



Flood Risk Management (Scotland) Act 2009

2009 asp 6

PART 3

FLOOD RISK ASSESSMENT, MAPS AND PLANS

Advisory groups

49 District flood risk advisory groups

- (1) Each flood risk management district is to have one or more district flood risk advisory groups (“district advisory groups”).
- (2) The function of each district advisory group is to advise SEPA on any matter which—
 - (a) relates to—
 - (i) the preparation of any of the documents mentioned in subsection (3),
 - (ii) the review and updating of any such document,
 - (iii) any assessment (of possible contribution of alteration etc. of natural features and characteristics) under section 20, and
 - (iv) the review and updating of any such assessment, and
 - (b) is within the remit of the group.
- (3) The documents mentioned in subsection (2)(a)(i) are—
 - (a) the flood risk assessment for the district,
 - (b) the document (under section 13) identifying—
 - (i) potentially vulnerable areas in the district, and
 - (ii) local plan districts,
 - (c) each flood hazard map and flood risk map for the district,
 - (d) the flood risk management plan for the district.
- (4) SEPA must, in preparing, reviewing and updating the documents referred to in subsection (3) and in carrying out or reviewing any assessment under section 20, have regard to any advice given by a district advisory group for the district.

Status: This is the original version (as it was originally enacted).

- (5) The number of district advisory groups, and their remits, membership and procedure are to be such as SEPA may determine.
- (6) SEPA may determine the remit of a district advisory group for any flood risk management district by reference to one or more of the following—
 - (a) a particular geographical area,
 - (b) any other particular aspect of flood risk management within the district.
- (7) In determining the number of district advisory groups for any flood risk management district and their remits and membership, SEPA must seek to ensure appropriate representation of the interests of—
 - (a) the persons specified or referred to in section 30(5)(a) to (d), and
 - (b) such other persons as appear to SEPA to have an interest in flood risk management for the district.
- (8) SEPA may pay to members of a district advisory group such expenses and allowances as it may determine.

50 Sub-district flood risk advisory groups

- (1) For the purpose of setting up sub-district flood risk advisory groups, SEPA must divide each flood risk management district into such geographical areas (“sub-districts”) as it considers appropriate.
- (2) Each sub-district is to have a sub-district flood risk advisory group (“sub-district advisory group”).
- (3) The function of each sub-district advisory group is to advise—
 - (a) SEPA, on any matter which relates to—
 - (i) the preparation of the documents mentioned in subsection (4),
 - (ii) the review and updating of those documents,
 - (iii) any assessment (of possible contribution of alteration etc. of natural features and characteristics) under section 20, and
 - (iv) the review and updating of any such assessment, and
 - (b) lead authorities for local plan districts, all or part of which form part of the sub-district, on any matter which relates to the preparation of—
 - (i) a local flood risk management plan,
 - (ii) a report under section 37 or 38,
 so far as those matters are within the remit of the group.
- (4) The documents referred to in subsection (3)(a)(i) are—
 - (a) the flood risk assessment for the flood risk management district of which the sub-district forms part,
 - (b) the document (under section 13) identifying—
 - (i) potentially vulnerable areas in the district, and
 - (ii) local plan districts in the district,
 - (c) each flood hazard map and flood risk map for the district,
 - (d) the flood risk management plan for the district.

- (5) SEPA must, in preparing, reviewing and updating the documents referred to in subsection (4) and in carrying out or reviewing any assessment under section 20, have regard to any advice given by a sub-district advisory group.
- (6) A lead authority must, in preparing a local flood risk management plan or a report under section 37 or 38, have regard to any advice given by a sub-district advisory group.
- (7) The remit, membership and procedure of sub-district advisory groups are to be such as SEPA, after consulting local authorities all or part of whose areas form part of the sub-district, may determine.
- (8) In determining the remit and membership of a sub-district advisory group, SEPA must seek to ensure appropriate representation of the interests of—
 - (a) every responsible authority which has functions exercisable in or in relation to the sub-district,
 - (b) any category 1 responder (other than a responder which is a responsible authority) which has functions exercisable in or in relation to the sub-district,
 - (c) Scottish Natural Heritage,
 - (d) where any part of the sub-district has been designated as a National Park, the National Park authority for the National Park, and
 - (e) such other persons as appear to SEPA to have an interest in flood risk management for the sub-district.
- (9) SEPA may pay to members of a sub-district advisory group such expenses and allowances as it may determine.