

- (a) in accordance with the provisions of a licence under Chapter II of this Part into a source of supply; or
 - (b) under any local statutory provision, into any river, stream, brook or other running water or into a canal;
- and

“inland navigation” includes any canal or navigable river.

Works under drought orders

78.-(1) A drought order may authorise the Authority or a water undertaker, subject to any conditions and restrictions specified in the order, to carry out any works required for the performance of any duty or the exercise of any power which is imposed or conferred by or under the order.

- (2) A drought order authorising the Authority or a water undertaker to carry out any works-
 - (a) may authorise the Authority or that undertaker for that purpose to enter upon any land specified in the order and to occupy and use the land to such extent and in such manner as may be requisite for the carrying out and maintenance of the works; and
 - (b) may apply in relation to the carrying out of the works such of the provisions of Part VII of this Act or Part VI of the Water Industry Act 1991 as appear to the Secretary of State to be appropriate, subject to such modifications as may be specified in the order.
- (3) The Secretary of State shall include in any drought order authorising the Authority or a water undertaker to enter any land provisions requiring the Authority or that undertaker to give to the occupier of the land and to such other persons concerned with the land as may be specified in the order not less than twenty-four hours' notice of any intended entry.
- (4) Subject to subsection (3) above, a drought order may make any such provision in relation to provisions of the order authorising any person to enter any land as corresponds to provision having effect by virtue of section 173 below or to provision contained in Part II of Schedule 6 to the Water Industry Act 1991.
- (5) Any works to be carried out under the authority of an emergency drought order shall be included in the definition of emergency works in section 52 of the New Roads and Street Works Act 1991.
- (6) Until the coming into force of section 52 of the New Roads and Street Works Act 1991, subsection (5) above shall have effect as if the reference to that section were a reference to section 39(1) of the Public Utilities Street Works Act 1950; but nothing in this section shall be taken to prejudice the power of the Secretary of State under that Act of 1991 to make an order bringing that section 52 into force on different days for different purposes (including the purposes of this section).

79 Compensation and charges where drought order made

- (1) Schedule 9 to this Act shall have effect with respect to the payment of compensation where a drought order has been made.
- (2) Except as provided by Schedule 9 to this Act, neither the Authority nor any water undertaker or sewerage undertaker shall incur any liability to any person for loss or damage sustained by reason of anything done in pursuance of any drought order or of any omission in pursuance of such an order.
- (3) Nothing in any drought order shall affect the right of the Authority, a water undertaker or a sewerage undertaker, in the event of an interruption or diminution of the supply of water, to recover any fixed or minimum charge which might have been recovered from any person by the Authority or that undertaker if there had been no such interruption or diminution.
- (4) Where a water undertaker makes an application for a drought order, the Agency may recover from the water undertaker any expenses it incurs (whether of a revenue or capital nature)—
 - (a) in connection with any local inquiry held in respect of the application;
 - (b) in the exercise of the Agency's functions so far as their exercise is attributable to the application and (if the order is made) to the order,
 in so far as those expenses have not been recovered (whether from the water undertaker or not) under or by virtue of any other enactment.
- (5) Sections 125 to 129 below shall not apply in respect of any charges which may be made under subsection (4) above.¹⁰¹

79A Drought permits

- (1) If the Agency is satisfied that, by reason of an exceptional shortage of rain, a serious deficiency of supplies of water in any area exists or is threatened then, subject to the following provisions of this section, it may, upon the application of a water undertaker which supplies water to premises in that area, issue to that undertaker a drought permit making such provision authorised by this section as appears to the Agency to be expedient with a view to meeting the deficiency.
- (2) A drought permit may contain any of the following provisions, that is to say—
 - (a) provision authorising the water undertaker to which it is issued to take water from any source specified in the permit subject to any conditions or restrictions so specified;
 - (b) provision suspending or modifying, subject to any conditions specified in the permit, any restriction or obligation to which that undertaker is subject as respects the taking of water from any source.
- (3) A drought permit shall specify—
 - (a) the day on which it comes into force; and

