

PERTH AND KINROSS COUNCIL

FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009

AND

**THE FLOOD RISK MANAGEMENT (FLOOD PROTECTION SCHEMES,
POTENTIALLY VULNERABLE AREAS AND LOCAL PLAN DISTRICTS)
(SCOTLAND) REGULATIONS 2010**

ALMONDBANK FLOOD PROTECTION SCHEME 2013

Notice is hereby given in terms of paragraph 10, and paragraph 1, of Schedule 2 of the above Act that on 20 November 2013 Perth and Kinross Council confirmed the proposed Almondbank Flood Protection Scheme 2013 with no modifications. The decision was made in accordance with Section 60 and paragraph 4 of Schedule 2 of the above Act and Parts II, III & IV of the above Regulations.

In accordance with paragraph 11 of Schedule 2 of the above Act the Almondbank Flood Protection Scheme 2013 will become operative six weeks after notice of its confirmation is first published in a locally circulating newspaper unless an appeal in accordance with paragraph 12 of Schedule 2 of the above Act is made against the Scheme i.e. between the period of 29 November 2013 to 9 January 2014 inclusive.

An appeal may be by any person affected by the confirmed scheme and is to be made by way of summary application to the Sheriff at: Sheriff Clerk's Office, Sheriff Court House, Tay Street, Perth, PH2 8NL. However, it may be made through any other Sheriff Court in the Sheriffdom of Tayside, Central and Fife. The grounds on which a decision to confirm can be appealed are: (a) that the confirmed scheme breaches the restriction in subsection (3) of Section 61 or does not comply with the requirements in subsection (4) of that section; (b) that, in reaching the decision, the local authority erred in law; or (c) that there was a failure to comply with a procedural requirement contained in Schedule 2 of the above Act or the above Regulations. The Sheriff may, on the application of the appellant, suspend the operation of the scheme, or any part of it, either generally or insofar as it affects any interest in land which the appellant has, pending determination of the appeal. If the sheriff is satisfied that the interests of the applicant have been substantially prejudiced, as detailed in paragraph 12 (7) of Schedule 2 of the above Act, then the Sheriff may uphold the appeal and quash the scheme, or any part of it, either generally or insofar as it affects any interest in land which the appellant has.

I.T. INNES
Head of Legal Services
Perth and Kinross Council
2 High Street
Perth.
29 November 2013.