

SCHEDULE 1

Regulation 4(3)

STATUTORY PROVISIONS IN RELATION TO WHICH DUTIES IN REGULATION 4 APPLY

**Commencement Information**

**II** Sch. 1 in operation at 14.12.2009, see [reg. 1\(1\)](#)

- The Foyle Fisheries Acts (Northern Ireland) 1952 and 1962**(1)**
- The Forestry Act (Northern Ireland) 1953**(2)**
- The Lough Neagh Drainage Acts (Northern Ireland) 1955 and 1970**(3)**
- The Fisheries Act (Northern Ireland) 1966**(4)**
- The Harbours Act (Northern Ireland) 1970**(5)**
- The Drainage (Northern Ireland) Order 1973**(6)**
- The Pollution Control and Local Government (Northern Ireland) Order 1978**(7)**
- The Lagside Development (Northern Ireland) Order 1989**(8)**
- The Planning (Northern Ireland) Order 1991**(9)**
- The Roads (Northern Ireland) Order 1993**(10)**
- The Conservation (Nature Habitats etc) Regulations (Northern Ireland) 1995**(11)**
- The North/South Co-operation Implementation Bodies (Northern Ireland) Order 1999**(12)**
- The Water (Northern Ireland) Order 1999**(13)**
- The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999**(14)**
- The Environment (Northern Ireland) Order 2002**(15)**
- The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2003**(16)**
- The Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004**(17)**
- The Drainage (Environmental Impact Assessment) Regulations (Northern Ireland) 2006**(18)**
- The Fire and Rescue Services (Northern Ireland) Order 2006**(19)**
- The Water and Sewerage Services (Northern Ireland) Order 2006**(20)**

- (1)** 1952 c.5 (N.I.) and 1962 c.5 (N.I.)
- (2)** 1953 c.2 (N.I.)
- (3)** 1955 c.15 (N.I.) and 1970 c.7 (N.I.)
- (4)** 1966 c.17 (N.I.)
- (5)** 1970 c.1 (N.I. 1)
- (6)** S.I. 1973/69 (N.I. 1)
- (7)** 1978/1049 (N.I. 19)
- (8)** S.I. 1989/490 (N.I. 2)
- (9)** S.I. 1991/1220 (N.I. 11)
- (10)** S.I. 1993/3160 (N.I. 15)
- (11)** S.R. 1995 No. 380
- (12)** S.I. 1999/859
- (13)** S.I. 1999/662 (N.I. 6)
- (14)** S.R. 1999 No. 73 as amended by S.R. 2008 No. 17 and S.R. 2008 No. 372
- (15)** S.I. 2002/3153 (N.I. 7)
- (16)** S.R. 2003 No. 544
- (17)** S.R. 2004 No. 280
- (18)** S.R. 2006 No. 34
- (19)** S.I. 2006/1254 (N.I. 9)
- (20)** S.I. 2006/3336 (N.I. 21)

The Planning Reform (Northern Ireland) Order 2006(21)  
The Foyle and Carlingford Fisheries (NI) Order 2007(22)

SCHEDULE 2

Regulations 5(5) and (6) and 6(3)

MATTERS WHICH MUST BE INCLUDED IN A  
PRELIMINARY FLOOD RISK ASSESSMENT

1. Maps at the appropriate scale of the river basin district which show—
  - (a) borders of any river basin, sub-basin and coastal area in the district; and
  - (b) topography and land use.

**Commencement Information**

**I2** Sch. 2 para. 1 in operation at 14.12.2009, see [reg. 1\(1\)](#)

2.—(1) Subject to sub-paragraph (2), a description of the floods which have occurred in the past in the river basin district and which had significant adverse impacts on human health, the environment, cultural heritage or economic activity (including their extent and conveyance routes and an assessment of the adverse impacts they have entailed).

(2) Sub-paragraph (1) applies only where a similar future flood with significant adverse impacts on the matters mentioned in that sub-paragraph is still probable in the river basin district.

