



# Flood Risk Management (Scotland) Act 2009

2009 asp 6

## PART 3

### FLOOD RISK ASSESSMENT, MAPS AND PLANS

#### *Local flood risk management plans*

#### **36 Local flood risk management plans: completion and publication**

- (1) A local flood risk management plan for a local plan district is finalised when—
  - (a) the flood risk management plan which it supplements is approved under section 32, and
  - (b) either—
    - (i) the lead authority, every other responsible authority which has flood risk related functions exercisable in or in relation to the local plan district and SEPA agrees to its content, or
    - (ii) the Scottish Ministers determine its content under subsection (3).
- (2) If—
  - (a) the lead authority considers that the local flood risk management plan will not be finalised by the local plan deadline, or
  - (b) the plan is not finalised by that deadline,the lead authority must notify the Scottish Ministers of that fact.
- (3) Where the Scottish Ministers receive notice under subsection (2), they must determine the content of the local flood risk management plan.
- (4) Before determining the content of a plan under subsection (3), the Scottish Ministers must take into account any representations made by SEPA and any responsible authority which has flood risk related functions exercisable in or in relation to the local plan district.
- (5) When a local flood risk management plan is finalised, the lead authority must—
  - (a) publish the final plan in such manner as it considers appropriate,

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*Changes to legislation: There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 36. (See end of Document for details)*

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- (b) make copies of it available for public inspection,
  - (c) provide a copy of it to SEPA and the Scottish Ministers,
  - (d) make copies of it available to the public, and
  - (e) publicise the publication of the final plan.
- (6) In making copies of the plan available to the public under subsection (5)(d), the lead authority may charge a reasonable price for each copy.
- (7) In subsection (2), the “local plan deadline” is the date 6 months after the date the flood risk management plan mentioned in subsection (1)(a) is approved or such other date as the Scottish Ministers may direct.

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**Commencement Information**

**II** S. 36 in force at 26.11.2009 by [S.S.I. 2009/393](#), art. 2, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 36.