

FLOOD RISK MANAGEMENT (SCOTLAND) ACT

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 5 – Sepa: Other Flood Risk Management Functions

Section 74 – Flood warning

209. This section requires SEPA to make flood warnings available where it considers that a flood is occurring or is likely to occur in the near future.
210. Subsection (2) sets requirements as to the timing of flood warnings, the information on which they are to be based and the means by which they are to be made available. Warnings must be based on information available to SEPA (paragraph (c)). Where SEPA considers a flood is already occurring, a warning must be made available as soon as is practicable (paragraph (a)) and where a flood is considered likely to occur SEPA may choose when to issue the warning (paragraph (b)). This discretion under paragraph (b) allows SEPA to decide when it is appropriate to issue a very early warning and when it is appropriate to wait until more reliable information is available. SEPA can decide how to make warnings publicly available (paragraph (d)). This discretion allows SEPA to issue general warnings, for example online or through a phoneline, and it also allows it to establish systems for issuing warnings to individuals or other organisations if that is considered appropriate.