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*Changes to legislation: There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Paragraph 8. (See end of Document for details)*

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SCHEDULE 2  
FLOOD PROTECTION SCHEMES: PROCEDURE ETC.

*Local authority hearing to consider proposed scheme*

- 8 (1) This paragraph applies where—
- (a) the local authority has made a preliminary decision in relation to a proposed scheme under paragraph 5, and
  - (b) paragraph 7 does not apply.
- (2) Before making a final decision under paragraph 9, the local authority—
- (a) must, if it has notified the Scottish Ministers under paragraph 5(5) but they have decided not to consider the proposed scheme,
  - (b) may, in any other case,
- hold a hearing to consider the proposed scheme.
- (3) The local authority must—
- (a) invite to the hearing each objector who has made a valid objection (unless withdrawn) or a late objection which the authority intends to consider, and
  - (b) give notice of the hearing in the manner set out in paragraphs 1(1)(a) and (b).
- (4) An invitation under sub-paragraph (3)(a) must be given not less than 28 days before the proposed hearing.
- (5) Notices given under sub-paragraph (3)(b) must be published at least 21 days before the proposed hearing.

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**Commencement Information**

**II** Sch. 2 para. 8 in force at 24.12.2010 by S.S.I. 2010/401, art. 3(g)

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