

## **Divisions Affected - All**

### **CABINET 24 JANUARY 2023**

#### **WATER RESOURCES DRAFT REGIONAL PLANS AND DRAFT WATER COMPANY PLANS CONSULTATION RESPONSES**

#### **Report by Corporate Director, Environment and Place**

### **RECOMMENDATION**

1. **The Cabinet is RECOMMENDED to**
  - a) Approve responding to the consultation on the draft Water Resources South East (WRSE) regional plan, comments for which close on 20<sup>th</sup> February 2023 (a draft response is included in Annex 1).
  - b) Approve responding to the Water Resources West (WRW), Water Resources East (WRE) and Affinity Water draft plans which have a 20<sup>th</sup> February 2023 closing date (drafts of the responses are included in Annex 2 to Annex 4).
  - c) Approve responding to the Thames Water draft plan, which was only released on 13<sup>th</sup> December 2022 and therefore a draft response has not been prepared for this agenda. Comments on that draft plan close on 21<sup>st</sup> March 2023.
  - d) Delegate the final written responses to the Corporate Director for Environment and Place in consultation with the Cabinet Member for Climate Change Delivery and Environment.

### **Executive Summary**

2. Water resources regional plans across England have reached a draft stage. The government set out the requirement for such regional plans in a recent [government guideline](#), following the [National Framework 2020](#) for water resources called 'Meeting our Future Needs'.

3. Draft individual water company plans have also been produced. These Water Resource Management Plans for 2024 (WRMP24) will replace those that exist from 2019 (WRMP19).
4. It is recommended that the County Council responds to some of the current water resources regional and company draft plan consultations. Draft responses are attached for those with a deadline of 20<sup>th</sup> February 2023. The draft Thames Water WRMP24 had a delayed publication date, of 13<sup>th</sup> December 2022 and has a deadline of 21<sup>st</sup> March 2023, so a draft response has not been prepared in time for this Cabinet.
5. The Regulators' Alliance for Progressing Infrastructure Development (RAPID) received submissions from the water companies in November 2022 detailing strategic water resource options. There will be a consultation, probably in March 2023, on RAPID's draft decisions on those 'gate two' submissions. Officer responses to those consultations, from the Director of Planning, Environment and Climate Change, will be on the same lines as the draft regional and water company plan responses.
6. These matters are of particular interest to Oxfordshire County Council because the water companies are proposing a reservoir located between Abingdon, East Hanney, Steventon and Marcham known as the South East Strategic Reservoir Option (SESRO), as well as other options for securing future water supply.

### **Significance of these water resources consultations**

7. These draft plans set out the water company priorities for securing future water supply and will provide the framework for progressing the selected water resource options through consenting processes.
8. Proposals for new schemes involving land in Oxfordshire are described in summary as:
  - SESRO – The plans propose that this reservoir holds up to 100 million cubic metres (Mm<sup>3</sup>) of water, providing for up to 185 million litres per day (Ml/d) of water. This is smaller than the largest option which has been the focus of earlier consultations (150 Mm<sup>3</sup>, providing 271 Ml/d). The plans record that the choice between those two sizes at this draft stage has been extremely close. The plans envisage SESRO providing water from 2040.
  - Severn Thames Transfer (STT) - The plans propose that up to 500 Ml/d be transferred from the River Severn to the River Thames via a new pipeline. Additional sources of water will be added to the River Severn. The plans envisage STT providing water from 2050.
  - Thames to Southern Transfer (T2ST) – The plans propose that up to 120 Ml/d be transferred from the River Thames via a pipeline from Culham south. The water would be available from SESRO and/or STT.
  - Thames to Affinity Transfer (T2AT) – The plans propose that up to 100 Ml/d be transferred between the Thames Water and Affinity Water companies, partly via the River Thames and then by a new pipeline from

a point in Hertfordshire. The water would be available from SESRO and/or STT.

