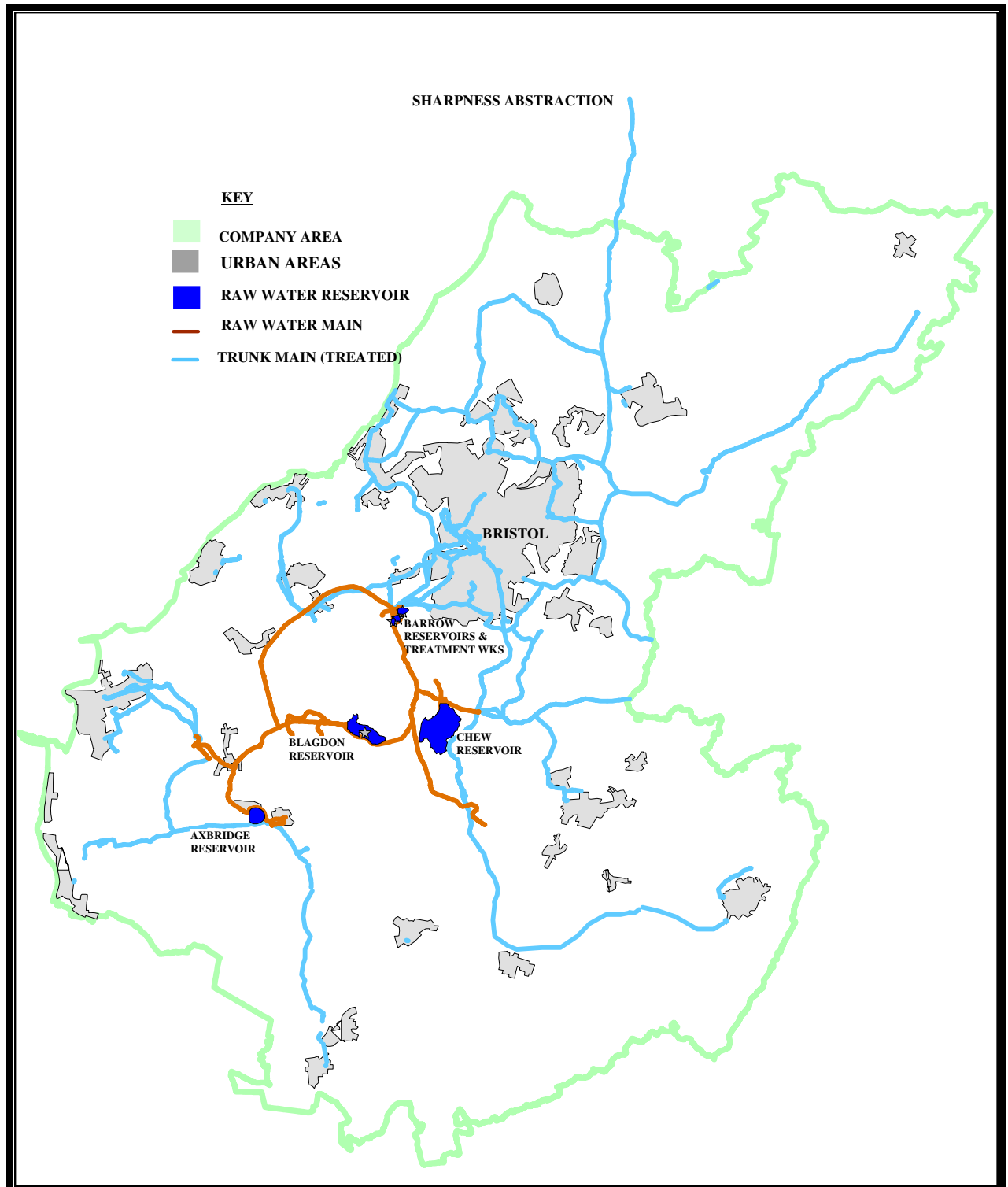


APPENDICES

- 1 Plan of Company Supply Area**
- 2 Tables of Drought Management Options**
- 3 Reservoir Control Curves**
- 4 Pre consultation contacts**
- 5 Drought order application - Non-essential Water Use Ban**
- 6 Emergency drought order application – rota supply cuts**
- 7 Summary of legislation covering temporary water use bans**
- 8 Glossary of terms**
- 9 Emergency engineering works**
- 10 River baseline environmental monitoring**

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APPENDIX 1 Plan of Company Supply Area



Note that the three reservoirs at Chew Cheddar and Blagdon are categorised as Sites of Special Scientific Interest (SSSI). In addition, Chew reservoir is a Special Protection Area (SPA). These sites will not be subject to changes sought under drought orders or drought permits. They are noted fisheries and routinely monitored with respect to water quality parameters.

APPENDIX 2 SUMMARY OF DROUGHT CONTINGENCY ACTIONS

	ISSUES	RESOURCES OPERATION AND NETWORK MANAGEMENT
Implementation Assessment	Trigger or preceding actions	Reservoir volume in Band 1 and 2
	Demand reduction or yield	None – reservoir volume and rate of drawdown managed by transfer of water from River Severn
	Timetable	No lead times required
	Permissions	N/A
	Risks	Normal short term operational risks and outage expected higher costs and carbon footprint due to increased pumping head
Environmental Assessment	Risks	None
	Environmental Impact	None
	Studies	N/A
	Monitoring	N/A
	Mitigation	N/A
Other Impacts	Domestic Customers	No impact
	Commercial Customers	Will begin discussions with groups associated with high discretionary use (i.e. garden centres etc.)
	Economic	N/A

* note the colour of the header indicates the control band within which the actions listed in the table would be carried out and should be read in conjunction with the plot in appendix 3

	ISSUES DEMAND MANAGEMENT	MEDIA CAMPAIGN AND NETWORK MANAGEMENT
Implementation Assessment	Trigger or preceding actions	Reservoir volume in Band 3
	Demand reduction or yield	Up to 4 MI/d as an annual average, split between enhanced leakage control and effects of publicity campaigns, interaction with HTA
	Timetable	No lead times required for implementation, have allowed up to two weeks to get to maximum impact
	Permissions	N/A
	Risks	Normal short term operational risks and outage expected May struggle to control leakage if freezing conditions are persistent
Environmental Assessment	Risks	None
	Environmental Impact	None
	Studies	N/A
	Monitoring	N/A
	Mitigation	N/A
Other Impacts	Domestic Customers	Poor system pressure and associated complaints
	Commercial Customers	Possible impacts of poor pressures and reduced flows
	Economic	Possibility of increased congestion from additional work on mains and pressure control

	ISSUES DEMAND MANAGEMENT	STAGE 1 HOUSEHOLD NON ESSENTIAL WATER USE BAN
Implementation Assessment	Trigger or preceding actions	Reservoir volume approaching or within band 4, all activity in previous bands at full implementation
	Demand reduction or yield	Minimal up to 4 MI/d as an annual average but up to 10 MI/d in peak month
	Timetable	Have allowed two weeks from start of customer consultation exercise to consider representations
	Permissions	Carried out under existing legislation as defined in Floods and Water Management Act 2010
	Risks	Reduced possible if applied late season or across winter
Environmental Assessment	Risks	None
	Environmental Impact	None
	Studies	N/A
	Monitoring	N/A
	Mitigation	N/A
Other Impacts	Domestic Customers	Inconvenience to customers as some activities such as cleaning and maintenance activity requiring hosepipes may need to be suspended
	Commercial Customers	
	Economic	

