

Appendix B – Review of relevant plans, programmes and strategies

Name	Main objectives of plan, programme, strategy or relevant legislation	How it affects, or is affected by the Flood Risk Management Plans in terms of SEA issues
Population and human health		
<i>United Kingdom</i>		
Civil Contingencies Act 2004	<p>The Act delivers a framework for civil protection in the United Kingdom. The act defines the responsibilities for responders to emergency which include (among others):</p> <ul style="list-style-type: none"> - assess the risk of emergencies and use to inform contingency planning - put in place emergency plans - put in place arrangements to make information available to the public about civil protection matters and to maintain arrangements to warn, inform and advise the public in the event of an emergency 	The Flood Risk Management Plans should support the requirements of responders to fulfil their statutory duties.
<i>Scotland</i>		
Land Reform (Scotland) Act 2003	Gives legal right of responsible access in Scotland. Promotes the development of core paths for walking, cycling and riding in Local Authority encouraging increased levels of physical activity	The Flood Risk Management Plans should give consideration to providing recreational benefits and promoting core paths alongside flood risk management actions.
Biodiversity, flora and fauna		
<i>International</i>		

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Convention on Wetlands of International Importance 1971 (amended 1982 and 1987)	<p>Otherwise known as the Ramsar Convention, this provides a framework for national action and international co-operation for the conservation and sustainable utilization of wetlands and their resources. It recognises the fundamental ecological functions of wetlands and their economic, cultural, scientific, and recreational value, particularly as a key habitat for waterfowl.</p> <p>There is a Ramsar List of designated sites for management & conservation at an international level.</p>	<p>The Flood Risk Management Plans should ensure that all Ramsar sites are protected from loss or damage as a result of flood management actions. In Scotland, all Ramsar sites are also Special Protection Areas (SPAs) or Special Areas of Conservation (SACs) and so are protected by virtue of being a Natura site (see below). The Flood Risk Management Plans also offer opportunities for creation or remediation of wetlands and these opportunities should be given suitable consideration.</p>
UN Convention on Biological Diversity (1992)	<p>Key objective of the Convention is to develop national strategies for the conservation and sustainable use of biological diversity, which should be integrated across other policy sectors.</p> <p>Key biological resources should be identified and protected. Monitoring of potentially damaging processes and activities should also be undertaken. Actions taken under the Convention include:</p> <ul style="list-style-type: none"> - Publication of a Scottish Biodiversity Strategy 	<p>The Flood Risk Management Plans should look for opportunities to conserve, and where possible restore, biodiversity.</p>

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	<ul style="list-style-type: none"> - Establishment of a UK Biodiversity Action Plan and Scottish Biodiversity Action Plans to implement the Convention. - Establishment of Local Biodiversity Action Plans to protect, enhance and promote local biodiversity. 	
<i>European</i>		
Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora ('Habitats Directive')	Builds on the Birds Directive (see below) by protecting natural habitats and other species of wild plants and animals. Together with the Birds Directive, it underpins a European network of protected areas known as Natura 2000: Special Protection Areas (SPAs, classified under the Birds Directive) and Special Areas of Conservation (SACs, classified under the Habitats Directive).	The Flood Risk Management Plans should aim to prevent loss or damage to Natura 2000 sites (where loss/damage is not a result of natural processes). The Flood Risk Management Plans are expected to require a Habitats Regulations Appraisal and, as such, may require an 'appropriate assessment' to ensure that they do not adversely affect SPAs and SACs.
Council Directive 79/409/EEC on the conservation of wild birds ('Birds Directive')	Protects all wild birds, their nests, eggs and habitats within the European Community. It gives EU member states the power and responsibility to classify Special Protection Areas (SPAs) to protect birds which are rare or vulnerable in Europe, as well as all migratory birds which are regular visitors.	The Flood Risk Management Plans should aim to prevent loss or damage to Natura 2000 sites (where loss/damage is not a result of natural processes). (See above)
The Pan-European Biological and	The Strategy aims to reverse the decline of landscape and biological diversity, by promoting innovation and proactive policy making. It supports preceding measures for protecting	The Flood Risk Management Plans should support the Strategy by considering the

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Landscape Diversity Strategy (1995)	natural heritage and aims to supplement these by further supporting a number of action themes relating to different environmental resources.	contribution that actions could make to protecting biodiversity and landscapes.
EU Biodiversity Strategy for 2030 (2020)	<p>Aims to put Europe's biodiversity on a path to recovery by 2030 with benefits for people, the climate and planet. Includes targets and actions related to:</p> <ul style="list-style-type: none"> - building upon existing Natura 200 areas by establishing an EU-wide network of protected areas - implementation of an EU Nature Restoration Plan - measures to enable strengthened governance and decision making - Adoption of a global biodiversity framework under the Convention on Biological Diversity. 	The Flood Risk Management Plans should support the aims and commitments of the Strategy by minimising impacts on biodiversity, and by considering the contribution that actions could make to maintaining and restoring ecosystems.
<i>United Kingdom</i>		
UK Post 2010 Biodiversity Framework / UK Post-2010 Biodiversity Framework Implementation Plan (2013) and UK Post-202 Biodiversity	A UK agreement on a framework of priorities for the Convention of Biological Diversity. Biodiversity strategies for England and for Scotland (see below) set out greater detail.	The Flood Risk Management Plans will have regard to this framework, by virtue of regard to the country level strategies (see below).