**Commencement Information**

**I3** Sch. 2 para. 2 in operation at 14.12.2009, see [reg. 1\(1\)](#)

3. A description of the significant floods which have occurred in the past in the river basin district where significant adverse consequences of any similar future flood might be envisaged.

**Commencement Information**

**I4** Sch. 2 para. 3 in operation at 14.12.2009, see [reg. 1\(1\)](#)

4. An assessment of the potential adverse consequences of any future flood for human health, the environment, cultural heritage and economic activity in the river basin district taking into account, as far as possible, issues such as—

- (i) the topography;
- (ii) the position, and the general hydrological and geomorphological characteristics of watercourses;
- (iii) natural features (for example flood plains, wetlands or woodlands) which can assist in the retention of water (whether on a permanent or temporary basis);
- (iv) the effectiveness of any existing artificial flood protection structure;
- (v) the position of any populated area and area of economic activity; and

(21) S.I. 2006/1252 (N.I. 7)

(22) S.I. 2007/915 (N.I. 9)

- (vi) long-term developments including impacts of climate change on the occurrence of floods.

**Commencement Information**

**I5** Sch. 2 para. 4 in operation at 14.12.2009, see [reg. 1\(1\)](#)

5. In this Schedule any reference to the river basin district shall include a reference to the part of each international river basin district lying within Northern Ireland.

**Commencement Information**

**I6** Sch. 2 para. 5 in operation at 14.12.2009, see [reg. 1\(1\)](#)

SCHEDULE 3

Regulations 16(6) and 21(2)

MATTERS TO BE INCLUDED IN FLOOD RISK MANAGEMENT PLANS

PART I

MATTERS TO BE INCLUDED IN EVERY PLAN

1. A description of—
  - (a) the objectives set by the Department for the management of flood risks for the areas identified under regulation 8(1) or 9(1);
  - (b) the measures identified for achieving those objectives; and
  - (c) the priority to be given to implementing each measure.

**Commencement Information**

**I7** Sch. 3 para. 1 in operation at 14.12.2009, see [reg. 1\(1\)](#)

2. The conclusions of the preliminary flood risk assessment as required by regulation 5 in the form of a map of the river basin district delineating the areas identified under regulation 8(1) or 9(1) which are the subject of the flood risk management plan.

**Commencement Information**

**I8** Sch. 3 para. 2 in operation at 14.12.2009, see [reg. 1\(1\)](#)

3. Flood hazard maps and flood risk maps prepared under regulation 10 and the conclusions that can be drawn from those maps.

**Commencement Information**

**I9** Sch. 3 para. 3 in operation at 14.12.2009, see [reg. 1\(1\)](#)

**Changes to legislation:** There are currently no known outstanding effects for the The Water Environment (Floods Directive) Regulations (Northern Ireland) 2009. (See end of Document for details)

- 4. A summary of flood related measures taken under—
  - (a) [<sup>F1</sup>Council Directive 2011/92/EU, as amended by Directive 2014/52/EU] on the assessment of the effects of certain public and private projects on the environment;
  - (b) [<sup>F2</sup>Council Directive 2012/18/EU] in the control of major accident hazards involving dangerous substances;
  - (c) Directive 2001/42/EC of the European Parliament and the Council on the assessment of the effects of certain plans and programmes on the environment(23);
  - <sup>F3</sup>(d) .....
  - (e) [<sup>F4</sup>the 2017 Regulations].