¹⁰¹ Inserted by s64(2) Drought orders and drought permits: charges

- (b) the period for which, subject to subsections (4) and (5) below, any authorisation given, or suspension or modification effected, by the permit is to have effect.
- (4) Subject to subsection (5) below, the period for which—
- (a) an authorisation given by a drought permit, or
- (b) a suspension or modification effected by such a permit,
- has effect shall expire before the end of the period of six months beginning with the day on which the permit comes into force.
- (5) At any time before the expiration of the period for which such an authorisation, suspension or modification has effect, the Agency may, by giving notice to the water undertaker to which the permit in question was issued, extend that period, but not so as to extend it beyond the end of the period of one year beginning with the day on which the permit came into force.
- (6) A drought permit which—
- (a) authorises the taking of water from a source from which water is supplied to an inland navigation; or
- (b) suspends or modifies—
- (i) a restriction as respects the taking of water from a source from which water is supplied to an inland navigation; or
- (ii) an obligation to discharge compensation water into a canal or into any river or stream which forms part of, or from which water is supplied to, an inland navigation,

shall not be issued without the consent of every navigation authority exercising functions over any or all of the parts of the canal or inland navigation in question which are affected by the permit.

- (7) Schedule 8 to this Act shall have effect with respect to the procedure on an application for a drought permit as it has effect with respect to the procedure on an application for a drought order, but with the following modifications, that is to say—
- (a) with the substitution for any reference to a drought order of a reference to a drought permit;
- (b) with the substitution for any reference to the Secretary of State of a reference to the Agency;
- (c) with the omission of the reference to the Agency in the Table in paragraph 1;
- (d) with the insertion, in paragraph 1(3)(c), of a requirement that the notice in question shall specify the address at which any objections are to be made to the Agency; and
- (e) with the omission—
- (i) of paragraph 2(1)(a) and the word “either” immediately preceding it, and

(ii) of paragraph 2(6).

- ~~(8) For the purposes of sections 125 to 129 below any water authorised by a drought permit to be abstracted from a source of supply shall be treated as if it had been authorised to be so abstracted by a licence granted under Chapter II of this Part, whether the water undertaker to which the permit is issued is the holder of such a licence or not.~~¹⁰²
- (8A) Where a water undertaker makes an application for a drought permit, the Agency may recover from the water undertaker any expenses it incurs (whether of a revenue or capital nature) in the exercise of its functions so far as their exercise is attributable to—
- (a) the application;
 - (b) (if the permit is issued) the permit, in so far as those expenses have not been recovered (whether from the water undertaker or not) under or by virtue of any other enactment.
- (8B) Sections 125 to 129 below shall not apply in respect of any charges which may be made under subsection (8A) above.
- (9) Section 79 above and Schedule 9 to this Act shall apply in relation to drought permits and their issue as they apply in relation to ordinary drought orders and their making.
- (10) A drought permit may—
- (a) make different provision for different cases, including different provision in relation to different persons, circumstances or localities; and
 - (b) contain such supplemental, consequential and transitional provisions as the Agency considers appropriate.
- (11) In this section—
- “compensation water” has the same meaning as in section 77 above;
- “drought permit” means a drought permit under this section;
- “inland navigation” has the same meaning as in section 77 above.

Offences against drought order

- 80 (1) If any person—
- (a) takes or uses water in contravention of a prohibition or limitation imposed by or under any drought order or takes or uses water otherwise than in accordance with any condition or restriction imposed by or under any drought order or by any drought permit; or
 - (b) discharges water otherwise than in accordance with any condition or restriction imposed by or under such an order,
- he shall be guilty of an offence under this section.
- (2) If any person—

¹⁰² Deleted by s64(3)(a) Drought orders and drought permits: charges

¹⁰³ Inserted by s64(3)(b) Drought orders and drought permits: charges

- (a) fails to construct or maintain in good order a gauge, weir or other apparatus for measuring the flow of water which he was required to construct or maintain by any drought order or drought permit; or
- (b) fails to allow some person authorised for the purpose by or under any such order or by virtue of any such permit to inspect and examine any such apparatus or any records made thereby or kept by that person in connection therewith or to take copies of any such records,

he shall be guilty of an offence under this section.

