
STATUTORY INSTRUMENTS

2003 No. 3245

**The Water Environment (Water Framework Directive)
(Northumbria River Basin District) Regulations 2003**

Application of provisions of the principal Regulations to the Northumbria River Basin District

5.—^[F1](1) Subject to the modifications in paragraphs (2) to (5), the provisions of the principal Regulations⁽²⁾ set out in paragraph (1A) apply to the Northumbria River Basin District as they apply to river basin districts identified by regulation 4(1) of the principal Regulations.

(1A) The provisions of the principal Regulations referred to in paragraph (1) are—

- (a) ^[F2]regulations 2, 5 to 22, 24 to 36, 38 and Schedules 1 and 3], in relation to the whole of the Northumbria River Basin District;
- (b) ^[F3]regulation 23], only in relation to the part of the Northumbria River Basin District which is in England.

(2) Regulation 2 (interpretation) shall have effect as if—

- (a) in paragraph (1), the definitions of “the appropriate authority”, “the appropriate agency” and “the NRBW” were omitted; and
- (b) ^[F4]paragraph (2)] were omitted.

(2A) The principal Regulations shall have effect as if, for each reference to “the appropriate agency”, there were substituted a reference to “the Agency”.

(2B) The principal Regulations shall have effect as if, for each reference to “the appropriate authority”, there were substituted a reference to “the Secretary of State”.

(2C) ^[F5]Regulation 9] (designation of shellfish waters) shall have effect as if ^[F6]paragraph (8)] were omitted.]

(3) ^[F7]Regulation 29] (river basin management plans: public participation) shall have effect as if—

(a) after paragraph (2)(a) there were inserted—

“(aa) send copies of the statement, summary or draft plan to the Scottish Environment Protection Agency which shall make them accessible to the public free of charge through its website, at its principal office ^{F8}...;”;

(b) after paragraph (3)(a) “and” were omitted and there were inserted—

“(aa) in the Edinburgh Gazette; and”;

(c) in paragraph (4)—

(i) for sub-paragraph (a) there were substituted—

“(a) the Secretary of State and the Scottish Ministers;

(aa) the Scottish Environment Protection Agency;

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- (aaa) every responsible authority which has functions exercisable in or in relation to any part of the river basin district;”;
- (ii) for sub-paragraph (e) there were substituted—
- “(e) every local planning authority in England any part of whose area is within the river basin district;”;
- (iii) after sub-paragraph (f) there were inserted—
- “(ff) the River Tweed [^{F9}Commission];” and
- [^{F10}(iv) after sub-paragraph (j) there were inserted—
- “(ja) Scottish Water;”]
- (d) for paragraph (5) there were substituted—
- “(5) In this regulation—
- (a) “appropriate nature conservation bodies” means the Joint Nature Conservation Committee, [^{F11}Natural England] and Scottish Natural Heritage;
- (b) “harbour” and “harbour authority” have the meanings given by section 57 of the Harbours Act 1964(1);
- [^{F12}(c) “the River Tweed Commission” means the body constituted in accordance with article 5 of the Scotland Act 1998 (River Tweed) Order 2006(3);]
- (d) “local authority” means, in relation to England, the council of any county, county borough or district and, in relation to Scotland, any council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(3);
- (e) “local fisheries committee” and “sea fisheries district” mean a local fisheries committee constituted, and a sea fisheries committee created, by an order under section 1 of the Sea Fisheries Regulation Act 1966(4);
- (f) “local planning authority” has the meaning given by section 1 of the Town and Country Planning Act 1990(5);
- (g) “navigation authority” has the meaning given by section 221(1) of the Water Resources Act 1991(6);
- [^{F13}(h) “the relevant date”, in relation to a plan, means—
- (i) if a period of time has been directed under regulation 27(1)(a), the date on which that period begins, or
- (ii) otherwise, the date by which the Secretary of State is next required under regulation 31(5) to publish an updated plan;]
- (i) “responsible authority” has the meaning given by section 2(8) of the Water Environment and Water Services (Scotland) Act 2003; and
- (j) “the Scottish Ministers” has the meaning given by section 127 of the Scotland Act 1998.”.
- (4) [^{F14}Regulation 30] (river basin management plans: submission for approval) shall have effect as if after paragraph (1)(a) there were inserted—

(1) 1964 c. 40.

(3) 1994 c. 39.

(3) 1994 c. 39.

(4) 1966 c. 38.

(5) 1990 c. 8; section 1 was amended by the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28), section 187(1) and Schedule 24, and the Environment Act 1995 (c. 25), sections 78 and 120 and Schedules 10 and 24.

(6) 1991 c. 57.

“(aa) send a copy of the plan to the Scottish Environment Protection Agency which shall make it accessible to the public free of charge through its website, at its principal office ^{F15} ...;”

(5) [^{F16}Regulation 31] (river basin management plans: approval) shall have effect as if after sub-^{F17}paragraph 4(a)] “and” were omitted and there were inserted—

“(aa) send a copy of the approved plan to the Scottish Environment Protection Agency which shall make it accessible to the public free of charge through its website, at its principal office ^{F18} ...; and”

[^{F19}(6) [^{F20}Regulation 33] (duty to have regard to plans) shall have effect as if “the Welsh Ministers,” and “, [^{F21}NRW]” were omitted.]

