

Status: Point in time view as at 14/07/2014.

Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, SCHEDULE 11. (See end of Document for details)

SCHEDULES

SCHEDULE 11

Section 93.

WATER PROTECTION ZONE ORDERS

Application for consent

- 1 (1) Where the [^{F1}appropriate agency] applies to the Secretary of State for an order under section 93 of this Act, it shall—
- (a) submit to the Secretary of State a draft of the order applied for;
 - (b) publish a notice with respect to the application, at least once in each of two successive weeks, in one or more newspapers circulating in the locality proposed to be designated as a water protection zone by the order;
 - (c) not later than the date on which that notice is first published serve a copy of the notice on every local authority and water undertaker whose area includes the whole or any part of that locality; and
 - (d) publish a notice in the London Gazette which—
 - (i) states that the draft order has been submitted to the Secretary of State;
 - (ii) names every local authority on whom a notice is required to be served under this paragraph;
 - (iii) specifies a place where a copy of the draft order and of any relevant map or plan may be inspected; and
 - (iv) gives the name of every newspaper in which the notice required by virtue of paragraph (b) above was published and the date of an issue containing the notice.
- (2) The notice required by virtue of sub-paragraph (1)(b) above to be published with respect to an application for an order shall—
- (a) state the general effect of the order applied for;
 - (b) specify a place where a copy of the draft order and of any relevant map or plan may be inspected by any person free of charge at all reasonable times during the period of twenty-eight days beginning with the date of the first publication of the notice; and
 - (c) state that any person may, within that period, by notice to the Secretary of State object to the making of the order.

Textual Amendments

- F1** Words in [Sch. 11 paras. 1-3](#) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), [Sch. 2 para. 311\(a\)](#) (with [Sch. 7](#))

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Supply of copies of draft orders

- 2 Where the [^{F1}appropriate agency] has applied for an order under section 93 of this Act, it shall, at the request of any person and on payment by that person of such charge (if any) as the [^{F1}appropriate agency] may reasonably require, furnish that person with a copy of the draft order submitted to the Secretary of State under paragraph 1 above.

Textual Amendments

- F1** Words in Sch. 11 paras. 1-3 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 311(a)** (with Sch. 7)

Modifications of proposals

- 3 (1) On an application for an order under section 93 of this Act, the Secretary of State may make the order either in the terms of the draft order submitted to him or, subject to sub-paragraph (2) below, in those terms as modified in such manner as he thinks fit, or may refuse to make an order.
- (2) The Secretary of State shall not make such a modification of a draft order submitted to him as he considers is likely adversely to affect any persons unless he is satisfied that the [^{F1}appropriate agency] has given and published such additional notices, in such manner, as the Secretary of State may have required.
- (3) Subject to sub-paragraph (2) above and to the service of notices of the proposed modification on such local authorities as appear to him to be likely to be interested in it, the modifications that may be made by the Secretary of State of any draft order include any modification of the area designated by the draft order as a water protection zone.

Textual Amendments

- F1** Words in Sch. 11 paras. 1-3 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 311(a)** (with Sch. 7)

Consideration of objections etc.

- 4 Without prejudice to [^{F2}section 53 of the 1995 Act (inquiries and other hearings)], where an application for an order under section 93 of this Act has been made, the Secretary of State may, if he considers it appropriate to do so, hold a local inquiry before making any order on the application.

Textual Amendments

- F2** Words in Sch. 11 para. 4 substituted (1.4.1996) by [1995 c. 25, s. 120\(1\)](#), **Sch. 22 para. 184** (with ss. 7(6), 115, 117); [S.I. 1996/186](#), **art. 3**

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