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Framework Revised Implementation Plan (2018)		
<i>Scotland</i>		
The Wildlife and Countryside Act 1981 (as amended for Scotland)	Provides the framework for protection of species other than European Protected Species. Sets out protection objectives for specified birds and wild animals.	The Flood Risk Management Plans should have regard to the protection of species as per the Act.
The Environment Act 1995	<p>Under this Act, SEPA has several broad, conservation-related duties:</p> <p>Section 32 duties – in particular, in formulating or considering any proposals relating to any of its functions, SEPA should “have regard to the desirability of conserving and enhancing the natural heritage of Scotland”, and “to take into account any effect which the proposals would have on the natural heritage of Scotland”</p> <p>Section 34 duties – SEPA has a duty “generally to promote the conservation and enhancement of the natural beauty and amenity of inland and coastal waters and of land associated with such waters”, and “generally to promote the conservation of flora and fauna which are dependent on an aquatic environment”.</p>	The Flood Risk Management Plans should have regard to conservation of natural heritage and should promote the conservation of natural heritage and biodiversity of inland and coastal waters.

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The Conservation (Natural Habitats) Regulations 1994 (as amended for Scotland)	These regulations relate to the designation of Natura sites, and provision of protection to various plant and animal species.	The Flood Risk Management Plans should ensure that Natura 2000 sites are protected from loss or damage (see above).
Nature Conservation (Scotland) Act 2004	<p>This Act sets out the process for designating and protecting SSSIs.</p> <p>Public bodies have a statutory obligation to ‘further the conservation of biodiversity’.</p> <p>Under the requirements of the Act, the Scottish Government has produced Scottish Biodiversity Strategy (below), to which all public bodies should pay regard.</p>	The Flood Risk Management Plans should take into account the protection of SSSIs. The Flood Risk Management Plans should consider the contribution that can be made to conserving, and where possible restoring biodiversity and avoiding adverse impacts on sites, habitats and species of value as defined in the Scottish Biodiversity Strategy and associated priority lists (see below).
<p>Scottish Biodiversity Strategy:</p> <p>1. “Scotland’s Biodiversity – It’s in Your Hands. A strategy for the conservation and enhancement of</p>	<p>These two documents together comprise the Scottish Biodiversity Strategy.</p> <p>The 2020 Challenge document provides greater detail in some areas, responds to the new international targets, and updates some elements of the 2004 document. It sets out principles and approaches to protect biodiversity and how we can harness nature and its many processes and functions to improve our prosperity and welfare.</p>	The Flood Risk Management Plans should consider the contribution that actions could make to conserving, and where possible restoring, biodiversity. They should also recognise the contribution that biodiversity makes to health and quality of life.

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<p>biodiversity in Scotland” (2004) 2. 2020 Challenge for Scotland's Biodiversity - A Strategy for the conservation and enhancement of biodiversity in Scotland (2013)</p>		
<p>Scottish Forestry Strategy (2006)</p>	<p>This strategy is a framework for taking forestry forward through the first half of this century and beyond. Amongst other outcomes, it aims to contribute to a high quality, robust and adaptable environment. One of its targets is to increase Scotland’s woodlands increase from 17.1% of land area to about 25%.</p>	<p>The Flood Risk Management Plans should have regard for the objectives and targets set out in the strategy.</p>
<p>Scotland’s Forestry Strategy 2019-2029 (2019) and Forestry Strategy Implementation Plan 2020-2022 (in progress)</p>	<p>This strategy is a framework for taking forestry forward through the next century. It aims to:</p> <ul style="list-style-type: none"> - Increase the contribution of forests and woodlands to Scotland’s sustainable and inclusive economic growth - Improve the resilience of Scotland’s forests and woodlands and increase their contribution to a healthy and high-quality environment 	<p>The Flood Risk Management Plans should have regard for the objectives and targets set out in the strategy.</p>

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	<ul style="list-style-type: none"> - Increase the use of Scotland's forest and woodland resources to enable more people to improve their health, well-being and life chances 	
Wildlife and Natural Environment (Scotland) Act 2011	Draws together and updates legislation on nature conservation. Focuses on a series of key measures relating to certain land management activities.	The Flood Risk Management Plans should have regard for the objectives and targets set out in the strategy.
Soil		
<i>European</i>		
EU Thematic Strategy for Soil Protection, including proposals for a Soil Framework Directive (2006)	<p>The Soil Thematic Strategy is seeking to:</p> <ul style="list-style-type: none"> - Establish common principles for the protection and sustainable use of soils; - Prevent threats to soils, and mitigate the effects of those threats; - Preserve soil functions within the context of sustainable use; and - Restore degraded and contaminated soils to approved levels of functionality. 	The provisions of the European Strategy should form a framework for soil protection and improvement that the Flood Risk Management Plans should take into account.
<i>Scotland</i>		
Scottish Soil Framework (2009)	<p>A high-level national strategy intended to strengthen and improve the protection of soils in Scotland. It sets out a number of outcomes for soil protection including:</p> <ul style="list-style-type: none"> - Protect and where appropriate, enhance soil organic matter stock - Reduce/remediate soil erosion 	<p>The Soil Framework could benefit the aims of sustainable flood risk management.</p> <p>Flood Risk Management Plans should consider the contribution that actions (particularly any proposed land use</p>

