

FLOOD RISK MANAGEMENT (SCOTLAND) ACT

EXPLANATORY NOTES

BACKGROUND – EC FLOODS DIRECTIVE

3. The flood risk assessment and management provisions of the Act (Part 3) make provision and enable provision to be made for or in connection with implementing the EC Floods Directive¹ (“the Directive”).
4. The purpose of the Directive (set out in Article 1) is to establish a framework for the assessment and management of flood risks, aiming at the reduction of the adverse consequences for human health, the environment, cultural heritage and economic activity associated with floods.
5. The Directive applies to all forms of flooding by defining “flood” to include all temporary covering by water of land not normally covered by water. This includes flooding from rivers, lochs, groundwater and the sea as well as flooding from surface water runoff but Article 2 of the Directive allows Member States to choose whether to exclude floods from sewerage systems. The Directive requires Member States to:
 - produce preliminary flood risk assessments (deadline – December 2011)
 - produce flood hazard maps and flood risk maps (deadline – December 2013)
 - produce flood risk management plans (deadline – December 2015)
6. The Directive gives Member States the freedom to set their own objectives for flood risk management, and allows member states to utilise existing tools, information and plans.

1 Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks