

Water Act 2003

Implementation of clauses 81-83

Michelle Kennard, Water Supply and Regulation

The Water Act 2003 received Royal Assent on 20th November 2003

The four broad aims of the Act are:

- The sustainable use of water resources;
- Strengthening the voice of consumers;
- A measured increase in competition; and
- The promotion of water conservation.

Section 81: Duty to encourage water conservation

- Places a new duty on the Secretary of State to take appropriate steps to encourage water conservation
- Report progress to Parliament every three years
- Gives statutory effect to a number of existing discretionary measures
- Similar duty applies to National Assembly of Wales

Section 81: Duty to encourage water conservation – 2005 report

- Working with the Environment Agency to review current activity
- Prepare a baseline report to summarise progress with leakage and water efficiency measures
- Collate activity from wide range of parties who are involved in promotion and delivery measures
- Set the scene against which future reports can be assessed

Section 81: Duty to encourage water conservation – 2007 Report

- Outline government view of progress with water conservation in last three year period
- Demonstrate what measures Secretary of State has taken to further conservation
- Could include aspirational targets for water use e.g. total water abstracted for public supply or consumption targets
- Include forward look on what needs to be done in next three year period

Section 82: Water conservation: requirements on relevant undertakers

- New duty requires SOS, Ofwat and water undertakers' to further water conservation when considering proposals relating to any of their functions
- Adds to water undertakers general duties to maintain an efficient water supply and to promote the efficient use of water

Section 82: Water conservation: requirements on relevant undertakers

- Working with the Environment Agency and water companies to develop guidance
- Guidance likely to outline a range of measures that could be taken to fulfil this duty
- Activities include:
 - Operational use of water
 - Improving database of water efficiency measures
 - Metering and tariff policies

Section 82: Water conservation: requirements on relevant undertakers

- Guidance could also highlight examples of best practice in established areas to encourage better performance:
 - Research and trials
 - Engagement with consumers
 - Promotion of water efficient products
 - Educational/schools programmes
 - Engagement with key non-domestic consumers
 - Enhanced activities in drought conditions

Section 83: Water conservation by public authorities

- Requires all public authorities to take into account the desirability of conserving water supplied to premises
- Applies to both actual use and where functions might have an impact on water use
- Intended to ensure consideration of water conservation in development of policies/activities

Section 83: Water conservation by public authorities

- working with Environment Agency to develop guidance
- provide context for water conservation
- clarify where relevant – only where some influence on water use
- do not wish to restrict necessary water use
- want to ensure water is used in efficient way
- want to encourage the adoption of cost-effective measures to improve efficient water use

Section 83: Water conservation by public authorities

Guidance will:

- outline existing programmes – FSD, Watermark etc
- best practice in water conservation measures within premises – EA fact cards, schools, hospitals etc.
- how water conservation could relate to functions – procurement arrangements, contracts, planning
- reporting – diverse measures could central organisations collate activity in sectors to enable S81 reporting

Water Act 2003

Implementation of clauses 81-83

Michelle Kennard, Water Supply and Regulation