9. In addition to the above schemes, there are many other proposals, as well as works to existing infrastructure, and measures to reduce demand. The attached draft responses to the water company consultations consider the entirety of the proposals in relation to how they affect Oxfordshire.

## Relevant Previous Cabinet Reports and Council Resolutions

10. The SESRO was included in Thames Water's draft Water Resource Management Plan (WRMP) in 2009 upon which there was a public inquiry. Oxfordshire County Council opposed the plan. The Inspector in her report of 13<sup>th</sup> December 2010 found that the need for the reservoir had not been established. The Inspector also commented that not all feasible water supply options had been investigated. The Secretary of State accepted the Inspector's recommendations in March 2011.
11. Thames Water and Affinity Water again proposed the SESRO as a joint project in their draft WRMPs during 2018 and 2019.
12. The County Council carried the following motion on 10<sup>th</sup> July 2018:

### **Motion by Councillor Mike Fox-Davies**

"The Thames Water Draft Resources Management Plan (dWRMP19), consultation was opened on the 8th February and closed on the 29th April. The plan proposes a new reservoir near Abingdon to serve the forecast needs of not only the Thames Water area, but also the wider South East.

The consultation response from OCC looks for clarification on:-

- the population forecast figures
- how much water will be sold to other water companies
- how Thames Water will speed up their programme of leakage reduction.

This Council supports the position of GARD in response to the plan which asks Thames Water to:

- Reduce leakage by half by 2050
- Improve water-use efficiency to match the norms of other companies
- Provide a proper analysis of water available through other measures, including Teddington DRA and water re-use.

Which together should together solve the water shortage issue and provide a 1 in 200 severity drought resilience.

And calls on the Leader of the Council to write to Thames Water, Defra, the Environment Agency and Ofwat, requesting that a second consultation be undertaken due to incomplete information or errors on the information used to base their recommendations."

13. The then County Council Leader wrote as per the agreed motion, and there was a second Thames Water consultation. There were Cabinet reports on 20<sup>th</sup> November 2018 and 23<sup>rd</sup> April 2019 and the County Council sent responses to the Thames Water and Affinity Water WRMP consultations opposing proposals.

14. The Secretary of State approved the Thames Water and Affinity Water WRMPs in March 2020. The government has now set in place this new system of non-statutory regional plans alongside the statutory WRMP process.
15. A further process has been established with a new group known as the Regulators' Alliance for Progressing Infrastructure Development (RAPID). They consulted on their draft decisions at 'gate one' of their process progressing some 15 strategic water resource solutions across England, including the SESRO. We provided an officer response on the consultation in October 2021.
16. The County Council, further to RAPID's consultation, passed the following motion on 2<sup>nd</sup> November 2021:

**Motion by Councillor Richard Webber**

"On 10 July 2018, Council passed a motion unanimously calling on the Leader of the Council to write to Thames Water, Defra, the Environment Agency and Ofwat, requesting that a second consultation on the proposed Oxfordshire Reservoir be undertaken due to incomplete information or errors on the information used to base their recommendations.

As information in the latest consultation remains incomplete, and what has been provided to support the proposal contains many errors, Council now confirms its position on the TW proposed Reservoir agreed at the Council meeting on the 10 July 2018 in that it remains opposed to the proposal, at least until the case for need has been clearly demonstrated by taking into account and answering the concerns of the whole scientific community.

To this end, Council will be including and taking full account of discussions with and opinions of all sources of independent scientific expertise including the Group Against Reservoir Development (GARD) when considering its response to Thames Water proposals."

17. A report was brought to Cabinet on 15<sup>th</sup> March 2022, following which the County Council sent its final response on the Water Resources South East (WRSE) emerging regional plan. That response is available [online](#) with the County Council's press release. The Cabinet report also contained copies of the officer responses on the emerging regional plans for the West, East and West Country regions.

