

EXPLANATORY NOTES

WATER ACT 2014

INTRODUCTION

SUMMARY AND BACKGROUND

PART 1: WATER INDUSTRY

Chapter 1: Water supply licences and sewerage licences (sections 1 to 7 and Schedules 1 to 5)

Chapter 2: Water and sewerage undertakers (sections 8 to 21)

Chapter 3: Regulation of the water industry (sections 22 to 41 and Schedule 6)

Chapter 4: Retail exit: non-household premises (sections 42 to 53)

Chapter 5: Miscellaneous (sections 54 to 56 and Schedule 7)

PART 2: WATER RESOURCES (SECTIONS 57 TO 60)

PART 3: ENVIRONMENTAL REGULATION (SECTIONS 61 TO 63 AND SCHEDULE 8)

PART 4: FLOOD INSURANCE (SECTIONS 64 TO 84)

PART 5: MISCELLANEOUS (SECTIONS 85 TO 89 AND SCHEDULES 9 AND 10)

PART 6: GENERAL AND FINAL (SECTIONS 90 TO 95 AND SCHEDULES 11 AND 12)

OVERVIEW OF THE STRUCTURE OF THE ACT

TERRITORIAL EXTENT AND APPLICATION

COMMENTARY

PART 1 WATER INDUSTRY

Chapter 1 Water Supply Licences and Sewerage Licences

Expansion of water supply licensing

Section 1: Types of water supply licence and arrangements with water undertakers

These notes refer to the Water Act 2014 (c.21)

Section 2: The supply system of a water undertaker

Section 3: The threshold requirement

Introduction of sewerage licences

Section 4: Types of sewerage licence and arrangements with sewerage undertakers

Application as regards Wales

Section 5: Water supply and sewerage licensing changes applied as regards Wales

Licensing arrangements between England and Wales and Scotland

Section 6: Arrangements with the Water Industry Commission for Scotland

Section 7: Arrangements with the Water Services Regulation Authority

Chapter 2 Water and Sewerage Undertakers

Arrangements between relevant undertakers

Section 8: Bulk supply of water by water undertakers

Section 9: Main connections into sewerage systems

Agreements to adopt infrastructure

Section 10: Agreements by water undertakers to adopt infrastructure

Section 11: Agreements by sewerage undertakers to adopt infrastructure

Arrangements for water undertakers to take water

Section 12: Arrangements for water undertakers to take water from other persons

Appointments and variations

Section 13: Procedure with respect to appointments and variations

Duty of CMA to refer mergers of relevant undertakers

Section 14: Exceptions to duty and undertakings in lieu of merger references

Section 15: Exclusion of small mergers: advice of CMA on threshold

Relevant undertakers' charges

Section 16: Charges schemes

Section 17: Rules about charges for connections etc

Section 18: Charges for providing a water main etc

These notes refer to the Water Act 2014 (c.21)

Section 19: Charges for providing a public sewer etc

Section 20: Charges for moving pipes

Sustainable drainage

Section 21: Drainage systems relieving public sewers

Chapter 3 Regulation of the Water Industry

General duties of the Water Services Regulation Authority

Section 22: Primary duty to secure resilience

Section 23: General duty as regards undue preference in the provision of services

Section 24: Strategic priorities and objectives

Regulation of relevant undertakers, water supply licensees and sewerage licensees

Section 25: Procedure for granting water supply and sewerage licences

Section 26: Extension of time limit for imposing financial penalties

Section 27: Water resources management plans for England: resilience

Section 28: Frequency of water resources management and drought plans

Section 29: Standards of performance: water supply

Section 30: Standards of performance: sewerage

Section 31: Interim duty: water supply

Section 32: Interim duty: sewerage services

Section 33: Notice of agreements within section 142(2)(b)

Section 34: Register relating to undertakers and licensees

Section 35: Operation of register

Section 36: Obtaining information for enforcement purposes

Appeals relating to codes

Section 37: Appeals relating to revisions of codes

Guidance relating to rules about charges

Section 38: Guidance relating to rules about charges

Adjudication functions

Section 39: Exercise of adjudication functions by other persons

Drinking water inspectorate

Section 40: Charging of fees by assessors for the enforcement of water quality

Provision of public sewers: premises in Wales

Section 41: Disputes about the provision of public sewers: premises in Wales

Chapter 4 Retail Exit: Non-Household Premises

Section 42: Retail exit: non-household premises

Section 43: Application for retail exit

Section 44: Eligible licensees

Section 45: Transfer of undertaking

Section 46: Operation of retail market

Section 47: Operation of retail market: charges etc

Section 48: Exit applications: further provision

Section 49: Modification of appointment and licence conditions

Section 50: General directions

Section 51: Exit regulations: general

Section 52: Interpretation

Section 53: Procedure

Chapter 5 Miscellaneous

Section 54: Consumer redress

Section 55: Modification of appointment and licence conditions

Section 56: Further amendments

PART 2 WATER RESOURCES

Section 57: Report on water abstraction reform

Section 58: Withdrawal of compensation for undertakers

Section 59: Main rivers in England and Wales

Section 60: Maps of waterworks

PART 3 ENVIRONMENTAL REGULATION

Section 61: Regulation of the water environment

Section 62: Environmental regulation: procedure

Section 63: Repeal of certain provisions about culverts

PART 4 FLOOD INSURANCE

The Flood Reinsurance Scheme

Section 64: The Flood Reinsurance Scheme

Section 65: Scheme administrator

Section 66: Scheme funding

Section 67: Scheme administration

Section 68: Replacement of the scheme or administrator

Section 69: Disclosure of HMRC council tax information

Flood insurance obligations

Section 70: Flood insurance obligations

Section 71: Target number

Section 72: Information

Section 73: Section 72: further provision

Section 74: Register of premises subject to greater flood risk

Section 75: Functions of relevant bodies

Section 76: Reviews and appeals

Section 77: Expenses of relevant bodies

Section 78: Compliance reports

Section 79: Functions of the FCA

Section 80: Reports by the FCA

Section 81: Intervention by the FCA or the PRA

General

Section 82: Interpretation

Section 83: Period of operation

Section 84: Regulations and orders

PART 5 MISCELLANEOUS

Section 85: Internal drainage boards: procedure for orders confirming reorganisation

These notes refer to the Water Act 2014 (c.21)

Section 86: Internal drainage boards in England: alternative procedure for byelaws

Section 87: Publication requirements under the Land Drainage Act 1991

Section 88: Sustainable drainage systems: non-performance bonds

Section 89: Amendments relating to Regional Flood and Coastal Committees

PART 6 GENERAL AND FINAL

Sections 90 to 95: General and final provisions

SCHEDULES

Schedule 1: Water supply licences: authorisations

Schedule 2: Water undertakers' duties as regards water supply licensees

Schedule 3: Sewerage licences: authorisations

Schedule 4: Sewerage undertakers' duties as regards sewerage licensees

Schedule 5: Extension of licensing provisions in relation to Wales

Schedule 6: Procedure on appeals under section 207A of the Water Industry Act 1991

Schedule 7: Further amendments

Schedule 8: Regulation of the water environment

Schedule 9: Publication requirements under the Land Drainage Act 1991

Schedule 10: Amendments relating to Regional Flood and Coastal Committees

Schedule 11: Orders under section 91: further provision

Schedule 12: Commencement orders: appropriate authority

COMMENCEMENT DATES

HANSARD REFERENCES