



The Planning Inspectorate

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Date received

**WATER RESOURCES ACT 1991 (AS AMENDED) - S43
THE WATER RESOURCES (ABSTRACTION AND IMPOUNDING) REGULATIONS 2006**

WATER ABSTRACTION AND IMPOUNDMENT APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language, please contact our diversity helpline on 0117 372 8939

The appeal must reach the Inspectorate within **28 days** of the date of the Notice of the Environment Agency's (EA) decision, or within **28 days** of the date by which they should have decided the application.

A. INFORMATION ABOUT THE APPELLANT(S)

Full name

Address

.....

.....

Postcode Daytime Tel.....

Reference E-mail.....

Agent's name (if any)

Address

.....

.....

Postcode Daytime Tel.....

Reference E-mail.....

B. DETAILS OF THE APPEAL

Environment Agency Region

Address of the Site

.....

.....

National Grid Reference (see OS map for instructions eg TQ: 298407)

C. THE APPEAL

THIS APPEAL IS AGAINST the decision of the Environment Agency under the Water Resources (Abstraction and Impounding) Regulations 2006 and Sections 38-40 of the Water Resources Act 1991 – (please tick)

- to refuse a licence to abstract and/or impound water as described;
- to grant a licence subject to conditions as described; or
- the failure of the EA to give notice of their decision in respect of the application, or of the reference of the application to the Secretary of State for Environment, Food and Rural Affairs within the appropriate period specified in Regulation 12(2) of the 2006 Regulations.

Date of application

Date of Environment Agency decision (if any)

Environment Agency reference (if known).....

.....

D. PROCEDURE

CHOOSE ONE PROCEDURE ONLY

Please tick ✓

- **Written Representations**

This is normally the simplest, quickest and most straightforward way of making an appeal. The process involves the submission of written 'grounds of appeal' followed by a written statement and any supporting documents. It also provides an opportunity to comment in writing on the Environment Agency's reason for their decision (or failing to determine the application). An Inspector will study all of the documents before visiting the appeal site and issuing a written decision.

- **Hearing**

This process is likely to be suited to slightly more complicated cases which require detailed discussion about the issues of the case. Like the written procedure, the process starts with the submission of the 'grounds of appeal' followed by a full written statement of case and an opportunity to comment in writing on the Environment Agency's reasons for their decision (or failing to determine the application). The Planning Inspectorate will then arrange a hearing. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. Members of the public may also attend and at the discretion of the Inspector, give their views. The Inspector will visit the site and issue a written decision.

If you have requested either written representations or a hearing, the Inspectorate will need to decide whether this procedure is suitable for your appeal.

- **Inquiry**

This is the most formal of procedures. Although it is not a court of law, the proceedings will often seem quite similar as the Parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence. Members of the public and press may also attend.

E. SUPPORTING DOCUMENTS

Where applicable, a copy of each of the following should be enclosed with this appeal:-

1. Your grounds of appeal (see **F**);
2. The application submitted to the EA;
3. Plans, drawings and documents forming part of the application submitted to the EA;
4. The EA's decision notice (if any); or licence (if applicable);
5. Other relevant correspondence;
6. A plan showing the site in **RED**, in relation to two named roads (preferably on a 1:10,000 OS map).

PLEASE SIGN BELOW

Signed

Position (if signing on behalf of a Company)

Name (in capitals) Date

Send your appeal form with all the supporting documents to:-

ENGLAND

The Planning Inspectorate
Room 4/04 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

WALES

The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff CF1 3NQ

A copy of the appeal form and grounds of appeal MUST be sent to the Environment Agency at the address from which the decision on the application (or any acknowledgements etc) was received.

The gathering and subsequent processing of the personal data you give on this form accords with the terms of the Planning Inspectorate's registration under the Data Protection Act 1998. More about the Planning Inspectorate's data protection policy can be found on our website at http://www.planning-inspectorate.gov.uk/pins/terms_conditions/privacy/index.htm.

F. GROUNDS OF APPEAL