## Summary of points in attached draft responses to consultations

18. The attached draft responses challenge the draft plans. Some of the bases of future water need calculations are opposed, for example the future population figures. We are asking that the plans take a 'resilience first' approach, given climate change, and have policies indicating a preference for low carbon and least environmentally damaging water supply solutions. Without going into detail, we list many concerns about the SESRO, for example its size, effectiveness, length of time to construct, cost, and environmental effects. We consider that the SESRO should be removed from the plans. We seek more attention to reducing leakage and other matters which will help reduce demand. Proposals to bring water into the region should be progressed, such as the Grand Union Canal transfer (GUC), the Severn Trent Transfer (STT), and the Anglian Water to Affinity Water Transfer (A2AT).

## Other water resources consultations

19. The Regulators' Alliance for Progressing Infrastructure Development (RAPID) was established in 2019 to help progress the strategic resource options for water and has set up a 'gated' process in which the water companies provide information to it in a standard way. The 'gate two' deadline was 14<sup>th</sup> November 2022 and the water companies have published the information that has been provided to RAPID. We understand that RAPID will be producing its draft decisions on the current 'gate two' and inviting comment on those in March 2023. As we have at previous points, Oxfordshire County Council will send officer responses on relevant draft decisions, such as that relating to the SESRO.
20. RAPID's decisions are expected to set out the additional work required on each of the options so that they can progress to their 'gate three' and onwards to the consents process. The consents process for the SESRO is identified as a Development Consent Order (DCO) as it would be a Nationally Significant Infrastructure Project (NSIP).

## Corporate Policies and Priorities

21. The vision of the strategic plan is: 'Leading positive change by working in partnership to make Oxfordshire a greener, fairer and healthier county'. In preparing responses to these water plans, we have looked to work with others, for example we hosted a water supply summit on 30<sup>th</sup> November 2022.
22. Strategic Plan priority 1 is: 'Put action to address the climate emergency at the heart of our work'. Climate change is one of the reasons that future water supply options are being considered e.g. the potential for future droughts leads to the need to consider how to make water supply more resilient. Our draft responses indicate that options progressed by the water companies should be those which best respond to the need for climate action and cause the least environmental damage.
23. Strategic Plan priority 3 is: 'Prioritise the health and wellbeing of residents'. We recognise that sufficient water supply is necessary for health and wellbeing, but there are effects from proposals such as SESRO which will particularly affect those nearby (e.g. visual effects, disruption from construction, traffic) and we are concerned about other possible wider effects (e.g. flood risk, biodiversity).
24. Strategic Plan priority 9 is: 'Work with local businesses and partners for environmental, economic and social benefit'. We will work with partners such as Thames Water to address the issues being raised in respect of these consultations.

25. The County Council is not directly involved in making future provision for water supply. The Oxfordshire Infrastructure Strategy 2020-2040 ([OxIS part 1, produced by the Future Oxfordshire Partnership](#)) recorded on pages 95-96 that Thames Water and Ofwat are the key responsible bodies in this area. District Councils have a particular interest when allocating land for development in their local plans as new development is dependent on reliable water supply. We will liaise with the District Councils in responding to these consultations.

## Financial Implications

26. There are no anticipated direct financial implications for the County Council in agreeing a response to these consultations.
27. The County Council has engaged existing staff, funded through existing resources, in preparing these responses.

Comments checked by:

Filipp Skiffins, Assistant Finance Business Partner,  
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## Legal Implications

28. There are no anticipated legal implications for the County Council in agreeing a response to these consultations.
29. Thames Water is the utility company covering almost all of Oxfordshire (as well as other areas) and we work with Thames Water on a range of water-related matters, not just water supply, but also wastewater and surface water management. Such work is not affected by the County Council responding to this consultation.
30. As Local Highway Authority under the Highways Act 1980 and Local Planning Authority under the Town and County Planning Act 1990 the County Council is interested in any proposed development in its administrative area and is also empowered to comment under the general power of competence in Section 1 of the Localism Act 2011.

