



# Flood Risk Management (Scotland) Act 2009

2009 asp 6

## PART 3

### FLOOD RISK ASSESSMENT, MAPS AND PLANS

#### *Advisory groups*

#### **[<sup>F1</sup>50A. Cross border areas**

- (1) When exercising the functions listed in subsection (2) in relation to a Scottish cross border area, the authority exercising the function must have regard to—
  - (a) the impact on flood risk in an adjacent English cross border area of actions and inactions in the Scottish cross border area,
  - (b) the impact on flood risk in the Scottish cross border area of actions and inactions in an adjacent English cross border area,
  - (c) documents produced under Parts 2, 3 and 4 of the Flood Risk Regulations in relation to an adjacent English cross border area, and
  - (d) the advice given by the Cross Border Advisory Group under regulation 39 of the Flood Risk Regulations.
- (2) The functions are those contained in—
  - (a) section 9(1),
  - (b) section 10(1),
  - (c) section 13(1),
  - (d) section 14(1),
  - (e) section 21(1),
  - (f) section 24(1),
  - (g) section 27(1),
  - (h) section 33(1), and
  - (i) section 34(1).
- (3) SEPA and each lead authority must—

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*Changes to legislation: There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 50A. (See end of Document for details)*

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- (a) co-operate with any English flood authority for the purpose of assisting that authority to exercise its functions under the Flood Risk Regulations in relation to an English cross border area, and
  - (b) co-ordinate the exercise of its functions which relate to a Scottish cross border area with an English flood authority so as to take into account the risk of flooding in an adjacent English cross border area.
- (4) In this section “English flood authority” means—
- (a) the Environment Agency,
  - (b) a lead local flood authority within the meaning of the Flood Risk Regulations whose area falls wholly or partly in an English cross border area.]

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**Textual Amendments**

**F1** S. 50A inserted (30.4.2010) by [Flood Risk \(Cross Border Areas\) Regulations 2010 \(S.I. 2010/1102\)](#), regs. 1(2), **33**

**Changes to legislation:**

There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 50A.