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	<ul style="list-style-type: none"> - Maintain soil structure - Contribute to sustainable flood management - Reduce soil contamination - Reduce pressure on soils by using brownfield sites in preference to greenfield - Protect soils with significant historical and cultural features 	change or physical action) could make to deliver the outcomes of the soil framework.
Scotland's National Peatland Plan – Working for our future (2015)	The Plan recognises the wide range of benefits provided by healthy peatlands and sets out a number of aims to protect it. The principal aim of the plan is to: 'Protect, manage and restore peatlands to maintain their natural functions, biodiversity and benefits'	The Flood Risk Management Plans should have regard for the objectives and targets set out in the plan.
Getting the best from our land – A land use strategy for Scotland (2016-2021)	The Strategy focuses on land as one of our key natural assets and recognises that it underpins much of Scotland's economic activity, further noting that the way it is used and managed is therefore of key importance. It is stated that the strategy will sit alongside other Government plans and strategies, including infrastructure such as transport.	The Flood Risk Management Plans should have regard for the objectives and targets set out in the strategy.
Water		
<i>European</i>		
Water Framework Directive (2000/60/EC)	The Directive establishes a legal framework for the protection, improvement and sustainable use of surface waters, transitional waters, coastal waters and groundwater across Europe in order to:	The Flood Risk Management Plans should, where possible, help to achieve the objectives and measures proposed in the River Basin Management Plans.

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	<ul style="list-style-type: none"> - Prevent deterioration and enhance status of aquatic ecosystems, including groundwater; - Promote sustainable water use; - Reduce pollution; and - Contribute to the mitigation of floods and droughts. <p>Key objective is for all inland and coastal waters to achieve 'good ecological status' (or 'good ecological potential') by 2015. This is to be achieved through River Basin Management Plans.</p>	
Bathing Water Directive 2006 (2006/7/EC)	The Directive aims to protect the public and the environment from faecal pollution at waters used for bathing by a large number of visitors. Achieves this by making information on bathing water available to the public, and by setting standards to be met by 2015.	The Flood Risk Management Plans should consider the contribution that actions could make towards the attainment of bathing water quality standards.
Nitrates Directive (91/676/EC)	The Nitrates Directive has the objectives of reducing water pollution caused or induced by nitrates from agricultural sources and preventing further pollution. Key requirements are the designation of Nitrate Vulnerable Zones and the establishment of action programmes in relation to these zones.	The Flood Risk Management Plans should take into account the contribution that actions could make towards reducing nitrate pollution.
Groundwater Daughter Directive (2006/118/EC)	Made under the Water Framework Directive, the Daughter Directive aims to prevent and limit inputs of pollutants to groundwater. It also provides further	The Flood Risk Management Plans should, where possible, contribute to the protection of groundwater from point

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	details on criteria for assessing good groundwater status and for the identification of significant and sustained upwards trends and the starting points for trend reversal.	source and diffuse pollution that could be caused or exacerbated by flooding.
<i>United Kingdom</i>		
Pollution and Prevention and Control Act 1999 (Integrates Directive (96/61/EC))	Regulating industrial and commercial activities which may cause environmental pollution and to prevent and control any emissions that are capable of causing pollution.	The Flood Risk Management Plans should take into account any significant flood risk from Integrated Pollution Prevention and Control sites.
Coast Protection Act 1949	The Act provides Local Authorities with permissive powers to undertake works to protect the coast against erosion and encroachment by the sea.	The Flood Risk Management Plans should take account of existing and planned works under this Act.
Shoreline Management Plans	Shoreline Management Plans are non-statutory plans that aim to identify the best approach to managing risks from flooding and coastal erosion for individual areas and the wider coast. These plans have been produced for the entire coastline of England and Wales, and a handful for Scotland.	The Shoreline Management Plans make a more detailed assessment of coastal flooding than that found in the Flood Risk Management Plans. Flood Risk Management Plans should be compatible with shoreline management plans.
Flood Risk (Cross Border Areas) Regulations 2010	Extends the application of the Flood Risk Management (Scotland) Act 2009 to the Scottish section of the Solway-Tweed River Basin District and makes arrangements for cross-border co-ordination of flood risk assessments.	The Flood Risk Management Plans should, where possible, help to achieve the objectives and measures proposed in the regulations.
<i>Scotland</i>		

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Water Environment and Water Services (Scotland) Act 2003	This Act implements the requirements of the Water Framework Directive. It defines the environmental standards and conditions to help assess risks to the ecological quality of the water environment and identify the scale of improvements needed to bring those waters not in good condition back to good health. Sets out arrangements for River Basin Management Planning and Controlled Activities Regulations.	The Flood Risk Management Strategy should, where possible, help to achieve the objectives and measures proposed in the River Basin Management Plans.
Scotland River Basin Management Plan (2015) and Solway Tweed River Basin Management Plan (2015)	Sets out objectives and measures to improve the quality of water bodies and protect those already in good condition. Draft plans for the third cycle are currently in preparation.	The Flood Risk Management Plans should, where possible, help to achieve the objectives and measures proposed in the River Basin Management Plans.
Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended)	A Controlled Activities Regulations authorisation is intended to control impacts on the water environment including mitigating the effects on other water users. Certain activities are permitted under the General Binding Rules; other activities require a Controlled Activities Regulations authorisation.	Actions proposed in the Flood Risk Management Plans may require Controlled Activities Regulations authorisation, however, this would apply later on in the planning process.
SEPA Groundwater Protection Policy for Scotland v3 (2009)	This policy aims to provide a sustainable future for Scotland's groundwater resources by protecting legitimate uses of groundwater and providing a common SEPA framework to: <ul style="list-style-type: none"> - Protect groundwater quality by minimising the risks posed by point and diffuse sources of pollution; 	Flooding can release or exacerbate pollution – the Flood Risk Management Plans should aim, where possible, to manage significant flood risk to

