

INQUIRY NOTE

WATER RESOURCES ACT 1991 (AS AMENDED)

THE WATER RESOURCES (ABSTRACTION AND IMPOUNDMENT) REGULATIONS 2006

ENVIRONMENT AGENCY: PROPOSALS TO MODIFY ABSTRACTION LICENCES:

11/42/18.16/546	TESTWOOD
11/42/22.6/92	TWYFORD
11/42/22.6/94	OTTERBORNE
11/42/22.7/94	OTTERBORNE

ENVIRONMENT AGENCY: PROPOSAL TO RENEW (SUBJECT TO VARIATION):

SO/042/0031/026 CANDOVER STREAM

Inquiry opened – 13 March 2018 10.00am

INSPECTOR'S NOTE

Introduction:

1. As a result of submission of a draft agreement between Southern Water Services (SWW) and the Environment Agency (EA) and discussions held on the first day of the Inquiry, there is a need to set out a revised timetable for the continued progress of the Inquiry.
2. The draft Agreement (Document ID1, available on the Inquiry Website: <http://www.hwa.uk.com/projects/itchen-candover-and-testwood-water-abstraction-inquiry/>) confirms the removal of SWW objections to the Agency's licences as drafted with, among other matters, steps to address the requirements for relevant Drought Orders or Permits and conditions to address responses under Force Majeure events.

Scope of the Inquiry and Procedures

3. The Inspector acknowledged that this changed the nature of the Inquiry and having had the parties involved in the Agreement clarify the situation, sought responses from the Rule 6 parties and all others involved as to their revised positions, accepting the short timescale involved, on the cases now.
4. The Inspector confirmed that, at the present time, the Inquiry would proceed and the Secretary of State retained decision making responsibilities for the proposed abstraction licences. A revised timetable was discussed and agreed.

Timetable

w/c 12/3/18	To accompany the draft Agreement, SWW and the Agency, in consultation with Natural England and other parties, including landowners and operators, would prepare the following further documents: Three Monitoring Plans (Test, Itchen and Candover) Three Mitigation Packages (Test, Itchen and Candover) Two Compensation Packages (Itchen and Candover) addressing 'Imperative Reasons of Overriding Public Interest' (IROPI)
Friday 16/3/18	Confirmation of s52 consultations in evidence, or submission of consultations if not.
Monday 19/3/18	Plans and Packages provided to the Programme Officer (PO) and placed on the Inquiry website (earlier if available) Draft Abstraction Licences, to include any changes or addition of conditions, submitted to PO
Friday 23/3/18	Fish Legal, Little River Management Ltd and Barker-Mill Trustees, and other parties who may wish to continue with objections to the proposal to confirm their attendance and the evidence they will rely on for the resumed Inquiry.
Monday 26/3/18	Inspector's site visit (Agency to co-ordinate programme to be provided to the PO and to include Candover discharge points, monitoring points on all three rivers, relevant sites on Itchen, the Great Test, Little River, Lower Test and Hatches on the Test.
Tuesday 27/3/18	Inquiry Resumes at 10.00
Thursday 29/3/18	Anticipated closing of the Inquiry – please note all parties wishing to make formal closings should do so in writing

5. The Inspector emphasis that while the aim is to use the remaining Inquiry time to complete the cases, he is conscious of the significant and late change in circumstances and asks that any person who feels more time than set out above be necessary to contact the Programme Officer as soon as possible.

Programme Officer and Management of the Inquiry

6. To remind to all parties that the contact point to seek information on the programme or procedure of the Inquiry, or to submit evidence is the Programme Officer, Helen Wilson who can be contacted at:

Helen Wilson Associates

E: progofficer@aol.com | T: 0151 352 3863 | M: 07879 443035

she maintains the Inquiry website where all documentation is posted.

Mike Robins

INSPECTOR