



Flood Risk Management (Scotland) Act 2009

2009 asp 6

PART 4 **S**

FLOOD RISK MANAGEMENT: LOCAL AUTHORITY FUNCTIONS

Flood protection schemes

PROSPECTIVE

62 Registers of flood protection schemes **S**

- (1) Every local authority must keep a register of flood protection schemes.
- (2) A local authority must enter into its register—
 - (a) details of each relevant scheme including—
 - (i) a summary of the operations described in the scheme,
 - (ii) a description (by reference to a map) of the land affected by those operations, and
 - (iii) a note of the date on which notice of the scheme is first published under paragraph 1(1)(a) of schedule 2,
 - (b) a note of the following in relation to each such scheme—
 - (i) any decision made under paragraph 4(1), 5(1), 7(4), or 9(1) of schedule 2,
 - (ii) the fact that notice has been given to the Scottish Ministers under paragraph 5(5) of that schedule including whether any relevant objector is a local authority or a National Park authority,
 - (iii) the fact that notice has been given of proposed modifications under paragraph 7(5)(a) or 9(3)(a) of that schedule,
 - (c) where such a scheme is confirmed with modifications, the information specified in paragraph (a)(i) and (ii) in relation to the modified scheme, and

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Flood Risk Management (Scotland) Act 2009, Section 62. (See end of Document for details)

- (d) a note of any suspension of the operation of such a scheme under paragraph 12(6) of schedule 2.
- (3) For the purposes of subsection (2)(a), a relevant scheme is a scheme—
 - (a) proposed by the local authority, or
 - (b) in relation to which it is notified under paragraph 1(1)(f)(iii) of schedule 2.
- (4) A local authority may remove information from its register relating to a scheme if the scheme is rejected under paragraph 4(1)(b), 7(4)(c) or 9(1)(c) of schedule 2.
- (5) A local authority must amend its register to reflect any decision of a sheriff under paragraph 12(7) of schedule 2 to quash a scheme recorded in its register in whole or in part.
- (6) Where a local authority enters information in its register about a scheme in relation to which it notified another local authority under paragraph 1(1)(f)(iii) of schedule 2, it must notify that authority of the information entered.
- (7) A local authority must make available its register for public inspection and may charge a reasonable fee for doing so.

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