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STATUTORY INSTRUMENTS

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**2017 No. 1044**

**The Water Abstraction and Impounding  
(Exemptions) Regulations 2017**

**PART 2**

Exemptions from restriction on abstraction

**Small scale dewatering in the course of building or engineering works**

5.—(1) The restriction on abstraction does not apply to an abstraction or series of abstractions of water carried out in the course of building or engineering works for the purpose of dewatering from a sump or excavation if—

- (a) the abstraction or series of abstractions are temporary and in any event carried out over a period of less than six consecutive months beginning with commencement of the first abstraction,
- (b) each abstraction does not cause or is not likely to cause damage to a conservation site or specific features in such a site,
- (c) each abstraction does not cause or is not likely to cause damage to protected species, and
- (d) either—
  - (i) the water abstracted is immediately discharged to a soakaway, or
  - (ii) the volume of water abstracted is less than 100 cubic metres of water per day and there is no intervening use of that water before discharge (but see paragraph (2)).

(2) Where the abstraction is undertaken within 500 metres of a conservation site or within 250 metres of a spring, well or borehole used to supply water for any lawful use, paragraph (1)(d)(ii) applies in respect of that abstraction as if the reference to 100 cubic metres of water per day were a reference to 50 cubic metres of water per day.

**Changes to legislation:**

There are currently no known outstanding effects for the The Water Abstraction and Impounding (Exemptions) Regulations 2017, Section 5.