

Implementation of the Reservoirs (Scotland) Act 2011

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SYNOPSIS The regulatory regime for reservoir safety in Scotland is undergoing major change through introduction of the Reservoirs (Scotland) Act 2011. Following phased implementation of the new legislation, due to begin in 2015, the Scottish Environment Protection Agency (SEPA) will take over responsibility for regulation and enforcement of reservoir safety from the 32 Scottish local authorities. This paper describes the main legislative changes taking place and the benefits to the reservoir industry from the new regulatory regime. The paper explains the new risk designation process being introduced and describes SEPA's indicative information requirements for reservoir registration. When the new legislation is fully implemented, the registration of smaller reservoirs with a capacity of between 10,000m³ and 25,000m³ above the natural level of the surrounding land will become a requirement for the first time and will present major challenges for SEPA. Successful implementation of the new legislation will rely on early and effective communication with reservoir owners regarding their reservoir safety responsibilities and associated regulatory requirements.