



Water company drought plan update - consultation response summary

January 2020

We are the Environment Agency. We protect and improve the environment.

We help people and wildlife adapt to climate change and reduce its impacts, including flooding, drought, sea level rise and coastal erosion.

We improve the quality of our water, land and air by tackling pollution. We work with businesses to help them comply with environmental regulations. A healthy and diverse environment enhances people's lives and contributes to economic growth.

We can't do this alone. We work as part of the Defra group (Department for Environment, Food & Rural Affairs), with the rest of government, local councils, businesses, civil society groups and local communities to create a better place for people and wildlife.

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1. Introduction

Water companies have a statutory duty to review and publish a drought plan at least every 5 years. Water companies must review the plan after dry weather events for material changes in circumstances. We also encourage water companies to review their plans annually.

In their drought plans, water companies should set out the operational actions they will take before, during and after a drought to maintain a secure supply of water. They should also include how they will assess the effects of their actions and what they will do to monitor and prevent or mitigate these effects.

We publish a drought plan guideline and other supplementary guidance for companies to use to produce their plans. In this guidance, we tell companies what they must and should include in their plans to manage supplies and protect the environment during a drought.

We have reviewed and updated our current guidance to take account of:

- lessons identified from the prolonged dry weather and drought between 2017 and 2019
- feedback from the water industry - we have worked together and explored how the previous guideline can be improved
- advice given by National Resources Wales and Defra (the Department for Environment, Food and Rural Affairs)
- general updates covering, for example, compensation only reservoirs, Welsh Government contact information, and to reflect changes we made in May 2019 to the joint Defra and Environment Agency supplementary guidance on drought permits and orders for water companies in England
- the need for these plans to be more tactical and reflect water company operations over the next 5 years

We consulted on the revised water company drought plan guidance in September 2019 and this document provides a summary of the responses we received. It also includes what we will change in response to the consultation.

2. How we ran the consultation

We consulted on the drought plan guidance for 6 weeks from 9 September to 18 October 2019 on the GOV.UK website. We consulted on the following documents:

- Water company drought plan guideline (revised September 2019)
- Environmental assessment (updated supplementary guidance)
- Actions in an extreme drought (new supplementary guidance)
- Worked examples (new supplementary guidance)

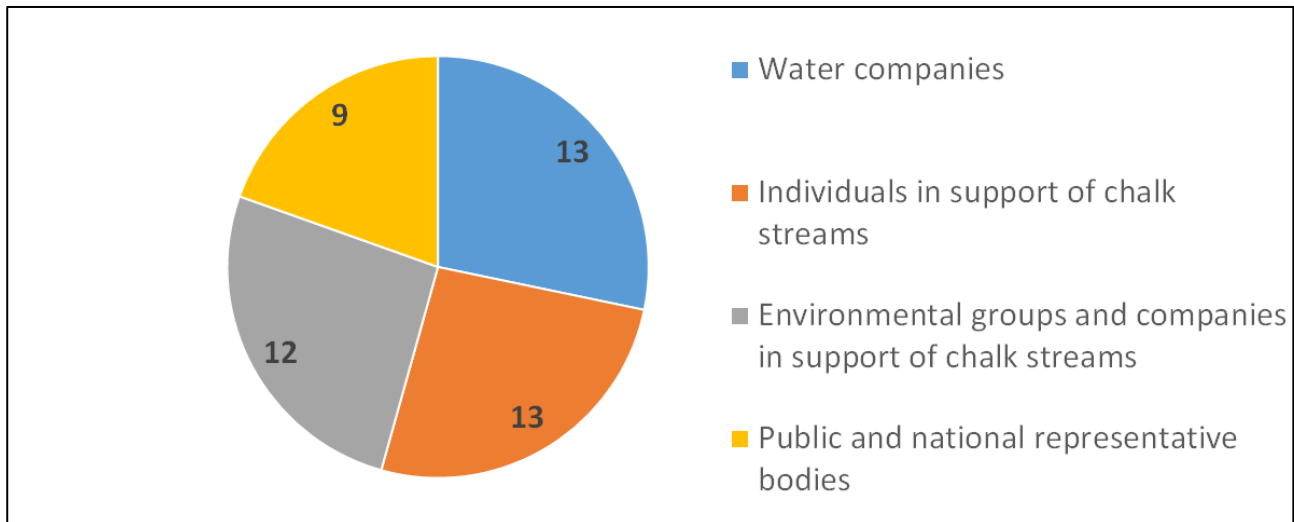
We promoted the consultation through:

- direct email correspondence and workshops with water companies, other regulators and non-governmental organisations (NGOs)
- WaterUK, who raised the profile to technical specialists within the water resource planning community within water companies
- direct emails to respondents to the previous consultation on the guideline who had not already been involved or contacted

We received online responses from the consultation on GOV.UK and by email and post. We have listed those respondents who agreed for their names to be published in [Appendix A](#).

We received 47 responses in total. Of these responses, 13 were from water companies, 13 were from individuals, 12 were from environmental groups and charities and 9 were from public or nationally representative bodies.

The following diagram shows a breakdown of the consultation responses we received.



Over half of the responses (24) received for this consultation concerned the protection of the environment and chalk streams. This topic was the main consideration in the responses we received from 13 individuals, 7 environmental groups and charities, 2 local councils and 2 private organisations.

3. Summary of main findings and actions we will take

We have listened to the views of those respondents. As a result we propose to make changes to the water company drought plan guideline and supplementary guidance. We include a high level breakdown of the responses to the 12 questions we asked in the consultation in [Appendix B](#).

These are the main changes we will make:

Format of the drought plan guideline (question 6):

Respondents to the consultation did not like the web format of the guideline which contained duplication. Respondents asked for the guideline to be in a more user-friendly report format with numbered sections and a summary of what is compulsory (that is what 'must' be done). Some respondents asked for a shorter less technical document for their customers and external stakeholders alongside the main drought plan. Water companies in particular wanted the guideline structure to reflect the order they would be expected to carry out the planning process, with a tick list of technical criteria that they need to meet.

Finally, where we have specific expectations of water companies, respondents asked if we could provide more examples as we did with the worked examples.

We plan to publish the final updated guideline in a report format and provide an accessible non-technical summary that will meet GOV.UK requirements.

Drought plan, Water Resources Management Plans (WRMP) and Regional Water Resources planning links:

Respondents generally supported the drought plan becoming a more operational document. They thought the evidence and scenarios for greater drought resilience should move to the WRMPs. However, feedback suggested the guideline still needs to be clearer here and we will review and update this.

We were asked for more information on how companies should link the drought plans with the emerging regional water resources plans. The regional planning process is currently being developed. We will endeavour to reflect the links in the guideline.

Outcome driven approach:

A range of respondents asked for us to prescribe individual methods or approaches in the guideline. It is our view that where possible we should not constrict the methods available to companies. They should be allowed flexibility to choose the methods most suited to their company. The plans should focus on the twin outcomes - secure water supply and environmental protection - rather than set methodologies or approaches.

Supplying people, businesses and farms with private water supplies:

In the guideline we have asked that water companies consider how they might supply water in times of shortage to those with private supplies. We acknowledge that the water companies' primary duty is with their customers. Several respondents pointed out that any plans to provide water to non-customers are not obligatory. However, we will encourage cross sector working when opportunities arise. We will review the text in the guideline to reflect this.

Exceptional shortage of rain event (question 10):

Some respondents thought that the guideline should provide greater clarity on the case for exceptional shortage of rain. In response to this, we confirm that we updated our position statement in 2019 as part of the revised Drought Permit and Order guidance ¹ and this document is available on request.

Use of alternative water sources:

We provided examples of actions water companies could take to maintain supply during a drought. One of these is to use alternative licensed sources. Some respondents asked us to distinguish between fluctuations in the use of licensed capacity and drought options. They also asked us to clarify the use of unused but licensed sources in relation to environmental assessments. We will review this section of the guidance again. However, we do expect companies to use their most sustainable sources first and to comply with the Water Framework Directive.