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	<ul style="list-style-type: none"> - Maintain the groundwater resource by authorising abstractions and by influencing developments, which could affect groundwater quantity. 	groundwater from flooding related pollution.
Pollution Prevention and Control (Scotland) Regulations 2012	Regulating industrial and commercial activities which may cause environmental pollution and to prevent and control any emissions that are capable of causing pollution.	The Flood Risk Management Plans should take into account any significant flooding to Integrated Pollution Prevention and Control sites that results in pollution.
Reservoirs (Scotland) Act 2011	The Act will place a new regulatory duty upon SEPA to ensure reservoirs are monitored, inspected and maintained in accordance with the legislation to ensure their structural integrity. Currently this responsibility lies with local authorities. One part of SEPA's duties will be to assign a risk designation to all sites covered by the legislation, based on the potential adverse consequences of an uncontrolled release of water and the probability of such a release.	The Flood Risk Management Plans should consider the flood risk from reservoirs will be alongside other sources of flooding.
Reservoirs (Scotland) Order 2016	Enables SEPA to enforce the requirements of the Reservoirs (Scotland) Act 2011	The Flood Risk Management Plans should consider the flood risk from reservoirs will be alongside other sources of flooding.
The Water Industry (Scotland) Act 2002 and Sewerage (Scotland) Act 1968	This gives responsibilities to Scottish Water to manage the discharge of surface water that enters its drainage systems (by providing sewers and public Sustainable Urban Drainage Systems (SUDs)) and to maintain water supplies and drainage infrastructure.	The Flood Risk Management Plans should have regard to Scottish Water's duties under this Act.

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Scottish Water Business Plan 2015 - 2021	<p>The business plan sets out how Scottish Water will deliver improvements to drinking water quality, the environment and customer service required by Scottish Ministers. This includes:</p> <ul style="list-style-type: none"> - a summary of proposed investment to improve the environment - a commitment to assess the risk of customers being affected by sewer flooding due to overloading - a commitment to work with the local authorities and SEPA to develop plans to reduce flood risk. 	The Flood Risk Management Plans should be developed with regard to the objectives and actions proposed in the Business Plan.
Metropolitan Glasgow Strategic Drainage Partnership	The Metropolitan Glasgow Strategic Drainage Partnership aims to deliver flood risk reduction, river water quality improvements, habitat improvement, integrated investment planning, and to enable economic development in the Metropolitan Glasgow area.	The Flood Risk Management Plans should seek to coordinate with and complement the plans of the Metropolitan Glasgow Strategic Drainage Partnership.
Marine (Scotland) Act 2010	The Act provides powers for Scottish Ministers to select and manage Marine Protected Areas for the protection and enhancement of marine biodiversity and for the preservation of marine historic assets of national importance. The Act also requires Scottish Ministers to prepare and adopt a National Marine Plan, and allows for a system of regional marine planning.	The Flood Risk Management Plans should have regard to the protection of Marine Protected Areas.
The River Basin Management Plan	The Plan seeks to protect and improve the water environment of the Scottish river basin district. The plan sets out what	The Flood Risk Management Plans should have regard for the objectives and actions

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for the Scotland River Basin District: 2015-2027 (2015)	relevant authorities should do to tackle the pressures on and improve the condition of affected rivers, lochs, estuaries, coastal waters and groundwater.	identified in the River Basin Management Plans.
Flood Risk Management (Scotland) Act 2009	<p>The Act sets out a more sustainable approach to flood risk management. The Act includes the following specific measures:</p> <ul style="list-style-type: none"> - A framework for coordination and cooperation between all organisations involved in flood risk management; - Assessment of flood risk and preparation of flood risk management plans; - New responsibilities for SEPA, Scottish Water and local authorities in relation to flood risk management; - A revised, streamlined process for flood protection schemes; - New methods to enable stakeholders and the public to contribute to managing flood risk, and; - A single enforcement authority for the safe operation of Scotland's reservoirs. 	The Flood Risk Management Plans should seek to implement the Flood Risk Management (Scotland) Act 2009.
Scotland's National Marine Plan (2015)	The National Marine Plan fulfils joint requirements under the Marine (Scotland) Act 2010 and Marine and Coastal Access Act 2009 to prepare marine plans, providing a cohesive approach which covers both Scottish inshore and offshore waters and is in accordance with EU Directive 2014/89/EU on maritime spatial planning which came into force in July 2014.	The Flood Risk Management Plans should have regard of the National Marine Plan.

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	<p>The plan notes the importance of the interaction and alignment between marine and terrestrial planning in order to achieve the Plans overall vision:</p> <p>‘Clean, healthy, safe, productive and diverse seas; managed to meet the long-term needs of nature and people’</p>	
Islands (Scotland) Act 2018	<p>The purpose of the Act is to make provision for a national islands plan, to impose duties in relation to island communities on certain public authorities, to make provision about the electoral representation of island communities, and to establish a licensing scheme in respect of marine development adjacent to islands. The purpose of a future national islands plan is to set out the main objectives and strategy of the Scottish Ministers in relation to improving outcomes for island communities. In addition, the Act requires Scottish Ministers to prepare an island communities impact assessment in relation to legislation which would have an effect on an island community.</p>	<p>The Flood Risk Management Plans should have regard of the Island (Scotland) Act 2018.</p>
Scotland’s National Marine Plan (2015)	<p>Provides an overarching framework for marine activities to protect and enhance the marine environment whilst promoting emerging and existing industries.</p>	<p>The Flood Risk Management Plans should be developed with regard to the objectives and actions proposed in the National Marine Plan.</p>
Delivering sustainable flood	<p>Provides guidance to support the Flood Risk Management (Scotland) Act. It presents six overarching outcomes for Scotland which are:</p>	<p>The Flood Risk Management Plans seek to implement the outcomes of the guidance.</p>

