
EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 96 of the Water Resources Act 1991 (“the 1991 Act”) gives the Secretary of State power to make regulations for the purposes of any order made under section 93 of the 1991 Act which designates a water protection zone and requires the consent of the Environment Agency (“the Agency”) to the carrying on of activities within it.

The Secretary of State for the Environment, Transport and the Regions and the Secretary of State for Wales have made an order jointly under section 93 of the 1991 Act entitled “The Water Protection Zone (River Dee Catchment) Designation Order 1999” which designates as a water protection zone an area forming part of the freshwater river Dee catchment.

The Regulations provide the procedure to be followed in relation to controlled activities within water protection zone and make provisions in relation to:

- (a) applications to the Agency for protection zone consent (regulations 5 and 6);
- (b) the Agency’s consideration and determination of such applications (regulations 6 and 7);
- (c) the reference of applications to and the making of appeals to the Secretary of State (regulations 8 and 12);
- (d) continuation of protection zone consent and variation of protection zone consent conditions (regulations 9 and 10);
- (e) the revocation of protection zone consents and the alteration and imposition of conditions (regulation 11);
- (f) a consents register (regulation 13);
- (g) charges in connection with applications for protection zone consent (regulation 14).

A regulatory impact assessment of the effect that these Regulations would have on the cost of business may be obtained from:

The Water Quality Division, Department of the Environment, Transport and the Regions, Ashdown House, 123 Victoria Street, London SW1E 6DE, or Environment Division, Welsh Office, Cathays Park, Cardiff CF1 3NQ.