**Textual Amendments**

**F1** Words in Sch. 3 para. 4(a) substituted (21.12.2018) by The Water Environment (Floods Directive) (Amendment No. 2) Regulations (Northern Ireland) 2018 (S.R. 2018/196), regs. 1, 2(5)(a)

**F2** Words in Sch. 3 para. 4(b) substituted (21.12.2018) by The Water Environment (Floods Directive) (Amendment No. 2) Regulations (Northern Ireland) 2018 (S.R. 2018/196), regs. 1, 2(5)(b)

**F3** Sch. 3 para. 4(d) omitted (31.12.2020) by virtue of The Water and Floods (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/32), regs. 1(1), 4(7); 2020 c. 1, Sch. 5 para. 1(1)

**F4** Words in Sch. 3 para. 4(e) substituted (with application in accordance with reg. 1(b), 4(1) of the amending Rule) by The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017 (S.R. 2017/81), reg. 1(a), Sch. 4 para. 2(5)(a) (with reg. 37)

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**Commencement Information**

**I10** Sch. 3 para. 4 in operation at 14.12.2009, see reg. 1(1)

5. When available, for shared river basins or sub-basins, a description of the methodology of cost-benefit analysis used to assess measures with transnational effects.

**Commencement Information**

**I11** Sch. 3 para. 5 in operation at 14.12.2009, see reg. 1(1)

- 6. A description of—
  - (a) how the priority given to implementing each measure under paragraph 1(c) was determined; and
  - (b) the way in which progress in implementing the plan will be monitored.

**Commencement Information**

**I12** Sch. 3 para. 6 in operation at 14.12.2009, see reg. 1(1)

- 7. A summary of—
  - (a) the public information and consultation measures taken in connection with the preparation of the plan (including those public information measures taken in connection with the preliminary flood risk assessment mentioned in paragraph 2 and the maps mentioned in paragraph 3); and

(23) O.J. No. L197, 21.7.2001, p.30

(b) changes made to the plan in light of the views and representations received on it.

**Commencement Information**

**I13** Sch. 3 para. 7 in operation at 14.12.2009, see [reg. 1\(1\)](#)

8. Information as to the Department and a description of the co-ordination process within any international river basin district and of the co-ordination process with [<sup>F5</sup>the 2017 Regulations].

**Textual Amendments**

**F5** Words in [Sch. 3 para. 8](#) substituted (with application in accordance with [reg. 1\(b\)](#), 4(1) of the amending Rule) by [The Water Environment \(Water Framework Directive\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/81\)](#), [reg. 1\(a\)](#), [Sch. 4 para. 2\(5\)\(b\)](#) (with [reg. 37](#))

**Commencement Information**

**I14** Sch. 3 para. 8 in operation at 14.12.2009, see [reg. 1\(1\)](#)

9. In this Part “river basin district” includes an international river basin district or, as the case may be, the part of an international river basin district lying within Northern Ireland.

**Commencement Information**

**I15** Sch. 3 para. 9 in operation at 14.12.2009, see [reg. 1\(1\)](#)

## PART II

### COMPONENTS OF THE SUBSEQUENT UPDATE OF FLOOD RISK MANAGEMENT PLANS

10. A summary of any changes which have been made as compared to the previous version of the plan including a summary of the reviews carried out under regulations 6, 9, 13 and 21.

**Commencement Information**

**I16** Sch. 3 para. 10 in operation at 14.12.2009, see [reg. 1\(1\)](#)

11. An assessment of the progress made towards the achievement of the objectives included in the plan under paragraph 1(a).

**Commencement Information**

**I17** Sch. 3 para. 11 in operation at 14.12.2009, see [reg. 1\(1\)](#)

12. A summary of any measures included in the previous plan under paragraph 1(b) which were not implemented, with reasons for non-implementation.

**Changes to legislation:** There are currently no known outstanding effects for the The Water Environment (Floods Directive) Regulations (Northern Ireland) 2009. (See end of Document for details)

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**Commencement Information**

**I18** Sch. 3 para. 12 in operation at 14.12.2009, see [reg. 1\(1\)](#)

13. A description of any other measures implemented since the publication of the previous version of the plan which the Department considers have contributed to the achievement of the objectives included in the plan under paragraph 1(a).

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**Commencement Information**

**I19** Sch. 3 para. 13 in operation at 14.12.2009, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Water Environment (Floods Directive) Regulations (Northern Ireland) 2009.