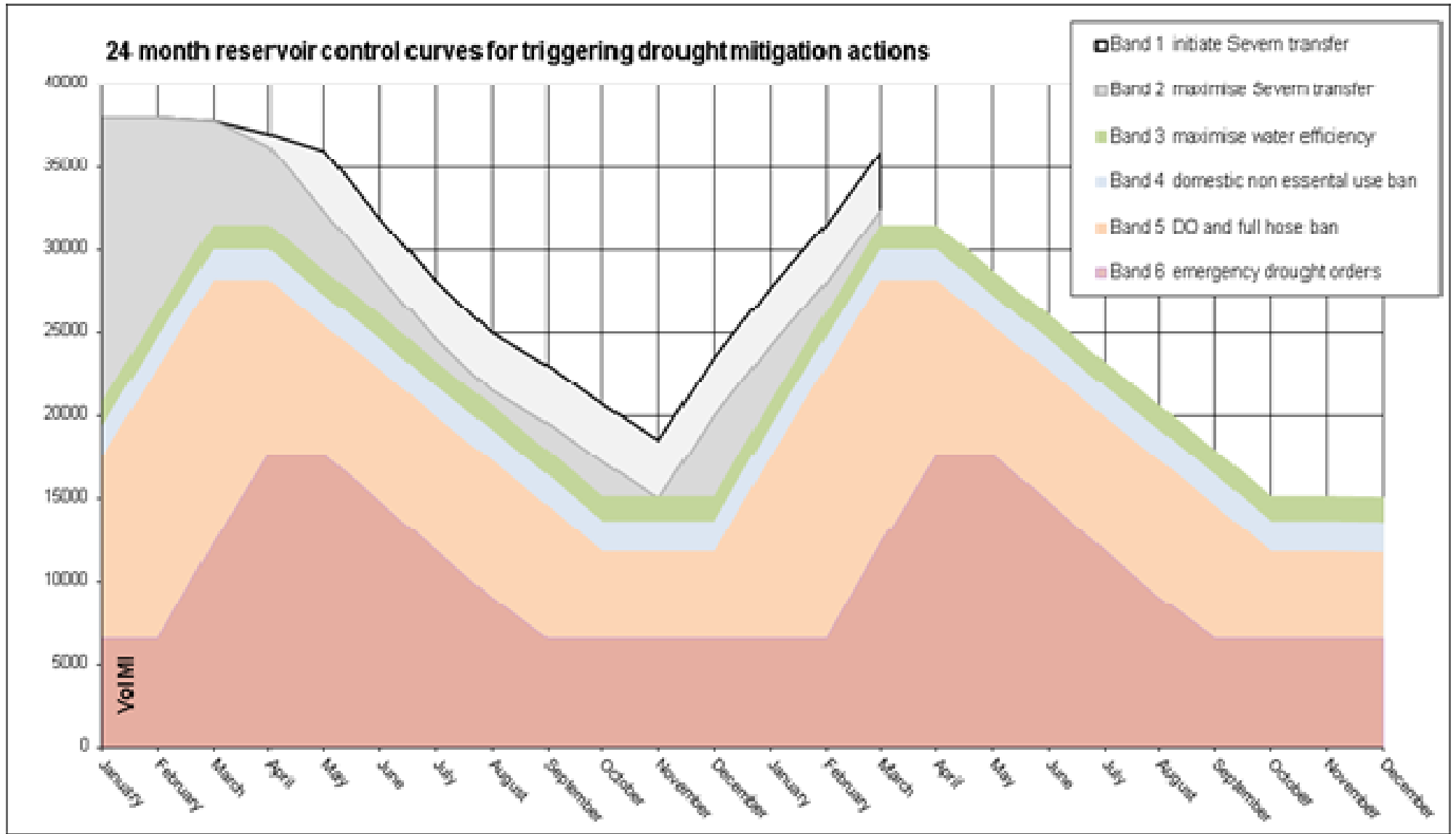
	ISSUES DEMAND MANAGEMENT	STAGE 2 HOUSEHOLD NON ESSENTIAL WATER USE BAN STAGE 1 NON HOUSEHOLD BAN
Implementation Assessment	Trigger or preceding actions	Reservoir volume approaching or within band 5 with all previous actions in place
	Demand reduction or yield	Up to 6 Ml/d over the year on average but up to 15 Ml/d in peak month for domestic. Approximately 0.5 Ml/d from effects on business customers
	Timetable	Have allowed two weeks from start of customer consultation exercise to consider domestic representations
	Permissions	drought order would have been applied for at start of band 4 assuming granted by Secretary of State
	Risks	Delay in granting drought order
Environmental Assessment	Risks	None
	Environmental Impact	None
	Studies	N/A
	Monitoring	N/A
	Mitigation	N/A
Other Impacts	Domestic Customers	Complete ban on use of hose for garden watering may not be popular in a dry summer
	Commercial Customers	Minimal impact, some work may need to be re scheduled Possible temporary damage to sports pitches
	Economic	May impact business associated with discretionary water use - garden centres nurseries

	ISSUES DEMAND MANAGEMENT	REDUCTION IN BULK SUPPLY
Implementation Assessment	Trigger or preceding actions	Reservoir volume in band 4.
	Demand reduction or yield	Up to 7 MI/d on average possible over year but carried out by negotiation - may be seasonally weighted
	Timetable	Discussions would take place while reservoirs in band 3
	Permissions	By agreement but otherwise contractual clause allows reduction during drought
	Risks	None to Bristol Water
Environmental Assessment	Risks	None
	Environmental Impact	None
	Studies	N/A
	Monitoring	N/A
	Mitigation	N/A
Other Impacts	Domestic Customers	N/A
	Commercial Customers	N/A
	Economic	N/A

	ISSUES DEMAND MANAGEMENT	STAGE 2 NON HOUSEHOLD NON ESSENTIAL USE BAN
Implementation Assessment	Trigger or preceding actions	Reservoir volume approaching or within band 6 with all previous actions in place
	Demand reduction or yield	Approximately 0.6 Ml/d over the year on average
	Timetable	consultation exercise will take place when reservoir volumes are within band 5
	Permissions	Drought order would have been applied for at start of band 5 (assuming granted by Secretary of State)
	Risks	Delay in granting drought order
Environmental Assessment	Risks	None
	Environmental Impact	None
	Studies	N/A
	Monitoring	N/A
	Mitigation	N/A
Other Impacts	Domestic Customers	N/A
	Commercial Customers	Could seriously impact some businesses; building washing, car washing if not using recycled water
	Economic	Minor impact overall and less damaging than rota cuts, expect to use to gain maximum publicity to drive further reductions in addition to scheme yield

	ISSUES SUPPLY MANAGEMENT	DISUSED SOURCES RETURNED TO SUPPLY
Implementation Assessment	Trigger or preceding actions	Reservoir volume in band 4 for implementation, but planning begins in band 3 (in the second year of drought)
	Demand reduction or yield	Up to 7 MI/d on average over the year but would be variable depending on yield
	Timetable	Some components have been pre planned as part of the AMP process or previous DCP Implementation will take up to 6 moths. The impact of this delay is taken account of in our projections.
	Permissions	DWI in respect of some water quality issues at Cold Bath Spring. All regulatory permits in place
	Risks	Construction delay for Gurney Slade membrane modules and Honeyhurst pipeline Temporary plant will require high attendance and have high operating costs
Environmental Assessment	Risks	Water quality impacts, poorer quality waters will rely on dilution
	Environmental Impact	None – all abstractions take place within existing permits and licences
	Studies	Documented as part of appraisal studies
	Monitoring	Frequent monitoring of raw water quality to ensure DWI compliance
	Mitigation	Suspending abstractions when quality is poor (in yield and outage estimates)
Other Impacts	Domestic Customers	Water quality may be compliant, but may have colour/odour issues
	Commercial Customers	Changing/variable water quality from mixing of sources may affect process plant
	Economic	High costs to Company for plant hire/purchase and manpower.

