



Flood Risk Management (Scotland) Act 2009

2009 asp 6

PART 3

FLOOD RISK ASSESSMENT, MAPS AND PLANS

Flood hazard maps and flood risk maps

22 Flood hazard maps

- (1) A flood hazard map (or more than one such map taken together) must (except to the extent subsections (2) to (6) provide otherwise), show—
- (a) the geographical areas which could be flooded by each of the following types of flood—
 - (i) floods with a low probability (or which would be an extreme event),
 - (ii) floods with a medium probability, and
 - (iii) floods with a high probability, and
 - (b) the following elements for each of those types of flood—
 - (i) the flood extent,
 - (ii) water depths or water level, whichever is appropriate,
 - (iii) where appropriate, the flow velocity or the relevant water flow, and
 - (iv) such other elements as the Scottish Ministers may specify by regulations.
- (2) But a flood hazard map need not show information referred to in subsection (1) as respects a flood with a high probability where SEPA considers such a flood would be unlikely to have significant adverse consequences for the area which could be flooded by it.
- (3) And—
- (a) where a geographical area shown in a flood hazard map is or includes a coastal area which SEPA considers is adequately protected from coastal floods, subsection (4) applies instead of subsection (1) as respects any coastal flood (of the coastal area) with a medium or high probability,

Status: This is the original version (as it was originally enacted).

- (b) where a geographical area shown in a flood hazard map is or includes an area at risk of flooding from groundwater, subsection (5) applies instead of subsection (1) as respects any flood (of the area at such risk) with a medium or high probability and which would be from groundwater, and
 - (c) subsection (6) applies instead of subsection (1) as respects any flood from a sewerage system which is not a flood solely from a sewerage system.
- (4) Where subsection (3)(a) applies, the map—
 - (a) may, where SEPA considers it appropriate, and
 - (b) must, to the extent that the Scottish Ministers direct,show for any such coastal area information referred to in subsection (1) as respects any such flood of that area.
- (5) Where subsection (3)(b) applies, the map—
 - (a) may where SEPA considers it appropriate, and
 - (b) must, to the extent that the Scottish Ministers direct,show for the area at such risk information referred to in subsection (1) as respects any such flood of that area.
- (6) Where subsection (3)(c) applies, the map—
 - (a) may where SEPA considers it practicable, and
 - (b) must to the extent that the Scottish Ministers direct,show information referred to in subsection (1) as respects any flood in the area from a sewerage system which is not a flood solely from a sewerage system.
- (7) To the extent (if any) that, in pursuance of subsections (2) to (6), a flood hazard map does not show information referred to in those subsections, the map must include a statement explaining that the information is not shown in it.
- (8) Before giving a direction under subsection (4)(b), (5)(b) or (6)(b), the Scottish Ministers must consult SEPA.
- (9) In this section—
 - (a) as respects a flood—
 - “low probability” (or “extreme event”) means such probability as may be specified as such by the Scottish Ministers by order,
 - “medium probability” means such probability involving a return period of 100 years or more (or an annual probability of occurrence of not more than 1%) as may be specified as such by the Scottish Ministers by order,
 - “high probability” means such probability as may be specified as such by the Scottish Ministers by order,
 - (b) “groundwater” has the same meaning as in section 3(4) of the 2003 Act.