



4th Floor
92 Ann Street
Belfast
BT1 3HH

CONTACT

028 90 244710

Dalradian.CPI@pacni.gov.uk

YOUR REFERENCE

AIL 2024/0003 & AIL
2024/0004

[REDACTED]
Director of Resource
Efficiency Division

Cc Water Regulation
Team

By Email

DATE

14 June 2024

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

Dear [REDACTED]

Thank you for your correspondence dated 11th June 2024. We note NIEA's commitment to provide a direction and all associated papers to the Commission no later than 21st June 2024.

For clarity, my letter of 14th May sought confirmation that DAERA was in receipt of representations made in relation to the applications in line with the statutory requirements prior to the issuing of the Direction dated 2nd May 2024 (the date of the advertisement). Nevertheless, providing a new Direction should ensure that no further procedural issues arise in this regard.

Once we are in receipt of the papers in respect of the new applications, the appointed Commissioner will review them. Naturally, only when we are satisfied that there are no further procedural issues arising will we move to confirm the new timetable. On this point, it should be noted that your letter of 11th June 2024, raises some additional procedural issues that the Commission would ask you to address.

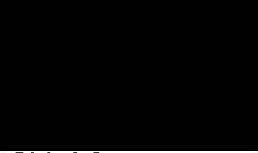
As you are aware, Regulation 17 (1) of the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 (*the Regulations*) establishes the legal remit for any public inquiry which is to be conducted by the Commission. It sets out that the purpose of the public inquiry is to consider representations made under Regulation 9.

Regulation 9(4) of the Regulations allows for any person affected or likely to be affected by, or having an interest in, the application to make representations to the Department in writing within 28 days beginning with the date of the advertisement. You will recall that you have previously stated that the advertisements for the new applications were published on 2nd May 2024. Accordingly, the 28-day timeframe for the submission of representations appears to have lapsed on 30th May 2024. We would therefore ask you to provide the statutory context you rely on which permits the Department to extend the 28-day period as stipulated in the Regulations.

Please note that the Commission has closed its files in relation to AIL2020/0105 (2021/WHR03) and AIL 2020/0106 (2021/WHR04).

This correspondence will be uploaded to the Commission's website.

Yours sincerely,



Chief Commissioner