
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 544

The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2003

River basin management plans: public participation

13.—(1) The Department shall in respect of the production of a river basin management plan –

- (a) not less than three years before the beginning of the plan period, publish a timetable and work programme for the production of the plan, including a statement of the consultation measures to be taken;
- (b) not less than two years before the beginning of the plan period, publish an interim overview of the significant water management issues which it considers arise for consideration in relation to the river basin district and the part of each international river basin district falling within Northern Ireland; and
- (c) not less than one year before the beginning of the plan period, publish a draft plan.

(2) The Department shall ensure co-ordination with the relevant competent authority in the Republic of Ireland with the aim of producing a single draft plan for each international river basin district.

(3) Where a single draft plan is not produced for an international river basin district, the Department shall publish a draft plan for the part of the international river basin district falling within Northern Ireland.

(4) The Department shall publish the background documents in a manner calculated to bring them to the attention of persons and bodies likely to be affected by them and, in particular, shall –

- (a) make copies of each document accessible to the public free of charge at the relevant place and through the Department's website;
- (b) publish a notice –
 - (i) stating the fact of publication;
 - (ii) specifying the arrangements made for making copies of the document published available for public inspection; and
 - (iii) stating that any person may make representations to the Department in relation to the document published;
- (c) consult the persons and bodies referred to in paragraph (6);
- (d) take such steps as it considers appropriate to provide opportunities for the general public and the persons and bodies referred to in paragraph (6) to participate in discussion and the exchange of information or views in relation to the preparation of the draft plan; and
- (e) invite the public and the persons and bodies referred to in paragraph (6) to make representations in relation to the draft plan.

(5) A notice required by paragraph (4)(b) shall be published –

- (a) in the Belfast Gazette; and

- (b) at least once in each of two successive weeks in one or more newspapers circulating in the river basin district or the part of the international river basin district to which the plan relates.
- (6) The persons and bodies to be consulted are –
 - (a) the Northern Ireland Water Council;
 - (b) the Council for Nature Conservation and the Countryside;
 - (c) each district council any part of whose area is within the river basin district or the part of an international river basin district falling within Northern Ireland;
 - (d) the harbour authority for each harbour in the river basin district or the part of an international river basin district falling within Northern Ireland;
 - (e) the Department of Agriculture and Rural Development;
 - (f) the Department of Culture, Arts and Leisure;
 - (g) the Department for Regional Development;
 - (h) such persons or bodies as appear to the Department in relation to the river basin district and the part of each international river basin district falling within Northern Ireland –
 - (i) to be representative of the interests of those carrying on any business which relies upon the water environment;
 - (ii) to have an interest in the protection of the water environment; or
 - (iii) to have an interest in the promotion of flood management; and
 - (i) such other persons or bodies as the Department considers appropriate.
- (7) The Department shall take into account any representations relating to each of the background documents which are received by the Department within a period of six months beginning with the date of publication of the document or such longer period as the Department may allow.
- (8) In this regulation –
 - (a) “the background documents” means the timetable and work programme including the statement of consultation measures, the interim overview and the draft plan mentioned in paragraph (1);
 - (b) “harbour” and “harbour authority” have the meanings given by section 38 of the Harbours Act (Northern Ireland) 1970(1); and
 - (c) “the plan period”, in relation to a plan, means the period to which a river basin management plan relates as determined under regulation 12(3)(a).

(1) O.J. No. L229, 30.8.80, p. 11; amended by Council Directive 98/83/EC of 3rd November 1998 on the quality of water intended for human consumption (O.J. No. L330, 5.12.98, p.32)