

FLOOD RISK MANAGEMENT (SCOTLAND) ACT

EXPLANATORY NOTES

THE ACT – SCHEDULES

Schedule 1 – Matters to Be Included in Flood Risk Management Plans

265. This schedule sets out what flood risk management plans must contain. It is closely based on the Annex to the Directive and should be read with sections 27, 28 and 33 of the Act.

Part 1 – Matters to be included in every plan

266. **Part 1** of the schedule applies to the first plans produced under section 27 and to updated plans produced under section 33.

267. **Paragraph 1** requires flood risk management plans to include a description of the objectives set and the measures identified by SEPA under section 27. They must also explain the priority to given to implementing each measure including an indication of the period in which the measure is to be implemented. **Paragraph 5** also requires plans to include a description of how the priority given to implementing each measure was determined and how progress will be monitored.

268. **Paragraph 2** requires plans to include the conclusions of the flood risk assessment, prepared under section 9. This should be presented in the form of a map of the flood risk management district showing the potentially vulnerable areas identified under section 13.

269. **Paragraph 3** requires plans to include copies of the flood hazard maps and flood risk maps prepared under section 21.

270. **Paragraph 4** requires plans to include a summary of flood-related measures taken under various EC directives.

271. **Paragraph 5** requires plans to include a description of the reasons for identifying measures. Where an assessment under section 20 identifies an alteration or restoration of a natural feature or characteristic in the flood risk management district which could contribute to the management of flood risk but the plan does not include a measure to carry out that alteration or restoration, this paragraph also requires the plan to give reasons why such a measure has not been included.

272. **Paragraph 7** requires plans to include an estimate of the cost of implementing the measures before the plan is next reviewed under section 33.

273. **Paragraph 8** requires plans to include a summary of the consultation which was carried out in order to comply with section 30. They must also include any other consultation measures taken in connection with preparation of the plan. This would include consultation carried out in relation to flood risk assessments and flood risk and flood hazard maps). It may also include information about the role of the advisory groups established under sections 49 and 50 in the preparation of assessments, maps

*These notes relate to the Flood Risk Management (Scotland)
Act (asp 6) which received Royal Assent on 16 June 2009*

and plans. A summary of changes made to the plan in light of views and representations received must also be included.

- 274. [Paragraph 9](#) requires the plan to include information on SEPA. In practice, this would include information to reflect SEPA's role as competent authority for the Directive.
- 275. [Paragraph 10](#) requires the plan to include a description of how its preparation has been co-ordinated with the preparation of river basin management documents under Part 1 of the 2003 Act. This will include information about steps taken under section 48.

Part 2 – Components of the subsequent update of flood risk management plans

- 276. [Part 2](#) of the schedule applies only to updated plans produced under section 33.
- 277. [Paragraph 11](#) requires updated plans to include a summary of changes which have been made compared to the previous version of the plan.
- 278. [Paragraph 12](#) requires an assessment of the progress made towards the achievement of the objectives set by SEPA for the management of flood risk, while [paragraph 13](#) requires it to include information about why any measures included in the previous plan were not implemented.
- 279. [Paragraph 14](#) requires a description of any other measures implemented which SEPA considers have contributed to the achievement of the objectives set by SEPA for the management of flood risk.