

Part 2 – Clause 33 (Schedule 4) Reservoirs

Issue

Reservoirs store water for a variety of purposes including flood detention, irrigation and water supply to the public. The safety, integrity and maintenance of some of these reservoirs and related dams were called into question following the 2007 floods and subsequent inquiries and reviews.

Large (Raised) Reservoirs that fall under the 1975 Reservoirs Act (with capacity greater than 25,000m³) are inspected, maintained, and the new ones designed and constructed to meet the requirements of the Act. Reservoirs that fall outside the scope of the 1975 Act are current not adequately allowed for in law as exposed by the 2007 floods. The draft bill therefore proposes to reduce the capacity threshold for “large” reservoirs to 10,000 cubic metres (Schedule 4, A1, 2(3)).

The proposals in the draft bill are therefore aimed at revising the existing provisions in the 1975 Reservoirs Act to improve the design, construction, maintenance and inspection of all reservoirs that pose risks to human life if the reservoir or supporting dam were to fail. The bill also seeks to improve the level of inspection, design, construction, maintenance and monitoring of Large Raised Reservoirs on a risk based approach.

Ownership of reservoirs varies but historically most reservoirs were owned by Local Authorities and landowners. Some of the reservoirs in the ownership of LAs were transferred to water companies and the Environment Agency. There are conflicts on whether reservoirs under the ownership of the EA should be included in the scope of the bill and the EA’s obligations for the reservoirs it owns.

Water UK's view

Water UK supports the need to for a risk based approach to design, construction, inspection, maintenance and regulation of all reservoirs including those covered under the 1975 Reservoirs Act.

We support the need for classification of reservoirs on the basis of impact and consequences of failure on human life.

We believe all reservoirs that fall under the new regulatory regime following the relevant risk assessments should be duly regulated with no exemptions on the basis of ownership. In particular we think is it wrong to exclude reservoirs managed or owned by the Environment Agency from the new regulatory regime as the impact on human health will be irrespective of ownership.

We consider that financial responsible for compliance with requirements of the new regulatory requirement should be borne by the owners of the reservoirs and not be subject to cross subsidy. We think insurance should not be a replacement for the proposed risk based regulation regime.

For further information please contact:

Steve Ntifo sntifo@water.org.uk
Water UK Environment and Science Adviser

Dawn Waterman dwaterman@water.org.uk
Water UK Public Affairs Adviser
020 7344 1865

Water UK represents all water and wastewater service suppliers at national and European level. The water industry has invested £85 billion since privatisation in 1989-90.