
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 43

**FLOOD RISK MANAGEMENT
WATER SUPPLY**

The Reservoirs (Scotland) Regulations 2016

Made - - - - 26th January 2016
*Laid before the Scottish
Parliament* - - 28th January 2016
Coming into force 1st April 2016

THE RESERVOIRS (SCOTLAND) REGULATIONS 2016

PART 1

1. Citation, commencement and interpretation

PART 2

2. Lochs and other areas to be considered artificial or partly artificial
3. Calculation of volume of water that a structure or area is capable of holding
4. Calculation of volume of water that a structure or area is capable of releasing
5. Meaning of “natural level” and “surrounding land”
6. Structures or areas which are not controlled reservoirs
7. Weirs which are not capable of holding water above the...
8. (1) Road and railway embankments which are designed to drain...
9. A structure or area created as a result of the...

PART 3

10. Controlled reservoirs register: additional information
11. Information that a reservoir manager must register with SEPA
12. Time by which changes to information must be registered
13. Registration fees: general
14. Registration fees: determination and charging
15. Annual subsistence fee: general
16. Annual subsistence fee: determination and charging
17. Transfer fees: general

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- 18. Transfer fees: determination and charging
- 19. Charging schemes

PART 4

- 20. Applications for review of risk designations under section 23 of the Act
- 21. Appeals to the Scottish Ministers following a review by SEPA of risk designation

PART 5

- 22. Applications for appointment: general
- 23. Applications for appointment: eligible persons
- 24. Fees in connection with applications for membership of panels
- 25. Applications for review of decisions to appoint or remove civil engineers from panels etc.

PART 6

- 26. Notice of relevant works
- 27. Safety report
- 28. Safety measure certificate
- 29. Preliminary certificate
- 30. Construction certificate
- 31. Final certificates

PART 7

- 32. Notice of appointment of inspecting engineer
- 33. Inspection report
- 34. Inspection report: compliance certificates
- 35. Notice of appointment of supervising engineer
- 36. Statement by supervising engineer
- 37. Recording of water levels etc. and record keeping

PART 8

- 38. Information about repairs

PART 9

- 39. Time within which a referee may be appointed by agreement
- 40. Time within which a request may be made for an appointment
- 41. Manner of the request for an appointment
- 42. Procedure before the referee
- 43. Investigation and proceedings: expenses

PART 10

- 44. Revocations
Signature

SCHEDULE 1 CONTROLLED RESERVOIRS: INFORMATION TO BE REGISTERED

1. The name (if any) and location of the reservoir.
2. The maximum volume of water capable of being held in...
3. The reservoir manager's name, business address, email address and telephone...
4. If the reservoir manager is not an individual, the name...
5. The reservoir owner's name, business address, email address and telephone...
6. To the extent known or readily obtainable by the reservoir...
7. To the extent known or readily obtainable by the reservoir...
8. Where applicable— (a) the date on which the reservoir was...
9. For each structure or area referred to in section 1(2)...
10. For each part of a structure or area referred to...

SCHEDULE 2 PANEL APPLICATIONS: GENERAL

1. The applicant's full name, date of birth, business address, email...
2. The 2011 Act panel(s) to which the applicant wishes to...
3. Where the application is for re-appointment to a 2011 Act...
4. The relevant qualifications of the applicant.
5. The applicant's membership of professional institutions.
6. Details of the applicant's present employment.
7. Details of— (a) all work carried out by the applicant...

SCHEDULE 3 PANEL APPLICATIONS: ELIGIBLE PERSONS

1. The applicant's full name, date of birth, business address, email...
2. The 2011 Act panel(s) to which the applicant wishes to...
3. The corresponding 1975 Act panel(s) which the applicant was a...
4. For each corresponding 1975 Act panel referred to in paragraph...
5. A statement, signed and dated by the applicant—

SCHEDULE 4 REVIEW APPLICATIONS: INFORMATION

1. The applicant's full name, date of birth, business address, email...
2. The decision to which the application relates including, as the...
3. The decision notice or letter and the date of that...
4. The grounds for appeal.
5. The relevant qualifications of the applicant.
6. The applicant's membership of professional institutions.
7. Details of the applicant's present employment.
8. Details of— (a) all work carried out by the applicant...

