



# Flood Risk Management (Scotland) Act 2009 2009 asp 6

## PART 3

### FLOOD RISK ASSESSMENT, MAPS AND PLANS

#### *Regulations about plans*

#### **40 Regulations relating to flood risk management plans and local flood risk management plans**

- (1) The Scottish Ministers may by regulations make further provision as to—
- (a) the form of flood risk management plans and local flood risk management plans,
  - (b) the matters to be taken into account in preparing such plans,
  - (c) the procedures to be followed in connection with the preparation, submission, approval, review and modification of such plans,
  - (d) consultation by SEPA in relation to its preparation of flood risk management plans,
  - (e) consultation by lead authorities in relation to their preparation of local flood risk management plans, and
  - (f) the form, content, preparation and publication of reports under sections 37 and 38.
- (2) Such regulations may, in particular, do any of the following—
- (a) provide for the notice to be given of, or the publicity to be given to—
    - (i) matters to be included or proposed to be included in any such plan,
    - (ii) the approval of any such plan, and
    - (iii) any other procedural step,
  - (b) provide for the publicity to be given to the procedures referred to in subsection (1)(c),
  - (c) make provision for documents and information relating to matters included in the plan to be made available to the public,

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*Status: This is the original version (as it was originally enacted).*

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- (d) make provision as to the making and consideration of representations with respect to any such plan,
- (e) require or authorise—
  - (i) in relation to a flood risk management plan, SEPA,
  - (ii) in relation to a local flood risk management plan, the lead authority, to consult, or consider the views of, other persons before taking any particular procedural step.