

# Consideration of new downstream development in SEPA's Reservoir Risk Designation process

## Position Statement

Reservoirs registered under the Reservoirs (Scotland) 2011 Act (the 2011 Act) have been assigned a risk designation (low, medium or high) by SEPA based on the consequences of an uncontrolled release of water from the reservoir on downstream receptors. Section 20 of the 2011 Act requires SEPA to undertake periodic review of the risk designations for all registered reservoirs at 6 yearly intervals following the initial (or any subsequent) risk designation and at any time that SEPA considers the designation may have ceased to be appropriate.

New development downstream of a registered reservoir would introduce new receptors downstream which would be impacted by an uncontrolled release of water, and therefore would have the potential to change reservoir risk designations. "Downstream development" refers to development within the area of land likely to be flooded by an uncontrolled release of water from a reservoir as shown in the Reservoir Inundation Map (RIM) extents.

Further information regarding the reservoir inundation maps can be found [here](#). Further information regarding reservoir risk designation can be found [here](#).

SEPA has carefully considered the implications of downstream development on reservoir risk designation, specifically the implications for SEPA and Reservoir Managers if:

- i) SEPA uses knowledge of downstream development to update reservoir risk designations.
- ii) SEPA does not use knowledge of downstream development to update reservoir risk designations.

A key consideration of this assessment is that, although SEPA are statutory consultees for developments which may be at flood risk (Town & Country Planning Regulations, Schedule 5.1), we are not informed when new development actually goes ahead or is completed. Therefore, there is no existing mechanism to notify SEPA of new developments actually being built. Furthermore, any mechanism would need to be tied in to the Risk Designation Methodology to ensure that SEPA were only notified about the construction of key receptors which would impact risk designation.

Considerable effort has also been invested by SEPA in avoiding a manual process for assigning risk designations, by making use of automation and existing national datasets where appropriate. Updating risk designations manually based on downstream development would not be consistent with the approach taken to date and would have additional resource implications.

**For these reasons reservoir risk designations will not be routinely re-assessed whenever there is new development downstream of existing reservoirs, unless a specific representation is made to SEPA. New developments will be considered as part of the risk designation process as and when updated receptor datasets are incorporated into the risk designation process. This will be undertaken every 6 years as minimum in line with the Reservoirs (Scotland) Act 2011.**