



Water Resources Act 1991

1991 CHAPTER 57

PART II

WATER RESOURCES MANAGEMENT

CHAPTER II

ABSTRACTION AND IMPOUNDING

Modification of licences

52 Proposals for modification at instance of the [F¹Agency] or Secretary of State.

- (1) Where it appears to the [F¹Agency] that a licence under this Chapter should be revoked or varied, the [F¹Agency] may formulate proposals for revoking or varying the licence.
- (2) Where—
 - (a) it appears to the Secretary of State (either in consequence of representations made to the Secretary of State or otherwise) that a licence under this Chapter ought to be reviewed; but
 - (b) no proposals for revoking or varying the licence have been formulated by the [F¹Agency] under subsection (1) above,the Secretary of State may, as he may consider appropriate in the circumstances, give the [F¹Agency] a direction under subsection (3) below.
- (3) A direction under this subsection may—
 - (a) direct the [F¹Agency] to formulate proposals for revoking the licence in question; or
 - (b) direct the [F¹Agency] to formulate proposals for varying that licence in such manner as may be specified in the direction.
- (4) Notice in the prescribed form of any proposals formulated under this section with respect to any licence shall—

Status: Point in time view as at 01/04/1996. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Section 52. (See end of Document for details)

- (a) be served on the holder of the licence; and
 - (b) be published in the London Gazette and, at least once in each of two successive weeks, in one or more newspapers (other than the London Gazette) circulating in the relevant locality.
- (5) If—
- (a) a licence with respect to which any proposals are formulated under this section relates to any inland waters; and
 - (b) the proposals provide for variation of that licence,
- a copy of the notice for the purposes of subsection (4) above shall, not later than the date on which it is first published otherwise than in the London Gazette, be served on any navigation authority, harbour authority or conservancy authority having functions in relation to those waters at a place where the licence, if varied in accordance with the proposals, would authorise water to be abstracted or impounded.
- (6) A notice for the purposes of subsection (4) above, in addition to any other matters required to be contained in that notice, shall—
- (a) name a place within the relevant locality where a copy of the proposals, and of any map, plan or other document prepared in connection with them, will be open to inspection by the public, free of charge, at all reasonable hours during a period specified in the notice in accordance with subsection (7) below; and
 - (b) state that, at any time before the end of that period—
 - (i) the holder of the licence may give notice in writing to the [^{F1}Agency] objecting to the proposals; and
 - (ii) any other person may make representations in writing to the [^{F1}Agency] with respect to the proposals.
- (7) The period specified in a notice for the purposes of subsection (6) above shall be a period which—
- (a) begins not earlier than the date on which the notice is first published in a newspaper other than the London Gazette; and
 - (b) ends not less than twenty-eight days from that date and not less than twenty-five days from the date on which the notice is published in the London Gazette.
- (8) In this section “the relevant locality” means the locality in which the place or places where the licence authorises water to be abstracted or impounded is or are situated.

Textual Amendments

F1 Words in s. 52 substituted (subject to other provisions of the amending Act) (1.4.1996) by 1995 c. 25, s. 120, **Sch. 22 para. 128** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**

Status:

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Changes to legislation:

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