APPENDIX 3 RESERVOIR CONTROL CURVES



APPENDIX 4 PRE CONSULTATION LIST

Bristol Water plc – Drought Contingency Plan Pre Consultation

Organisations and individuals consulted

Office of Water Services (Ofwat)
Environment Agency
Consumer Council for Water
DEFRA - Water Supply & Regulation Division
Drinking Water Inspectorate

Farming and Wildlife Advisory Group South West England Office
South West NFU
Country Land and Business Association
Countryside Agency
Natural England
Council for the Protection of Rural England
Wessex Water

Lower Axe Drainage Board
West Mendip Drainage Board
North Somerset Drainage Board
Lower Severn Drainage Board
Bath & North East Somerset Council
Bristol City Council
North Somerset Council
Mendip District Council
South Gloucestershire Council
Sedgemoor District Council
Local MPs

Business West Bristol
Citizens Advice Bureau
RSPB South West Regional Office
Avon Wildlife Trust
Somerset Wildlife Trust
Mendip Hills AONB Service
Salmon and Trout Association
Horticultural Trades Association

Representations in respect of pre-consultation were received from:

Environment Agency
Avon Wildlife
Natural England
DEFRA
Ofwat
Hon. Jacob Rees-Mogg MP

APPENDIX 5 Drought Order Application

SAMPLE APPLICATION

Water company name: BRISTOL WATER PLC.

Registered office: 218 Bridgwater Road
Bristol BS13 7AT

Contact name: S. Harris Position: Company Secretary

Telephone: 0117 966 5881

The above company is a water undertaker and due to a deficiency of supply brought about by an exceptional shortage of rainfall, hereby applies for a drought order under section 74(2)(d) and 74(2)(f) of the Water Resource Act 1991 to ban all non essential uses of water within the Company supply area.

The following information has been provided in pursuance of this application:

1. Description of the proposals
2. Statement of reasons for the application
 - Population
 - Water demand
 - Rainfall
3. Location map
4. Draft Statutory Notice
5. List of bodies served with Statutory Notice
 - Environment Agency
 - All Local Authorities in Company area
 - Business West
 - Consumer Council For Water
 - Country Landowners Association
 - &C.
6. Advertisement list for Statutory Notice
 - London Gazette
 - Western Daily Press
 - Bristol Evening Post
7. Description of public inspection arrangements
8. Water shortage strategy (Drought Contingency Plan)
9. Action to control demand to date
 - Current activity
 - Leakage control
10. Comments received from any consultees

Name		Position	
Signature		Date	

DESCRIPTION OF PROPOSALS

The Company proposes, by use of a drought order granted under section 74(2)(b) of the Water Resource Act 1991 by the Secretary of State for the Environment, to temporarily ban the non essential use of water as defined in the Drought Direction 2011 listed below:

This direction may be cited as the Drought Direction 2011.

All or some of the following purposes may be proscribed by virtue of section 74 (2) (b) of the Water Resources Act.

Purposes 1 to 10 identified within the Drought Direction 2011 as:

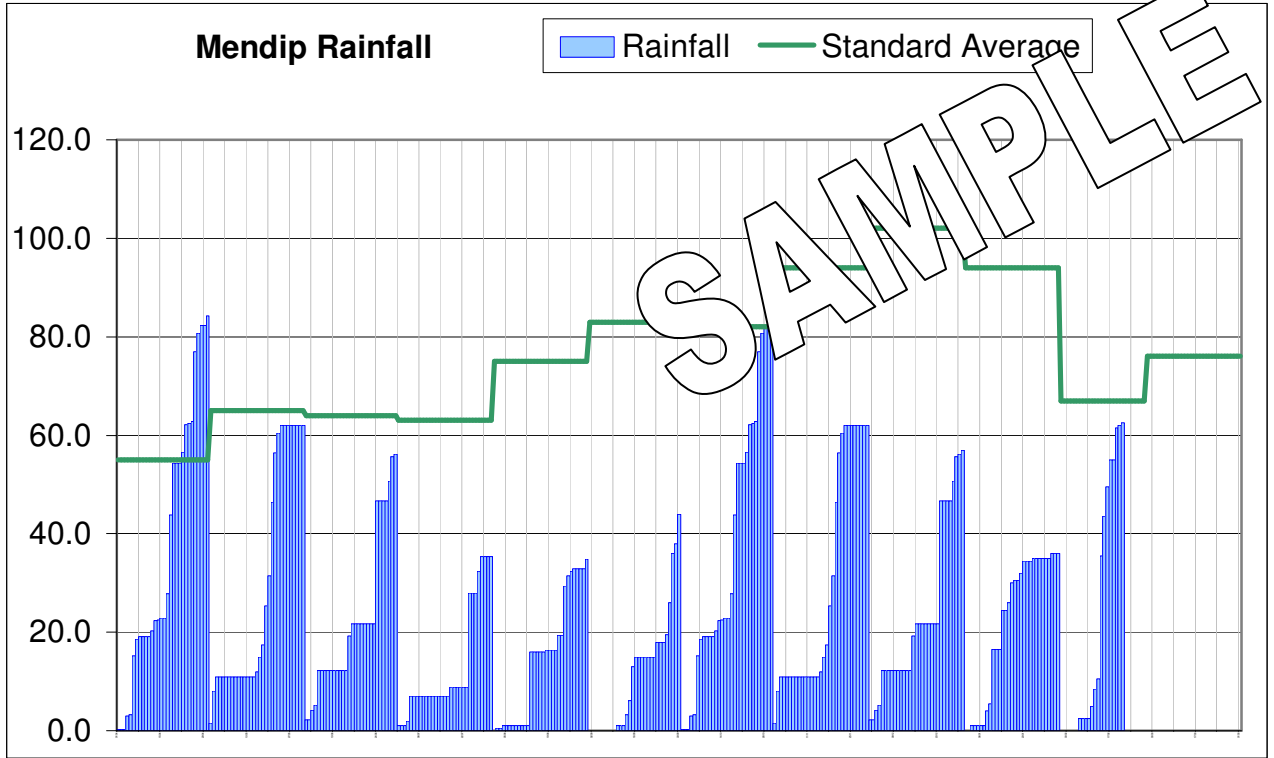
1. Watering outdoor plants on commercial premises;
2. Filling or maintaining a non-domestic swimming or paddling pool;
3. Filling or maintaining a pond;
4. Operating a mechanical vehicle-washer;
5. Cleaning any vehicle, boat, aircraft or railway rolling stock;
6. Cleaning non-domestic premises;
7. Cleaning a window of a non-domestic building;
8. Cleaning industrial plant;
9. Suppressing dust; and
10. Operating cisterns.

