



Water Resources Act 1991

1991 CHAPTER 57

PART II

WATER RESOURCES MANAGEMENT

CHAPTER II

ABSTRACTION AND IMPOUNDING

Applications for a licence

[^{F1}37] Publication of application for licence.

- (1) The [^{F2}appropriate agency] shall publish a notice of an application for—
 - (a) a full licence or a transfer licence; or
 - (b) a licence under this Chapter to obstruct or impede the flow of any inland waters by means of impounding works,
in the prescribed way or (if no way is prescribed) in a way calculated to bring the application to the attention of persons who in the [^{F2}appropriate agency's] view are likely to be affected by the licence.
- (2) Not later than the date on which that notice is first published, the [^{F2}appropriate agency] shall also serve a copy of it on the persons referred to in subsection (3) below (except the applicant, if the applicant is one of those persons).
- (3) Those persons are—
 - (a) any water undertaker within whose area any proposed point of abstraction or impounding is situated;
 - (b) any navigation authority, harbour authority or conservancy authority having functions in relation to any inland waters at any such proposed point; and
 - (c) the drainage board for any internal drainage district within which any such proposed point is situated,

Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Section 37. (See end of Document for details)

but paragraphs (b) and (c) above do not apply if the licence applied for is exclusively for the abstraction of water from a source of supply that does not form part of any inland waters.

- (4) A notice for the purposes of the preceding provisions of this section shall—
- (a) be in the prescribed form and shall include any prescribed matters; and
 - (b) state that any person may make representations in writing to the [^{F2}appropriate agency] with respect to the application at any time before the end of a period specified in the notice.
- (5) The period referred to in subsection (4)(b) above—
- (a) begins on the date the notice referred to in subsection (1) above is first published as mentioned there; and
 - (b) shall not end before the end of the period of twenty-eight days beginning with that date.
- (6) The Secretary of State may make regulations providing for—
- (a) the requirements of subsection (2) above, or of both subsections (1) and (2) above, not to apply in prescribed cases;
 - (b) notices of applications to exclude prescribed classes of information, either generally or as respects prescribed classes of application.
- (7) In this section, “proposed point of abstraction or impounding”, in relation to an application for a licence referred to in subsection (1) above, means a place where a licence, if granted in accordance with the application, would authorise—
- (a) water to be abstracted; or
 - (b) the flow of inland waters to be obstructed or impeded by means of impounding works,
- (as the case may be).
- (8) This section is subject to section 37A below.]

Textual Amendments

- F1** S. 37 substituted (1.4.2006) by [Water Act 2003 \(c. 37\), ss. 14\(1\), 105\(3\)](#); S.I. 2006/984, art. 2(i) (with [Sch. paras. 12](#))
- F2** Words in ss. 33A-45 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\), art. 1\(2\)](#), [Sch. 2 para. 270\(g\)](#) (with [Sch. 7](#))

Modifications etc. (not altering text)

- C1** S. 37(1)(2) excluded (1.4.2006) by [Water Resources \(Abstraction and Impounding\) Regulations 2006 \(S.I. 2006/641\), reg. 1\(2\)](#), [Sch. 2 para. 3](#)
- C2** S. 37(1)(2) applied (1.4.2006) by [Water Resources \(Abstraction and Impounding\) Regulations 2006 \(S.I. 2006/641\), reg. 1\(2\)](#), [Sch. 2 para. 2](#)
- C3** S. 37(1)(2) excluded (1.4.2006) by [Water Resources \(Abstraction and Impounding\) Regulations 2006 \(S.I. 2006/641\), regs. 1\(2\), 7](#)

Changes to legislation:

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