

2007 No. 122

ENVIRONMENTAL PROTECTION

**Water Abstraction and Impoundment (Licensing) (Amendment)
Regulations (Northern Ireland) 2007**

Made - - - - - *28th February 2007*

Coming into operation - - - - - *1st April 2007*

The Department of the Environment makes the following Regulations in exercise of its powers under Articles 20(1) and (3), and 61(2) of the Water (Northern Ireland) Order 1999(a):

Citation and commencement

1. These Regulations may be cited as the Water Abstraction and Impoundment (Licensing) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 1st April 2007.

Amendment of the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006

2.—(1) The Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006(b) shall be amended in accordance with paragraphs (2) to (6).

(2) After regulation 9, insert the following regulation—

“9A.—(1) The Department shall, within 14 days of receipt of an application under regulation 8, serve notice of that application on every water undertaker.

(2) A water undertaker may make representations in writing to the Department within 28 days from the date on which the notice under paragraph (1) was served.”.

(3) In regulation 10(2)(b) for “regulation 9(4)” substitute “regulations 9(4) and 9A(2)”.

(4) In regulation 13(3) for “Regulations 9 and 10(2)” substitute “Regulations 9,9A and 10(2)”.

(5) In regulation 17, for paragraph (1) substitute the following paragraph—

“(1) For the purposes of considering representations made—

(a) under regulation 9 and under that regulation as applied by regulations 13 and 15;
and

(b) under regulation 9A(2),

the Department may direct the Appeals Commission to hold a public local inquiry.”.

(6) In Schedule 4, in paragraph 3, for “Regulations 9 and 19” substitute “Regulations 9, 9A and 19”.

(a) S.I.1999/662 (N.I.6) as amended by S.I. 2006/1946 (N.I. 15)
(b) SR 2006 No.482

Sealed with the Official Seal of the Department of the Environment on 28 February 2007



Wesley Shannon
A senior officer of the Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 (“the principal Regulations”) by inserting a new regulation 9A. The Regulations include some amendments that are consequential to the insertion of regulation 9A.

Regulation 9A provides for a water undertaker to be notified of any licence applications made to the Department under regulation 8 of the principal Regulations and for the water undertaker to make representations to the Department within 28 days of receipt of the notification.