

# Grangemouth Flood Protection Scheme

## Your Questions Answered

## Statutory Process and Objections



### Who will be notified?

According to the Flood Risk Management (Scotland) Act 2009 and The Flood Risk Management (Flood Protection Schemes Potentially Vulnerable Areas and Local Plans Districts) (Scotland) Regulations 2010 (As Amended) a statutory notice will be issued to all persons, businesses, and organisations whose land or property will be affected by the scheme. Whether that's due to flood defences being built on your property or your property benefiting from the reduction in flood risk. In addition, notices will be placed in the Falkirk Herald, Edinburgh Gazette and Falkirk Council buildings. Notices will also be displayed in the vicinity of where scheme operations will be carried out. For example, by attaching to lamp posts.



### Who can submit an objection?

Following the publication of the scheme notice, anyone can submit an objection to all or part of the proposed flood protection scheme. An objection is valid if it is made in writing, sets out the name and address of the objector, and is made within the time periods stated on the notice. All valid objections will be considered by the Falkirk Council, before it makes its decision on how to proceed.



### How do I submit an objection?

To make an objection you can submit one in writing to:

**Chief Governance Officer**  
**GFPS Objections**  
**Falkirk Council**  
**The Foundry**  
**4 Central Boulevard**  
**Central Park**  
**Larbert**  
**FK5 4RU**

If you would prefer to email an objection you can do so by sending your objection to: [objectionsgfps@falkirk.gov.uk](mailto:objectionsgfps@falkirk.gov.uk). Objections must be made to Falkirk Council by **the date stated on the scheme notice**.



### What do I need to include in the objection?

Any objection must be accompanied by a statement of reasons for the objection and, where an interest in land affected by the scheme, that person's objection must include:

- Details of the land in which the objector has an interest;
- Disclosure of the nature of the objector's interest in the land;
- Details of which aspects of the proposed operations affect the objector.



### What is the deadline for objections?

The scheme notice will provide the deadline for submission of objections. This will be no sooner than 28 days after the scheme notice has been published in the Falkirk Herald.

Any objections received after but prior to the decision by Falkirk Council that satisfies the other criteria will be considered a late objection.



## What is the statutory process for flood protection schemes?

Legal authority is required to approve, and then construct, the scheme. This is achieved through the process defined in the Flood Risk Management (Scotland) Act 2009. This is a complex process and can involve many stages.

Firstly, the Council will publish the scheme notice and send a copy to those parties identified in the 2009 Act, including affected land and property owners along with statutory undertakers and authorities. . The notice will contain details of when and where the Scheme documents can be viewed, both in hard copy and online.

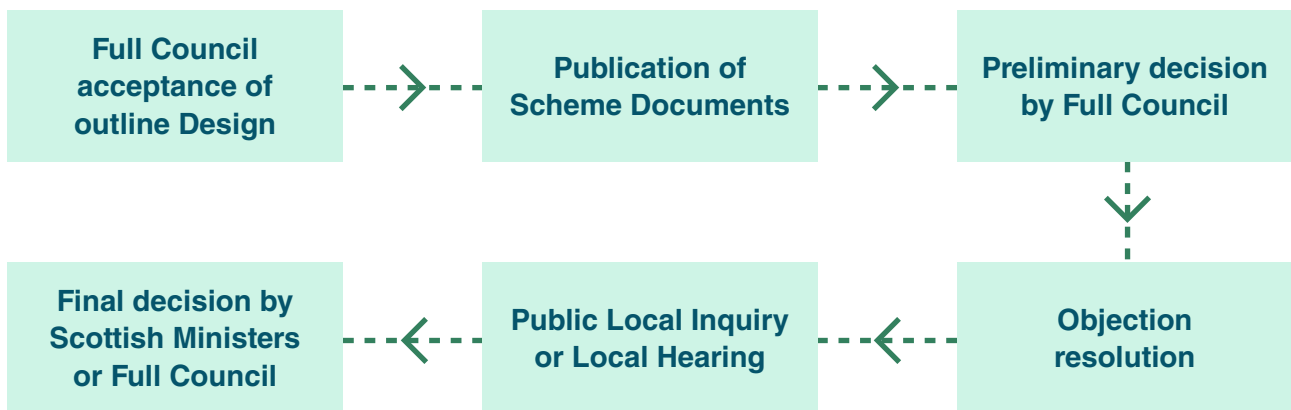
The Scheme Documents will remain available until a further decision is made by either the Council or the Scottish Ministers. A minimum period of 28 days will be allowed for submitting an objection to the Scheme and a minimum period of 30 days will be allowed for submitting a representation to the Environmental Impact Assessment Report.

Following the notification period, if no objections are received, then the Council must either confirm or reject the Scheme. If, however, objections are received then they must make a preliminary decision to confirm, modify or reject the Scheme, and notify the objectors of their decision.

The Scheme may then be referred to the Scottish Ministers, who may choose to hold a Public Local Inquiry. Following this, the Ministers must either confirm, modify, or reject the Scheme.

If the Scheme is confirmed by the council or Scottish Ministers, the Council must publish a notice that states amongst other matters that any person affected by the confirmed scheme may appeal the decision made by the Council before the expiry of the period of 6 weeks beginning when the notice is published. The confirmed scheme becomes operative 6 weeks after the notice of confirmation. The Council then has the legal authority to proceed.

### *Simplified scheme approval process:*



Feedback is always welcome on the scheme and you can get in touch with the project team at

 [grangemouthfps@falkirk.gov.uk](mailto:grangemouthfps@falkirk.gov.uk)

 01324 506070

[grangemouthfloodscheme.com](http://grangemouthfloodscheme.com)

 [@grangemouthfps](https://twitter.com/grangemouthfps)

 [@grangemouthfps](https://www.facebook.com/grangemouthfps)

 [@grangemouthfps](https://www.youtube.com/grangemouthfps)

