



**DRINKING WATER INSPECTORATE**

Area 7E, 9 Millbank  
c/o Nobel House  
17 Smith Square  
London SW1P 3JR

Enquiries: 030 0068 6400

E-mail: [dwi.enquiries@defra.gsi.gov.uk](mailto:dwi.enquiries@defra.gsi.gov.uk)

DWI Website: <http://www.dwi.gov.uk>

DWI Ref: RFI 6699

2<sup>nd</sup> July 2014

Dear [       ]

**REQUEST FOR INFORMATION: DWI timescales for completion of work on AMP4 sites**

Thank you for your request for information about DWI timescales of work on certain AMP4 sites in Anglian Water, which we received on 24th June 2014. We have handled your request under the Environmental Information Regulations 2004 (EIRs).

Following your telephone conversation with Sue Pennison, I understand that you have agreed to narrow down your enquiry to cover Lower Links Nitrate scheme and Colney WTW as the other sites were sewage assets or not within the remit of DWI.

For ease, I have reproduced your questions below and added our response.

**FOI Request –1**

- (i) *Please would you provide the key milestone dates for all the schemes listed above?*

Attached are the legally binding Undertakings agreed between DWI and the company, these provide the details of the work to be done with key milestones indicated. These documents should be self-explanatory however please contact us if you require clarification.

- (ii) *Please would you also indicate whether the key milestone dates were updated to reflect actual progress on the schemes in question, or do they represent the original planned dates (which may be inaccurate because, for example, the scheme could not start on time owing to delays in obtaining planning permission etc)?*

## Lower links

On 22 April 2005 the company gave an Undertaking in respect of remedial actions to secure compliance with the standard for Nitrate in treated water supplied from various water treatment works, of which Lower Links water treatment works was one. The Undertaking was formally accepted on behalf of the Secretary of State on 20 May 2005. A replacement Undertaking was given by the Company on 13 March 2007 and accepted by the Secretary of State on 25 April 2007 and a further replacement Undertaking was given by the Company on 7 April 2008 and accepted by the Secretary of State on 22 May 2008. There was a change in the technical solution from the provision of a reverse osmosis membrane plant to the provision of ion exchange treatment.

The first undertaking refers to reverse osmosis, the second to ion exchange, however the step dates did not change. The first and second documents are attached. The third document is the same as the second with the exception of the date of the document. The reason for the existence of the third document is procedural. The scheme covered a number of sites and changes to one site required the reissue of the documents for the other sites in the scheme.

## Colney WTW

The initial undertaking was given by Anglian Water on 25th April 2005, this was for a nitrate blending scheme. New undertakings were given on 19th March 2007 and 17th April 2008. None of the details of the scheme or the milestone dates changed and the only reason for the re-issue of documentation was procedural in that this scheme was part of wider undertaking that covered a number of sites. As explained above, a change at other sites required the paperwork for Colney to be amended. So whilst I have explained there were three undertakings, I have provided the Undertaking document for the first undertaking as the other two are exactly the same except for the date of the document.

*If there is likely to be some uncertainty on what the dates actually represent, or any doubts on accuracy, I would be grateful if you could please respond to this part of my request separately (or treat it as a separate request).*

The documentation provided is accurate and the dates provided in the undertaking documents (attached) are self-explanatory.

## **FOI Request – 2**

*(i) Please would you provide the date when DWI released Anglian Water from its legal obligations under the statutory instrument for all of the schemes I have listed above.*

For Lower links, the Inspectorate wrote to the company on 10 June 2009 releasing them from their obligations. For Colney, the Inspectorate wrote to the company on 1 Dec 2009 to release them from their obligations.

*(ii) Within your reply to my request, please would you include the explanation (as quoted above) regarding what the release date represents?*

The release date included a year where the company had to demonstrate benefit from the scheme – in these cases by compliance with the standard for Nitrate.

*(iii) Please would you also confirm in your reply, if it is the case, that:*

*“Installation of the solution” would mean the design, installation and commissioning by any appointed contractor would have been completed by this stage.*

The term ‘installation of the solution’ is a general term I used to differentiate the time prior to full commissioning of the scheme from the period that followed where the company was required to show the benefit under normal working conditions. It is not a formal term encompassing any specific phases.

### **FOI Request – 3**

*As a separate request, please would provide information on whether any of the sites named above had any previous or future planned improvement works in AMP 3 or AMP 5 respectively?*

We have no information to indicate any previous schemes in AMP 3 and there were no AMP5 schemes for Lower Links or Colney.

*If there were other improvements, please would you provide the (i) key milestone and DWI release dates for the AMP 3 or AMP 5 improvements and (ii) brief details on the type / nature of the improvement?*

There were no other improvements.

In keeping with the spirit and effect of the EIRs, and in keeping with the government’s Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on [www.gov.uk](http://www.gov.uk) together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

Attached below is Annex A, which explains the copyright that applies to the information being released to you.

I also attach below Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact me.

Yours sincerely

## Annex A

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## Annex B

### Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: [requestforinfo@defra.gsi.gov.uk](mailto:requestforinfo@defra.gsi.gov.uk)) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our website.

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF