

FLOOD RISK MANAGEMENT (SCOTLAND) ACT

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 3 – Flood Risk Assessment, Maps and Plans

Section 27 – SEPA to prepare flood risk management plans

86. This section requires SEPA to prepare and submit to the Scottish Ministers a flood risk management plan for the potentially vulnerable areas (identified under section 13) in each flood risk management district (established under section 8). There must be one plan per district. Together with section 28 and schedule 1, this section implements Article 7 of the Directive.
87. Subsection (2) requires SEPA to submit the plan by a date set by the Scottish Ministers. Article 7.5 of the Directive requires Member States to complete flood risk management plans by 22nd December 2015 so subsection (3) requires the Scottish Ministers to set a submission date which they consider early enough to enable them to approve the plan by that deadline.
88. Subsection (4) requires SEPA to set objectives for managing flood risk and to identify measures to achieve those objectives in a way that it considers most sustainable. This should be read with section 28, which sets out matters which SEPA must take into account when setting objectives and identifying measures for the purpose of flood risk management plans.
89. Subsection (5) and schedule 1 set out what a flood risk management plan must include. The Scottish Ministers can also make regulations specifying any other matters for inclusion in plans.
90. Subsections (6) and (7) allow SEPA to include maps, diagrams and other illustrative information in plans.