
NON EXEMPT

HAVANT BOROUGH COUNCIL

FULL COUNCIL

22 March 2023

RESPONSES TO THE DRAFT WATER RESOURCE MANAGEMENT PLAN CONSULTATIONS FOR PORTSMOUTH WATER AND SOUTHERN WATER

FOR NOTING

Portfolio Holder: Cllr Elizabeth Lloyd – Cabinet Lead for
Local Plan, Environment and Water Quality

Key Decision: No

Report number: HBC/129/2023

1. Purpose

- a. This paper is submitted to Full Council for noting.

2. Recommendation

- a. Full Council are requested to:
 - i. Note the public meeting which took place on 15 February 2023 with representatives of Portsmouth Water and Southern Water about how water is provided in the future;
 - ii. Endorse the consultation responses, which were approved at Cabinet on 8 February 2023, to the Draft Water Resources Management Plans for Portsmouth Water (Appendix A) and Southern Water (Appendix B) and submitted to the two water companies, including the addendum (Appendix C) summarising the issues raised at the public meeting described in i;
 - iii. Note that Cabinet Delegated authority to the Cabinet Lead for the Local Plan, Environment and Water Quality (in consultation with the Leader) to submit responses to future formal and informal consultations regarding the Budds Farm Water Recycling Project and that relevant officers would continue to feed in relevant information to the project.

- iv. Endorse the letter from the Leader to the Chief Executive of Portsmouth Water seeking clarification as to whether recycled water would be provided to Portsmouth Water customers (Appendix D); and
- v. Endorse the letter from the Leader to the Secretary of State for the Environment Food and Rural Affairs and the Secretary of State for Levelling Up, Communities and Housing regarding the development of the Hampshire Water Recycling project (Appendix E).

3. Executive Summary

- a. The history of Havant Borough is inherently linked to water. The Homewell Springs are one of the best examples of chalk springs in the UK. It is incumbent upon the Council to ensure that the feature for which Havant is best known is protected for future generations.
- b. Water companies are required to prepare Water Resource Management Plans (WRMP) every five years and these are subject to statutory consultation.
- c. On 8 February 2023 Cabinet approved responses to the WRMPs for both water companies. Following this, on 15 February, a public meeting took place to give residents the opportunity to ask Portsmouth Water and Southern Water questions about how water is provided in the future, taking into account the growing need and the pressures of climate change. This included questions about the proposed Hampshire Water Transfer and Recycling Project, which would use Havant Thicket Reservoir. The submitted responses to the WRMP consultations (Appendices A and B) included a summary of the issues which were raised at the public meeting.

4. Additional Budgetary Implications

- a. None.

5. Background and relationship to Corporate Strategy and supporting strategies and policies

- a. As part of the Pride in Place theme, the Corporate Strategy highlights that the Council will “aim to take measures to promote and embed environmental matters and consider environmental impacts in all our decisions to help tackle climate change”.
- b. Water is intrinsically linked to Havant’s history and development. The Homewell Spring saw Havant become a centre for the treatment of animal skins for leather and parchment making, as well as the

production of tallow and other by-products. The mineral-rich qualities of the spring water gave Havant parchment its distinct whiteness. It is said that it was used for the Magna Carta (1215) and the Treaty of Versailles (1919).

- c. This has continued since with the water from the springs now supplying most of southern Hampshire and West Sussex.
- d. Effective water resource planning is essential in striking the correct balance and ensuring that there is a plentiful supply of water to residents and businesses, that this can adapt to the challenges of climate change and protect the natural environment. Every five years, statutory Water Resources Management Plans set out each company's intended approach for at least the next 25 years.
- e. Water companies are increasingly required to work collaboratively and on a regional basis, in order to ensure that areas where water is more plentiful are able to assist those where there is less water or where abstraction licenses need to be revisited.
- f. Within this context, abstraction licenses on the Rivers Test and Itchen must be reduced to protect those chalk streams. This led to the bringing forward of the Havant Thicket Reservoir, which has now been granted planning permission. The planning permission relates to the reservoir's use as a winter storage reservoir – storing excess spring water emitted during the winter in order for it to be used during the summer months when water is scarcer.
- g. Since permission was granted, the project has developed to include a proposal to filter treated wastewater from Budds Farm. This treated and filtered wastewater would then be pumped to the reservoir, together with excess spring water from the aquifer. This mix of water in the reservoir, including rainfall, would then, under this proposal, be pumped to the relevant treatment works across Southern Water's catchment for potable water, and processed to drinking water standards.
- h. The project has been classified as a Nationally Significant Infrastructure Project. As such, the eventual Development Consent Order application will not be determined by Havant Borough Council but by the Secretary of State for Levelling Up, Housing and Communities through the Planning Inspectorate. Havant Borough Council would be a consultee on the application.
- i. The responses to the WRMP consultations (Appendices A and B) raise concerns regarding the proposals and the potential for environmental harm. In addition, concern is raised regarding the uncertainties which remain.

- j. Following concerns raised by resident groups in the borough, The Leader hosted and chaired a public meeting on Wednesday 15 February at 5pm. Representatives from both water companies were invited to answer questions put to them by residents on the proposals to recycle treated wastewater.
- k. An addendum (Appendix C) setting out the issues which were raised through the public meeting was sent with the responses to the WRMP consultations which the Cabinet approved on 8th February 2023 as Havant Borough Council's response to the WRMP consultations of both water companies
- l. The public meeting on 15th February is considered to have been successful in enabling residents to speak directly with representatives of both water companies and to hear direct answers to specific questions. All of the tickets for the event were taken up and it was featured in local press and on South Today.
- m. The addendum summarising the issues (Appendix C) notably draws out:
- The trustworthiness of Southern Water to safely run the recycling plant and provide drinking water, following a court case and substantial fines for untreated sewage releases, and ongoing releases
 - Public accountability of private water companies
 - Greater transparency and clarity needed on whether Portsmouth Water customers will be supplied with drinking water using recycled water as a source
 - Why water recycling proposals did not form part of the planning application for Havant Thicket Reservoir
 - Whether all alternative supply options have been fully explored
 - Why this is a Nationally Significant Infrastructure Project (NSIP) to be determined by Development Consent Order (DCO) route, rather than local planning permission?
 - Role of the Local Authority in decision making
 - Poor advertising of consultations
- n. At this point, the Havant Thicket Reservoir has undertaken considerable evolution. For many years, it was proposed as a winter storage reservoir. In more recent years, the need for the reservoir came out of the requirement to reduce abstraction on the Rivers Test and Itchen. This though was the basis on which both Havant Borough Council and East Hampshire District Council granted outline planning permission for the scheme in 2021.
- o. Critically, the use of recycled water from Budds Farm Wastewater Treatment Works and the involvement of Southern Water only formed part of the planning proposals for the reservoir after it gained planning permission.

- p. This represents a significant change to the proposals put forward. In addition, more recently, uncertainty has emerged regarding whether Portsmouth Water customers would also receive water from the reservoir, containing a mix of spring water and recycled water, or if it will be solely to supply Southern Water's Otterbourne Water Supply Works. As such it is considered appropriate to seek clarification from Portsmouth Water regarding this as it will assist local residents in understanding precisely what is proposed and enable them to feed into the proposals in a timely manner.
- q. Furthermore it is also considered necessary to highlight this matter to the Secretary of State for the Environment Food and Rural Affairs and to work with Government to ensure that the Development Consent Order is considered on a full understanding of the development proposed, with all interested stakeholders given the opportunity to contribute.
- r. Moving forwards, the Council should continue to closely monitor the emerging proposals and engage with both water companies and other stakeholders in the process. To this end, delegation is sought for the Cabinet Lead (in consultation with the Leader) to submit relevant responses to consultations on this project. Given the size and scale of the project, there is a great deal of technical information which the Council holds on topics such as environmental considerations, ground contamination and socio-economic matters. In line with best practice, Southern Water are seeking such information and technical liaison with officers and it is recommended that this be provided in order to inform the Development Consent Order.

6. Options considered

- a. Not applicable.

7. Resource implications

a. Financial implications

- i. There are no immediate financial implications of the submission of the proposed consultation responses. A Planning Performance Agreement (PPA) is in the process of being agreed which will cover staffing costs of engagement with this project at this stage. Moving forwards, particularly at the stage of the submission of a Development Consent Order, it is likely to require specialist advice in order for the Council to appropriately and robustly respond. This would have a cost implication.

Section 151 Officer comments

9 March 2023

There are no direct financial implications arising from this report. Any future requirement to engage specialist advice, (with associated costs), will be subject to a further report to, and decision from, committee.

b. Human resources implications

- i. Similar to financial implications, there are no human resources implications of the submission of the proposed consultation responses. Moving forwards, whilst the PPA would cover staffing costs, particularly at the stage of submission of a Development Consent Order, it is likely to require internal as well as specialist resources in order for the Council to appropriately and robustly respond. This would likely require diversion of officer resource from other projects.

c. Information governance implications

- i. None.

d. Climate and environment implications

- i. The environmental impact of various ways of ensuring adequate water supply need to be carefully considered. This is the main theme highlighted in the proposed responses.

e. Other resources implications

- i. None.

8. Legal implications

- a. No immediate or direct legal implication arise

Monitoring Officer comments

Water companies have a statutory duty to prepare, consult, publish and maintain Water Resource Management Plans (WRMPs). These documents demonstrate how sufficient water will be provided to meet the demands of customers over a certain period.

In anticipation of this, they consult with regulators and stakeholders during the preparation of their plans and then publish a draft for wider consultation. As Portsmouth Water supplies water to the Borough, the Council is considered one such stakeholder and is expected to formally contribute to the development of the WRMP.

Any representations must be considered and responded to in a Statement of Response, which is also published. The Secretary of State will then decide whether the plans can be finalised or whether a hearing or inquiry should be held beforehand

09/03/23

9. Risks and mitigations

- a. The proposals within this report constitute responses to consultations only. There are no discernible risks from responding to the consultations.

10. Consultation

- a. No specific consultation is necessary.

11. Communications

- a. It is notable that the proposed water recycling project is advancing. As such, it is considered appropriate for the Council to publish a page on the website explaining the proposals, Havant Borough Council's role and linking residents to Portsmouth Water and Southern Water's websites where they can find out more

12. Appendices

- a. Response to the Water Resources Management Plan for Portsmouth Water.
- b. Response to the Water Resources Management Plan for Southern Water.
- c. Addendum to Water Resource Management Plan submissions – notes of the public meeting of 15 February.
- d. Letter to Portsmouth Water

- e. Letter to relevant secretaries of state

13. Background papers

- a. Cabinet Paper of 8 February 2023 - Responses to the DRAFT Water Resource Management Plan Consultations for Portsmouth Water and Southern Water¹

Agreed and signed off by:

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¹ <https://havant.moderngov.co.uk/ieListDocuments.aspx?CId=128&MId=12641&Ver=4>