

From: Jeremy Legge
To: progofficer
Sent: Fri, 23 Mar 2018 16:41
Subject: Abstraction Licence Inquiry. Test and Itchen Association Comment on documents added to Inquiry website.

Following for the attention of the Abstraction Inquiry Programme Officer

Dear Helen

We spoke on the phone this afternoon. I am out of the country next week and will not be able to participate in the Inquiry when it reconvenes on 27 March. I would be grateful if the comments below could be brought to the attention of the Inspector in the most appropriate fashion. I understand it is his current intention to invite comments on the new documents that have appeared on the Inquiry website since the Inquiry was adjourned in a round-table discussion of interested parties on 27 March.

I believe the key new document is the draft Section 20 Agreement dated 20 March (Document ID9):

- a. The Association welcomes the apparent confirmation in that document (para 9) that Southern Water Services (SWS) accepts all the licence changes proposed by the Environment Agency (EA). The Association believes these changes might have been introduced earlier and could have gone further, but the changes are a significant step towards a more sustainable abstraction regime in the Test and Itchen catchments. The Association congratulates SWS and the EA on reaching this agreement.
- b. The Association would like to see greater clarity on the commitment of SWS to deliver alternative water resources (para 11), with the timeframe for the implementation of clearly identified schemes spelt out. The alternatives should include the construction of a reservoir and desalination plant and more water reuse. The Association does not consider "Catchment Management" projects to be new water resources. River restoration delivers environmental benefits: it does not deliver more water to the rivers. There does not appear to be any clear commitment to specific projects and a timetable to deliver them in Scenario A of SWS's draft Water Resources Management Plan 2019.

The above positions have been discussed and agreed by the Association's Board of Directors.

The Association's Board have not had an opportunity to consider some of the other material in the draft Section 20 Agreement. The following comments on this material are my own.

- a. I appreciate the effort that has been put into developing some of the monitoring, mitigation and compensation measures referred to in Annex 3 of the draft Section 20 Agreement and described in more detail in some of the draft Appendices. This effort will form a useful basis for the further work on refining these measures that is required. SWS funding for these measures is to be welcomed. But the Association, together with a number of other members of the Test and Itchen Catchment Partnership, has not been involved in the discussions over the last 10 days about

these measures, and is unsighted on much of the detail. The measures and how they will be funded and delivered require further discussion. Land owner consultation will be vital. This has, unavoidably, not yet taken place to the best of my knowledge.

- b. In my view, it is therefore premature at this stage to identify in the Section 20 Agreement (a legal document) specific measures and funding mechanisms. The Section 20 Agreement might be confined to detailing the funding SWS is making available, the timeframe within which it will be spent and the process by which specific measures will be identified and implementation mechanisms and partners agreed. The Test and Itchen Catchment Partnership is one forum within which that process could take place. As I understand it, there is no requirement to include details of the specific measures in the Section 20 Agreement and its Annexes and Appendices, so this does not constitute an obstacle to reaching agreement between SWS and EA on the proposed abstraction licence changes.

Regards

Jeremy Legge