

EXECUTIVE NOTE
THE WATER ENVIRONMENT AND WATER SERVICES (SCOTLAND) ACT 2003
(DESIGNATION OF RESPONSIBLE AUTHORITIES) ORDER 2006 SSI/2006/126

The above instrument is made in exercise of the powers conferred by section 2(8) of the Water Environment and Water Services (Scotland) Act 2003 (“the WEWS Act”). The instrument is subject to negative resolution procedure.

Policy Objectives

1. This Order designates specified public bodies as responsible authorities in respect of their functions relating to the water environment, for the purposes of Part I of the WEWS Act.

Background

2. The Water Framework Directive was transposed into Scots law by the WEWS Act in 2003. Section 2 of the Act allows Ministers to designate responsible authorities for the purposes of Part I of the Act.

3. Designation will place an obligation upon public bodies whose plans and activities impact on the water environment to carry out their normal statutory functions in a way that secures compliance with WFD objectives. In doing so, these responsible authorities will act to support SEPA in its lead role for river basin management planning and will help secure a successful implementation of the Directive in Scotland.

Consultation

4. We consulted on the designation of responsible authorities in August 2005. We received 36 responses, all of which expressed support for the policy.

Financial Implications

5. There are no material financial implications arising from this designation. The policy contributes to the Efficient Government programme by providing a framework for cooperation between public authorities. This will lessen the risk of duplication and will ensure lower over-all costs in relation to implementing the WFD in Scotland.

6. A Regulatory Impact Assessment was prepared as part of the development of Designation Order. This is available with a full policy statement in hard copy from the Scottish Executive or in the Executive’s on-line library.

Negative Resolution Procedure

7. This Order is subject to the negative resolution procedure.

Scottish Executive Environment and Rural Affairs Department
March 2006