

1986 No. 468

**WATER, ENGLAND AND WALES  
WATER SUPPLY, SCOTLAND**

**The Reservoirs Act 1975 (Certificates, Reports and Prescribed  
Information) Regulations 1986**

<i>Made - - - -</i>	<i>10th March 1986</i>
<i>Coming into Operation</i>	<i>1st April 1986</i>

The Secretary of State, in exercise of his powers under sections 5, 20(1), 21(1) and 23 of the Reservoirs Act 1975<sup>(a)</sup> and of all other powers enabling him in that behalf, makes the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Reservoirs Act 1975 (Certificates, Reports and Prescribed Information) Regulations 1986 and shall come into operation on 1st April 1986.

*Interpretation*

2. In this order—

“the Act” means the Reservoirs Act 1975;

“the 1930 Act” means the Reservoirs (Safety Provisions) Act 1930<sup>(b)</sup> ;  
and

“panel” means a panel of civil engineers constituted under section 4 of the Act or section 8 of the 1930 Act.

*Form of certificates*

3.—(1) The certificates mentioned in paragraph (2) below shall be given in the appropriate form set out in Schedule 1 to these regulations.

(2) The certificates referred to in paragraph (1) are—

(a) a preliminary certificate;

(b) an interim certificate;

(c) a final certificate;

(d) a certificate of efficient execution of works given under section 7(6) or 8(7) of the Act;

(e) a certificate given under section 10(5), as to the report of an inspecting engineer;

(f) a certificate given under section 10(6), as to the carrying out of safety recommendations;

(g) a certificate given under section 13(2), following discontinuance;

(h) a certificate given under section 14(3), as to safety recommendations on abandonment;

<sup>(a)</sup> 1975 c.23.

<sup>(b)</sup> 1930 c.51.

- (i) a certificate given under section 15(2), as to the carrying out of safety recommendations;
- (j) a referee's certificate given under section 19(4).

*Form of reports*

4.—(1) The reports mentioned in paragraph (2) below shall be made in the appropriate form set out in Schedule 2 to these regulations.

- (2) The reports referred to in paragraph (1) above are—
  - (a) a report under section 8(2) of the Act, made on construction or alteration;
  - (b) a report under section 9(1), made before re-use;
  - (c) a report under section 10(1), of an inspection;
  - (d) a report under section 14(1), made on abandonment.

*Prescribed information to be given under section 21(1) of the Act.*

5. The information to be given by undertakers to local authorities in a notice served under section 21(1) (intention to construct, increase the capacity of, or bring back into use, a large raised reservoir), shall be the information set out in Schedule 3 to these regulations.

*Regulations made under 1930 Act*

6. The regulations dated 29th December 1930, made by the Secretary of State in conjunction with the Minister of Health and the Department of Health for Scotland, under the 1930 Act<sup>(a)</sup> shall, so far as they are continued by virtue of section 23(2) of the Act, cease to have effect.

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<sup>(a)</sup> S.R. & O. 1930/1125.

## Regulation 3

## SCHEDULE 1

## CERTIFICATES

The italicised letters in the forms of certificates in this Schedule indicate the information to be included as follows—

- (a) name of engineer;
- (b) address of engineer;
- (c) name of panel to which engineer is appointed;
- (d) name of undertakers or enforcement authority, as appropriate;
- (e) name of reservoir;
- (f) situation of reservoir, with sufficient detail to identify it (including the National Grid Reference of the approximate centre of the reservoir);
- (g) level above Ordnance Datum to which the reservoir may be filled, excluding the allowance made for flood conditions;
- (h) level above Ordnance Datum to which water may be stored, excluding the allowance made for flood storage;
- (i) date of preliminary or interim certificate as appropriate;
- (j) conditions subject to which the reservoir may be filled or water may be stored up to the level specified;
- (k) date of report or certificate, as appropriate;
- (l) date of completion of works;
- (m) period recommended in the report within which the next inspection should be made;
- (n) date of inspecting engineer's report;
- (o) name of inspecting engineer;
- (p) name of referee;
- (q) address of referee;
- (r) date of referee's decision;
- (s) name of person appointing referee;

In these certificates, square brackets and the words within them are not to be included where they are inappropriate.

## Reservoirs Act 1975

### Preliminary Certificate

- I(*a*) of (*b*), being a member of the (*c*), appointed by (*d*) to be responsible for the

[construction of a new large raised]

[construction of a new large raised reservoir by the alteration of an existing]

[alteration to increase the capacity of a large raised]

[reuse of an abandoned]

reservoir known as (*e*) situated at (*f*), consider that the [addition to the] reservoir can properly be filled [wholly] [partially] with water up to a level of (*g*) [subject to the following conditions (*j*).]

