



Reservoirs Act 1975

1975 CHAPTER 23

Discontinuance or abandonment

13 Discontinuance of large raised reservoirs

- (1) No large raised reservoir shall be altered in order 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 the reservoir, unless a qualified civil engineer is employed to design or approve and to supervise the alteration.
- (2) An engineer employed for the purposes of subsection (1) above shall give a certificate, as soon as he is satisfied it is so, that the alteration has been completed and has been efficiently executed.
- (3) Where a certificate is given under subsection (2) above, a local authority on receipt of the certificate or a copy of it shall remove the reservoir from their register of large raised reservoirs; but a reservoir that has been a large raised reservoir but is altered so as no longer to be capable of holding more than 25,000 cubic metres of water above the natural level of any part of the land adjoining the reservoir shall nevertheless continue for purposes of this Act to be a large raised reservoir, unless the alteration is made and a certificate given in accordance with this section.

14 Abandonment of large raised reservoirs

- (1) Where the use of a large raised reservoir as a reservoir is to be abandoned, the undertakers shall obtain from a qualified civil engineer a report 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.
- (2) Where the report of an engineer under this section makes any recommendation as to measures to be taken in the interests of safety, then subject to any reference of the matter to a referee in accordance with this Act the undertakers obtaining the report shall, before the use of the reservoir as a reservoir is abandoned or as

Status: This is the original version (as it was originally enacted).

soon as practicable afterwards, carry the recommendation into effect; and if the recommendation involves any alteration of the reservoir, section 13 above shall apply accordingly.

- (3) The engineer from whom a report is obtained under this section shall give with it a certificate stating that the report does or does not make recommendations for measures to be taken in the interests of safety.
- (4) Where it appears to the enforcement authority, in the case of any large raised reservoir.
- (a) that the use of the reservoir as a reservoir has been abandoned but that a report has not been obtained as required by this section ; or
 - (b) that a report obtained under this section includes a recommendation as to measures to be taken in the interests of safety that has not been carried into effect as required by this section ;

the authority may by written notice served on the undertakers require them within twenty-eight days after the date when the notice is served to appoint a qualified civil engineer to make the report under this section, unless an appointment has already been made, and (in either case) to notify the authority of the appointment or, as the case may be, require them to carry the recommendation into effect within a time specified in the notice.

References in this subsection, and in any other provision of this Act as it operates in relation thereto, to the enforcement authority or to the undertakers shall have effect as at the time when the use of the reservoir as such is abandoned.

- (5) Where an enforcement authority propose to serve a notice under subsection (4) above requiring undertakers to carry a recommendation into effect, the authority shall consult as to the time to be specified in the notice a civil engineer, who, if the recommendation involves any alteration of the reservoir, shall be a qualified civil engineer for the purpose of supervising the alteration under section 13 above.