Application ready (question 10):

Many water companies asked for more clarity on our expectations on how 'application-ready' they should be for drought permits and supply-side drought orders including requirements for environmental assessments. They said that the level of pre-application work should be proportionate to the likelihood of use and drought severity. We will work with the water companies to understand the risks associated with the less likely but higher impact permits and orders. We will provide further clarity in the final guidance.

Extreme drought (questions 8 and 11):

This was a new section to the drought plan guideline. There was general support from the water companies to consider the options that could be available in an extreme drought

¹ *Drought permits and drought orders, May 2019, Supplementary guidance from the Environment Agency and Department of Environment, Food and Rural Affairs*

event. However, many respondents asked for more clarity on the type of environmental assessment we would require for the more extreme drought options. Water companies must comply with relevant environmental legislation covering environmental assessments. However, water companies may consider lighter touch environmental assessment at planning stage for some drought options aimed at managing more extreme droughts. Like other supply side options, companies will need to set out the justification for the level of effort/resource they have put into their environmental assessments. This is particularly important where companies have chosen to carry out lighter touch upfront environmental assessments.

We will review this section of the guideline and provide further clarity in this area.

Environmental assessment (questions 13 and 14):

There were two main issues raised on the environment during external consultation. These concerned environmental assessments for application readiness, and balancing protecting the environment whilst maintaining a secure public water supply. We received comments from water companies requesting further clarity on the level of environmental assessment needed to be classed as application ready. Companies also requested further clarity on which drought permit/orders they are expected to be application ready for. The main concern raised by the public was on balancing protecting the environment during a drought with maintaining a secure supply of water for the public. In particular, the public called for water companies to take more action to reduce demand. Please see sections on 'Application ready' and 'Chalk streams' for further information.

We also received comments primarily from water companies on various technical aspects of the approach to environmental assessment. This included the request to consider providing further guidance on criteria for environmental impact and confidence categories. We are currently considering these technical comments and will amend the supplementary guidance where deemed necessary. However, in terms of technical approaches, it is unlikely that the supplementary guidance on environmental assessment will significantly change.

Chalk streams (questions 5, 13, 14, 15 including related comments in response to other questions):

Within the responses to all the questions, we received a large number of comments relating to concerns with the environment generally and the protection of chalk streams. Respondents called for the environment to be treated more equally with maintaining public water supply. Many considered that the guideline was not robust enough citing that many chalk streams had dried up before their local water company took action. Respondents called for more proactive and pre-emptive measures. For example, that companies act earlier to reduce demand for water by implementing temporary use bans (TuBs) earlier. Respondents were also concerned that companies did not allow sufficient time to implement their actions in response to a drought trigger being reached.

Through the National Drought Group (NDG) we are urging water companies to take a more proactive and multisector approach to reduce the impacts their operations are having on the environment. In the short term many water companies are looking at how they can change their operations to benefit the environment and other users such as farmers. We are also working with companies on local action plans and on more effective engagement with their customers, especially in linking water demand to the impacts on the local environment.

For the next round of water company drought plans we are taking the learning from recent events to improve preparation and response. We will expect water companies revised drought plans to clearly set out how they will act to maintain water supplies and protect the environment during dry weather and droughts. This will include timely implementation of

communications campaigns and drought measures such as TuBs. We will ensure that these requirements are clearly laid out in the revised guidance.

Communications (question 12):

We were asked to be clearer on how water companies should communicate with customers and refer to non-household customers. Over half of the respondents said water companies should communicate earlier. They should engage more proactively with their customers (especially in normal and early drought conditions) to help to protect the environment through reduced customer water use. Further, respondents suggested companies should work alongside other organisations more. This would improve how customers received water efficiency messages.

We were also asked for further clarification on:

- the ability for companies to have a flexible consultation period when the need for restricting water use arises
- our expectations on how companies should measure the costs and effectiveness of their activities and communications
- our expectations for companies to align their drought measures with neighbouring companies on anything other than communications

We will review and update the guideline in relation to these comments. We will share the latest industry approaches for effective communications and demand measures.