[This preliminary certificate is given further to a previous preliminary certificate given by (*a*) of (*b*) on (*i*) and supersedes that certificate in so far as it varies the [water level] [conditions] specified in that certificate.]

Signature of Engineer

Date of Certificate

## Reservoirs Act 1975

### Interim Certificate

- I(*a*) of (*b*), being a member of the (*c*), appointed by (*d*) to be responsible for an addition to a large raised reservoir, known as (*e*) situated at (*f*), consider that the addition to the reservoir ought not to be filled with water up to a level or subject to the conditions that, if this certificate were not given, would otherwise be lawful, but that, until the issue of a preliminary certificate, it may be filled with water up to a level of (*g*) [subject to the following conditions (*j*).].

[This interim certificate is given further to an interim certificate given by (*a*) of (*b*) on (*i*) and supersedes that certificate in so far as it varies the [water level] [conditions] specified in that certificate.]

Signature of Engineer

Date of Certificate

**Reservoirs Act 1975****Final Certificate**

- I(a) of (b), being a member of the (c), appointed by (d) to be responsible for the

[construction of a new large raised]

[construction of a new large raised reservoir by the alteration of an existing]

[alteration to increase the capacity of a large raised]

[reuse of an abandoned]

reservoir known as (e) situated at (f), [for which a preliminary certificate was given on (i) (see Note 1)] am satisfied that the [addition to the] reservoir [is sound and satisfactory and (see Note 2)] may safely be used for the storage of water up to a level of (h) [subject to the following conditions (j)].

[I am also satisfied that the recommendations as to measures to be taken in the interests of safety included in the report dated (k) made by (Name of Engineer making report) have been carried into effect. (see Note 3).]

Signature of Engineer

Date of Certificate

**Annex to Certificate (see Note 4)****Notes**

1. Where a final certificate is given under section 8 of the Act it may be that no preliminary certificate has been issued.
2. A final certificate given under sections 8 or 9 (except one given in the circumstances described above in section 8(5)) need not state that the engineer is satisfied that the reservoir, or the addition to it, is sound and satisfactory.
3. If a final certificate does not, for the reasons given in Note 2 above, state that the engineer is satisfied that the reservoir is sound and satisfactory and a report made either under section 8(2) or 9(1) of the Act includes any recommendations as to measures to be taken in the interests of safety, the engineer must state that those recommendations have been carried into effect – sections 8(6) and 9(5) of the Act.
4. The engineer shall include in an annex to the certificate a note of the matters, if any, he considers need to be watched by a supervising engineer during the period before an inspection of the reservoir is made under the Act – section 7(6) of the Act.

**Reservoirs Act 1975****Certificate of Efficient Execution of Works,  
under section [7(6)] [8(7)]**

- I(a) of (b), being a member of the (c), appointed by (d) to be responsible for the

[construction of a new large raised]

[construction of a large raised reservoir by the alteration of an existing]

[alteration to increase the capacity of a large raised]

reservoir known as (e) situated at (f), which was completed on (//) certify that [so far as I am able to ascertain (see Note 1)] those works have been efficiently executed in accordance with the drawings and descriptions annexed to this certificate (see Note 2).

Signature of Engineer

Date of Certificate

**Annex to Certificate (see Note 2)****Notes**

1. A certificate of execution of works given under section 8(7) of the Act should, unlike a certificate given under section 7(6), contain these words.

2. Detailed drawings and descriptions giving full information of the works actually constructed including dimensions and levels and details of the geological strata or deposits encountered in trial holes or excavations made in connection with the works are required to be annexed by the sections mentioned in Note 1.

**Reservoirs Act 1975****Inspecting Engineers Certificate  
under section 10(5)**

- I(*a*) of (*b*), being a member of the (*c*), appointed by (*d*) to carry out an inspection of the reservoir known as (*e*) situated at (*f*), made a report of that inspection on (*k*) which [does not include] [includes] recommendations as to measures to be taken in the interests of safety. [That report includes also a recommendation as to the time of the next inspection of the reservoir, which should be made within (*m*).]

Signature of Engineer

Date of Certificate

**Reservoirs Act 1975****Certificate under section 10(6), as to the carrying  
out of safety recommendations**

- I(*a*) of (*b*), being a member of the (*c*), appointed by (*d*) to supervise the carrying into effect at the reservoir known as (*e*) situated at (*f*), of measures taken in the interests of safety recommended in a report made on (*n*) by (*o*), [which was modified by the decision of (*p*) of (*q*), acting as referee, given on (*r*).] am satisfied that those measures have been carried into effect.

Signature of Engineer

Date of Certificate

**Reservoirs Act 1975****Certificate under section 13(2), on Discontinuance**

- I(a) of (b), being a member of the (c), appointed by (d) to [design] [approve] and to supervise the alteration of the reservoir known as (e) situated at (f), so as to render it incapable of holding more than 25,000 cubic metres of water above the natural level of any part of the land adjoining it, am satisfied that the alteration has been completed and has been efficiently executed.

