

SCHEDULE 6

FOR THE PROTECTION OF THE ENVIRONMENT AGENCY

Approvals

11.—(1) For the purposes of Chapter 2 of Part 2 of the Water Resources Act 1991⁽¹⁾ (abstraction and impounding of water) and section 109 of that Act (structures in, over or under a main river) as applying to the construction of any specified work any consent or approval given or deemed to be given by the Agency under this Schedule with respect to such construction shall be deemed also to constitute a licence under that Chapter to obstruct or impede the flow of inland waters at that point by means of impounding works or, as the case may be, a consent or approval under section 109.

(2) Section 23 of the Land Drainage Act 1991⁽²⁾ (prohibition on obstructions etc in watercourses) and any byelaws made under that Act or the Water Resources Act 1991 shall not apply to anything done under or in pursuance of this Order.

(1) Section 109 is amended by the Environment Act 1995 (c. 25), section 120 and Schedule 22, paragraph 128, and is prospectively amended by the Marine and Coastal Access Act 2009 (c. 23), section 82.

(2) 1991 c. 59. Section 23 is amended by the Environment Act 1995, section 120 and Schedule 22, paragraphs 191 and 192. This section is prospectively amended by the Flood and Water Management Act 2010 (c. 29) section 31 and Schedule 2, paragraphs 25 and 32.