Textual Amendments

- F1** Reg. 5(1)-(2C) substituted for reg. 5(1) (3.3.2016) by [The Water Environment \(Water Framework Directive\) \(Northumbria and Solway Tweed River Basin Districts\) \(Amendment\) Regulations 2016 \(S.I. 2016/139\)](#), reg. 1(2), **Sch. 1 para. 4(a)**
- F2** Words in reg. 5(1A)(a) substituted (E.W.) (10.4.2017) by [The Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017 \(S.I. 2017/407\)](#), reg. 1(a), **Sch. 4 para. 1(3)(a)(i)** (with reg. 1(c))
- F3** Words in reg. 5(1A)(b) substituted (E.W.) (10.4.2017) by [The Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017 \(S.I. 2017/407\)](#), reg. 1(a), **Sch. 4 para. 1(3)(a)(ii)** (with reg. 1(c))
- F4** Words in reg. 5(2)(b) substituted (E.W.) (10.4.2017) by [The Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017 \(S.I. 2017/407\)](#), reg. 1(a), **Sch. 4 para. 1(3)(b)** (with reg. 1(c))
- F5** Words in reg. 5(2C) substituted (E.W.) (10.4.2017) by [The Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017 \(S.I. 2017/407\)](#), reg. 1(a), **Sch. 4 para. 1(3)(c)(i)** (with reg. 1(c))
- F6** Words in reg. 5(2C) substituted (E.W.) (10.4.2017) by [The Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017 \(S.I. 2017/407\)](#), reg. 1(a), **Sch. 4 para. 1(3)(c)(ii)** (with reg. 1(c))
- F7** Words in reg. 5(3) substituted (E.W.) (10.4.2017) by [The Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017 \(S.I. 2017/407\)](#), reg. 1(a), **Sch. 4 para. 1(3)(d)(i)** (with reg. 1(c))
- F8** Words in reg. 5(3)(a) omitted (3.3.2016) by virtue of [The Water Environment \(Water Framework Directive\) \(Northumbria and Solway Tweed River Basin Districts\) \(Amendment\) Regulations 2016 \(S.I. 2016/139\)](#), reg. 1(2), **Sch. 1 para. 4(b)(i)**
- F9** Word in reg. 5(3)(c)(iii) substituted (3.3.2016) by [The Water Environment \(Water Framework Directive\) \(Northumbria and Solway Tweed River Basin Districts\) \(Amendment\) Regulations 2016 \(S.I. 2016/139\)](#), reg. 1(2), **Sch. 1 para. 4(b)(ii)**
- F10** Reg. 5(3)(c)(iv) substituted (E.W.) (10.4.2017) by [The Water Environment \(Water Framework Directive\) \(England and Wales\) Regulations 2017 \(S.I. 2017/407\)](#), reg. 1(a), **Sch. 4 para. 1(3)(d)(ii)** (with reg. 1(c))
- F11** Words in reg. 5(3)(d) substituted (3.3.2016) by [The Water Environment \(Water Framework Directive\) \(Northumbria and Solway Tweed River Basin Districts\) \(Amendment\) Regulations 2016 \(S.I. 2016/139\)](#), reg. 1(2), **Sch. 1 para. 4(b)(iii)(aa)**
- F12** Words in reg. 5(3)(d) substituted (3.3.2016) by [The Water Environment \(Water Framework Directive\) \(Northumbria and Solway Tweed River Basin Districts\) \(Amendment\) Regulations 2016 \(S.I. 2016/139\)](#), reg. 1(2), **Sch. 1 para. 4(b)(iii)(bb)**

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- F13** Words in reg. 5(3)(d) substituted (E.W.) (10.4.2017) by The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (S.I. 2017/407), reg. 1(a), **Sch. 4 para. 1(3)(d)(iii)** (with reg. 1(c))
- F14** Words in reg. 5(4) substituted (E.W.) (10.4.2017) by The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (S.I. 2017/407), reg. 1(a), **Sch. 4 para. 1(3)(e)** (with reg. 1(c))
- F15** Words in reg. 5(4) omitted (3.3.2016) by virtue of The Water Environment (Water Framework Directive) (Northumbria and Solway Tweed River Basin Districts) (Amendment) Regulations 2016 (S.I. 2016/139), reg. 1(2), **Sch. 1 para. 4(c)**
- F16** Words in reg. 5(5) substituted (E.W.) (10.4.2017) by The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (S.I. 2017/407), reg. 1(a), **Sch. 4 para. 1(3)(f)(i)** (with reg. 1(c))
- F17** Words in reg. 5(5) substituted (E.W.) (10.4.2017) by The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (S.I. 2017/407), reg. 1(a), **Sch. 4 para. 1(3)(f)(ii)** (with reg. 1(c))
- F18** Words in reg. 5(5) omitted (3.3.2016) by virtue of The Water Environment (Water Framework Directive) (Northumbria and Solway Tweed River Basin Districts) (Amendment) Regulations 2016 (S.I. 2016/139), reg. 1(2), **Sch. 1 para. 4(d)**
- F19** Reg. 5(6) inserted (3.3.2016) by The Water Environment (Water Framework Directive) (Northumbria and Solway Tweed River Basin Districts) (Amendment) Regulations 2016 (S.I. 2016/139), reg. 1(2), **Sch. 1 para. 4(e)**
- F20** Words in reg. 5(6) substituted (E.W.) (10.4.2017) by The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (S.I. 2017/407), reg. 1(a), **Sch. 4 para. 1(3)(g)(i)** (with reg. 1(c))
- F21** Word in reg. 5(6) substituted (E.W.) (10.4.2017) by The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (S.I. 2017/407), reg. 1(a), **Sch. 4 para. 1(3)(g)(ii)** (with reg. 1(c))

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