Other actions water companies should include in their drought plans (questions 7 and 9):

Some respondents helpfully suggested additional actions that a water company should consider for inclusion in their drought plans. Many of these suggestions overlapped with those we have already discussed in this document. In response to the main suggestions made, we will amend the guidance to:

- emphasise the need for water companies to engage with their customers as early as possible as a drought develops
- suggest water companies consider and include actions they could take in a scenario where public water supplies are relatively healthy but where the water environment is showing signs of stress due to drought conditions
- make it clearer that a good water company drought plan needs to be flexible and be able to adapt to the conditions emerging in an actual drought - water companies need to feed into multi-sector action plans that are likely to be commissioned by the NDG during a drought event
- add as an example that water companies could provide advice to customers on reducing plumbing losses

Responses received not directly related to the drought plan guidance:

We received a number of comments and suggestions which were not directly related to the drought plan guidance. These included:

- the need for more investment in strategic infrastructure
- that government policies on housing growth need to be linked to water availability and linked to local plans
- that we should give a higher priority to water for the environment over water used, for example, on golf courses or other leisure uses

- the need for government and regulators to do more to rectify the deterioration in rivers by introducing measures to reduce demand
- to increase river and wetlands restoration projects following drought to help improve their resilience
- to transfer water from the north to the south of England

Many of these comments are more appropriate for water companies and other regulators. They should consider them when developing the longer-term national planning framework, regional water resources plans and future versions of water company water resources management plans. We will pass on these comments to the leads for these topics to consider.

On strategic infrastructure, the new group the Regulators' Alliance for Progressing Infrastructure Development (RAPID) will help the water sector respond to long term water resources challenges. This group will support the fast tracking of large strategic schemes which may include water transfers.

Finally, we also received a number of comments that centred on the Environment Agency's and the government's role in reducing water consumption and improving, for example, building regulations to reduce household water use. We have worked closely with Defra and others on the recent Defra consultation on [Measures to reduce personal water use](https://consult.defra.gov.uk/water/measures-to-reduce-personal-water-use/) [https://consult.defra.gov.uk/water/measures-to-reduce-personal-water-use/] which ran from July to October in 2019. This consultation covered a range of topics including metering, building regulations for water consumption, water efficiency labelling and how to communicate and incentivise people to use less water. The summary of responses to the consultation will be available in early 2020. The government will then develop its policy position on measures to reduce personal water.

4. Next steps

We will publish the updated water company drought plan guidance by March 2020. We will amend GOV.UK guidance so that it provides only high level information on the process water companies are expected to follow. We will provide the water company drought plan guideline as a report and, where appropriate, incorporate the other supplementary guidance. These documents will then be available on request.

Defra are aiming to publish the new [Directions](#) for water company drought planning by March 2020.

If you wish to follow up on your responses or any points made in this document in more detail, please email us at: Water_Company_Plan@environment-agency.gov.uk

Appendix A: List of respondents

Water companies

Affinity Water
Anglian Water
Bristol Water
Northumbria Water
Portsmouth Water
Severn Trent Water
South East Water
South West Water
Southern Water
Thames Water
United utilities
Wessex Water
Yorkshire Water

Public and national organisations:

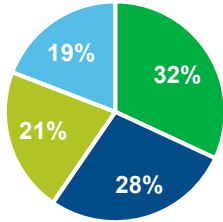
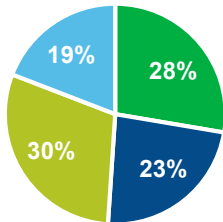
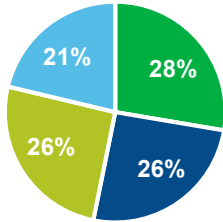
Blueprint for Water
Consumer Council for Water
CIWEM (includes views of Welsh Water)
London and Cleveland fire brigades
Natural England
Public Health England

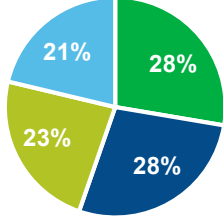
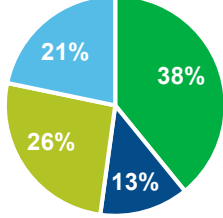
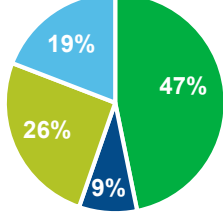
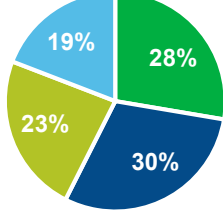
Other respondents

