



Flood Risk Management (Scotland) Act 2009

2009 asp 6

PART 6

POWERS OF ENTRY AND COMPENSATION

Powers of entry

79 Powers of entry

- (1) Any person authorised by SEPA is entitled to enter any land for the purposes of carrying out SEPA's functions under—
- (a) section 9 (preparation of flood risk assessments),
 - (b) section 10 (review and updating of flood risk assessments),
 - (c) section 13 (identification of potentially vulnerable areas and local plan districts),
 - (d) section 14 (review of potentially vulnerable areas and local plan districts),
 - (e) section 19 (preparation of maps of artificial structures and natural features),
 - (f) section 20 (assessment of possible contribution of alteration etc. of natural features and characteristics),
 - (g) section 21 (preparation of flood hazard maps and flood risk maps),
 - (h) section 24 (review of flood hazard maps and flood risk maps),
 - (i) section 27 (preparation of flood risk management plans),
 - (j) section 33 (review of flood risk management plans),
 - (k) section 73 (other assessment and maps of flood risk), and
 - (l) section 76 (provision, alteration etc. of flood warning systems).
- (2) Any person authorised by a local authority is entitled to enter—
- (a) any land for the purposes of preparing, reviewing or updating a map under section 17,
 - (b) any land for the purposes of assessing a body of water under section 18,
 - (c) any land for the purposes of preparing a local flood risk management plan under section 34,

Changes to legislation: There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 79. (See end of Document for details)

- (d) any land for the purposes of preparing a report under section 37 or 38,
 - (e) any land on which scheme operations are to be carried out, for the purposes of carrying out the operations or of executing any temporary works in relation to them,
 - (f) any land for the purpose of carrying out flood protection work on the ground mentioned in section 56(1)(b),
 - (g) any land for the purposes of maintaining flood protection work carried out—
 - (i) under section 56, or
 - (ii) in accordance with a flood prevention scheme confirmed under section 4 of the 1961 Act,
 - (h) any land for the purposes of carrying out works under section 59, and
 - (i) any land for the purposes of determining whether, and if so in what manner, any function conferred by or under Part 4 is to be exercised.
- (3) In subsection (2), paragraphs (c) and (d) apply only where the local authority is a lead authority within the meaning of section 34.

Commencement Information

- I1** S. 79(1)(2)(a)-(d)(3) in force at 26.11.2009 by S.S.I. 2009/393, art. 2, Sch.
- I2** S. 79(2)(e)-(g)(i) in force at 24.12.2010 by S.S.I. 2010/401, art. 3(d)
- I3** S. 79(2)(h) in force at 1.6.2011 by S.S.I. 2010/401, art. 4(b)

Changes to legislation:

There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 79.