(3) In any proceedings against any person for an offence under this section it shall be a defence for that person to show that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(4) A person who is guilty of an offence under this section shall be liable-

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction on indictment, to a fine.

Interpretation of Chapter III

81. In this Chapter-

- (a) references to the taking of water include references to the collection, impounding, diversion or appropriation of water; and
- (b) references to an obligation or to a restriction include references to an obligation, as the case may be, to a restriction which is imposed by or under any enactment or agreement.

APPENDIX A2

Schedule 8 to the Water Resources Act 1991 (as amended)

WATER RESOURCES ACT 1991 SCHEDULE 8

1 Proceedings on applications for Drought Orders

- (1) The applicant for a drought order shall—
- (a) cause notice of the application to be served on the persons specified in the Table set out in sub-paragraph (2) below;
 - (b) cause a notice of the application to be published in one or more local newspapers circulating within the area affected by the order; and
 - (c) cause a notice of the application to be published in the London Gazette.
- (2) The said Table is as follows—

| | |
|--|--|
| All orders | (a) The Authority (where it is not the applicant). (b) Every local authority (not being a county council) and water undertaker (not being the applicant) whose area would be affected by the order. |
| Orders which suspend or modify any enactment or any order or scheme made or confirmed under any enactment. | Such persons (if any) as are specified by name in the enactment, order or scheme as being persons for whose protection it was enacted or made. |
| Orders concerning the taking of water from a source or the discharge of water or effluent to a place. | (a) Every local authority (not being a county council) in whose area the source, or the place at which water or effluent is to be discharged, is situated. (b) Every drainage board for an internal district in which the source, or the place at which water or effluent is to be discharged, is situated. (c) Every navigation authority exercising functions over any watercourse affected by the order. (d) If the order concerns any consent relating to the discharge of sewage effluent or trade effluent, the person to whom the consent was given. |
| Orders which authorise the carrying out of any works. | (a) Every local authority (not being a county council) within whose area the works are situated. (b) If the order authorises the carrying out of works in, under or over a watercourse, every drainage board for an internal drainage district within which the works, or any part of the works, are situated. |

Orders which authorise Every owner, lessee and occupier of the land.
the occupation and use
of land.

Orders which prohibit Every named person to whom the prohibition or limitation
or limit the taking of applies.
water.

- (3) A notice for the purposes of this paragraph of an application for a drought order—
- (a) shall state the general effect of the application;
 - (b) shall specify a place within the area affected by the order where a copy of any relevant map or plan may be inspected by any person free of charge at all reasonable times within a period of seven days from the date on which it is served or, as the case may be, published;
 - (c) shall state that objections to the application may be made to the Secretary of State within seven days from the date on which it is served or, as the case may be, published; and
 - (d) in the case of an application for an order authorising the occupation and use of land, shall specify the land to which the application relates.
- (4) A notice sent in a letter in pursuance of section 220 of this Act to an address to which it may be sent in pursuance of that section shall not be treated as having been properly served for the purposes of this paragraph unless the sender takes such steps as are for the time being required to secure that the letter is transmitted in priority to letters of other descriptions.

2 Objections to and making of orders

- (1) If any objection is duly made with respect to an application for a drought order and is not withdrawn, then, subject to the provisions of this paragraph, the Secretary of State shall, before making the order, either—
- (a) cause a local inquiry to be held; or
 - (b) afford an opportunity—
 - (i) to the objector; and
 - (ii) if the objector avails himself of the opportunity, to the applicant and to any other persons to whom it appears to the Secretary of State expedient to afford the opportunity,
- of appearing before and being heard by a person appointed by the Secretary of State for the purpose.
- (2) Subject to sub-paragraph (3) below, where, on an application for a drought order, it appears to the Secretary of State that a drought order is required to be made urgently if it is to enable the deficiency of supplies of water to be effectively met, he may direct that the

requirements of sub-paragraph (1) above shall be dispensed with in relation to the application.