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risk management: guidance (2019)	<ul style="list-style-type: none"> - A reduction in the number of people, homes and property at risk of flooding as a result of public funds being invested in actions that protect the most vulnerable and those areas at greatest risk of flooding. - Rural and urban landscapes with space to store water and slow down the progress of floods. - Sustainable surface water management that decreases burdens on our sewer systems while also delivering reduced flood risk and an improved water environment. - Coasts and estuaries managed in a way which aims to reduce flooding, respects the changing nature of the coast and takes into account potential impacts of interventions on flooding and erosion in adjacent areas. - A well-informed public who understands flood risk and takes actions to protect themselves, their property or their businesses. <p>Flood management actions being undertaken that will stand the test of time and be adaptable to future changes in the climate.</p>	
Surface water management	Sets out the process that responsible authorities should follow when developing and implementing their Surface Water Management Plans.	Flood Risk Management Plans form part of the implementation of this guidance and

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planning: guidance (2018)		therefore should be driven by this guidance.
Air – scoped out of assessment		
Climatic factors		
<i>European</i>		
EU 2050 Long-Term Strategy	The overall aim of this strategy is for the EU to be climate-neutral by 2050. The strategy requires all member states to develop national long-term strategies on how they will achieve the greenhouse gas emission reductions required to achieve their commitments.	The Flood Risk Management Plans should contribute to climate change mitigation. The targets are subsumed by Scottish legislation (see below)
<i>United Kingdom</i>		
Climate Change Act 2008	The Act set a statutory target for the UK as a whole to reduce greenhouse gas emissions by at least 80 per cent by 2050 and provides a framework for shared action.	The Flood Risk Management Plans should contribute to climate change mitigation. The targets are subsumed by Scottish legislation (see below)
UK Climate Change Risk Assessment 2017	Outlines key climate change risks and opportunities faced by the UK and reports on level of action required.	The Flood Risk Management Plans should contribute to climate change mitigation and adaptation.
<i>Scotland</i>		
Climate Change (Scotland) Act 2009	The Act sets targets to reduce Scotland's emissions of the basket of six Kyoto Protocol greenhouse gases by at least 42% by 2020 and 80% by 2050, compared to the 1990/1995 baseline.	The Flood Risk Management Plans should contribute to climate change mitigation and adaptation.

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	<p>The Act also places duties on public bodies, when exercising their functions, they must act in the way:</p> <ul style="list-style-type: none"> - best calculated to contribute to delivery of the Act's emissions reduction targets; - best calculated to deliver any statutory adaptation programme; and - that it considers most sustainable. 	
Climate Change (Emissions Reduction Targets) (Scotland) Act (2019)	The Act, introduced in 2019, makes amendments to the Climate Change (Scotland) Act 2009, including increasing the 2050 emissions target to 90% reduction from the baseline, as well as sets interim targets of 56% for 2020, 66% for 2030 and 78% for 2040.	The Flood Risk Management Plans should contribute to climate change mitigation and adaptation.
Scottish Climate Change Adaptation Programme (2014) and Climate Ready Scotland: Scottish Climate Change Adaptation Programme 2019-2024 (2019)	<p>The Scottish Climate Change Adaptation Programme provides an overarching framework for adaptation to climate change, setting out Scottish Ministers' objectives in relation to adaptation to climate change and their policies and proposals for meeting those objectives, as required by the 2009 Act. The second iteration of the Programme, which builds on the progress of the first programme, is an outcome-based programme.</p> <p>Vision: 'Our overarching vision is that we live in a Scotland where our built and natural places, supporting infrastructure, economy</p>	The Flood Risk Management Plans will take climate change projections into account when assessing flood risk, setting objectives and selecting actions. Actions should, where possible, be adaptable in future to the effects of a changing climate.

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	and society are climate ready, adaptable and resilient to climate change’.	
Scottish Government Sector Action Plans for Water (2012)	<p>The Sector Action Plan for Water includes flooding-related actions for SEPA:</p> <ul style="list-style-type: none"> - Developing datasets to support flood risk management - Improved monitoring of flood risk - Investing in demonstration projects - Study of impact of flows on sewerage network - Flood risk management plans - Floodline expansion 	The Flood Risk Management Plans will take climate change projections into account when assessing flood risk, setting objectives and selecting actions. Actions should, where possible, be adaptable in future to the effects of a changing climate.
Climate Change Plan – The Third Report on Proposals and Policies 2018-2032 (2018)	<p>The Climate Change Plan provides an update on previous targets and seeks to set out ambitious decarbonisation plans up to 2032.</p> <p>The CCP, which is a statutory plan, sets out how Scotland will meet the emissions reduction targets under the current legislation.</p> <p>Section 35 of the Climate Change (Scotland) Act 2009 requires Scottish Ministers to lay a report in Parliament setting out their proposals and policies for meeting annual emissions reduction targets.</p> <p>The plan sets out how Scotland can deliver its target of 66% emissions reductions for the period 2018-2032.</p> <p>Part one sets out the context for the Scottish Government’s climate change proposals and policies.</p>	The Flood Risk Management Plans should contribute to climate change mitigation and adaptation.

