

## SCHEDULES

### SCHEDULE 6

Article 57(3).

#### PROCEDURE FOR MAKING ORDERS UNDER ARTICLE 57(1)

1. Where the Departments propose to adopt a water management programme by order under Article 57(1), they shall publish, in the Belfast Gazette and, at least once in each of two successive weeks, in one or more newspapers circulating in the area to which the programme relates, a notice—

- (a) stating that a water management programme has been prepared in draft;
- (b) indicating the area to which the draft programme applies;
- (c) specifying a place where a copy of the draft programme may be inspected free of charge at all reasonable times during the period of 28 days beginning with the date of the first publication in a newspaper; and
- (d) stating that any person may, within that period, by notice in writing to either Department object to the making of an order adopting the draft programme.

2. Either Department shall, if so requested by any person, furnish him with a copy of the draft programme on payment of such reasonable charge as it may determine.

3. The Departments may alter the terms of the draft programme in such manner as they think fit, but where the Departments propose to alter significantly any such draft programme they shall cause to be published such additional notices as appear to them to be necessary.

4. If, before the end of the period of 28 days referred to in paragraph 1, notice in writing of an objection is received by either Department from any person appearing to it to be a person who may be affected by the draft programme or the draft programme as proposed to be altered under paragraph 3, the Departments, before making an order under Article 57(1) adopting the programme shall, unless the objections are met or withdrawn or the Departments are satisfied that they are solely of a frivolous or vexatious nature, cause an inquiry to be held by the Appeals Commission.

5. Sub-paragraphs (2) and (3) of paragraph 3 of Schedule 1 apply in relation to an inquiry under paragraph 4 as they apply in relation to an inquiry under sub-paragraph (1) of that paragraph.

6. An objection shall not be made to the Appeals Commission in respect of any watercourse in relation to which the Lands Tribunal has, on a review of a determination by the Drainage Council for Northern Ireland, or of a refusal by that Council to make a determination, decided that the watercourse should or should not be a designated watercourse.

7. After the expiry of the period of 28 days referred to in paragraph 1 and, where an inquiry is held by the Appeals Commission, after considering the report of the Commission, the Departments may make the order under Article 57(1) adopting the programme in the terms of the draft or in those terms altered in such manner as they think fit.

8. If the Departments adopt a water management programme under Article 57(1), they shall make such arrangements as appear to them to be appropriate for the publication of the programme and of notices stating that it has been made.

9. In this Schedule “designated watercourse” and “watercourse” have the meanings assigned by Article 2(2) of the Drainage Order.