Comments checked by:

Jennifer Crouch, Principal Solicitor Environmental (Legal)

## Staff Implications

31. The responses to the water plans consultations are being prepared using existing staff resources.
32. Ongoing work to pursue our responses, and consideration of the detail of future water supply options in Oxfordshire will continue to require staff time and could require consultant input in future, which may need a dedicated budget.

## Equality & Inclusion Implications

33. At this stage, it is considered that there are no equality, diversity or inclusion implications from responding to the consultations. However, it is noted that the proposals contained in the water plans will have some implications. Communities could benefit from the greater resilience of water supply envisaged in the plans. Some communities in Oxfordshire, particularly those who live close to the SESRO, could be adversely impacted. Cost impacts on water bills will likely be felt most by those on the lowest incomes.

## Sustainability Implications

34. No new policy is being proposed as part of these responses. The intention is to respond to the consultations in line with the County Council's existing policies. The County Council's draft responses address a range of sustainability issues.

## Risk Management

35. There is a risk that Oxfordshire County Council's responses could be seen as opposing the efforts of the water companies to provide a resilient water supply in accordance with national guidance. To mitigate this, it is important that the County Council's responses set out that it supports appropriate water provision being made, and that it is the interpretation of national guidance and the need for certain strategic water supply options that are questioned.
36. There is a risk that Oxfordshire County Council's responses could be seen as relating only to details of how certain strategic water supply options might be progressed e.g. regarding issues of construction, access, flood risk, biodiversity etc. To mitigate this, it is important that the County Council's responses acknowledge that the water supply options will need to gain consent, and the specific effects will be dealt with at that later stage.
37. There is a risk to the ongoing working relationships between the County Council and Thames Water, which is the water utility company for most of Oxfordshire. The County Council works with Thames Water on not just water supply, but also wastewater and surface water. To mitigate this, it is important that the County Council's responses are fair and balanced.

38. There is a risk that Oxfordshire County Council's position might not be the same as those of partners such as OxLEP, the Future Oxfordshire Partnership, the districts and city. It is recorded in OxIS Stage 1 2020-2040 that Thames Water has predicted a water supply deficit in Oxfordshire and partners are interested in ensuring that development can proceed with a resilient water supply. To mitigate this risk, the County Council has looked to work with others and will seek ongoing discussions with partners.

## Consultations

39. Oxfordshire's Water Supply Summit was held on 30<sup>th</sup> November 2022. There have been presentations by the various water companies and regional groups online - a list of the relevant webpages which hold copies of these is below under the heading of 'other documents'. The Group Against Reservoir Development (GARD) has provided information and opinion on their website <https://www.abingdonreservoir.org.uk/>.

Bill Cotton  
Corporate Director, Environment & Place

Annex:	Annex 1 – Draft response to Water Resources South East (WRSE) regional plan consultation
	Annex 2 – Draft response to Water Resources West (WRW) regional plan consultation
	Annex 3 – Draft response to Water Resources East regional plan consultation
	Annex 4 – Draft response to Affinity Water's Water Resource Management Plan 24 (WRMP24) consultation
Background papers:	None
Other Documents:	Water Resources South East regional plan consultation <a href="https://wrse.uk.engagementhq.com/">https://wrse.uk.engagementhq.com/</a>
	Water Resources West (WRW) regional plan consultation <a href="https://waterresourceswest.co.uk/draftplandocuments">https://waterresourceswest.co.uk/draftplandocuments</a>
	Water Resources East regional plan consultation <a href="https://wre.org.uk/the-draft-regional-plan/">https://wre.org.uk/the-draft-regional-plan/</a>



Affinity Water's Water Resource Management Plan 24 (WRMP24) consultation

<https://affinitywater.uk.engagementhq.com/wrmp>

Thames Water's Water Resource Management Plan 24 (WRMP24) consultation

<https://thames-wrmp.co.uk/>

Strategic water resource options information

<https://www.ofwat.gov.uk/regulated-companies/rapid/the-rapid-gated-process/gate-two/>

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