

# **SEPA guidance on temporary suspension of authorised abstractions during significant water scarcity**



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## Purpose

This document sets out how we will apply 'Scotland's ['National Water Scarcity Plan'](#) (NWSP) in relation to authorised abstractions within catchments determined as being at significant water scarcity (as calculated in accordance with ['Scotland's National Water Scarcity Plan'](#)), where they have limited cumulative environmental impact. This is a time limited position to allow time for adaptation and resilience to be considered for future years.

## Background

Scotland's [National Water Scarcity Plan \(NWSP\)](#) is intended to protect the water environment at a catchment level and to ensure the continued viability of key water supplies. Where areas of the country experience prolonged dry periods and reach significant water scarcity level then temporary suspension of authorisations to abstract in relevant catchments is one of the actions from the indicative hierarchy of actions that SEPA may choose to consider to protect the environment. Other actions can include variation of authorisations.

In accordance with the NWSP and in the current circumstances, SEPA does not consider it to be appropriate to suspend licences issued under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 to the extent that they relate to the following types of activity, where the sole reason for suspension is that the relevant catchment is determined to be at significant water scarcity level :

1. Drinking water supplies (including private drinking water abstractions).
2. Groundwater abstractions.
3. Abstractions where the cumulative abstraction<sup>1</sup> is no more than 5% of Qn95 and the responsible person is notified by SEPA that this applies. While this is location dependent it is expected to cover the majority of commercial soft fruit growers in Scotland.

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<sup>1</sup> At water body scale

<sup>2</sup> in accordance with Schedule 4 to The Scotland River Basin District (Standards) Directions 2014

4. Abstractions where the water abstracted is thereafter returned to the water environment (e.g. cooling water), where the impact of the activity is not considered by SEPA to be significant, and where the responsible person is notified by SEPA that this applies. Significance of impact will be assessed by SEPA on the basis of the spatial extent of the impact. This means SEPA is not considering suspending these authorisations where water is abstracted and thereafter returned within a 500 metre length in a High status water body. SEPA is also not considering suspending authorisations where water is abstracted and thereafter returned within a 1500 metre length in all other water bodies<sup>2</sup>.

Where any of the authorisations detailed above are located within or may have an impact on a designated site <sup>3</sup> SEPA reserves the right to suspend those authorisations during periods of significant water scarcity or otherwise.

In accordance with the NWSP and in the current circumstances SEPA is not considering suspending Registration level authorisations for abstractions of up to 50m<sup>3</sup> per day within catchments determined as being at significant water scarcity. Those operating in accordance with a General Binding Rule to abstract up to 10m<sup>3</sup> per day may continue to do so.

### **Additional information**

Some abstractions are already limited at low flows by licence conditions (often referred to as a hands-off flow) and therefore we are not considering suspension of these. This position may change if there is non-compliance with licence conditions.

Licences for some large storage reservoirs have conditions to ensure mitigation for low flows in the form of compensation flows downstream. Therefore, we are not considering suspension of these. This position may change if there is non-compliance with licence conditions.

This guidance may be subject to periodical review and may be varied or withdrawn at any time.

SEPA reserves its discretion to depart from this guidance and to take appropriate action as necessary.

This guidance applies in Scotland with effect from 9<sup>th</sup> June 2023.

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<sup>3</sup> A designated site is a Special Area of Conservation, Special Protection Area or Site of Special Scientific Interest.

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