
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.—(1) Regulations 2 and 5 to 20 of the principal Regulations (river basin management planning) shall apply to the whole of the Northumbria River Basin District as they apply to river basin districts identified by regulation 4(1) of those Regulations (river basin districts), subject to the following modifications.

(2) Regulation 2 (interpretation) shall have effect as if the definition of “the appropriate authority” were deleted, and regulations 6, 10 to 15, 18 and 20 shall have effect as if for each reference to the appropriate authority there were substituted a reference to the Secretary of State.

(3) Regulation 12 (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 and at the principal office for its East Region;”;

(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;

(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 Commissioners;”;

(iv) after sub-paragraph (i) there were inserted—

“(ii) Scottish Water;”;

(d) for paragraph (5) there were substituted—

“(5) In this regulation—

(a) “appropriate nature conservation bodies” means the Joint Nature Conservation Committee, English Nature and Scottish Natural Heritage;

- (b) “harbour” and “harbour authority” have the meanings given by section 57 of the Harbours Act 1964(1);
- (c) “the River Tweed Commissioners” means the council constituted in accordance with section 6 of the Tweed Fisheries Act 1969(2);
- (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);
- (h) “the plan period”, in relation to a plan, means the period to which a direction under regulation 11(2)(a) requires it to relate;
- (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) Regulation 13 (river basin management plans: submission for approval) shall have effect as if after paragraph (1)(a) there were inserted—

“(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 and at the principal office for its East Region;”.

(5) Regulation 14 (river basin management plans: approval) shall have effect as if after subparagraph (3)(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 and at the principal office for its East Region; and”.

(1) 1964 c. 40.

(2) 1969 c. 24.

(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.