Signature of Engineer

Date of Certificate

**Reservoirs Act 1975****Certificate under section 14(3), on Abandonment**

- I(a) of (b), being a member of the (c), appointed by (d) to give a report as to the measures (if any) that ought to be taken in the interests of safety to secure that the reservoir known as (e) situated at (f), is incapable of filling accidentally or naturally with water above the natural level of any part of the land adjoining it or is only capable of doing so to an extent that does not constitute a risk, have today given a report under section 14(1) of the Act which [does not include] [includes] recommendations for measures to be taken in the interests of safety.

Signature of Engineer

Date of Certificate



**Reservoirs Act 1975****Certificate under section 15(2), as to the carrying out of Safety Recommendations**

- I(a) of (b), being a member of the (c), appointed by the (Name of Enforcement Authority), following the failure of (Name of undertakers) to comply with a Notice from that Council as enforcement authority requiring them to carry into effect recommendations contained in a report made under this Act by (a) on (k) [and modified by the decision of a referee] as to measures to be taken in the interests of safety at (e) situated at (f), to supervise the carrying out of those measures, am satisfied that those recommendations have been carried into effect.

Signature of Engineer

Date of Certificate

**Reservoirs Act 1975****Referee's Certificate under section 19(4)**

- I(a) of (b), being a member of (c), having been appointed by (s) to investigate the complaint of (Name of undertakers), undertakers for the reservoir known as (e) situated at (f), regarding a recommendation contained in a report dated (k) made by (Name of Engineer making Report) [as to measures to be taken in the interests of safety at] [and/or] [as to the time of the next inspection of] the reservoir; have decided [not] to modify that report.

[Accordingly, I revise the certificate dated (k) which was given with reference to that report, in the following manner:—]

Signature of Referee

Date of Certificate

## SCHEDULE 2

## Regulation 4

## REPORTS

In this Schedule references to an engineer's findings and recommendations include—

- (i) when appropriate, findings as to whether undertakers are complying with their obligations under section 11 of the Act (recording of water levels etc.);
- (ii) particulars of any directions given by the engineer as to the intervals at which, or the manner in which information is to be recorded under section 11;
- (iii) details of any recommendations involving alterations or additions to works or the installation of instruments or gauges for measuring leakage, deflections, settlement, uplift, pore pressures or similar matters;
- (iv) details of any movement of the surrounding land he has observed which might affect the stability of the reservoir;
- (v) findings as to the adequacy and condition of the waste weir or overflow and any channels connected with it;
- (vi) a statement of any alterations he has observed which affect the level to which water may be stored or to the level of the overflow sills since construction or since the last inspection;
- (vii) a statement as to the adequacy of the margin between dam level and overflow level;
- (viii) findings as to the efficiency of the scour pipe or discharge culvert or other means of lowering the level of the water in, and any means of controlling the inflow of water to, the reservoir.

In these reports, square brackets and the words within them are not to be included where they are inappropriate.

**Reservoirs Act 1975****Report of the Result of an Inspection made under section 8****[Construction] [Alteration] of a Reservoir**

- Name and Situation of Reservoir, including National Grid Reference of its approximate centre.
- Name and Address of Engineer
- Name of Panel of which Engineer is a member
- Name and Address of Undertakers or Enforcement Authority who appointed Engineer, as appropriate
- Date or Dates of Engineer's Inspection

Engineer's findings regarding the [construction] [alteration] of the reservoir, including any recommendations he sees fit to make as to measures to be taken in the interests of safety.

Signature of Engineer

Date of Report

**Reservoirs Act 1975****Report of the Result of an Inspection made under section 9****Re-use of Abandoned Reservoir**

- Name and Situation of Reservoir, including National Grid Reference of its approximate centre.
- Name and Address of Engineer
- Name of Panel of which Engineer is a member
- Name and Address of Undertakers or Enforcement Authority who appointed Engineer, as appropriate
- Date or Dates of Inspection
- Engineer's findings regarding the re-use of the Reservoir including any recommendations he sees fit to make as to measures to be taken in the interests of safety.

Signature of Engineer

Date of Report

**Reservoirs Act 1975****Report of the Result of an Inspection made under section 10****Periodical Inspection of Large Raised Reservoir**

- Name and Situation of Reservoir, including National Grid Reference of its approximate centre.
- Name and Address of Engineer
- Name of Panel of which Engineer is a member
- Name and Address of Undertakers or Enforcement Authority who appointed Engineer, as appropriate
- Date or Dates of Inspection
- Engineer's findings, including any recommendations he sees fit to make as to the time of the next inspection or as to measures that should be taken in the interests of safety; and a note of any matters he considers the supervising engineer needs to watch during the period before the next inspection of the reservoir under section 10.