- (3) Nothing in sub-paragraph (2) above shall authorise the Secretary of State to fail to consider any objection to a proposed drought order which has been duly made and not withdrawn.
- (4) Notwithstanding anything in sub-paragraph (1) above, the Secretary of State may—
 - (a) require any person who has made an objection to a proposed drought order to state in writing the grounds of his objection; and
 - (b) disregard the objection for the purposes of this paragraph if the Secretary of State is satisfied—
 - (i) that the objection relates exclusively to matters which can be dealt with on a reference under Schedule 9 to this Act or by any person by whom compensation is to be assessed; or
 - (ii) in a case where the order is one confined to the extension of a period specified in a previous order, that the objection is one that has in substance been made with respect to the application for that previous order.
- (5) Subject to the requirements of this paragraph, the Secretary of State, upon being satisfied that the proper notices have been published and served, may, if he thinks fit make the order in respect of which the application is made with or without modifications.
- (6) The Secretary of State may hold a local inquiry on any application for a drought order notwithstanding that he is not required to do so by this paragraph.
- (7) For the purposes of subsection (2) of section 53 of the Environment Act 1995 (which applies subsections (2) to (5) of section 250 of the Local Government Act 1972 to inquiries in connection with functions of or in relation to the Environment Agency), a local inquiry held under this paragraph with respect to an application by a water undertaker for a drought order, if it would not otherwise fall within paragraph (a) or (b) of that subsection, is to be treated as one which falls within paragraph (b).¹⁰⁴

3 Notice after making of order

After a drought order has been made, the person on whose application it was made shall cause to be published (in the manner in which notice of the application was required under paragraph 1 above to be published) a notice—

- (a) stating that the order has been made; and
- (b) naming a place where a copy of it may be inspected.

¹⁰⁴ Inserted by s65 Procedure at local inquiries

APPENDIX A3

Schedule 9 to the Water Resources Act 1991

WATER RESOURCES ACT 1991
SCHEDULE 9
COMPENSATION IN RESPECT OF DROUGHT ORDERS

(Section 19)

Compensation to be made in the case of all drought orders

1. Where a drought order has been made, compensation in respect of the entry upon or occupation or use of land shall be made by the applicant for the order to-

- (a) the owners and occupiers of the land; and
 - (b) all other persons interested in the land or injuriously affected by the entry upon, occupation or use of the land,
- for loss or damage sustained by reason of the entry upon, occupation or use of the land.

Compensation to be made in the case of ordinary orders only

2.-(1) This paragraph shall apply for determining the compensation to be made, in addition to any made under paragraph 1 above, where an ordinary drought order has been made.

(2) Compensation in respect of the taking of water from a source or its taking from a source otherwise than in accordance with a restriction or obligation which has been suspended or modified shall be made by the applicant for the order to-

- (a) the owners of the source of water; and
 - (b) all other persons interested in the source of water or injuriously affected by the taking of the water,
- for loss or damage sustained by reason of the taking of the water.

(3) Compensation in respect of water's being discharged or not discharged to any place or its being discharged otherwise than in accordance with a restriction or obligation (whether relating to the treatment or discharge of the water) which has been suspended or modified shall be made by the applicant for the order to-

- (a) the owners of the place of discharge; and
 - (b) all other persons interested in the place of discharge or injuriously affected by the discharge or lack of discharge,
- for loss or damage sustained by reason of the water being discharged or not discharged or being discharged otherwise than in accordance with the restriction or obligation.

(4) Compensation in respect of the imposition of a prohibition or limitation on the taking of water from a source shall be made by the applicant for the order, to any persons to whom the prohibition or limitation applies, for loss or damage sustained by reason of the prohibition or limitation.