A copy of the drought order application may be inspected together with all relevant plans free of charge at the head offices of Bristol Water Plc, 218 Bridgwater Road Bristol BS99 7Au, or on the Company web site.

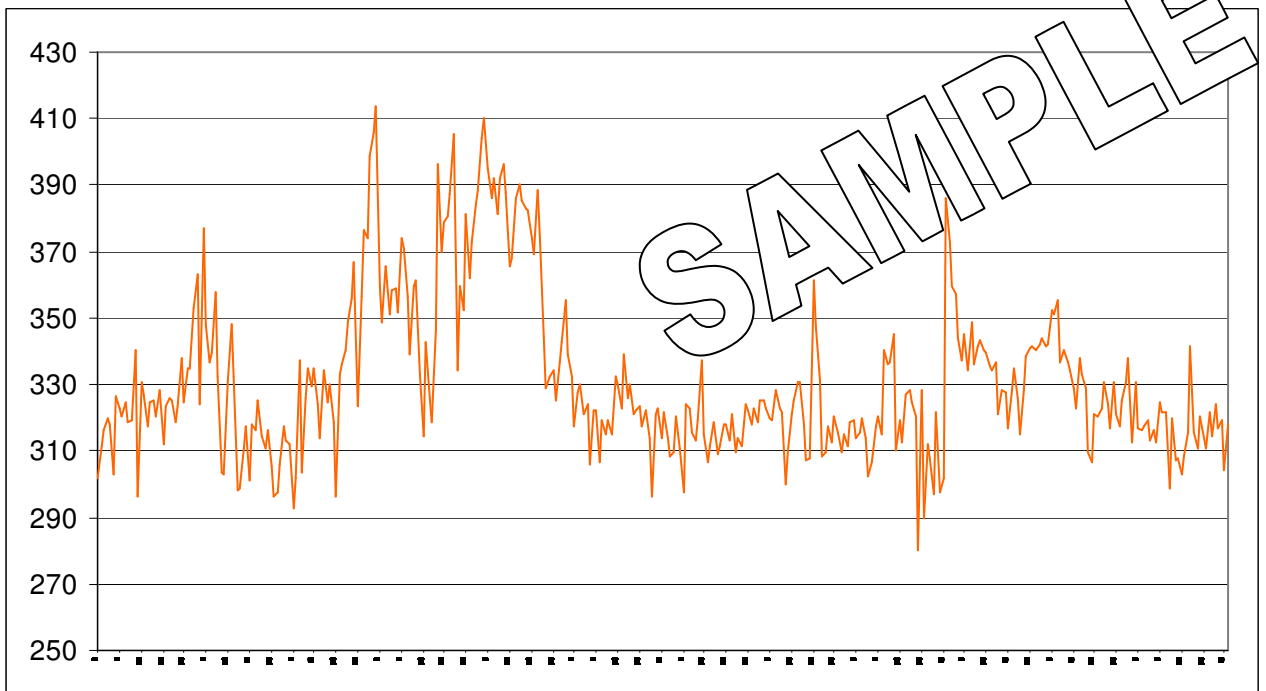
Objections to the proposals may be lodged within seven days with the Secretary of State for the Environment, Water Supply and Regulation division, DEFRA, 55 Whitehall, London SW1A 2EY.

REASON FOR PROPOSALS

A deficiency of supply brought about by an exceptional shortage of rainfall as indicated in the sample plot covering monthly cumulative rainfall for the period from April to March below:



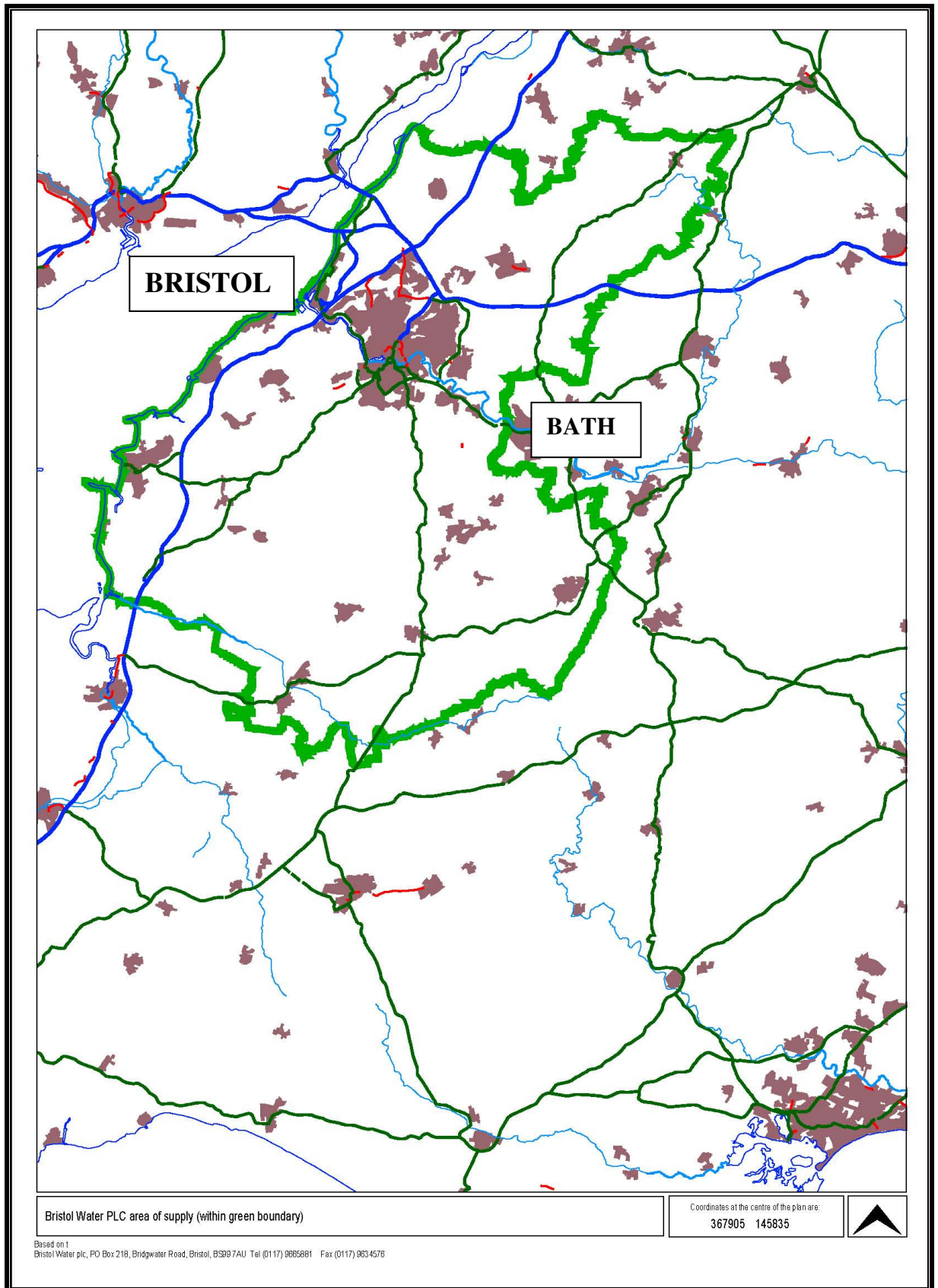
And very high demand as indicated in the sample plot of daily water demand from April to March below:



The population of the area affected was calculated as 1.2 Million in winter 2009

LOCATION OF AREA AFFECTED

All of the Company area denoted by the green boundary in the plot below:



STATUTORY NOTICE

TAKE NOTICE that due to the threat of a serious water shortage in the Somerset and Gloucester areas caused by an exceptional shortage of rain, Bristol Water PLC of 218 Bridgwater Road, Bristol BS99 7AU is applying to the Secretary of state for the Environment for a drought order.

The proposed drought order will suspend the non-essential use of water for a period initially not exceeding six months. The anticipated effect of the drought order, if granted, will be to proscribe certain uses of water as defined in the Drought Direction 2011 and attached with this notice.

Anyone may inspect the proposals, free of charge, at the head offices of Bristol Water Plc, P.O Box 218, Bridgwater Road, Bristol BS99 7AU during normal office hours, or on the Company web site, over the next seven working days.

Objections to the proposals may be lodged within seven days of the date of this notice with the Secretary of State for the Environment, Water Supply and Regulation division, DEFRA, 55 Whitehall, London SW1A 2EY.

Name of water company officer

Date

LIST OF THOSE SERVED WITH THE STATUTORY NOTICE

OFWAT

Environment Agency

Drinking Water Inspectorate

Bristol City Council

Bath & NE Somerset Council

Sedgmoor District Council

Mendip District Council

South Gloucestershire Council

North Somerset Council

Consumer Council for Water

Confederation of British Industry

Business West

Horticultural Trades Association

Country Landowners Association

National Farmers Union

South West Regional Development Agency

LIST OF PUBLICATIONS ADVERTISING THE STATUTORY NOTICE

London Gazette

Western Daily Press

Bristol Evening Post

PUBLIC INSPECTION ARRANGEMENTS

All documentation and reports in relation to this application are available for inspection on the Company web site. Material may also be inspected on site by writing to Corporate Affairs, Bristol Water, PO Box 218, Bridgwater Road, Bristol BS99 7AU, or call 0117 953 6470. Alternatively, material may be provided under the Environmental Information Regulations, but would be subject to administrative charges if the request was considered to be onerous.

PLANS FOR COPING WITH DROUGHT (Bristol Water Drought Contingency Plan)

This document is available for reference on the Company web site

ACTIONS TAKEN TO CONTROL DEMAND

The following documents will be provided for the consideration of the Secretary of State in confidence:

Leakage report

ELL assessment

Demand management activity

In addition, the actions of the Company to date in reducing demand and increasing the availability of water will be fully documented.

DESCRIPTION OF PROPOSALS

The Company proposes, by use of a drought order granted under section 75(2)(c) of the Water Resource Act 1991 by the Secretary of State for the Environment, to temporarily suspend the mains supply to selected districts and supply water via standpipe and bowzers

Additional information will be supplied as required by section 75 (2) (c) of the Water Resources Act.

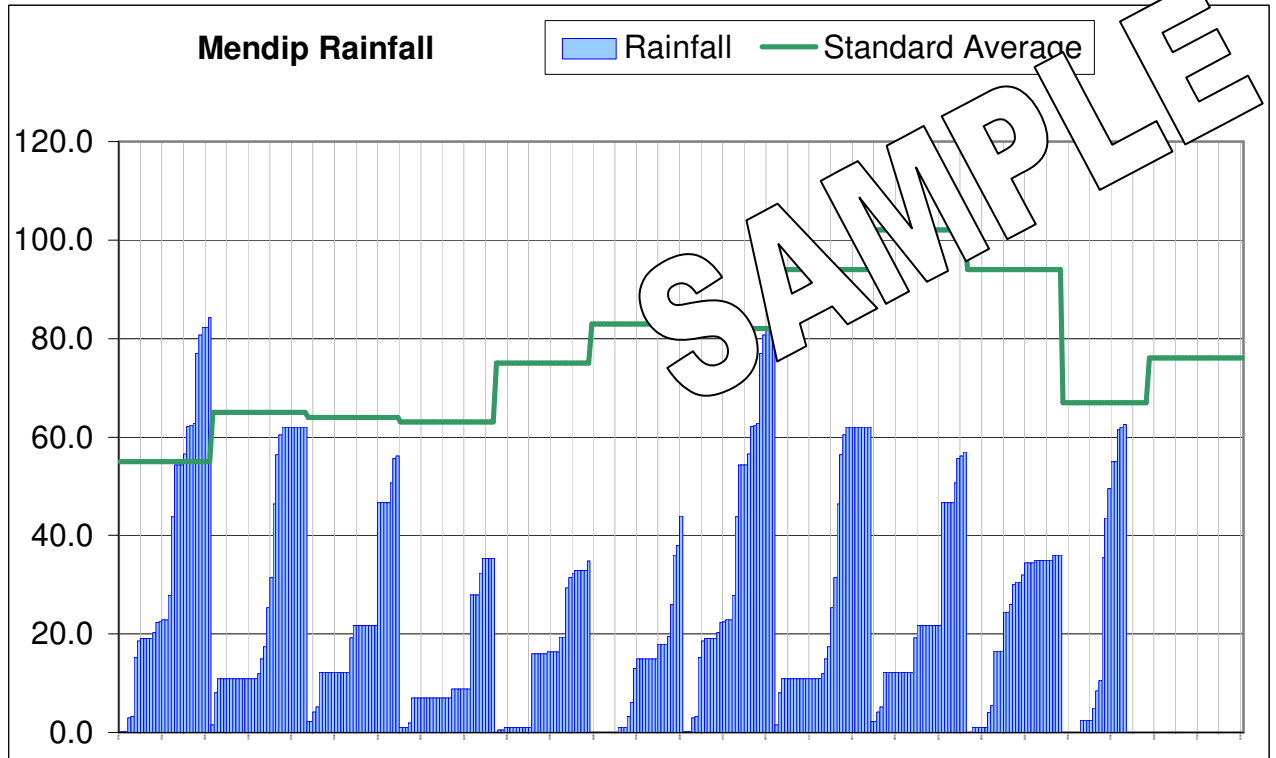
1. The zones likely to be affected by cuts to supply
2. The impacts on the following if further reductions in demand not achieved
 - Elderly and disabled
 - Hospitals and health institutions
 - Schools and public services
 - Industry agriculture and food production
 - Tourism sport and recreation
3. Manpower and resource implications
4. Population per bowser or standpipe
5. Supply arrangement for non domestic customers

A copy of the drought order application may be inspected together with all relevant plans free of charge at the head offices of Bristol Water Plc, 218 Bridgwater Road Bristol BS99 7AU, or on the Company web site.