Signature of Engineer

Date of Report

**Annex to Report (if required by section 26 for reservoirs completed before the 1930 Act came into force and not inspected under that Act)****Reservoirs Act 1975****Report made under section 14****Abandonment of Large Raised Reservoir**

- Name and Situation of Reservoir, including National Grid Reference of its approximate centre.
- Name and Address of Engineer
- Name of Panel of which Engineer is a member
- Name and Address of Undertakers or Enforcement Authority who appointed Engineer, as appropriate
- Date or Dates of Inspection of the Reservoir (if any)
- Engineer's recommendations as to the measures (if any) that ought to be taken in the interests of safety to secure that the reservoir is incapable of filling accidentally or naturally with water above the natural level of any part of the land adjoining the reservoir or is only capable of doing so to an extent that does not constitute a risk.

Signature of Engineer

Date of Report

## Regulation 5

## SCHEDULE 3

## INFORMATION TO BE GIVEN IN A NOTICE UNDER SECTION 21(1)

In this Schedule—

“lowest natural ground level” means, where there is a watercourse below the dam, the lowest bed level of that watercourse; and

“top water level” means, in relation to a reservoir with a fixed overflow sill, the lowest crest level of that sill, and for a reservoir the overflow from which is controlled wholly or partly by moveable gates, syphons or otherwise, the maximum level to which water may be stored exclusive of any provision for flood storage.

1. Name and address of undertakers serving notice.
2. Name and situation of reservoir.
3. National grid reference of approximate centre of the reservoir.
4. If the reservoir extends into the area of more than one local authority, the name of each of those authorities.
5. Whether the undertakers intend:—
  - (a) to construct a new large raised reservoir; or
  - (b) to alter an existing reservoir that is not a large raised reservoir so that it becomes one; or
  - (c) to alter a large raised reservoir so as to increase its capacity; or
  - (d) to bring a large raised reservoir back into use after that use has been abandoned:
6. The date when it is intended that construction or alteration will commence or the date when it is intended the reservoir will be brought back into use, as the case may be.
7. Name and address of the construction engineer or, in the case of re-use, of the engineer appointed for the purposes of section 9 of the Act.
8. The following information about the reservoir as it will be when constructed, altered or brought back into use as proposed—
  - (a) category (ie whether impounding or non-impounding);
  - (b) date(s) or approximate date(s) of completion of the dam(s);
  - (c) construction of the dam(s) (ie whether constructed of earth, rockfill, gravity, buttress or by other means);
  - (d) maximum height of the dam(s) (in metres), measured from the lowest natural ground level adjacent to it, to the top of the dam, excluding the height of the wave wall;
  - (e) the height of the dam(s) (in metres) measured from the lowest natural ground level adjacent to it, to top water level;
  - (f) capacity (in cubic metres), measured from the lowest natural ground level adjacent to it to top water level;
  - (g) the water surface area at top water level (in square metres or square kilometres).

*Kenneth Baker,*  
Secretary of State for the Environment.

7th March 1986.

Signed by authority  
of the Secretary of State

*Mark Robinson,*  
Parliamentary Under-Secretary of State,  
Welsh Office.

10th March 1986.

Signed by authority  
of the Secretary of State

*J. Allan Stewart,*  
Parliamentary Under-Secretary of State,  
Scottish Office.

10th March 1986.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations prescribe, as required by section 20 of the Reservoirs Act 1975, the form in which reports are to be made, and certificates given, under the Act, wherever its provisions require the making of a report or the giving of a certificate by a civil engineer engaged on work in connection with a large raised reservoir.

The Act requires reports to be made, and certificates given, on different occasions and makes detailed provision for their contents. Reports are made following a periodical inspection of a reservoir, during its construction or alteration, and before the re-use or following the abandonment, of a reservoir. Certificates are required to be given during, and following the completion of, works for the construction or alteration of a reservoir which, among other things, are to specify the level up to which the reservoir may be filled and to which water may be stored, and that the works have been efficiently carried out. Certificates are also given after a reservoir has been inspected, when safety measures have been carried out, or following the discontinuance or abandonment of a reservoir. Provision is also made for the repeal of similar regulations made under the Reservoirs (Safety Provisions) Act 1930, so far as they would otherwise continue in force for the purposes of the 1975 Act.

The regulations also, as required by section 21, prescribe the information which is to be contained in the notices which undertakers who intend to create a large raised reservoir (either by the construction of a new reservoir, or the alteration of an existing reservoir), to increase the capacity of an existing large raised reservoir or bring one back into use after it has been abandoned, are required to serve on any local authority in whose area the whole, or part of the reservoir is, or will be.



SI 1986/468  
ISBN 0-11-066468-X



780110664682