



Water Environment and Water Services (Scotland) Act 2003

2003 asp 3

PART 1

PROTECTION OF THE WATER ENVIRONMENT

CHAPTER 2

RIVER BASIN MANAGEMENT PLANNING

River basin management plans

11 River basin management plans: publicity and consultation

- (1) Not less than 3 years before the beginning of the period to which a river basin management plan is to relate, SEPA must publish a statement setting out—
 - (a) the steps under this section, and any other consultation measures, which it is to take in connection with the preparation of the plan, and
 - (b) the dates on or by which those steps and measures are to be taken.
- (2) Not less than 2 years before the beginning of the period to which a river basin management plan is to relate, SEPA must publish a summary of the significant water management issues which it considers arise in relation to the river basin district in question.
- (3) Not less than one year before the beginning of the period to which a river basin management plan is to relate, SEPA must publish a draft of the plan.
- (4) Publication of a statement under subsection (1), a summary under subsection (2) and a draft plan under subsection (3) is to be in such manner as SEPA thinks fit.
- (5) On publishing a statement, a summary or a draft plan SEPA must—
 - (a) publicise—
 - (i) that fact,

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- (ii) the arrangements for making copies of the statement, summary or draft plan available for public inspection in pursuance of paragraph (b), and
 - (iii) the opportunity to make representations about the statement, summary or draft plan under subsection (7),
 - (b) make copies of the statement, summary or draft plan available for public inspection free of charge for such period, which must be at least 6 months beginning with the date of its publication, as SEPA may determine,
 - (c) consult the persons specified in subsection (6),
 - (d) take such steps as it thinks fit for the purpose of encouraging those persons to participate appropriately in the preparation of the plan.
- (6) The persons referred to in subsection (5)(c) are—
 - (a) Scottish Natural Heritage,
 - (b) Scottish Water,
 - (c) every responsible authority which has functions exercisable in or in relation to the river basin district in question,
 - (d) every local authority any part of whose area is within the river basin district,
 - (e) every district salmon fishery board any part of whose salmon fishery district is within the river basin district,
 - (f) where any part of the river basin district has been designated as a National Park, the National Park authority for that National Park,
 - [^{F1}(fa) where any part of the river basin district has been designated as a shellfish water protected area, [^{F2}Food Standards Scotland],]
 - (g) such persons as appear to SEPA to be representative of the interests of those carrying on any business which relies upon the water environment within the river basin district,
 - (h) such persons as appear to SEPA to have an interest in the protection of the water environment within the river basin district,
 - (i) such persons as appear to SEPA to have an interest in the promotion of sustainable flood management,
 - (j) such other persons as SEPA thinks fit.
- (7) Any person who wishes to make representations to SEPA about a statement, summary or draft plan may do so within the period determined under subsection (5)(b).
- (8) In preparing the draft river basin management plan SEPA must take into account—
 - (a) any views on the statement or summary relating to the plan expressed by those consulted under subsection (5)(c), and
 - (b) any representations about the statement or summary,
 which are received by SEPA within the period determined under subsection (5)(b).
- (9) In preparing the river basin management plan for submission to the Scottish Ministers SEPA must take into account—
 - (a) any views on the draft plan expressed by those consulted under subsection (5)(c), and
 - (b) any representations about the draft plan,
 which are received by SEPA within the period determined under subsection (5)(b).
- (10) Where SEPA is required under this section or section 12 or 13 to publicise any matter in connection with a river basin management plan, it—

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- (a) must do so by means of a notice published in—
 - (i) at least one newspaper circulating throughout Scotland, and
 - (ii) such local newspapers circulating in the river basin district in question, or any part of it, as it thinks fit, and
- (b) may further publicise the matter by such electronic or other means as it thinks fit.

Textual Amendments

- F1** S. 11(6)(fa) inserted (16.9.2013) by [Aquaculture and Fisheries \(Scotland\) Act 2013 \(asp 7\)](#), **ss. 54(5), 66(2)** (with s. 65); [S.S.I. 2013/249](#), **art. 2**
- F2** Words in s. 11(6)(fa) substituted (1.4.2015) by [Food \(Scotland\) Act 2015 \(asp 1\)](#), s. 63(2), **Sch. para. 8** (with s. 62); [S.S.I. 2015/99](#), **art. 2**

Commencement Information

- I1** S. 11 in force at 1.6.2005 by [S.S.I. 2005/235](#), **art. 2(a)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 23(5) inserted by [2014 asp 3 sch. 3 para. 8\(6\)\(b\)](#)