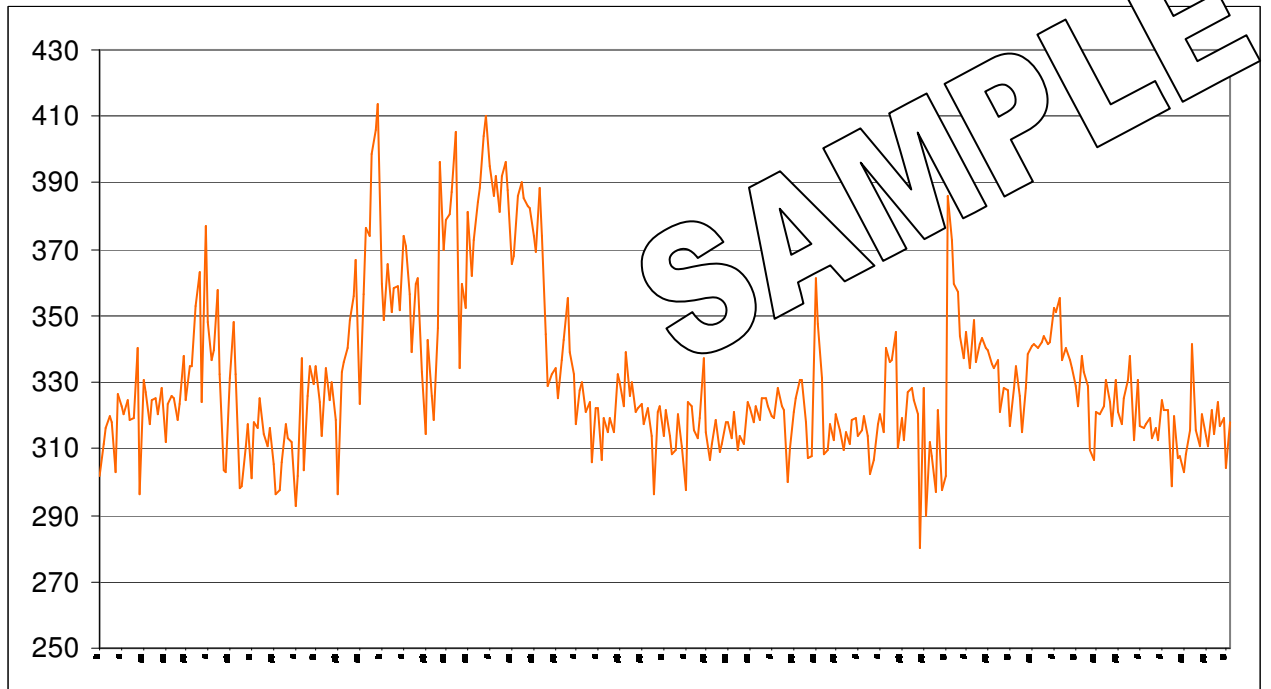
Objections to the proposals may be lodged within seven days with the Secretary of State for the Environment, Water Supply and Regulation division, DEFRA, 55 Whitehall, London SW1A 2EY.

REASON FOR PROPOSALS

A deficiency of supply brought about by an exceptional shortage of rainfall as indicated in the sample plot covering monthly cumulative rainfall for the period from April to March below:



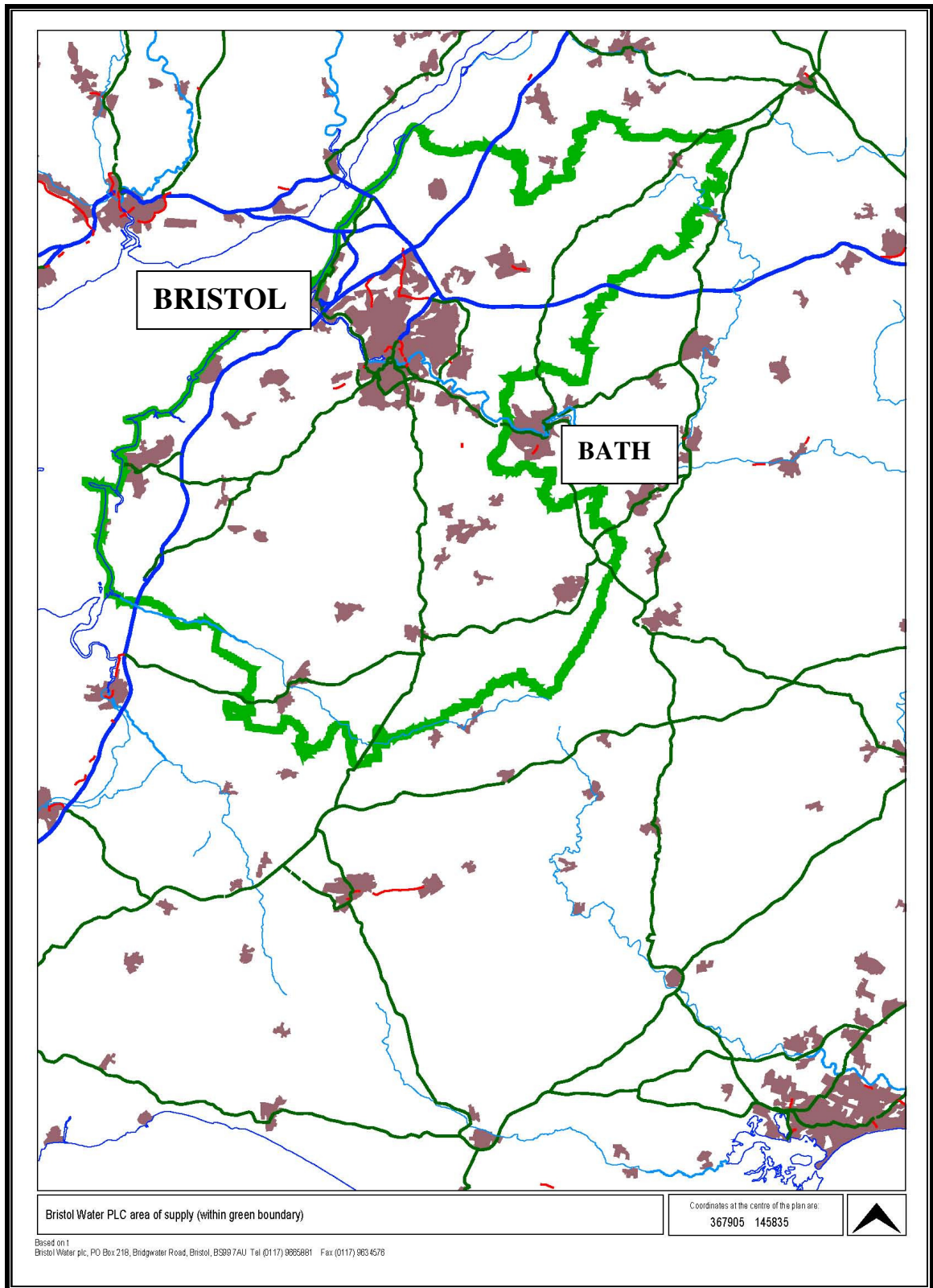
And very high demand as indicated in the sample plot of daily water demand from April to March below:



The population of the area affected was calculated as 1.2 Million in winter 2009

LOCATION OF AREA AFFECTED

Parts of the Company area denoted by the green boundary in the plot below:



STATUTORY NOTICE

TAKE NOTICE that due to the threat of a serious water shortage in the Somerset and Gloucester areas caused by an exceptional shortage of rain, Bristol Water PLC of 218 Bridgwater Road, Bristol BS99 7AU is applying to the Secretary of state for the Environment for a drought order.

