

WATER RESOURCE, ENGLAND

DRAFT The Environment Agency and The Natural Resources Body for Wales (River Severn) Drought Order 2026

The Environment Agency and The Natural Resources Body for Wales has made an application to DEFRA and The Welsh Government for an ordinary drought order under section 73(3)(a) of the Water Resources Act 1991 (“the Act”)

1. Citation, commencement and expiry

This Order -

(a) may be cited as the Environment Agency and The Natural Resources Body for Wales (River Severn) Drought Order 2026; and

(b) comes into force on Day / Month / 2026 and ceases to have effect on Day / Month / 2027.

The proposed drought order is intended to apply for up to 6 months and to come in to force as soon as is possible.

2. Interpretation

“the Agency” means the Environment Agency.

“NRW” means The Natural Resources Body for Wales.

“Defra” means the Secretary of State for Department of Environment, Food, and Rural Affairs.

“The Welsh Government” means the Welsh Ministers.

“the Licence” means the abstraction licence numbered 18/54/4/1118/G issued on 21 August 1981, by the Secretary of State and authorising the Agency’s statutory predecessors the Severn Trent Water Authority to abstract water from Triassic Sandstones for the purpose of augmentation of the flow of the River Severn and its tributaries to the extent and manner, and subject to the terms and conditions, set out in the Schedule of Conditions to the Licence.

“the CRJA Act” means the Clywedog Reservoir Joint Authority Act 1963.

“the Lake Vyrnwy water bank agreement” means the agreement made between Severn Trent Water Authority and North West Water Authority (also the Agency’s

statutory predecessors) on 30 March 1979 relating to discharges to be made from Lake Vyrnwy.

“emergency storage” means a volume of water in Llyn Clywedog equal to or less than 18% of the maximum storage volume of the reservoir.

“Ml/d” means megalitres per day.

“tcm” means thousand cubic metres.

3. Modification of the prescribed flow in the River Severn at Bewdley

- 3.1 While this Order is in force, the volume of water discharged from Llyn Clywedog shall not exceed 300Ml/d.
- 3.2 While this Order is in force, subject to conditions 3.4 and 3.5 below, condition I (Discharges to be made) of the Schedule of Conditions to the Licence is substituted with the following:

As from the date of the coming into operation of The Severn-Trent Water Authority (Shropshire Groundwater) Order 1981 the Authority shall discharge from the discharge points specified in Column (2) of Schedule 16 to the said order into the receiving watercourses specified in column (3) of the said Schedule such quantities of water as may be necessary for the purpose of ensuring that the average rate of flow of water in the River Severn at the Bewdley gauge (as defined in the CRJA Act) in any period of five consecutive days is not less than 730 megalitres per day.

PROVIDED THAT

- (a) In the case of each of the discharge points set out in Column (2) of the said Schedule 16 the Authority shall not be required to discharge more than the quantities of water set out respectively in Column (4) of the said Schedule, and
- (b) In the case of all the discharge points set out in Column (2) of the said Schedule taken together the Authority shall not be required to discharge more than 330 megalitres (tcm) of water per day.
- 3.3 While this Order is in force, section 46(2)(b) of the CRJA Act (specifying the requirement to discharge an additional quantity of water (if any) to the quantity specified in section 46(2)(a) from Llyn Clywedog for the purpose of ensuring that the rate of flow of water in the River Severn at Bewdley gauge is not less than an average daily flow of 727 Ml/d) shall not apply.
- 3.4 While this Order is in force, subject to condition 3.5 below, at any time when discharges from Lake Vyrnwy pursuant to the terms of the Lake Vyrnwy water bank agreement and the rate specified in condition 3.2 of this Order cease to be achievable then:

the Agency and NRW shall discharge such quantities of water as may be necessary for the purpose of ensuring that the average rate of flow of water in the River Severn at the Bewdley gauge (as defined in the CRJA Act) in any period of five consecutive days is not less than 650 Megalitres per day.

- 3.5 While this Order is in force, if storage in Llyn Clywedog falls below the 'emergency storage' trigger then the prescribed flow requirement specified in condition 3.4 shall be replaced with releases from Llyn Clywedog equating to 1.5% of remaining storage calculated each day.

