

# Dalradian Discharge Consents



DAERA Water Regulation Correspondence

To PACNI Dalradian CPI

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Expires 22/07/2024

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Tue 23/04/2024 15:53

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TC 81-20 Time Extension request- first.doc  
37 KB

2024-04-18 PAC ltr to DAERA re Dalradian Discharge Consents.pdf  
146 KB

The Commission may observe that the extension letters and agreements do not provide uninterrupted coverage of the time period between the applications having been deemed complete and agreement being reached that the applications would be considered before the Public Local Inquiry. The wording of the regulations in respect of extensions to Discharge consent applications is, however, different to that in the Abstraction and Impoundment regulations.

Schedule 1 para 2, 2 of the Water (NI) Order 1999 states:

*...on an application made in accordance with paragraph 1, the applicant may treat the consent applied for as having been refused if it is not given within the period of 4 months beginning with the day on which the application is received or within such longer period as may be agreed in writing between the Department and the applicant.*

As such the application is not 'deemed refused' if the extension is not in place, but it provides that the applicant may treat the application as such. Clearly the applicant did not treat the application as refused, since a further extension was subsequently agreed.

Water Regulation Team