

SCHEDULES

SCHEDULE 5

PROCEEDINGS ON APPLICATION FOR A DROUGHT ORDER

Notice of application for drought order

- 1.—(1) The applicant for a drought order shall—
 - (a) cause notice of the application to be served in accordance with sub-paragraph (2);
 - (b) cause a notice of the application to be published in at least two newspapers circulating within the area affected by the order; and
 - (c) cause a notice of the application to be published in the Belfast Gazette.
- (2) Notice of the application is to be served as follows—
 - (a) in the case of all orders, on DCAL, DOE and DARD (or whichever of them is not the applicant), and on every district council and every water undertaker (not being the applicant) whose area would be affected by the order;
 - (b) in the case of an order which suspends or modifies any statutory provision, on such persons (if any) as are specified by name in the statutory provision as being persons for whose protection it was enacted or made;
 - (c) in the case of an order concerning the taking of water from a source or the discharge of water or effluent to a place, on every district council in whose area the source, or the place at which water or effluent is to be discharged, is situated, on every navigation authority exercising functions over any watercourse affected by the order and, if the order concerns any consent relating to the discharge of sewage effluent or trade effluent, on the person to whom the consent was given;
 - (d) in the case of an order which authorises the carrying out of any works, on every district council within whose area the works are situated;
 - (e) in the case of an order which authorises the occupation and use of land, on every owner, lessee and occupier of the land;
 - (f) in the case of an order which prohibits or limits the taking of water, on every named person to whom the prohibition or limitation applies.
- (3) A notice for the purposes of this paragraph of an application for a drought order—
 - (a) shall state the general effect of the application;
 - (b) shall specify a place within the area affected by the order where a copy of any relevant map or plan may be inspected by any person free of charge at all reasonable times within a period of 7 days from the date on which it is served or, as the case may be, published;
 - (c) shall state that objections to the application may be made to the Department within 7 days from the date on which it is served or, as the case may be, published; and
 - (d) in the case of an application for an order authorising the occupation and use of land, shall specify the land to which the application relates.