(5) Compensation in respect of a power to make discharges of sewage effluent or trade effluent in pursuance of any consent shall be made by the applicant for the order, to any person who has been exercising that power, for loss or damage sustained by reason of the suspension or variation of the consent or the attachment of conditions to the consent.

Claims for compensation: general

3.-(1) A claim for compensation under this Schedule shall be made by serving upon the applicant a notice stating the grounds of the claim and the amount claimed.

(2) Any question as to the right of a claimant to recover compensation, or as to the amount of compensation recoverable, shall, in default of agreement, be referred to, and determined by, the Lands Tribunal.

Claims for compensation under paragraph 2

4.-(1) A claim for compensation under paragraph 2 above may be made at any time not later than six months after the end of the period for which the order authorises, as the case may be-

- (a) the taking or discharge of water;
- (b) the imposition of a prohibition or limitation on the taking of water;
- (c) the suspension or modification of any restriction or obligation; or
- (d) the suspension or variation of, or attachment of conditions to, any consent relating to the discharge of sewage effluent or trade effluent.

(2) Where a claim for compensation under paragraph 2 above is made during the continuance of the ordinary drought order, the Lands Tribunal may, if it thinks fit, award a sum representing the loss or damage which is likely to be sustained by the claimant in respect of each day on which, as the case may be-

- (a) water is taken or discharged;
- (b) water is not discharged or is discharged otherwise than in accordance with an obligation or restriction; or
- (c) sewage effluent or trade effluent is discharged otherwise than in accordance with a consent originally given.

(3) In assessing the compensation to be made under paragraph 2(2) above the Lands Tribunal may, if it thinks fit, have regard to the amount of water which, on an equitable apportionment of the water available from the source between the claimant, the applicant and other persons taking water from the source, may fairly be apportioned to the claimant.

(4) In assessing the compensation to be made under paragraph 2(3) above in respect of the lack of discharge of compensation water, the Lands Tribunal may, if it thinks fit, have regard to the amount of water which, under the conditions existing by reason of the shortage of rain, would have been available to the claimant during the period during which the deficiency of

supplies of water is continued, if the applicant in relation to whom the obligation was imposed had never carried on its undertaking.

(5) In sub-paragraph (4) above "compensation water" has the same meaning as in section 77 of this Act.

This information is out of date and has been withdrawn.
Search GOV.UK for "drought orders" to read the current guidance.

APPENDIX A4

The Drought Direction 2011

The version of the Drought Direction 2011 on the next page was exported from a pdf document and is therefore not a exact copy.

*This information is out of date and has been withdrawn.
Search GOV.UK for "drought orders" to read the current guidance.*

The Drought Direction 2011

The Secretary of State, in relation to England, and the Welsh Ministers, in relation to Wales, in exercise of the powers conferred by sections 74(2)(b) and 76(2) of the Water Resources Act 1991(a), give the following Direction to water undertakers generally.

Citation and commencement

1. This Direction may be cited as the Drought Direction 2011 and comes into force on 31st March 2011.

Purposes which may be specified by virtue of section 74(2)(b) of the Water Resources Act 1991

2. The purposes set out in paragraphs 2 to 11 of the Schedule may be specified in any ordinary drought order by virtue of section 74(2)(b) of the Water Resources Act 1991.

Revocation of the Drought Direction 1991

3. The Drought Direction 1991(b) is revoked.

John Bourne

Head of Water Supply and Regulation Division,
for and on behalf of the
29th March 2011 Department for Environment, Food and Rural Affairs

Claire Bennett

Deputy Director, Climate Change and Water Division,
29th March 2011 for and on behalf of the Welsh Ministers

(a) 1991 c. 57. The functions of the Secretary of State under sections 74(2)(b) and 76(2) of the Water Resources Act 1991, so far as they are exercisable in relation to Wales, were transferred to the National Assembly for Wales by virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1991 (S.I. 1999/672). The functions of the National Assembly for Wales were subsequently transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11, to the Government of Wales Act 2006 (c. 32).