The proposed emergency drought order will allow temporary cuts to water supply to selected part of the network to conserve water for essential services and industries. The anticipated effect of the drought order, if granted, will result in suspension of the mains supply of water and replacement by bowser, standpipe and supplies of bottled water for drinking.

Anyone may inspect the proposals, free of charge, at the head offices of Bristol Water Plc, P.O Box 218, Bridgwater Road, Bristol BS99 7AU during normal office hours, or on the Company web site, over the next seven working days.

Objections to the proposals may be lodged within seven days of the date of this notice with the Secretary of State for the Environment, Water Supply and Regulation division, DEFRA, 55 Whitehall, London SW1A 2EY.

Name of water company officer

Date

LIST OF THOSE SERVED WITH THE STATUTORY NOTICE

OFWAT
 Environment Agency
 Drinking Water Inspectorate
 Bristol City Council
 Bath & NE Somerset Council
 Sedgmoor District Council
 Mendip District Council
 South Gloucestershire Council
 North Somerset Council
 Consumer Council for Water
 Horticultural Trades Association
 Confederation of British Industry
 Business West
 Country Landowners Association
 National Farmers Union
 South West Regional Development Agency

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 Bristol Evening Post

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All documentation and reports in relation to this application are available for inspection on the Company web site. Material may also be inspected on site by writing to Corporate Affairs, Bristol Water, PO Box 218, Bridgwater Road, Bristol BS99 7AU, or call 0117 953 6470. Alternatively, material may be provided under the Environmental Information Regulations, but would be subject to administrative charges if the request was considered to be onerous.

PLANS FOR COPING WITH DROUGHT (Bristol Water Drought Contingency Plan)

This document will be available for reference on the Company web site

ACTIONS TAKEN TO CONTROL DEMAND

The following documents will be provided for the consideration of the Secretary of State in confidence:

Leakage report

ELL assessment

Demand management activity

In addition, the actions of the Company to date in reducing demand and increasing the availability of water will be fully documented.

APPENDIX 6 Summary of legislation covering temporary water use bans

This section provides a brief summary of power granted to water companies to restrict water use as allowed by the acts of parliament and statutory instruments set out in the table below.

Demand management measure	Legislation	Sections	Supplementary statutory instrument
Temporary ban on water use	WIA 1991	76 (as amended by section 36 of the FWMA 2010)	The Water Use (Temporary Bans) Order 2010
Ordinary drought order	WRA 1991	73-81 and Schedules 8 and 9	Drought Direction 2011
Emergency drought order	WRA 1991	73-81 and Schedules 8 and 9	-

Temporary water use bans covering household customers

The FWMA 2010 has widened the scope of the previous hosepipe ban. It has increased the range of uses of water that can be controlled by water companies without referring the decision to the Secretary of State. The extended scope of the power in section 76(2) of the WIA 1991 (as amended by section 36 of the FWMA 2010) is as follows.

“Only the following uses of water may be prohibited—

1. *watering a garden using a hosepipe;*
2. *cleaning a private motor-vehicle using a hosepipe;*
3. *watering plants on domestic or other non-commercial premises using a hosepipe;*
4. *cleaning a private leisure boat using a hosepipe;*
5. *filling or maintaining a domestic swimming or paddling pool;*
6. *drawing water, using a hosepipe, for domestic recreational use;*
7. *filling or maintaining a domestic pond using a hosepipe;*
8. *filling or maintaining an ornamental fountain;*
9. *cleaning walls, or windows, of domestic premises using a hosepipe;*
10. *cleaning paths or patios using a hosepipe;*
11. *cleaning other artificial outdoor surfaces using a hosepipe.”*

The Water Use (Temporary Bans) Order 2010 provides exceptions, definitions of words and phrases, and clarifications of certain activities that either do, or do not, fall under the above categories.

Most of the uses of water which may be prohibited under section 76(2) only apply to the use of water drawn through a hosepipe or similar apparatus. The exception to this is filling or maintaining a domestic swimming or paddling pool (76(2)(e)) and filling or maintaining an ornamental fountain (76(2)(h)), in which the use of water which may be prohibited extends to all means of filling, including fixed or permanent plumbing (but excluding handheld containers in the case of domestic swimming or paddling pools).

The Water Use (Temporary Bans) Order 2010 provides a definition of “using a hosepipe”, which “*includes the following—*

- a. drawing relevant water through a hosepipe from a container and applying it for the purpose;*
- b. filling or partly filling a container with relevant water by means of a hosepipe and applying it for the purpose.”*

The WIA 1991 (as amended by the FWMA 2010) gives the water undertaker certain powers under section 76A(1), for example:

1. To consider which restrictions are most appropriate for the undertaker, from the options available;
2. To limit the scope of a ban – this could be by, for example, excluding specified groups of customers and apparatus, or restricting the use of water at specified time only; and
3. To apply any prohibitions or restrictions in respect of the whole or part of its area.
4. Section 76B of the WIA 1991 enhances the previous publicity requirements by requiring the water undertaker:
5. To publish its notice on its website at the same time as it publishes the notices in two local newspapers;
6. To provide details in the notice of how to make representations about the proposed prohibition;
7. To give notice each time the scope of any prohibitions imposed under section 76 of the WIA 1991 is altered in any way; and
8. To give notice in relation to the lifting of any prohibitions on its website and in two local newspapers.

The Water Resources Act 1991 (WRA 1991) empowers the Secretary of State to make provision for ordinary and emergency drought orders. Water companies can apply for ordinary drought orders that (references are to Section 74 of the WRA 1991):

1. Authorise them to take water from any specified source (2)(a);
2. Authorise them to prohibit or limit the use of water for any purpose set out in the direction given by the Secretary of State (2)(b); previously the Drought Direction 1991, and now replaced by the Drought Direction 2011;
3. Authorise them to discharge water to any place specified (2)(c);
4. Authorise the Environment Agency to prohibit or limit any person taking water from a specified source (2)(d);
5. Prohibit or limit the Environment Agency from taking water from a specified source (2)(e);
6. Suspend or modify existing supply and discharge permits and obligations and similar (2)(f);
and
7. Authorise the Environment Agency to suspend or vary effluent discharge consents (2)(g).

Temporary water use bans covering non-household customers

The ordinary drought orders primarily discussed in this document relate to the powers as set out in the Drought Direction 2011 (which replaces the Drought Direction 1991), included in this guidance document in Appendix 4.