In this condition "the prescribed flow" means the average rate of flow of water in the River Severn at the Bewdley gauge (as defined in the CRJA Act) in any period of five consecutive days.

4. Reduction to other abstractions

- 4.1 While this Order is in force, from a specified date to be notified by the Agency and NRW the maximum authorised daily volume pursuant to the licence numbers specified in Appendix I of this Order, shall not exceed the maximum authorised daily volume so notified by the Agency and NRW.
- 4.2 While this Order is in force, from a specified date to be notified by the Agency, the maximum authorised one hundred day volumes pursuant to the licence numbers specified in Appendix II shall be subject to a 5% reduction on the remaining 100 day volume from the date specified in the notice.
- 4.3 The remaining 100 day volume shall be determined by means of the method of calculation approved by the Agency and the records of abstraction returns held by the licence holder up to the date specified in the notice.
- 4.4 The Agency's method of calculation of the remaining 100 day volume shall be conclusive.
- 4.5 While this Order is in force, from a specified date to be notified by the Agency, the maximum authorised daily volume pursuant to the licence number specified in Appendix III of this Order shall not exceed the volume specified when the flow in the River Severn as gauged by the Agency at either of its flow gauging stations at Deerhurst or Hawbridge is less than 1,200 MI/d as notified by the Agency. The Agency's said gauging of the flow shall be conclusive.
- 4.6 From the date of this Order coming in to force, the Agency and NRW shall give the licence holders specified in Appendix I, Appendix II and Appendix III of this Order at least 24 hours notice prior to the reductions to their licence coming in to effect.

5. Further conditions

The further conditions below are proposed by the Agency and NRW. The Defra Secretary of State and The Welsh Government Welsh Ministers will determine the final conditions of the Order (if granted)

- 5.1 While this Order is force, the Agency and NRW must –
- a) undertake the environmental monitoring set out in the document River Severn Drought Order Environmental Assessment Report dated August 2026.
 - b) keep the monitoring plan under review to ensure that it remains appropriate.
 - c) agree any changes to the monitoring plan with Defra and The Welsh Government before they are implemented.
 - d) keep records of the monitoring undertaken, in such format and for such time period as Defra and The Welsh Government may require, and make these available to Defra and The Welsh Government for inspection on reasonable request.

6. Supplemental provision

- 6.1 For the purposes of:

Regulations 19(3)(c) and 19(3)(d) of the Environmental Damage (Prevention and Remediation) (England) Regulations 2015, as they apply to the Agency

and

Regulations 19(3)(c) and 19(3)(d) of the Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009, as they apply to NRW

nothing in this Order is to be taken as authorising any event causing environmental damage.

Appendix I – Table of abstraction licences to be reduced by 5% on the daily volume

Licence Number	Licence Holder	Indicative location (National Grid Reference)
WA/054/0001/0109	Hafren Dyfrdwy	As per the locations specified in the licence
18/54/02/0168	Severn Trent Water	As per the location specified in the licence
18/54/08/0165	Severn Trent Water	As per the location specified in the licence

Appendix II – Table of abstraction licences to be reduced by 5% on the 100 day licence volume

Licence Number	Licence Holder	Indicative location	100 day volume (MI) - need to apply 5% reduction on remaining allocation after the Order comes into force
18/54/02/0110	Severn Trent Water	As per the location specified in the licence	Applies from the date specified in the notice, according to the calculation approved by the Agency and the Licence Holder abstraction record up to the date specified in the notice.
18/54/08/0101	Severn Trent Water	As per the location specified in the licence	
18/54/02/0584	South Staffordshire Water	As per the location specified in the licence	
18/54/02/0163	South Staffordshire Water and Severn Trent Water	As per the location specified in the licence	
18/54/20/0138	Canal and River Trust	As per the location specified in the licence	

Appendix III – Table of Canal & River Trust abstractions to be restricted

Licence Number	Site Name	Location (National Grid Reference)	Rate that abstraction shall not exceed (mega litres per day)
MD/054/0020/030	Gloucester Docks	As per the location specified in the licence	300 (when flows at Deerhurst or Hawbridge are less than 1,200 MI/d)