



Water Resources Act 1991

1991 CHAPTER 57

PART II

WATER RESOURCES MANAGEMENT

CHAPTER II

ABSTRACTION AND IMPOUNDING

Modification of licences

57 Emergency variation of licences for spray irrigation purposes.

- (1) This section applies where at any time—
 - (a) one or more licences under this Chapter are in force in relation to a source of supply authorising water abstracted in pursuance of the licences to be used for the purpose of spray irrigation, or for that purpose together with other purposes; and
 - (b) by reason of exceptional shortage of rain or other emergency, it appears to the [^{F1}appropriate agency] that it is necessary to impose a temporary restriction on the abstraction of water for use for that purpose.
- (2) Subject to subsections (3) and (4) below, where this section applies the [^{F1}appropriate agency] may serve a notice on the holder of any of the licences reducing, during such period as may be specified in the notice, the quantity of water authorised to be abstracted in pursuance of the licence from the source of supply for use for the purpose of spray irrigation; and, in relation to that period, the licence shall have effect accordingly subject to that reduction.
- (3) The [^{F1}appropriate agency] shall not serve a notice under this section in respect of abstraction of water from underground strata unless it appears to the [^{F1}appropriate agency] that such abstraction is likely to affect the flow, level or volume of any inland waters which are [^{F2}not discrete waters].

Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Section 57. (See end of Document for details)

- (4) In the exercise of the power conferred by this section in a case where there are two or more licences under this Chapter in force authorising abstraction from the same source of supply either at the same point or at points which, in the opinion of the [^{F1}appropriate agency], are not far distant from each other—
- (a) the [^{F1}appropriate agency] shall not serve a notice under this section on the holder of one of the licences unless a like notice is served on the holders of the other licences in respect of the same period; and
 - (b) the reductions imposed by the notices on the holders of the licences shall be so calculated as to represent, as nearly as appears to the [^{F1}appropriate agency] to be practicable, the same proportion of the quantity of water authorised by the licences (apart from the notices) to be abstracted for use for the purpose of spray irrigation.
- (5) The provisions of this section shall have effect without prejudice to the exercise of any power conferred by sections 51 to 54 above.

Textual Amendments

- F1** Words in ss. 53-57 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(i)** (with Sch. 7)
- F2** Words in s. 57(3) substituted (1.1.2018) by [Water Act 2003 \(c. 37\)](#), s. 105(3), **Sch. 7 para. 5**; [S.I. 2017/1043](#), art. 2(g)

Modifications etc. (not altering text)

- C1** S. 57 modified (18.5.1992) by [S.I. 1992/1096](#), art. 4
- C2** S. 57(1)(2)(4) modified (18.5.1992) by [S.I. 1992/1096](#), arts. 3, 4, **Sch.**

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