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██████████  
Director Resource Efficiency Division  
Northern Ireland Environment Agency

DATE  
03 May 2024

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By Email ONLY

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Dear ██████████

**Re: Requests for a Public Local Inquiry under Regulation 17 of the Water Abstraction and Impoundment (Licencing) Regulations (Northern Ireland) 2006 for application AIL 2024 0003 & AIL 2024 0004 – NIEA, to abstract and impound water on behalf of Dalradian Gold Ltd.**

Thank you for your correspondence dated 2<sup>nd</sup> May 2024, in which the Department issued a direction to the Commission to hold public local inquiries in respect of the above water abstraction and impoundment applications.

The purpose of a public inquiry is to consider representations made under regulation 9 of the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006. I understand from the correspondence that the applications were deemed complete on 29 April 2024 and are now the subject of advertisement. Details of the advertisement date were not provided in the correspondence. The statutory requirement is that the representations in respect of the applications are to be made in writing within 28 days beginning with the date of the advertisement. The Commission notes that the Department is keen to process the applications with extreme urgency as stated in your letter of 25 April 2024 but this should not be at the expense of fulfilling all statutory requirements which includes allowing the 28 days for making of representations.

You acknowledge the difficulty faced by the Commissions in making recommendations on planning and discharge matters without knowing about abstraction issues. The Commission is cognisant of this and has already taken the decision to suspend arrangements for the opening of the planned hearing sessions pending receipt of a valid direction from DAERA in relation to the abstraction and impoundment license applications together with all of the relevant papers in respect of those applications. I attach a copy of this letter for your reference.

We note the timelines set out in your letter but we cannot proceed until we are in receipt of the matters outlined above, including all representations made in respect of the new applications. Even then there are various internal procedures to be followed to provide sufficient time for those who have made representations in respect of the new applications to participate in the conjoined inquiry.

We would appreciate if you could provide us with an approximate timeframe for the processing of the new water abstraction and impoundment applications and referral thereafter.

This letter along with a copy of your correspondence will be uploaded to our website.

Yours sincerely



Andrea Kells

Chief Commissioner

Enc – 2 May letter to referring authorities