(b) The Drought Direction 1991 was made on 18th April 1991. It was made by the Secretary of State for the Environment, in relation to England, and the Secretary of State for Wales, in relation to Wales, in exercise of their powers under section 131(4)(b) of the Water Act 1989 (c. 15). Section 131(4)(b) of the Water Act 1989 was repealed by section 3 of, and Schedule 3 to, the Water Consolidation (Consequential Provisions) Act 1991 (c. 60) and replaced by section 74(2)(b) of the Water Resources Act 1991.

SCHEDULE Paragraph 2

Interpretation

1.—(1) In this Schedule—

“the Act” means the Water Industry Act 1991(a);

“health or safety reasons” includes—

- (a) removing or minimising any risk to human or animal health or safety; and
- (b) preventing or controlling the spread of causative agents of disease;

“hosepipe” has the same meaning as in section 76 of the Act(b); and

“non-domestic building” means any of the following not being domestic premises within the meaning of section 76(2)(i) of the Act(c)—

- (a) a building that is not used principally as a dwelling or dwellings;
- (b) any other structure.

(2) Using a hosepipe, in relation to a purpose set out in paragraphs 9 to 11 of this Schedule, 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.

(3) In sub-paragraph (2), “relevant water” does not include water supplied by a water undertaker before the use of water to which the purpose relates was prohibited under an ordinary drought order.

Purpose 1: watering outdoor plants on commercial premises

2.—(1) Watering the following plants on commercial premises using a hosepipe—

- (a) plants which are in a pot or other container that is outdoors or under cover;
- (b) plants which are in the ground under cover.

(2) The purpose specified in sub-paragraph (1) does not include watering plants that are—

- (a) grown or kept for sale or commercial use; or
- (b) part of a National Plant Collection or temporary garden or flower display.

(3) In this paragraph—

“commercial premises” means any land, building, other structure or premises not being domestic or other non-commercial premises within the meaning of section 76(2)(c) of the Act(d);

“grown” includes cultivated or propagated;

(a) 1991 c. 56.

(b) Section 76 of the Water Industry Act 1991 was substituted by section 36 of the Flood and Water Management Act 2010 (c. 29). Section 76A(5) of the Water Industry Act 1991 provides that, subject to provision under section 76A(2) of the Water Industry Act 1991, a reference to a hosepipe in section 76 includes a reference to anything designed, adapted or used to serve the same purpose as a hosepipe.

(c) The meaning of “domestic premises” in section 76(2)(i) of the Water Industry Act 1991 is set out in article 12(3) of the Water Use (Temporary Bans) Order 2010 (S.I. 2010/2231).

(d) The meaning of “domestic or other non-commercial premises” in section 76(2)(c) of the Water Industry Act 1991 is set out in article 6(2) of the Water Use (Temporary Bans) Order 2010.

“National Plant Collection” means a plant collection which is part of the National Council for the Conservation of Plants and Gardens’ National Plant Collection scheme;

“plants” includes plant organs, seeds, crops and trees;

“temporary garden or flower display” means a garden or flower display that is—

(a) at a show or exhibition; and

(b) on public display for a period not exceeding 7 days; and

“under cover” means in a greenhouse or outbuilding or under a permanent canopy.

Purpose 2: filling or maintaining a non-domestic swimming or paddling pool

3.—(1) Filling or maintaining a swimming or paddling pool other than a domestic swimming or paddling pool within the meaning of section 76(2)(e) of the Act(**a**).

(2) The purpose specified in sub-paragraph (1) does not include—

(a) filling or maintaining a pool that is open to the public;

(b) filling or maintaining a pool where necessary in the course of its construction;

(c) filling or maintaining a pool using a hand-held container which is filled with water drawn directly from a tap;

(d) filling or maintaining a pool that is designed, constructed or adapted for use in the course of a programme of medical treatment;

(e) filling or maintaining a pool that is used for the purpose of decontaminating animals from infections or disease;

(f) filling or maintaining a pool that is used in the course of a programme of veterinary treatment;

(g) filling or maintaining a pool in which fish or other aquatic animals are being reared or kept in captivity;

(h) filling or maintaining a pool that is for use by pupils of a school for school swimming lessons.

