



2015 CHAPTER 8

PART 2

REQUIREMENTS FOR HIGH-CONSEQUENCE
AND MEDIUM-CONSEQUENCE RESERVOIRS

Supervision by supervising engineer

Regulations as to visits by supervising engineer

- 27.—(1) The Department may by regulations make provision—
- (a) for there to be a standard frequency of visits that must be made by a supervising engineer to a high-consequence or medium-consequence reservoir,
 - (b) for the standard frequency to be different according to whether or not the Department considers that a high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained,
 - (c) for the Department to decide whether it considers that a high-consequence or medium-consequence reservoir is of an acceptable standard as regards how it is being maintained, taking account (as appropriate) of the following—
 - (i) whether or not a pre-commencement inspection report contains a pre-commencement safety recommendation,
 - (ii) whether or not an inspection report specifies any measure that should be taken in the interests of the safety of the reservoir or any other matter that the inspecting engineer recommends should be monitored by the supervising engineer until the next inspection of the reservoir,

- (iii) any inspection compliance certificate,
 - (iv) any written statement by the supervising engineer under section 26(5) currently applicable and copied to the Department by virtue of section 26(6).
- (2) Regulations making provision referred to in subsection (1)(c) must—
- (a) require the Department to notify the reservoir manager of a high-consequence or medium-consequence reservoir of its decision as to whether or not it considers that the reservoir is of an acceptable standard as regards how it is being maintained and accordingly the standard frequency of visits that must be made to it by the supervising engineer,
 - (b) provide that the reservoir manager may appeal to the Water Appeals Commission against the decision specified in the notice,
 - (c) provide that the Commission may confirm or quash the decision,
 - (d) provide that the decision in respect of which an appeal is made continues to have effect pending a decision being made in the appeal.
- (3) In subsection (1)(c)(ii), “the inspecting engineer” has the same meaning as in sections 35 and 36 (see section 35(6)(a)).