



Flood Risk Management (Scotland) Act 2009

2009 asp 6

PART 3

FLOOD RISK ASSESSMENT, MAPS AND PLANS

Flood hazard maps and flood risk maps

23 Flood risk maps

- (1) The potential adverse consequences associated with each type of flood for which any information referred to in section 22(1) is shown in a flood hazard map must be shown in a flood risk map (or more than one flood risk map taken together) by reference to the matters mentioned in subsection (2).
- (2) The matters are—
 - (a) the indicative number of inhabitants who potentially could be affected,
 - (b) the type of economic activity in the area which could be flooded,
 - (c) installations referred to in Annex 1 to Directive [2008/1/EC](#) of the European Parliament and of the Council concerning integrated pollution prevention and control, which might cause accidental pollution if any type of flood referred to in subsection (1) occurred,
 - (d) any of the following protected areas or bodies of water which potentially could be affected, if any type of flood referred to in subsection (1) occurred—
 - (i) areas for the abstraction of water intended for human consumption identified by order under section 6(1) of the 2003 Act,
 - (ii) areas referred to in section 7(4)(a) of that Act (areas designated for the protection of economically significant aquatic species),
 - (iii) bodies of water referred to in section 7(4)(b) of that Act (bodies of water designated as recreational waters),
 - (iv) areas referred to in section 7(4)(c) of that Act (nutrient-sensitive areas),
 - (v) areas referred to in section 7(4)(d) of that Act (areas designated for the protection of habitats or species where the maintenance or

Status: This is the original version (as it was originally enacted).

- improvement of the status of the water is an important factor in such protection),
- (vi) areas classified pursuant to Article 4 of Council Directive [79/409/EEC](#) on the conservation of wild birds,
 - (vii) special areas of conservation designated under regulation 8(1) of the [Conservation \(Natural Habitats, &c.\) Regulations 1994 \(SI 1994/2716\)](#), and
 - (viii) sites of special scientific interest which have been notified in terms of section 3 of the [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#),
- (e) any area which is within a protected area or body of water referred to in paragraph (d)(i) to (viii) and could be affected by pollution from any installation referred to in paragraph (c), and
 - (f) such other information as the Scottish Ministers may specify by regulations.
- (3) Where SEPA considers it appropriate, a flood risk map may also show the potential adverse consequences associated with any type of flood referred to in subsection (1) by reference to any of the following—
- (a) information indicating any areas where floods with a high content of transported sediments or debris floods (or a combination of such floods) can occur,
 - (b) such other sources of pollution as SEPA consider may be significant,
 - (c) such other available and readily derivable information as SEPA considers appropriate.