(3) For the purposes of paragraph 3(2)(a) a pool is not open to the public if it may only be used by paying members of an affiliated club or organisation.

Purpose 3: filling or maintaining a pond

4.—(1) Filling or maintaining—

(a) a non-domestic pond; or

(b) a domestic pond within the meaning of section 76(2)(g) of the Act(**b**).

(2) The purpose specified in sub-paragraph (1) does not include—

(a) filling or maintaining a pond in which fish or other aquatic animals are being reared or kept in captivity;

(b) filling or maintaining a pond using a hand-held container which is filled with water drawn directly from a tap.

(3) The purpose specified in sub-paragraph (1)(b) does not include filling or maintaining a domestic pond using a hosepipe.

(a) The definition of “domestic swimming or paddling pool” in section 76(2)(e) of the Water Industry Act 1991 is set out in article 8(2) of the Water Use (Temporary Bans) Order 2010.

(b) The definition of “domestic pond” in section 76(2)(g) of the Water Industry Act 1991 is set out in article 10(2) of the Water Use (Temporary Bans) Order 2010.

Purpose 4: operating a mechanical vehicle-washer

5. Operating a mechanical vehicle-washer, whether automatic or not.

Purpose 5: cleaning any vehicle, boat, aircraft or railway rolling stock

- 6.—(1) Cleaning any vehicle, boat, aircraft or railway rolling stock using a hosepipe.
(2) The purpose specified in sub-paragraph (1) does not include cleaning any vehicle, boat, aircraft or railway rolling stock for health or safety reasons.
(3) In this paragraph—
“boat” means a vessel or other thing which—
(a) is designed, constructed or adapted to move through, in, on or over water; and
(b) is not a private leisure boat within the meaning of section 76(2)(d) of the Act^(a); and
“vehicle” means any of the following not being a private motor-vehicle within the meaning of section 76(2)(b) of the Act^(b)—
(a) a vehicle designed, constructed or adapted for use on roads; or
(b) a trailer or other thing designed, constructed or adapted for attachment to a vehicle falling within paragraph (a) of this definition.

Purpose 6: cleaning non-domestic premises

- 7.—(1) Cleaning any of the following using a hosepipe—
(a) any exterior part of a non-domestic building other than a window;
(b) a non-domestic wall.
(2) The purpose specified in sub-paragraph (1) does not include the cleaning of any exterior part of a non-domestic building or a non-domestic wall for health or safety reasons.
(3) In this paragraph, “non-domestic wall” means a wall or any other enclosing structure or partition which—
(a) does not form part of a non-domestic building; and
(b) is not within the curtilage of a domestic building.

Purpose 7: cleaning a window of a non-domestic building

8. Cleaning a window of a non-domestic building using a hosepipe other than for health or safety reasons.

Purpose 8: cleaning industrial plant

9. Cleaning industrial plant using a hosepipe other than for health or safety reasons.

Purpose 9: suppressing dust

10. Suppressing dust using a hosepipe other than for health or safety reasons.

Purpose 10: operating cisterns

- 11.—(1) Operating a cistern in any building that is unoccupied and closed.

^(a) The definition of “private leisure boat” in section 76(2)(d) of the Water Industry Act 1991 is set out in article 7(3) of the Water Use (Temporary Bans) Order 2010.

^(b) The definition of “private motor-vehicle” in section 76(2)(b) of the Water Industry Act 1991 is set out in article 5 of the Water Use (Temporary Bans) Order 2010.

(2) In this paragraph, “cistern” means an automatically-operated flushing cistern which services a water closet pan or urinal.

