

Status: Point in time view as at 10/06/2013.

Changes to legislation: There are currently no known outstanding effects for the Water Resources (Scotland) Act 2013, Cross Heading: Notifying owners etc.. (See end of Document for details)

SCHEDULE 1 WATER SHORTAGE ORDERS

Notifying owners etc.

- 2 (1) Sub-paragraph (2) applies where—
- (a) a draft order would permit Scottish Water to—
 - (i) carry out and maintain works on any premises, or
 - (ii) take any other steps on any premises, and
 - (b) Scottish Water would not otherwise be entitled to do so.
- (2) Where this sub-paragraph applies, Scottish Water must (so far as reasonably practicable) give every owner, lessee and occupier of the premises—
- (a) a copy of the proposal containing the draft order,
 - (b) a notice—
 - (i) explaining the nature and general effect of the draft order,
 - (ii) specifying the premises and the way in which they would be affected by the draft order,
 - (iii) stating that representations about the proposal may be made by the person concerned in writing to the Scottish Ministers within the period of 14 days beginning with the day on which the notice is given to that person,
 - (c) either—
 - (i) a map or plan showing the location of the premises, or
 - (ii) details of the place where such a map or plan may be inspected.
- (3) Scottish Water must make such a map or plan available for inspection at all reasonable times and free of charge.
- (4) Sub-paragraph (5) applies where a draft order would restrict or prohibit the abstraction of water by any person.
- (5) Where this sub-paragraph applies, Scottish Water must give the person—
- (a) a copy of the proposal containing the draft order,
 - (b) a notice—
 - (i) explaining the nature and general effect of the draft order,
 - (ii) explaining the effect of the draft order in relation to the abstraction of water by the person,
 - (iii) explaining the effect of the draft order in relation to any associated authorisation under the Controlled Activities Regulations,
 - (iv) specifying the period for which the restriction or prohibition is likely to have effect,
 - (v) stating that representations about the proposal may be made by the person in writing to the Scottish Ministers within the period of 14 days beginning with the day on which the notice is given to the person.
- (6) In this paragraph, reference to the effect of a draft order (including something permitted or otherwise done under it) is to the effect that a water shortage order would have if it were made in the same terms as the draft order.

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(7) In this paragraph and paragraphs 3 to 5, “draft order” means draft water shortage order included in a proposal.

Commencement Information

II Sch. 1 para. 2 in force at 10.6.2013 by S.S.I. 2013/163, art. 3, Sch.

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