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	The Scottish Government's statutory duties are covered in Part Two, alongside annual emissions targets to 2032. Part three provides a detailed information on the emissions envelopes and emissions reductions trajectories for each sector.	
Climate Change Plan: third report on proposals and policies 2018-2032	Sets out the path to a low carbon economy to enable Scotland to deliver its target of 66% emissions reduction. Most relevant is Chapter 6 which sets out plans for Land use Change including a commitment to create 100,000 ha of woodland between 2012 and 2022.	The Flood Risk Management Plans should contribute to delivery of the plan where practicable.
Material assets		
<i>United Kingdom</i>		
Civil Contingencies Act 2004	The Act delivers a framework for civil protection in the United Kingdom. The Act defines the responsibilities for responders to emergency which include (among others): <ul style="list-style-type: none"> - assess the risk of emergencies and use to inform contingency planning - put in place emergency plans - put in place arrangements to make information available to the public about civil protection matters and to maintain arrangements to warn, inform and advise the public in the event of an emergency 	The Flood Risk Management Plans should support the requirements of responders to fulfil their statutory duties
<i>Scotland</i>		

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Infrastructure Investment Plan (2015)	<p>The plan sets out priorities for investment and a long-term strategy for the development of public infrastructure in Scotland. It sets out why the Scottish Government needs to invest, how it will invest and what strategic large-scale investments it intends to take forward over a 20- year period. Infrastructure investment is prioritized based on the guiding principles of:</p> <ul style="list-style-type: none"> - delivering sustainable economic growth through increasing competitiveness and tackling inequality; - managing the transition to a more resource efficient, lower carbon economy; - supporting delivery of efficient and high-quality public services; and - supporting employment and opportunity across Scotland. 	<p>The Flood Risk Management Plans should take account of potential impacts (both positive and negative) of actions on existing and planned developments, and the contribution that any planned investment (e.g. into water infrastructure) might be able to make to managing flood risk.</p>
Roads (Scotland) Act 1984	<p>This Act empowers the roads authorities (for trunk roads) and local authorities (for other public roads), to carry out works to protect roads from flooding. The Act also empowers roads authorities to carry out various works to drain roads and to prevent surface water from flowing onto them.</p>	<p>The Flood Risk Management Plans will identify areas that would benefit from Surface Water Management Plans. These management plans are likely to include a partnership approach to coordinating surface water management for roads, which should benefit the aims of both the Roads Act and the Flood Risk Management Plans.</p>

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Zero Waste Plan (2010)	The Zero Waste plan aims to make the most efficient use of Scotland's resources. It involves developing a waste plan for all types of waste.	The Flood Risk Management Plans should, where relevant, aim to minimise creation of waste.
Making Things Last: a circular economy strategy for Scotland (2016)	Sets out priorities for moving towards a circular economy. The strategy prioritises waste prevention, through design, reuse, repair, remanufacturing and recycling.	The Flood Risk Management Plans should have regard to the aims of the Circular Economy Strategy and aim to consider a waste prevention and circular economy approach where appropriate.
SEPA's Sector Plans	Support the transition to a circular economy. In particular, sector plans for Hosing and Strategic Infrastructure (Transport and Utilities) set out aspirations to reduce/ avoid flood risk, be adaptable and resilient to flooding and a changing climate and to minimise the use of raw materials.	The Flood Risk Management Plans should have regard to the aims of the Sector Plans and seek to implement the objectives of the plans where relevant.
Cultural heritage		
<i>International</i>		
UNESCO World heritage sites	World Heritage Site status is the highest accolade of recognition of an area of globally outstanding natural and/or cultural heritage. A site requires statutory protection and management. There are five sites in Scotland.	The Flood Risk Management Plans aim to manage any significant flood risk at world heritage sites, and should aim to prevent damage to these sites from any flood risk management actions.
<i>United Kingdom</i>		
Ancient Monuments and Archaeological Areas Act 1979 (as	Protects ancient monuments, including monuments on the foreshore and underwater. It is an offence to carry out, without the prior written consent of the Scottish Ministers	The Flood Risk Management Plans should have regard to protecting scheduled monuments from flood risk and to

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amended by Historic Environment (Amendment) (Scotland) Act 2011)	(scheduled monument consent), any works which would have the effect of demolishing, destroying, damaging, removing, repairing, altering, adding to, flooding or covering up the monument.	preventing damage from the implementation of flood risk management actions.
<i>Scotland</i>		
Planning (Listed Buildings and Conservations Areas) (Scotland) Act 1997 (as amended by Historic Environment (Amendment) (Scotland) Act 2011)	A system to protect and control changes to historic buildings. Any work which affects the character of a listed building or structure will require listed building consent.	The Flood Risk Management Plans should have regard to the protection of listed buildings (where appropriate to do so at a strategic level of assessment).
Marine (Scotland) Act 2010	The Act enables Scottish Minister to designate part of a Marine Protected Area as a Historic Marine Protected Area. Scottish Ministers can make Marine Conservation Orders to support stated preservation objectives for Historic Marine Protected Areas.	The Flood Risk Management Plans should have regard to the protection of Historic Marine Protected Areas.
Historic Environment Scotland Act 2014	The Historic Environment Scotland Act 2014 sets out Historic Environment Scotland's role and legal status, including changes in processes for the designation of monuments and buildings (scheduling and listing) and for consents relating to	The Flood Risk Management Plans should have regard to the protection of scheduled monuments, listed buildings and conservation areas (where appropriate to do so at a strategic level of assessment).

