



**Cyfoeth  
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Cymru**  
**Natural  
Resources**  
Wales

# A guide to the fees for our work under the Reservoirs Act 1975.

2017-18

Eleni fydd y tro cyntaf inni godi tâl am y gwaith a wnawn dan Ddeddf Cronfeydd Dŵr 1975. Mae'r canllawiau hyn yn nodi ein rhesymau dros y cynllun codi tâl a cheir gwybodaeth bwysig am y modd y byddwn yn rhoi'r cynllun ar waith.

This year will be the first time that we charge fees for the work we carry out under the Reservoirs Act 1975. This guide sets out the reasons for the charging scheme and provides important information on how we will implement the scheme.

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## Overview

The Environment Act 1995 as amended by the Natural Resources Body for Wales (Functions) Order 2013 and the Flood & Water Management Act 2010, allows us to recover our costs in carrying out our functions under the Reservoirs Act 1975.

Our charges are based on the cost we incur in our work as a regulator for the Reservoirs Act 1975. Our duty is to ensure reservoir undertakers observe and comply with the law and we do this by providing reminders, advice and guidance so that reservoir undertakers understand the minimum standards of what they must do to help keep their dams safe and are reminded of their duties for reservoir inspection, monitoring, supervision and maintenance.

## Why do I have to pay?

Previously, the laws we operate under did not allow us to recover any costs for our work under the Reservoirs Act 1975. Recent changes allow us to recover our costs for some activities.

We have agreed with Welsh Government that the cost of providing our reservoir regulation service should not be generally funded from the public purse. Instead, reservoir undertakers, as the holders of the main liabilities, should bear the cost for the activities we carry out and which we are legally enabled to recover. The fees paid do not directly relate to our cost for regulating any specific reservoir. It is a portion of our overall costs for our regulatory service in Wales.

The income we raise from our charges covers only a part of our overall costs. For example, we do not charge for our costs for enforcement action because we seek to recover these directly from the undertakers.

## What do I have to pay?

### Registration Fee

The first time registration of a large raised reservoir, after 1 October 2017, must be accompanied by the registration fee shown in Table 1.

If you withdraw a registration we reserve the right to retain some, or all of the registration fee to cover the costs we have already incurred. We will not normally make a refund if the registration is withdrawn more than 1 calendar month after it has been duly made.

## Subsistence Charges

The costs we incur for our ongoing monitoring and regulation of *high-risk reservoirs*<sup>1</sup> are recovered on an annual basis and are referred to as annual subsistence charges. These are payable for every year a high-risk reservoir is listed on the register of large raised reservoirs. This includes any high-risk reservoir which has been abandoned under section 14 of the Reservoirs Act 1975.

Large raised reservoirs, which are not high-risk reservoirs, are not liable for a subsistence fee at the current time.

Our charging year runs from April to March.

The annual subsistence charge is shown in Table 1. In this first year of the charging scheme we will invoice undertakers of high-risk reservoirs in autumn 2017 pro-rata for the period starting 28 days after the date of our Notice of Final Designation to 31 March 2018.

Invoices are payable by return.

**Table 1. Fees and Charges 2017-18**

Type	Fee	Due date
Registration Fee (after 1 October 2017)	£510	At time of first registration.
High-risk Reservoir Subsistence Charge	£230	Payable on invoice.

## VAT

All charges quoted in the scheme and guidance are exempt from VAT.

## How do I pay?

You can pay by cheque, credit or debit card, electronic transfer (BACS or CHAPS), bank giro credit or in the case of subsistence charges, by direct debit. Full details on how to make your payment can be found on the invoice.

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<sup>1</sup> A *high-risk reservoir* is a large raised reservoir for which we have served a notice of final designation on the undertakers confirming that we think an uncontrolled release of water from the reservoir could endanger human life.

For billing enquiries please refer to the address on the front of your invoice.

If you have any queries regarding the interpretation of charges please contact the Charges Team.

## What if I forget or choose not to pay?

A registration which is not accompanied by the appropriate fee is not deemed to be 'duly made' and so the registration will be considered invalid and your reservoir will not appear on the register. Failure to register a large raised reservoir is a criminal offence.

If a fee submitted to us is incorrect, you will be advised and asked to pay the balance. If a fee is not paid when due we will advise you of this. For prolonged non-payment of fees, we will take action to recover the debt.

For the minority of undertakers who fail to comply with the law we will consider our response in line with our enforcement and sanctions [policy](#).

## Charging scheme review

We will regularly review the charging scheme to ensure it reflects fairly the costs we incur. We welcome suggestions as to how our charges should be applied.

## Sources of further information

An overview of [our charges](#) is available on our website. More guidance on reservoir safety is available on our [website](#) or from our [Reservoir Safety Team](#).



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We welcome views from our users, stakeholders and the public, including comments about the content and presentation of this scheme. If you are happy with our service please tell us about it, it helps us to identify good practice and rewards our staff. If you are unhappy with our service please let us know how we can improve it.

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