
DRAFT STATUTORY INSTRUMENTS

2006 No.

The Water and Sewerage Services
(Northern Ireland) Order 2006

PART IV

WATER SUPPLY

CHAPTER I

GENERAL DUTIES OF WATER UNDERTAKERS

Water resource management and drought plans

Drought plans: preparation and review

73.—(1) It shall be the duty of each water undertaker to prepare and maintain a drought plan.

(2) A drought plan is a plan for how the water undertaker will continue, during a period of drought, to discharge its duties to supply adequate quantities of wholesome water, with as little recourse as reasonably possible to drought orders under Article 137.

(3) The duties referred to in paragraph (2) include in particular those imposed under or by virtue of—

- (a) Article 65
- (b) Articles 107 to 109.

(4) A drought plan shall address, in particular, the following matters—

- (a) what measures the water undertaker might need to take to restrain the demand for water within its area;
- (b) what measures the water undertaker might need to take to obtain extra water from other sources;
- (c) how the water undertaker will monitor the effects of the drought and of the measures taken under the drought plan;
- (d) such other matters as the Department may specify in directions.

(5) Article 71 (water resources management plans: publication and representations), including any power in that Article to make regulations or give directions, applies in relation to drought plans (including revised plans) as it applies in relation to water resources management plans.

(6) Each water undertaker shall review (or further review) its drought plan and prepare a revised plan in each of the following cases—

- (a) if there is a material change of circumstances;
- (b) if directed to do so by the Department after consultation with DOE;

- (c) in any event, not later than the end of the period of 3 years beginning with the date when the plan (or revised plan) was last published in accordance with Article 71(8)(a) as applied by paragraph (5),

and shall follow the procedure in Article 71 as applied by paragraph (5) (whether or not the revised plan prepared by the undertaker includes any proposed alterations to the previous plan).

(7) Before preparing its drought plan (including a revised plan), the water undertaker shall consult—

- (a) the Authority;
- (b) the Council;
- (c) the Department; and
- (d) DOE.

(8) The Department may give directions specifying the form which a drought plan must take.

(9) Directions given under this Article (including directions given under Article 71 as applied by paragraph (5)) may be—

- (a) general directions applying to all water undertakers; or
- (b) directions applying only to one or more water undertakers specified in the directions,

and shall be given by an instrument in writing.

(10) It shall be the duty of each water undertaker to whom directions apply to comply with the directions.

(11) The duty of a water undertaker under this Article shall be enforceable by the Department under Article 30.