

## SCHEDULE 2

### APPLICATIONS BY THE AGENCY

#### **Advertisement of Agency application**

2.—(1) Subsections (1) and (2) of section 37(1) (publication of application for licence) apply in relation to an Agency application as if that application had been made to the Agency.

(2) Where the requirements of subsections (1) and (2) of section 37 apply in relation to an Agency application, notice of that application must be published—

- (a) in at least one newspaper circulating in the locality of the proposed point of abstraction or impounding; and
- (b) on the Agency's website.

(3) Subject to sub-paragraph (4), the notice must—

- (a) state that the Agency is the applicant;
- (b) specify—
  - (i) the type of licence being applied for;
  - (ii) the purpose of the proposed abstraction or impounding;
  - (iii) the proposed point of abstraction or impounding;
  - (iv) in the case of an application for an abstraction licence, the quantity of water to be abstracted and the period over which abstraction would take place; and
  - (v) in the case of an application for an impounding licence, the proposed means of impounding; and
- (c) state—
  - (i) where and when the register containing details of the application may be inspected and that such inspection is free of charge;
  - (ii) the address to which any representations in relation to the application are to be sent; and
  - (iii) that, after the expiry of the period within which representations may be made in relation to the application, the Agency may approve the application in accordance with paragraph 6 unless the application is referred to the Secretary of State or the Assembly under section 41.

(4) The notice must not include any information that is not to be included in a register by virtue of section 191A (exclusion from registers of information affecting national security) or 191B (exclusion from registers of certain confidential information).

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(1) Section 37 was amended by the EA, section 120 and Schedule 22, paragraph 128, and by the WA, section 14(1).