

From: [REDACTED] <[\[REDACTED\]@infrastructure-ni.gov.uk](mailto:[REDACTED]@infrastructure-ni.gov.uk)>

Sent: Sunday, March 24, 2024 8:52 PM

To: [REDACTED] <[\[REDACTED\]@daera-ni.gov.uk](mailto:[REDACTED]@daera-ni.gov.uk)>

Cc: [REDACTED] <[\[REDACTED\]@infrastructure-ni.gov.uk](mailto:[REDACTED]@infrastructure-ni.gov.uk)>; DAERA Abstractions & Impoundments Licensing Team <AIL@daera-ni.gov.uk>; [REDACTED] <[\[REDACTED\]@infrastructure-ni.gov.uk](mailto:[REDACTED]@infrastructure-ni.gov.uk)>; [REDACTED] <[\[REDACTED\]@infrastructure-ni.gov.uk](mailto:[REDACTED]@infrastructure-ni.gov.uk)>; [REDACTED] <[\[REDACTED\]@infrastructure-ni.gov.uk](mailto:[REDACTED]@infrastructure-ni.gov.uk)>

Subject: RE: URGENT Dalradian Gold - Consultation on applications for Abstraction and Impoundment Licences (AIL/2020/0105 & AL/2020/0106) -

[REDACTED]

Apologies, I didn't get a chance to reply on Friday.

With thanks to my Rivers colleagues, I believe your understanding is correct, and the lagoons fall outside of the Act.

From the attachments and in particular the levels and cross sections that were supplied it seems that the ponds will be excavated structures and as such the storage volume will be below the natural level of the surrounding land (definition of a controlled reservoir considers structures or areas that hold water above the natural level of the surrounding land).

There does not appear to be any form of impounding structure being constructed to hold water above the natural level of the surrounding land, so we don't believe a controlled reservoir is the intended construction and therefore the Act wouldn't apply.

Colleagues have suggested that once up and running, it may be worth a site visit just to confirm, but that would be for another day.

Hope this helps.

Thanks,

[REDACTED]

From: [REDACTED] <@daera-ni.gov.uk>

Sent: Friday, March 22, 2024 10:33 AM

To: [REDACTED] <@infrastructure-ni.gov.uk>

Cc: [REDACTED] <@infrastructure-ni.gov.uk>; DAERA Abstractions & Impoundments Licensing Team <AIL@daera-ni.gov.uk>; [REDACTED] <@infrastructure-ni.gov.uk>; [REDACTED] <@infrastructure-ni.gov.uk>; [REDACTED] <@infrastructure-ni.gov.uk>

Subject: RE: URGENT Dalradian Gold - Consultation on applications for Abstraction and Impoundment Licences (AIL/2020/0105 & AL/2020/0106) -

[REDACTED]

Thank you for coming back to us so quickly.

Yes the query relates to the question, would the Reservoir Act apply to the proposed lagoons?

Our understanding of the proposed construction was that the lagoons are to be lower than the natural level.

If the Reservoir Act (NI)2015 is applicable what requirements would the applicant be required to comply with?

Many Thanks

[REDACTED]

From: [REDACTED]@infrastructure-ni.gov.uk>

Sent: Friday, March 22, 2024 10:26 AM

To: [REDACTED]@daera-ni.gov.uk>

Cc: [REDACTED]@infrastructure-ni.gov.uk>; DAERA Abstractions & Impoundments Licensing Team

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<@infrastructure-ni.gov.uk>; [REDACTED]@infrastructure-ni.gov.uk>

Subject: FW: URGENT Dalradian Gold - Consultation on applications for Abstraction and Impoundment Licences (AIL/2020/0105 & AL/2020/0106) -

[REDACTED]

Thank you for your email.

To be clear, can I just double check exactly what your query is?

On recalling your initial contact with Stuart, it was around whether the Reservoirs Act would apply for lagoons holding 40,000m³ and 39,000m³ – which it absolutely would.

The Reservoirs Act (NI) 2015 will introduce a proportionate regulatory framework for the management and maintenance of reservoirs capable of holding 10,000 cubic metres, or more, of water above the natural level of the surrounding land and defined as controlled reservoirs – which would include the two I can see from the applications attached.

Not sure if this answers your query – I have cc some of my Reservoir Operations colleagues in case I have missed something fundamental!

Many thanks,

[REDACTED]

From: [REDACTED]@daera-ni.gov.uk>
Sent: Friday, March 22, 2024 9:30 AM
To: [REDACTED]@infrastructure-ni.gov.uk>
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DAERA Abstractions & Impoundments Licensing Team <AIL@daera-ni.gov.uk>
Subject: URGENT Dalradian Gold - Consultation on applications for Abstraction and Impoundment Licences (AIL/2020/0105 & AL/2020/0106) -

[REDACTED]

Thank you for making contact.

NIEA are currently considering two applications from Dalradian Gold to abstract/impound water at Curraghinalt. The applications are AIL/2020/0105 relating to the abstraction of mine water and AIL/2020/0106 relating to the abstraction of surface water.

We consulted with DfI Rivers earlier in the process in regards to flows and flood risk. However we would like to consult with DfI in relation to the Reservoir Act as the proposal includes 4 large ponds to hold water

DfI may have already provided a consultation response in relation to the planning proposals outlined under planning reference **LA10/2017/1249/F**. Sectional drawings of the proposed ponds form part of the planning application. I have attached the sectional drawings taken from the planning portal to assist in consideration.

You may be aware that the applications are subject to a PAC and WAC Public Inquiry. Both the public stakeholders and the PI Commissioner have highlighted the Reservoirs Act as a point to be considered. NIEA are required to provide evidence of consultation with DfI in relation to this point as soon as possible.







It would be greatly appreciated if a quick response could be provided to facilitate the Public Inquiry proceedings.

Happy to discuss.

Many Thanks

[REDACTED]

Attachments:

 U7511 -  AIL-2020-0106 -  PAO_LA10_2017_124  AIL-2020-0105 -  U7511 -  PAO_LA10_2017_124
Curraghinalt AbstracDalradian Gold - Mir9_F_Levels and CrossDalradian Gold - SurCurraghinalt Abstrac9_F_Levels and Cross

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A green rectangular banner with rounded corners. On the left side, there is a logo for the Department of Agriculture, Environment and Rural Affairs, consisting of a cluster of green and blue dots. To the right of the logo, the text 'Department of Agriculture, Environment and Rural Affairs' is written in a white, sans-serif font, with 'www.daera-ni.gov.uk' below it. On the right side of the banner, the text 'Sustainability at the heart of a living, working, active landscape valued by everyone.' is written in a white, italicized, sans-serif font.

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