

FLOOD RISK MANAGEMENT (SCOTLAND) ACT

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 4 – Flood Risk Management: Local Authority Functions

Section 56 – General power to manage flood risk

175. Subsection (1) enables a local authority to do anything which it considers will contribute to the implementation of current measures described in any relevant local flood risk management plan. It may also do anything it considers necessary to reduce an imminent risk of flooding which would be likely to have serious adverse consequences, or which it considers will otherwise manage flood risk in its area without affecting the implementation of the area's local flood risk management plan (for instance, because it will be possible to carry it out in addition to the measures identified in the plan).
176. Subsection (2) provides various illustrations of what a local authority may do under subsection (1), without restricting the generality of the power contained in that subsection.
177. Subsection (3) provides that work which meets the criteria in subsection (1) may be carried out within or outwith the local authority's area.