The Drought Direction 2011 sets out those purposes that companies can prohibit or limit under the WRA 1991. These are:

1. *Watering outdoor plants on commercial premises;*
2. *Filling or maintaining a non-domestic swimming or paddling pool;*
3. *Filling or maintaining a pond;*
4. *Operating a mechanical vehicle-washer;*
5. *Cleaning any vehicle, boat, aircraft or railway rolling stock;*
6. *Cleaning non-domestic premises;*
7. *Cleaning a window of a non-domestic building;*
8. *Cleaning industrial plant;*
9. *Suppressing dust; and*
10. *Operating cisterns.*

Ordinary drought orders that are made under this legislation would generally have been known as “non-essential use” drought orders. However the term “non-essential use” no longer applies so they will be referred to simply as drought orders hereafter in this document.

As noted in sub-section 3.1.1 of this document, the amended section 76 of the WIA 1991 extends the list of water uses that water companies may restrict under their own powers and without recourse to a

drought order. Section 76 also allows the Minister to add or remove a use of water from the list where it is felt appropriate to do so.

“By extending the water uses that water undertakers may prohibit under section 76(1) of the Act [WIA 1991], water undertakers may be able to delay or avoid the need for drought orders under the Water Resources Act 1991 which can allow water undertakers to impose more restrictive measures on the use of water that have a greater impact on domestic customers and also on business”¹.

In order to grant a drought order the Secretary of State needs to be satisfied that, *“by reason of an exceptional shortage of rain, a serious deficiency of supplies of water in any area exists or is threatened”²*. Note that this differs from a temporary ban on use in that it is expressly linked to drought.

The Secretary of State can require a public inquiry or hearing in relation to the drought order, whether or not there are objections to it.

Implementing Water Use Restrictions

When a signatory water company is evaluating whether and how water restrictions will be implemented by them during times of drought it will act in accordance with the following four principles:

1. Ensuring a consistent and transparent approach;
2. Ensuring that water user restrictions are proportionate;
3. Communicating clearly with customers; and
4. Considering representations in a fair way.

1st Principle – Ensuring a consistent and transparent approach

A water company will use an unbiased methodology and apply quality assurance processes to ensure that it has a consistent approach to evaluating whether and how water use restrictions will be implemented.

When a company is updating its statutory drought plan or when it is implementing drought restrictions it will give due regard to the information and processes set out in this UKWIR report.

The company will clearly set out in its drought plan how it has applied the guidance and how it has reached its conclusions regarding whether and how to implement water use restrictions.

It will apply its unbiased methodology and quality assurance processes in a uniform way when considering the impact of water use restrictions on each customer group. It will do this when it is updating its drought plan and when it is implementing water use restrictions.

It may consider an independent review of its methodology or processes to ensure that it has made a reasonable and consistent evaluation.

¹ Explanatory Memorandum to The Water Use (Temporary Bans) Order 2010

² WRA 1991 Section 73(2)

2nd Principle – Ensuring that water use restrictions are proportionate

Water companies shall implement water use restrictions in a proportionate manner, by considering the balance between any impact on an individual or particular group of customers with the overall the public interest.

When a company is deciding whether and how to restrict any water use activity it will take into consideration:

11. The nature and seriousness of the water supply situation;
12. The water savings that will result from restricting the activity (a “consumption test”);
13. The feedback from stakeholders included in the guidance document;
14. Whether it is most appropriate to introduce the restriction in a phased manner;
15. Whether it is most appropriate to restrict the activity at certain times;
16. Whether the restriction will result in a commercial impact;
17. The health and safety and biosecurity implications of the restriction;
18. Whether the restriction will impact on vulnerable customers or groups; and
19. Whether it is appropriate to offer any concessions to any individual or group of customers.

3rd Principle – Communicating clearly with customers

Water companies will clearly communicate their intentions to implement water use restrictions in an appropriate and timely manner to customers and their representatives, regulators and adjacent water companies. Water companies will give due consideration to any information provided by customers.

When a company is updating its statutory drought plan it will, as a minimum, meet the legislative consultation requirements.

A company will seek to implement water use restrictions in accordance with its published drought plan. The water company will make the drought plan available to its customers.

When a company intends to implement water use restrictions it will, as a minimum, meet the legislative requirements for giving notice to its customers. It will also clearly set out the terms of any concessions.

The water company will aim to use a number of media to communicate its intentions to implement water use restrictions. These should include but not be limited to the internet, newspapers, literature included with customers’ bills and local radio stations.

The water company will aim to ensure that information provided to customers and the media is accurate, up to date and consistent.

Any communication with customers will be in plain English. Other languages may also be used depending on the characteristics of the water company's customer base.

4th Principle – Considering representations in a fair way

Any objections or representations to a water company that relate to its approach to implementing water use restrictions will be considered in a fair way.

A water company will have in place an even-handed process for considering objections and representations from individuals or groups related to the implementation of drought restrictions.

Any complaints will be dealt with in accordance with the water company's complaints procedure.

APPENDIX 8 Glossary of terms

Abstraction

The removal of water from any source, either permanently or temporarily.

Abstraction licence

The authorisation granted by the Environment Agency to allow the removal of water from a source.

Demand management

The implementation of policies or measures which serve to manage control or influence the consumption or waste of water.

Deployable output

The output of a commissioned source or group of sources or of bulk supply as constrained by:

- environment
- licence, if applicable
- pumping plant and/or well or aquifer properties
- raw water mains and/or aquifers
- transfer and/or output main
- treatment
- water quality

Drought order

An authorisation granted by the Secretary of State under drought conditions which imposes restrictions upon the use of water and/or allows for abstraction/impoundment outside the schedule of existing licences on a temporary basis.

Drought permit

An authorisation granted by the Environment Agency under drought conditions which allows for abstraction/impoundment outside the schedule of existing licences on a temporary basis.

Floods and Water Management Act 2010

Legislation that included a clarification of the classes of household water use that water companies could restrict to conserve supplies during adverse circumstances.

Government

In this guideline Government refers to central Government and the Welsh Assembly Government.

Habitats Regulations

The domestic legislation which transposes the EU habitats and Wild Birds Directives into UK law.

NNR

National Nature Reserve - designation to protect the most important areas of wildlife habitat and geological formations in Britain, and as places for scientific research

Ramsar site

Internationally important wetland site.

Rota cuts - intermittent supply cuts

Procedure of managing water demand by ceasing to supply domestic customers with mains fed water. Supply of drinking water would be by other means such as bowser or bottles. Mains supply of water may be available on an intermittent basis for sanitary purposes, but the quality of water would not meet DWI standards for drinking (could be discoloured or turbid).

SAC

Special Area of Conservation - Designated under the European Habitats Directive (1991)

SEA Directive

Strategic Environmental Assessment Directive - ensures significant environmental effects arising from proposed plans and programmes are identified, assessed, subjected to public participation, taken into account by decision-makers and monitored.

SPA

Special Protection Area - Classified under the European Birds Directive (1979)

SSSI

Site of Special Scientific Interest - A site given a statutory designation by English Nature or the Countryside Council for Wales because it is particularly important, on account of its nature conservation value.

Water Act 2003

The Water Act (2003) builds upon existing legislation (most notably the Water Resources Act 1991 and the Water Industry Act 1991) to:

- further the sustainable use of water resources;
- strengthen the voice of water consumers;
- increase the opportunity for competition in the supply of water;
- promote water conservation;
- introduce a statutory requirement of each water supplier to prepare a publicly available drought plan.