SCHEDULE 5 CONTENT OF NOTICE OF PROPOSED RELEVANT WORKS

1. Details of the reservoir manager giving notice, including name, business...
2. Contact details for correspondence, including name, business address, email address...
3. The name (if any) and location of the reservoir which...
4. The registration number (if any) for the reservoir in the...
5. The national grid reference for the approximate centre of the...
6. Whether the reservoir manager intends to undertake relevant work for...
7. The date on which it is intended that the proposed...
8. Details of the construction engineer appointed for the purposes of...
9. The date on which construction engineer was appointed.
10. The following information about the reservoir as it will be...
11. Signature and declaration certifying that the information given in the...

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 6	FORM OF SAFETY REPORT
SCHEDULE 7	FORM OF SAFETY MEASURE CERTIFICATE
SCHEDULE 8	FORM OF PRELIMINARY CERTIFICATE
SCHEDULE 9	FORM OF CONSTRUCTION CERTIFICATE
SCHEDULE 10	FORM OF FINAL CERTIFICATE
	PART 1 FORM OF FINAL CERTIFICATE UNDER SECTION 39(1) OF THE ACT
	PART 2 FORM OF FINAL CERTIFICATE UNDER SECTION 39(3) OF THE ACT
	PART 3 FORM OF FINAL CERTIFICATE UNDER SECTION 39(5) OF THE ACT
SCHEDULE 11	FORM AND CONTENT OF NOTICE OF APPOINTMENT OF INSPECTING ENGINEER UNDER SECTION 45(1) OF THE ACT
SCHEDULE 12	FORM OF INSPECTION REPORT
SCHEDULE 13	FORM OF INSPECTION COMPLIANCE CERTIFICATES
	PART 1 INTERIM INSPECTION COMPLIANCE CERTIFICATE
	PART 2 INSPECTION COMPLIANCE CERTIFICATE
SCHEDULE 14	FORM AND CONTENT OF NOTICE OF APPOINTMENT OF SUPERVISING ENGINEER UNDER SECTION 49(1) OF THE ACT
SCHEDULE 15	FORM OF STATEMENT UNDER SECTION 50(8) OF THE ACT
SCHEDULE 16	OTHER MATTERS OF WHICH A RECORD MUST BE MAINTAINED UNDER SECTION 51(1) OF THE ACT
	1. Persons having, in relation to the reservoir, a function conferred...
	2. Means of access to the reservoir.
	3. Type of reservoir (e.g. whether impounding, non-impounding or service reservoir),...
	4. Structural character of the dam(s), reservoir wall(s) or embankment(s), their...
	5. Details of draw off works, bottom outlets, or any other...
	6. Physical characteristics of direct and indirect catchment areas of the...
	7. Standard average annual rainfall on direct and indirect catchment areas...
	8. Spillway works, their type, location and level and the safety...
	9. Details of relevant work notified to SEPA under section 33...
	10. Measures taken in the interests of safety or which might...
	11. Details of notices, recommendations, directions and statements by a supervising...
	12. Unusual events which could affect the safety of the reservoir....
	13. Details of certificates, reports and directions given under the Act....
	14. Appointment of any referee under the Act.
	15. Drawing register.
	16. Instrumentation at the reservoir.
	17. Records of extent of opening of valves, gates and penstocks,...
SCHEDULE 17	FORM OF RECORD TO BE MAINTAINED UNDER SECTION 51(1) OF THE ACT
SCHEDULE 18	FORM OF INFORMATION ABOUT REPAIRS TO LOW-RISK RESERVOIRS
SCHEDULE 19	REVOCATIONS

Document Generated: 2023-07-06

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Explanatory Note