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	scheduled monuments, listed buildings and conservation areas.	
Historic Environment Policy for Scotland (HEPS) (Historic Environment Scotland 2019)	<p>The policy statement replaces the Historic Environment Scotland Policy (HESPS) (2016) and provides direction on decision-making that affects the historic environment. There are six policies for managing the historic environment, which are:</p> <ul style="list-style-type: none"> - Decisions affecting the historic environment should be informed by an inclusive understanding of its breadth and cultural significance. - Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations. - Plans, programmes, policies and strategies and the allocation of resources should be approached in a way that protects and promotes the historic environment. Detrimental impacts on the historic environment should be avoided (rather than minimised). Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place. - Changes to specific assets and their context should be managed in a way that protects the historic 	The Flood Risk Management Plans should have regard to the protection of the historic environment.

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	<p>environment. Opportunities for enhancement should be identified where appropriate. If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.</p> <ul style="list-style-type: none"> - Decisions affecting the historic environment should contribute to the sustainable development of communities and places. - Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. - Decision-making processes should be collaborative, open, transparent and easy to understand. 	
Our Place in Time – The Historic Environment Strategy for Scotland (2014)	Scotland’s Historic Environment Strategy is a high-level framework which sets out a 10-year vision for the historic environment. The key outcome is to ensure that the cultural, social, environmental and economic value of Scotland’s historic environment continues to make a strong contribution to the wellbeing of the nation and its people. It was developed collaboratively and identified the need for strategic priorities to help align and prioritise sector activity towards a common goal.	The Flood Risk Management Plans should have regard to the protection of the historic environment.

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Creating Places: A Policy Statement on Architecture and Place (2013)	The policy statement sets out the value good design can deliver, noting that successful places can unlock opportunities, build vibrant communities and contribute to a flourishing community. The important role of maintain cultural connections is also noted.	The Flood Risk Management Plans should have regard to the protection of the architectural integrity of the historic environment and communities.
Historic Environment Climate Change Risk Assessment (2018)	Presents an assessment of potential risks of climate change, such as flooding, to inform future management of historic sites.	The Flood Risk Management Plans should aim to manage significant flood risk at historic sites and aim to prevent damage to these sites from any flood risk management actions. The strategies should have due consideration of risks identified by the assessments.
Landscape		
<i>International</i>		
UNESCO World heritage sites	World Heritage Site status is the highest accolade of recognition of an area of globally outstanding natural and/or cultural heritage. A site requires statutory protection and management. There is one Landscape World Heritage Site in Scotland – the islands of St Kilda.	SEPA's National Flood Risk Assessment has not identified St Kilda as an area of significant flood risk so it will not be affected by the Flood Risk Management Plans.
<i>European</i>		
European Landscape Convention	The European Landscape Convention is a Council of Europe initiative that highlights the importance of all landscapes and encourages more attention to their care and planning. The UK signed up to the convention in 2006, and it now provides a	The Flood Risk Management Plans should have due consideration to protecting landscapes.

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	framework for our work for Scotland's landscapes. Public authorities are encourage to adopt policies and measures at local, regional, national and international level for protecting, managing and planning landscapes.	
<i>Scotland</i>		
National Parks (Scotland) Act 2000	<p>This Act enables the creation of National Parks, which aim to:</p> <ul style="list-style-type: none"> (1) to conserve and enhance the natural and cultural heritage of the area, (2) to promote sustainable use of the natural resources of the area, (3) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public, and (4) to promote sustainable economic and social development of the areas communities, and that in cases of conflict of these aims, the national park authority must give priority to aim (1). <p>There are two national parks in Scotland:</p> <ul style="list-style-type: none"> - Cairngorms National Park - Loch Lomond and the Trossachs National Park 	The Flood Risk Management Plans should have regard to the purposes of the National Parks and the National Park Plans.
Ancient Monuments and Archaeological Areas Act 1979	Requires Ministers to compile and maintain a list of designated gardens and landscapes of national importance.	The Flood Risk Management Plans should give due consideration to impacts on designated landscapes.

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The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013	Planning authorities must consult Scottish Ministers on 'development which may affect a historic garden or designed landscape'	The Flood Risk Management Plans should give due consideration to impacts on designated landscapes.
Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006	The Act enables the identification of National Scenic Area (as an area "of outstanding scenic value in a national context") and to ensure it is protected from inappropriate development.	The Flood Risk Management Plans should aim to ensure that actions to manage flood risk to do not adversely affect National Scenic Areas.
Creating Places: A policy statement on architecture and place for Scotland	<p>The policy statement sets out the Scottish Government's position on architecture and place. It emphasises the important relationship between architecture and place which contribute to the Governments National Outcomes. The statement sets out six qualities of successful places which the Government consider in delivering good places:</p> <ul style="list-style-type: none"> • distinctive; • safe and pleasant; • easy to move around; • welcoming; • adaptable; and 	The Flood Risk Management Plans should have regard to the protection of the architectural integrity communities.