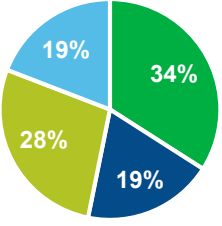
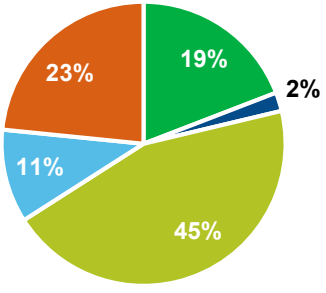
APEM Ltd
Buntingford Town Council
Central Herts Green Corridor Group & Mill Green and Welwyn Roman Baths Museums Trust
Chilterns Conservation Board
Friends of the Rib & Quin
Herts & Middlesex Wildlife Trust - Host of River Lea Catchment Partnership
Impress the Chess, Chesham's river conservation group
Mimram Place Management Company
Ricardo Energy and Environment
Ver Valley Society
Welwyn Parish council
Welwyn Planning & Amenity Group

Appendix B: List of consultation questions

Here is a list of the questions we asked in this consultation. Not all respondents provided an answer to each question. Also, respondents often provided comments to a question regardless of whether they agreed, disagreed or didn't know. Where possible, in the main body of the report, we have linked these questions to the themes we found in the consultation responses.

Consultation question	Response (Pie chart or text)
<p>Q5. Do you think the technical changes to this drought plan guideline will help water companies take the right actions to manage their operations in dry weather in the future?</p>	 <p>■ Yes ■ No ■ Don't know ■ Not answered</p>
<p>Q6. Do you think the guideline as proposed is in the most useful format to help water companies write their plans?</p>	 <p>■ Yes ■ No ■ Don't know ■ Not answered</p>
<p>Q7. Please tell us if there are any other actions that you think water companies should include in their drought plans</p>	<p>We have covered the main points in the main report.</p>
<p>Q8. Do you think the guideline strikes the right balance between planning for droughts that water companies might reasonably expect to experience and planning for more severe drought events?</p>	 <p>■ Yes ■ No ■ Don't know ■ Not answered</p>

Consultation question	Response (Pie chart or text)
Q9. Please tell us if there are any other supply or demand management actions that water companies should consider	We have covered the main points in the main report.
Q10. Do you think that the information required for drought orders and permits is appropriate?	 <p data-bbox="874 712 1362 741">■ Yes ■ No ■ Don't know ■ Not answered</p>
Q11. Do you think the guidance on the actions water companies could take in the event of an extreme drought makes sense?	 <p data-bbox="874 1108 1362 1137">■ Yes ■ No ■ Don't know ■ Not answered</p>
Q12. Do you think the guideline on communications planning will allow water companies to keep their customers informed during a drought?	 <p data-bbox="874 1505 1362 1534">■ Yes ■ No ■ Don't know ■ Not answered</p>
Q13. Do you think the guidance on environmental impacts will allow for sufficient protection of the environment during a drought?	 <p data-bbox="874 1901 1362 1930">■ Yes ■ No ■ Don't know ■ Not answered</p>

Consultation question	Response (Pie chart or text)
<p>Q14. Do you think the guidance on environmental monitoring will allow water companies to assess the impact of their drought actions on the environment?</p>	 <p>■ Yes ■ No ■ Don't know ■ Not answered</p>
<p>Q15 Please tell us if you have any other views or comments on these proposed changes that have not been covered by previous questions.</p>	<p>We have covered the main points in the report.</p>
<p>How satisfied were you with this consultation?</p> <p>Some respondents asked for a not applicable category of response which we will share with our Customer and Engagement team.</p>	
 <p>■ Satisfied ■ Dissatisfied ■ Neither satisfied or dissatisfied ■ Don't know ■ Not answered</p>	

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