



# Water Industry Act 1991

## 1991 CHAPTER 56

### PART II

#### APPOINTMENT AND REGULATION OF UNDERTAKERS

#### [<sup>F1</sup>CHAPTER 1A

#### [<sup>F1</sup>WATER SUPPLY LICENCES AND SEWERAGE LICENCES]

#### *Granting of licences*

#### [<sup>F1</sup>17F Procedure for granting water supply [<sup>F2</sup>and sewerage] licences

[<sup>F3</sup>(1) The Authority must determine for each type of relevant application that may be made—

- (a) the form and manner in which an application is to be made;
- (b) the information it is to contain;
- (c) the documents that are to accompany it;
- (d) the fee that is to accompany it.

(1A) The fees may be different in different circumstances.

(1B) The Authority may make a new determination as to a matter referred to in subsection (1).

(1C) The Authority must publish a notice of what it has determined under subsection (1) or (1B) in such manner as it thinks appropriate for bringing the determination to the attention of those affected by the determination.

(1D) For the purposes of subsection (1) a relevant application is an application for—

- (a) the grant of a water supply or sewerage licence giving a particular authorisation or combination of authorisations;
- (b) the variation of a water supply or sewerage licence so that it gives—

*Status: Point in time view as at 03/11/2023.*

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- (i) a particular authorisation only, or
  - (ii) a particular combination of authorisations.
- (1E) A person making a relevant application must comply with such provisions of a notice published under subsection (1C) as relate to the application.]
- <sup>F4</sup>(2) .....
- <sup>F5</sup>(3) .....
- (4) If <sup>F6</sup>... the Authority proposes to refuse [<sup>F7</sup>a relevant application], <sup>F8</sup>... it shall give to the applicant a notice—
- (a) stating that <sup>F8</sup>... it proposes to refuse the application;
  - (b) stating the reasons why <sup>F8</sup>... it proposes to refuse the application; and
  - (c) specifying the time within which representations or objections with respect to the proposed refusal may be made,
- and shall consider any representations or objections which are duly made and not withdrawn.
- <sup>F9</sup>(5) .....
- (6) A licence shall be in writing and, unless revoked or suspended in accordance with any condition contained in it, shall continue in force for such period as may be specified in or determined by or under the licence.
- (7) <sup>F10</sup>As soon as practicable after granting a licence or variation of a licence, ... the Authority shall serve a copy of the licence or licence as varied—
- (a) on the licence holder;
  - (b) on the Assembly;
  - (c) on the Chief Inspector of Drinking Water;
  - (d) on the Environment Agency;
  - [ on the NRBW;]
- <sup>F11</sup>(da)
- (e) on the Council;
  - (f) on each relevant undertaker;
  - [<sup>F12</sup>(g) on each water supply licensee and sewerage licensee (other than the holder of the licence in question);]
  - <sup>F13</sup>(h) .....
  - (i) <sup>F14</sup>... on the Secretary of State.
- (8) Any sums received <sup>F15</sup>... by the Authority by virtue of this section shall be paid into the Consolidated Fund.]

#### Textual Amendments

- F1** Pt. 2 Ch. 1A inserted (1.4.2004 for specified provisions and purposes and 1.8.2005 for further specified provisions and purposes and 1.10.2005 for further specified provisions and 1.12.2005 otherwise) by [Water Act 2003 \(c. 37\)](#), ss. 56, 105(3), [Sch. 4 para. 2](#); S.I. 2004/641, [art. 3\(1\)](#), Sch. 1 (with [art. 6](#), Sch. 3); S.I. 2005/968, [art. 3\(b\)](#) (with savings in [art. 4](#), Sch. 1, 2); S.I. 2005/2714, [arts. 2\(h\)](#), [3\(a\)](#) (with [Sch. para. 5](#))
- F2** Words in s. 17F title inserted (1.4.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), [Sch. 7 para. 15\(2\)](#); S.I. 2016/465, [art. 2\(m\)](#), Sch. 1 para. 1(i) (with [Sch. 2](#)) (as amended (22.3.2017) by S.I. 2017/462, art. 16)

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- F3** S. 17F(1)-(1E) substituted for s. 17F(1) (1.4.2016) by [Water Act 2014 \(c. 21\)](#), **ss. 25(2)**, 94(3); S.I. 2016/465, art. 2(f) (with [Sch. 2](#)) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F4** S. 17F(2) repealed (14.7.2014) by [Water Act 2014 \(c. 21\)](#), **ss. 25(3)**, 94(2)(f)
- F5** S. 17F(3) repealed (14.7.2014) by [Water Act 2014 \(c. 21\)](#), **ss. 25(3)**, 94(2)(f)
- F6** Words in s. 17F(4) repealed (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 15(3)(a)**; S.I. 2015/1938, art. 3(f)(v)
- F7** Words in s. 17F(4) substituted (1.4.2016) by [Water Act 2014 \(c. 21\)](#), **ss. 25(4)**, 94(3); S.I. 2016/465, art. 2(f) (with [Sch. 2](#)) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F8** Words in s. 17F(4) repealed (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 15(3)(b)**; S.I. 2015/1938, art. 3(f)(v)
- F9** S. 17F(5) repealed (14.7.2014) by [Water Act 2014 \(c. 21\)](#), **ss. 25(3)**, 94(2)(f)
- F10** Words in s. 17F(7) repealed (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 15(4)(a)**; S.I. 2015/1938, art. 3(f)(v)
- F11** S. 17F(7)(da) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 227** (with [Sch. 7](#))
- F12** S. 17F(7)(g) substituted (1.4.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 15(4)(b)**; S.I. 2016/465, art. 2(m), [Sch. 1 para. 1\(i\)](#) (with [Sch. 2](#)) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F13** S. 17F(7)(h) repealed (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 15(4)(c)**; S.I. 2015/1938, art. 3(f)(v)
- F14** Words in s. 17F(7)(i) repealed (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 15(4)(d)**; S.I. 2015/1938, art. 3(f)(v)
- F15** Words in s. 17F(8) repealed (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 15(5)**; S.I. 2015/1938, art. 3(f)(v)

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