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	<ul style="list-style-type: none"> • resource efficient. 	
SNH's Landscape Policy Framework – Policy Statement No. 05/01	<p>Scottish Natural Heritage's policy statement sets out their approach for Scotland's landscape and how they seek to fulfill the requirements of Government policy related to landscape. SNH's aim for Scotland's landscape is as follows:</p> <p>'To safeguard and enhance the distinct identity, the diverse character and the special qualities of Scotland's landscape as a whole, so as to ensure tomorrow's landscape contribute positively to people's environment and are at least as attractive and valued as they are today.'</p>	The Flood Risk Management Plans should have regard to the protection and enhancement of Scotland's landscape character.
Planning and the environment (cross cutting)		
<i>Scotland</i>		
Scottish Planning Policy (2014)	<p>Scottish Planning Policy (SPP) is the statement of the Scottish Government's policy on nationally important land use planning matters.</p> <p>It introduces a presumption in favour of development that contributes to sustainable development. This means that planning policies and decisions making should:</p> <ul style="list-style-type: none"> - Support the delivery of infrastructure (including water); - Support climate change mitigation and adaptation including taking account of flood risk; - Improve health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation; 	<p>Any development associated with or likely to arise out of the Flood Risk Management Plans should contribute to the aims of the SPP.</p> <p>The aims of the SPP should help achieve sustainable Flood Risk Management by ensuring developments are sited appropriately and that flood risk is taken into account in planning decisions.</p> <p>The Flood Risk Management Plans should contribute to delivery of SPP aims by</p>

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	<ul style="list-style-type: none"> - Have regard to the principles for sustainable land use set out in the Land Use Strategy; - Protect, enhance and promote access to cultural heritage, including the historic environment; - Protect, enhance and promote access to natural heritage, including green infrastructure, landscape and the wider environment; - Reduce waste, facilitating its management and promoting resource recovery; and - Avoid over-development, protect the amenity of new and existing development and consider the implications of development for water, air and soil quality. <p>Of particular relevance are SPP policies relating to:</p> <ul style="list-style-type: none"> - Sustainable development - Climate change - Place making - Green Infrastructure - Valuing the historic environment - Valuing the natural environment - Flooding and drainage - Coastal Planning <p>SPP and NPF3 share a single vision and outcomes for the planning system in Scotland (See NPF3).</p>	<ul style="list-style-type: none"> - setting objectives and actions related to land use planning - reducing risk to life and impacts on human health - by reducing overall flood risk - helping to protect or improve recreational access /open space.

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National Planning Framework 3 (NPF3) (2014)	<p>The National Planning Framework (NPF) is Scotland's long-term development strategy. The Government's Economic Strategy sets out the measures the Scottish Government is taking to accelerate Scotland's recovery and to support employment. NPF is the spatial expression of that economic strategy, and of the government's plans for infrastructure investment.</p> <p>NPF, alongside SPP, guides the planning system to deliver the Scottish Government's visions and outcomes for Scotland.</p> <p>In this framework the government outlines four themes which they are working towards. These include making Scotland:</p> <ul style="list-style-type: none"> - A successful, sustainable place (growing the low carbon economy and providing opportunities to all communities) - A low carbon place (making the country more energy efficient, producing less waste and decarbonising travel) - A natural, resilient place (developing the environment and infrastructure to be resilient to extreme weather, an impact of climate change) - A connected place (where the whole country has access to high-speed fixed and mobile digital networks, making better use of existing infrastructure) 	<p>Any development associated with or likely to arise out of the Flood Risk Management Plans should contribute to the aims of NPF3.</p> <p>The Flood Risk Management Plans should contribute to delivery of the frameworks aims by:</p> <ul style="list-style-type: none"> - setting objectives and actions related to land use planning - reducing risk to life and impacts on human health - reducing overall flood risk - helping to protect access between communities

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	and improving internal and international transport links).	
Planning Advice Notes (PANs)	<p>PANs provide advice and information on technical planning matters. Those most relevant include:</p> <ul style="list-style-type: none"> - PAN 61 Sustainable Urban Drainage Systems - Flood risk: Planning advice - PAN 79 Water and Drainage - PAN 65 Planning and Open Space - PAN 60 Natural Heritage - PAN 2 / 2011 Planning and Archaeology - PAN 71 Conservation Area Management 	<p>Any development associated with or likely to arise out of the Flood Risk Management Plans should align with the advice contained in the relevant PANs. The Flood Risk Management Plans should contribute to delivery of PAN aims by:</p> <ul style="list-style-type: none"> - setting objectives and actions related to land use planning - reducing risk to life and impacts on human health - reducing overall flood risk - helping to protect or improve recreational access /open space.
Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006	<p>The Act requires Councils and national park authorities to prepare a development plan for their area:</p> <ul style="list-style-type: none"> - Strategic development plans set out a vision for the long term development of the city regions and deals with region wide issues such as housing and transport. - Local development plans set out where most new developments will happen and policies that will guide decision making and planning applications. 	<p>The Flood Risk Management Plans should contribute to delivery of development planning by:</p> <ul style="list-style-type: none"> - setting objectives and actions related to land use planning - reducing overall flood risk - helping to protect or improve recreational access /open space.

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	<ul style="list-style-type: none"> - Supplementary guidance provides more detailed guidance on specific issues. 	
Land Use Strategy for Scotland 2016-2021	The Strategy focuses on land as one of our key natural assets and recognises that it underpins much of Scotland's economic activity, further noting that the way it is used and managed is therefore of key importance. It is stated that the strategy will sit alongside other Government plans and strategies.	The Flood Risk Management Plans should support the Land Use Strategy.
The Environment Act 1995, as amended by the Regulatory Reform (Scotland) Act 2014	Provides a new general purpose for SEPA to carry out its functions for the purpose of protecting and improving the environment (including managing natural resources in a sustainable way). SEPA must also, except where it would be inconsistent with protecting and improving the environment, contribute to improving the health and wellbeing of the people of Scotland and contribute to achieving sustainable economic growth.	The Flood Risk Management Plans should be developed to ensure that SEPA meets its new general purpose.