceptions in regulation 11 regulate the relationship between the EIRs, the UK General Data Protection Regulation and the Data Protection Act 2018.

We have provided the response document named above but have redacted the personal data of all third parties.

Please see Appendix 7

2. Name of sports facility flooded

Release of Information

Meggetland - 2021

Roseburn Park - various dates prior to 2021

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3. Address of sports facility

Release of Information

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Roseburn Park - various dates prior to 2021

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Please see Appendix 7

4. Description of area flooded - football pitch, rugby field, gym, etc.

Release of Information

Meggetland - 2021

Roseburn Park - various dates prior to 2021

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Please see Appendix 7

5. Cost of damage/repairs (£)

Release of Information

Meggetland - 2021

Roseburn Park - various dates prior to 2021

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6. Information if the facility had to be closed and if so, for how long

Release of Information

Meggetland - 2021

Roseburn Park - various dates prior to 2021

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through the roof or ceiling but for the purposes of this response this has not been deemed to be flooding. These venues are highlighted in yellow in the excel spreadsheet (Reg 10(4)(a) and Comments from Managers tabs).

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Application of Exemptions – Regulation 11 Personal Data

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Supplementary Information

The sports pitches provide a weekly update on our website which shows what venues / areas are playable and not playable. This information is updated on a Friday for the weekend fixtures.

[Sports Pitches Weekly Update - Edinburgh Leisure](#)

Pitch	Football	Rugby	Comments
Broughton HS Grass	● No Football Pitches	●	Updated - 13/09/2024
Campbell 7s + 9s	●	● No Rugby Pitches	Updated - 13/09/2024
Colinton 11s	●	● No Rugby Pitches	Updated - 13/09/2024
Colinton 7s and 9s	●	● No Rugby Pitches	Updated - 13/09/2024

If the pitches are called off on a Friday, the booking is paid off on our system using an 'Inclement Weather' payment method.

The City of Edinburgh Council groundsmen inspect the pitches and deem them playable or unplayable.

For Meggetland, Edinburgh Leisure has their own groundsmen that makes a call re playability on the day.

The pitches are not usually flooded, however are deemed unplayable due to rain and concern that the grass would be ruined if a match took place.

The term "unplayable" refers to the conditions that endanger the safety of players and the integrity of the game on a pitch. Weather conditions play a pivotal role in determining the playability of a pitch, with both rain and snow presenting unique challenges that can significantly impact the game. Heavy rain can quickly turn a pitch into a quagmire, rendering it unfit for play. The consequences of a waterlogged field extend beyond mere inconvenience, as player safety becomes a paramount concern. The incessant downpour saturates the pitch, creating puddles and muddy patches that can cause players to lose their footing, leading to a higher risk of injury.

In the face of unplayable conditions, match cancellation becomes a necessity, and we have well-defined protocols in place to address this issue. The decision to cancel a match due to unplayable conditions isn't taken lightly; it involves a comprehensive evaluation by match officials and grounds maintenance teams.

The protocols typically involve the following steps:

- **Pitch Inspection:** Match officials conduct a thorough inspection of the pitch before the scheduled kick-off. They assess the field for waterlogging, unevenness, and other potential hazards.
- **Consultation:** Match officials consult with team captains, coaches, and ground staff to gather insights into the conditions.
- **Safety Assessment:** The primary concern is player safety. If the conditions pose a significant risk to players, the match is postponed or cancelled.

The role of match officials and grounds maintenance teams in these situations is pivotal.

One of the biggest challenges that groundsmen face when it comes to dealing with poor weather is waterlogged pitches. When heavy rain falls, it can be difficult for the water to drain away from the pitch, leaving it sodden and unplayable. If a pitch becomes saturated, meaning that all the pores in the soil are filled with water, the pitch will be in a poor condition and more prone to damage.

Some factors involved:

1. **Location/amount of rainfall/ water table-** If the water table is full then there is nowhere for the excess water to go.
2. **The quality of drainage-** The quality of the drainage system in place on a pitch can have a big impact on its ability to cope with heavy rain. Pitches with good drainage systems are less likely to become waterlogged than those without.
3. **Pitch:** The quality of the pitch itself can also play a role in its ability to cope with wet weather. A well-maintained pitch with a strong grass covering is less likely to become waterlogged than one that is poorly maintained which lacks grass. If the pitch is not scarified regularly, it will develop a thick layer of thatch which is all the organic dead material. This prevents a barrier that stops water, nutrients and fertiliser etc getting through to your grass roots. Any water in a particularly wet spell of weather will have nowhere to go and will just pool on the surface.
4. **Staff:** The skill and knowledge of the groundsmen and other staff responsible for maintaining the pitch can also make a difference. Those with a deep understanding of how to care for a pitch and keep it in top condition are more likely to be able to prevent waterlogging in the first place.
5. **Soil type:** The type of soil that a pitch is built on can also influence its susceptibility to waterlogging. Some types of soil drain more easily than others, which can make a big difference when it comes to dealing with heavy

rain. Other types include sand, clay and loam soils. The pitch will take longer to dry out if the soil is heavy, such as loam or clay. On the other hand, sandy soil is more free-draining and will dry out more quickly.

6. **Equipment available-** Groundsmen will need to be aerating their pitches regularly especially those with a heavy schedule of games.
7. **Compaction on the pitch-** If the pitch is used regularly, it can be highly compacted which reduces and damages pore spaces- the water has nowhere to go. This can also be caused by heavy machinery such as heavy mowers/tractors.

To promote transparency and accountability, please note it is Edinburgh Leisure's Policy to publish all request details and responses made under freedom of information legislation. This information will be made available through Edinburgh Leisure's website and will not include your personal details. The disclosure log is available [here](#).

Appendix 4 The Law

[The Environmental Information \(Scotland\) Regulations 2004](#)

Appendix 5 Refusal Notice Regulation 10(4)(a)

Edinburgh Leisure is relying on the exception in regulation 10(4)(a) of the EIRs for the information requested as this information is not held by it.

Under the terms of the legislation, a request for information can be refused where one or more exceptions listed in the legislation apply. In this instance, Edinburgh Leisure is claiming the following exceptions to the information that you have

requested.

This refusal notice is provided in accordance with Regulation 13 of the Environmental Information (Scotland) Regulations. You have requested certain environmental information which we are unable to disclose to you. Further information about this decision is set out below.

Exception	Regulation 10(4)(a) of the Environmental Information (Scotland) Regulations 2004
Why exception applies	<p>Regulation 10(4)(a) applies as the requested information is not held by Edinburgh Leisure. The reason we do not hold this information is that there have been no flooding incidents in relation to weather-related incidents at our venues.</p> <p>There have been a few venues (Dalry Swim Centre, Leith Victoria Swim Centre and Portobello Swim Centre) where there has been ingress of water through the roof or ceiling but for the purposes of this response this has not been deemed to be flooding. These venues are highlighted in yellow in the excel spreadsheet (Reg 10(4)(a) and Comments from Managers tabs).</p>
Public Interest	Edinburgh Leisure does not hold the requested information and therefore cannot assess the public interest in making the information available as no information is held on the matter.

Please note that this letter constitutes a formal refusal notice under regulation 10(4) (a) and regulation 13 of the Environmental Information (Scotland) Regulations 2004.

Appendix 6 Refusal Notice Information is not held, but held by another authority

Edinburgh Leisure is relying on the exception in regulation 10(4)(a) of the EIRs for the information requested as this information is not held by it.

Under the terms of the legislation, a request for information can be refused where one or more exceptions listed in the legislation apply. In this instance, Edinburgh Leisure is claiming the following exceptions to the information that you have requested.

This refusal notice is provided in accordance with Regulation 13 of the Environmental Information (Scotland) Regulations. You have requested certain environmental information which we are unable to disclose to you. Further information about this decision is set out below.

However, we believe that all, or part of the information you seek is held by **The City of Edinburgh Council** who can be contacted at:

[Make a Freedom of Information request | Instructions – The City of Edinburgh Council](#)

Information which is the subject of the request and is not held	Flooding incidents relating to community access to high schools – due to City of Edinburgh Council managing these facilities through their Facilities Management team, if the detail being requested is held, it is most likely to be in their records.
Response	Regulation 10(4)(a) Information Not held – but held by another Authority.

<p>Edinburgh Leisure does not hold the information requested for the following Community Access High Schools</p> <ul style="list-style-type: none">• Balerno High School• Queensferry High School• Trinity Academy Sports Campus• (Wester Hailes High School -information was provided by venue manager above) <p>If your request includes flooding incidents relating to community access to high schools – due to The City of Edinburgh Council (CEC) managing these facilities through their Facility Management team, if the detail being requested is held, it is most likely to be in their records.</p> <p>We believe that all, or part of the information you seek is held by The City of Edinburgh Council (CEC) who can be contacted at:</p> <p><u>Make a Freedom of Information request Instructions – The City of Edinburgh Council</u></p> <p>We advise that you contact CEC.</p>
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Please note that this letter constitutes a formal refusal notice under regulation 13 of the Environmental Information (Scotland) Regulations 2004.

