Flood Risk Management (Scotland) Act 2009

Appendix 1

Clyde and Loch Lomond Local Plan District

Local Flood Risk Management Plan 2022 - 2028

Lead Local Authority Statement of Compliance with s34/ Schedule 1

Introduction

Section 34 of the above Act sets out that the lead local authority shall prepare the Local Flood Risk Management Plan and describes the requirements. It places duties upon lead local authorities, other responsible authorities and SEPA to agree to these plans, and in agreeing to these plans they must agree not only their actions contained in the plans, but that the plans comply with s34.

The following table is provided by Glasgow City Council to assist each responsible authority with providing their agreement to the Plan.

Section 34	
S34(1)	(1) The lead authority for each local plan district must prepare a local flood risk management plan to supplement the relevant flood risk management plan.
Glasgow City Council, as Lead Local Authority for the Clyde and Loch Lomond LPD, has prepared a LFRMP, in partnership with the other LPD responsible authorities.	
S34(2a & 2b)	(2) A local flood risk management plan is to consist of— (a) a supplementary part, and (b) an implementation part.
The Plan does not identify the supplemental and implementation part separately, but both are integral to the Plan with the Plan following the national template.	
S34(3a)	(3) The supplementary part must include— (a) a summary of the objectives, measures and other information included in the relevant flood risk management plan under paragraphs 1 to 3 of schedule 1 so far as relevant to the local plan district,
The Plan includes a summary and description of the objectives for each Target Area; the measures (Actions) and 'other information' (where relevant) to paras 1 to 3 of Schedule 1 – including a link to the national Flood Maps.	
S34(3bi, ii & iii)	(3) The supplementary part must include— (b) such information supplemental to that plan including such— (i) maps, (ii) information about how implementing the measures summarised under paragraph (a) may alter (including enhance) or restore natural features and characteristics, and (iii) further information about those measures, as the lead authority considers relevant to flood risk management within the local plan district, and
The Plan includes maps and information on how natural features will contribute to the management of flood risk. It also includes any 'further information' the lead authority considers relevant to flood risk management within the LPD.	

S34(3ci)	(3) The supplementary part must include— (c) a summary of— (i) the steps taken under subsections (1) to (6) of section 35 in relation to the local flood risk management plan,
The Plan makes reference to the joint consultation undertaken with SEPA.	
S34(3cii&3ciii)	(3) The supplementary part must include— (c) a summary of— (ii) any other consultation measures taken in connection with the preparation of the plan, and (iii) changes made to the plan in light of the views and representations received on it.
The Plan notes that the prioritisation of actions takes into account the consultation responses received.	
S34(4ai & 4aii)	(4) The implementation part must include a description of how the current measures are to be implemented including— (a) a detailed timetable for— (i) the completion of measures currently being implemented, and (ii) the implementation of measures yet to be commenced,
The Plan includes time periods for the actions except local authority actions that may require capital funding.	
S34(4bi & 4bii)	(4) The implementation part must include a description of how the current measures are to be implemented including— (b) in relation to each measure, a description of— (i) who is, or is to be, responsible for implementing the measure, and (ii) the arrangements for funding the measure,
The Plan includes a description of who (Lead Authority) is responsible for implementing the measures (Actions). The Plan also sets out arrangements for funding except local authority actions that may require capital funding.	
S34(4ci & 4cii) & 4d	(4) The implementation part must include a description of how the current measures are to be implemented including— (c) a description of how the functions of the persons identified under paragraph (b)(i) will be coordinated to implement the measures and, in particular, a description of how those functions will be coordinated insofar as the measures relate to— (i) the alteration (including enhancement) or restoration of natural features and characteristics, and (ii) surface run-off water or urban drainage, and (d) such other information as the lead authority considers relevant to the implementation of the measures.
The Plan includes a description of how the functions of those identified will be coordinated to implement the measures (Actions), and specifically, any that may relate to natural features and surface water run off or urban drainage, and other information the lead authority considers relevant to the implementation of the proposed measure (Action).	

S34(5)	(5) The implementation part may also include a description of how other measures summarised in the supplementary part under subsection (3)(a) are to be implemented.
The Plan contains no 'other measures' for implementation.	
S34(6)	(6) A local flood risk management plan must also include such other matters as the Scottish Ministers may specify by regulations.
Scottish Ministers have made no further specifications by regulation for inclusion in the Plan.	
S34(7)	(7) Before making regulations under subsection (6), the Scottish Ministers must consult— (a) SEPA, (b) every responsible authority, and (c) such other persons as they consider appropriate.
See S34(6).	
S34(8)	(8) A local flood risk management plan must not be inconsistent with anything in the relevant flood risk management plan.
The Plan has been developed from, and is consistent with, the Flood Risk Management Plan for the Clyde and Loch Lomond Local Plan District published by SEPA.	
S34(9-11)	
These clauses are descriptive and have no requirements to be satisfied.	