



Flood Risk Management (Scotland) Act 2009 2009 asp 6

PART 3

FLOOD RISK ASSESSMENT, MAPS AND PLANS

Local flood risk management plans

34 Local authorities to prepare local flood risk management plans

- (1) The lead authority for each local plan district must prepare a local flood risk management plan to supplement the relevant flood risk management plan.
- (2) A local flood risk management plan is to consist of—
 - (a) a supplementary part, and
 - (b) an implementation part.
- (3) The supplementary part must include—
 - (a) a summary of the objectives, measures and other information included in the relevant flood risk management plan under paragraphs 1 to 3 of schedule 1 so far as relevant to the local plan district,
 - (b) such information supplemental to that plan including such—
 - (i) maps,
 - (ii) information about how implementing the measures summarised under paragraph (a) may alter (including enhance) or restore natural features and characteristics, and
 - (iii) further information about those measures,as the lead authority considers relevant to flood risk management within the local plan district, and
 - (c) a summary of—
 - (i) the steps taken under subsections (1) to (6) of section 35 in relation to the local flood risk management plan,

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- (ii) any other consultation measures taken in connection with the preparation of the plan, and
 - (iii) changes made to the plan in light of the views and representations received on it.
- (4) The implementation part must include a description of how the current measures are to be implemented including—
- (a) a detailed timetable for—
 - (i) the completion of measures currently being implemented, and
 - (ii) the implementation of measures yet to be commenced,
 - (b) in relation to each measure, a description of—
 - (i) who is, or is to be, responsible for implementing the measure, and
 - (ii) the arrangements for funding the measure,
 - (c) a description of how the functions of the persons identified under paragraph (b)(i) will be coordinated to implement the measures and, in particular, a description of how those functions will be coordinated insofar as the measures relate to—
 - (i) the alteration (including enhancement) or restoration of natural features and characteristics, and
 - (ii) surface run-off water or urban drainage, and
 - (d) such other information as the lead authority considers relevant to the implementation of the measures.
- (5) The implementation part may also include a description of how other measures summarised in the supplementary part under subsection (3)(a) are to be implemented.
- (6) A local flood risk management plan must also include such other matters as the Scottish Ministers may specify by regulations.
- (7) Before making regulations under subsection (6), the Scottish Ministers must consult—
- (a) SEPA,
 - (b) every responsible authority, and
 - (c) such other persons as they consider appropriate.
- (8) A local flood risk management plan must not be inconsistent with anything in the relevant flood risk management plan.
- (9) For the purposes of this Part, the lead authority—
- (a) for a local plan district is—
 - (i) where a local authority's area includes all of the local plan district, that authority,
 - (ii) in any other case, one of the local authorities whose area includes part of the local plan district as may be agreed between those authorities or, in default of agreement, as may be determined by the Scottish Ministers, and
 - (b) in relation to a local flood risk management plan, is the local authority responsible for preparing the plan by virtue of subsection (1) and paragraph (a) of this subsection.
- (10) In this Act, the “current measures”, in relation to a local flood risk management plan, are those of the measures summarised in the plan under subsection (3)(a) which are

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identified in the relevant flood risk management plan as to be implemented before the plan is next reviewed under section 33.

- (11) In this section, “relevant flood risk management plan”, in relation to a local plan district (or the local flood risk management plan for that district), means the flood risk management plan prepared under section 27 or updated under section 33 for the flood risk management district which includes the local plan district.

Commencement Information

II S. 34 in force at 26.11.2009 by S.S.I. 2009/393, art. 2, Sch.

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