Appendix 7 Refusal Notice – Regulation 11 Personal Data

Under the terms of the EIRs, a request for information can be refused where one or more exceptions listed in the legislation apply. In this instance, Edinburgh Leisure is applying the following exception to the information that you have requested:

Regulation 11: Personal Data.

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Exception(s)	Regulation 11 of the Environmental Information (Scotland) Regulations 2004
Why exception(s) applies	<p>Regulation 11 of the Environmental Information (Scotland) Regulations 2004 (the EIRs) sets out when personal data can and cannot be disclosed under the EIRs. Regulation 10(3) makes it clear that, where a request for environmental information includes personal data, the personal data must not be made available (i.e. disclosed) otherwise than in accordance with regulation 11.</p> <p>Personal data must not be disclosed if it is:</p> <ul style="list-style-type: none"> • the personal data of the person requesting the information (regulation 11(1)); • the personal data of a third party – and other conditions apply (regulation 11(2)). <p>The exceptions in regulation 11 regulate the relationship between the EIRs, the UK General Data Protection Regulation and the Data Protection Act 2018.</p>
Public Interest	<p>The exceptions in regulation 11 are generally absolute, which means that they are not subject to the public interest test. However, in two specific situations, the exception in regulation 11(2) is subject to the public interest test. This means that, even if the exception applies, the personal data must be</p>

	disclosed unless, in all the circumstances of the case, the public interest in making the personal data available is outweighed by the public interest in not making it available.
Duration	Regulation 11 applies regardless of how old the information is. In practice, this will be limited because the provisions can only be applied if the information relates to living individuals. The exceptions do not apply to personal information of deceased people.

Please note that this letter constitutes a formal refusal notice under regulation 11 of the Environmental Information (Scotland) Regulations 2004.

Appendix 8 Definition of Flooding

To provide a response we have used the following definitions of flooding:

Definition 1

“If there's a large amount of water somewhere there shouldn't be, most people will say there has been a 'flood'.

However, insurers will put claims for water damage into two separate categories - flooding and escape of water.

- Insurers consider 'flood damage' to be caused by events outside of the home. Examples include a river bursting its banks or seawater coming over coastal defences.
- If the water has come from a burst pipe or a leaking appliance, your insurer calls that an 'escape of water'. The source of the leak could be in your house or next door”.

“Floods can happen for various reasons and affect homes in many different locations. Some of the most common examples are:

- River flooding: where a river bursts its banks and water floods the surrounding area. Generally caused by heavy rain or melting snow, river floods can also happen as a result of blockages in streams. An example of a blockage could be a fallen tree.
- Coastal flooding: heavy storms and high sea levels can allow seawater to flood land, which affects homes in coastal areas.
- Sewer flooding: this often affects people living in more urban areas. Sewers that can't drain rainwater from an area fast enough allow excess water to build into a flood. The two biggest causes of this are high rainfall or blockages.
- Groundwater flooding: where water levels under the ground rise above normal levels and approach the surface. Continuous heavy rain (called pluvial flooding) can have lasting effects which carry on for weeks, or even months. It affects houses in many parts of the country, especially those located close to sea level”.

[Flooding Vs Escape of Water Differences | Swinton Insurance](#)

Definition 2

“Floods often happen suddenly, particularly when caused by a natural event such as a river bursting its bank or during heavy rainfall. But that's not the only situation in which flooding can occur. A flood doesn't have to be a sudden or violent event. It can occur when water enters (or builds up) in a property slowly and steadily, and this doesn't necessarily have to be caused by a natural event. The key factor is that water built up, regardless of where the water came from.

Flood damage can also be caused by flooding outside the property. For example, if the property is surrounded by floodwater which leads to the walls becoming

damp, we're likely to say that consumer has a valid flood claim, if the damp has caused damage to the property.

Similarly, we might say that damage has been caused by flood even if the water itself hasn't damaged the property. For example, if floodwater washes away enough earth to make a building unstable, we're likely to say that damage to the building was caused by the flood.

Where damage is caused by a build-up of water which has escaped from a pipe or domestic appliance, there may also be cover under the "escape of water" section of the policy".

[Flood damage: Financial Ombudsman Service – Financial Ombudsman service \(financial-ombudsman.org.uk\)](#)

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