This information is out of date and has been withdrawn.
Search GOV.UK for "drought orders" to read the current guidance.

APPENDIX B

Draft Statutory Notice for drought order or drought permit applications

Draft statutory notice for drought (permit / order) applications

- **Notes**

- 1 The following is suitable to serve on organisations (such as local authorities, navigation authorities, IDBs) and for publication.
- 2 This is a suggested format, it should be followed as closely as possible.
- 3 Remember the object is to give those reading it a clear idea of what is proposed so they can make an informed decision whether to inspect the application further.
- 4 See joint guidelines from Defra/Welsh Assembly Government/Environment Agency on drought permits and orders for whom the notice must be served on, how it must be served, and so on.

- **Example**

TAKE NOTICE that due to [the threat of] a serious water shortage in (specify approximate area) caused by an exceptional shortage of rain, (name of water company) of (registered office) is applying to the (Environment Agency / Secretary of State / Welsh Ministers) for a drought (permit / order) under (specify relevant section) Water Resources Act 1991.

The proposed drought (permit / order) will involve (outline proposals).

The anticipated effect of the drought (permit / order) , if granted, will be (describe in brief outline expected effects, both on water supply situation and on water environment, other users, and so on).

Anyone may inspect the proposals, free of charge, at (full addresses of places where application may be inspected) [(between the hours of) or (during normal

working hours)] until (specify date, at least seven days from latest of last date of publication of advertisement and of expected date of receipt by those sent notices individually).

Objections may be made to the (Environment Agency / Secretary of State / Welsh Ministers) at:

(Specify postal address and email address at Environment Agency / Secretary of State / Welsh Ministers)

Objections should be made by (specify date, at least seven days from latest of last date of publication of advertisement or receipt of notice).

(Name of water company official)

(Date)

*This information is out of date and has been withdrawn.
Search GOV.UK for "drought orders" to read the current guidance.*

APPENDIX C

Contact points in the Department for Environment, Food and Rural Affairs, the Welsh Assembly Government, the Environment Agency, Natural England [and the Countryside Council for Wales]

CONTACT POINTS

Any enquiries concerning drought orders or drought permits should be addressed as follows:

Drought orders:

| | |
|---------|---|
| England | Water Supply and Regulation Division, Department for Environment, Food and Rural Affairs, Area 2C, Ergon House, Horseferry Road, London, SW1P 2AL. |
| Wales | Welsh Assembly Government, Department for the Environment and Sustainability, Climate Change and Water Division, Water Policy Branch, Cathays Park, Cardiff CF10 3NQ. |

Drought permits:

Environment Agency Permitting Support Centre (for receiving applications):

WR Permitting Support
PO Box 4209
Sheffield
S9 9BS

Email address psc-waterresources@environment-agency.gov.uk

Environment Agency Regional Offices (for application discussions):

| | |
|---------------------------------|--|
| Anglian | Kingfisher House, Goldhay Way, Orton Goldhay, Peterborough PE2 5ZR |
| South East | Kings Meadow Road, Reading, RG1 8DQ |
| Yorkshire and North East | Rivers House, 21 Park Square South, Leeds LS1 2QG |

South West Manley House, Kestrel Way, Exeter, Devon EX2 7LQ

North West Richard Fairclough House, Knutsford Road, Latchford, Warrington WA4 1HT

Midlands Sapphire East, 550 Streetsbrook Road, Solihull, West Midlands, B91 1QT

Environment

Agency

Wales Cambria House, 29 Newport Road, Cardiff, CF24 0TP

Central contact points for drought orders and drought permits within Natural England and the Countryside Council for Wales are:

England Land, Air & Freshwater Team, Natural England, Northminster House, Northminster Rd, Peterborough, PE1 1UA

Wales Countryside Council for Wales, Maes-y-Ffynnon, Penrhosgarnedd, Bangor, Gwynedd LL57 2DW

This information is out of date and has been withdrawn.
Search GOV.UK for "drought orders" to read the current guidance.