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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 210**

**The Private Water Supplies (Grants)  
(Scotland) Regulations 2006**

**Determination of applications**

6.—(1) Subject to regulations 7 and 10, a local authority may—

- (a) refuse an application, or may approve it in whole or in part;
- (b) cause such approval to be given, and any payments by way of grant to be made, subject to such conditions as it considers reasonable; and
- (c) subject to paragraph (6), at any time, vary or revoke the approval and any conditions attached to the approval.

(2) A local authority shall as soon as reasonably practicable notify the applicant in writing whether the application is approved or refused, and if it is refused or approved in part shall give reasons in writing.

(3) Where a local authority decides to approve an application for a grant, it shall determine and notify the applicant of—

- (a) the approved works and the approved expenditure, which may be different from the proposed works and estimated expenditure detailed in the application; and
- (b) the amount of grant it intends to make as calculated in accordance with regulation 8.

(4) If, after an application for a grant has been approved, a local authority is satisfied that, owing to circumstances beyond the control of the applicant—

- (a) the approved works cannot be, or could not have been, carried out on the basis of the approved expenditure; or
- (b) the approved works cannot be, or could not have been, carried out without carrying out additional works which were not reasonably foreseeable at the time the application was made,

the local authority may re-determine the approved works and the approved expenditure, and may pay a supplementary grant in respect of that re-determined expenditure, but the amount of grant that may be awarded shall not, subject to regulation 8(2), exceed the difference between £800 and the amount of any grant previously made to the applicant under regulation 8(1).

(5) Before determining an application, a local authority may consult such persons and make such reasonable inquiries as it considers appropriate, and have regard to any representations made by those persons; and where it intends to take into account those representations or any matters arising from those inquiries, it shall notify the applicant and provide details about them.

(6) Before varying or revoking an approval or any condition attached to an approval, a local authority shall—

- (a) give to the applicant notice in writing of the action proposed to be taken and the reasons for it;
- (b) afford that person an opportunity to make representations about the action proposed to be taken within a period of at least 21 days; and

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(c) consider any such representations.