

Affinity Water East Region Drought Management Plan

Statement of Response to Representations Received

March 2012

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1. Introduction

Section 39B of the Water Industry Act 1991 (the Act) and as introduced by the Water Act 2003, makes it our statutory duty, as a water undertaker, to prepare and maintain a Drought Management Plan (DMP) detailing how we will monitor and manage future periods of drought.

We prepared our draft DMP for consultation in accordance with the Act and in accordance with the Environment Agency's water company drought plan guideline, June 2011. The draft DMP dated November 2011 and was open to any person or organisation that wanted to make a comment from early December 2012 for 8 weeks.

All comments received were directed to the Secretary of State for the Environment and in accordance with the Act we are now publishing this statement of response detailing-

- The consideration that we have given to the representations received;
- The changes that we have made to our draft DMP as a result of the representations and our reasons for doing so; and
- Where we have made no change to our draft DMP as a result of our consideration of any representation and the reason for this.

The regulations state that this response should refer only to changes that we have made to our draft DMP as a result of representations received. This Statement of Response indicates where we have undertaken further work (e.g. additional surveys, analysis or investigations) in support of our response to the representations.

Our response will be published on our website along with a revised version of the draft DMP. An electronic copy of the statement will be sent to the Secretary of State and to the organisations which made representations in writing in relation to the draft DMP.

This document forms our Statement of Response to the representations received by the end of the consultation period. The Secretary of State received 3 representations concerning our draft DMP, incorporating circa 13 specific and generic observations or non-specific comments for us to consider and take account of. The remaining sections of this document are summarised below:

Section 2 - details how we undertook the consultation of our draft WRMP.

Section 3 - presents the issues raised in the representations together with our response. As there were relatively few comments in total and little overlap between them each comment is shown together with our response. We have not attempted to group similar comments but have included the consideration that we have given to the representations received and the changes that we have made to our draft DMP.

We would like to thank the organisations that provided formal representations.

2. Consultation Process

We published our draft DMP dated November 2012 for consultation in accordance with the Direction on the 2 December 2008 inviting views from individuals and organisations on our proposals. The period of consultation was 8 weeks ending on the 27th January 2012.

We are required to prepare a statement of response to the representations received and send this to the Secretary of State for the Environment by the extended date of 30 March 2012.

A copy of this statement must also be sent to any person or organisation that made a representation and in addition we are required to publish the statement on our website.

This section of our report details how we consulted on our draft WRMP.

2.1 The Statutory Consultation

We sent pre-consultation letters to Regulators, neighbour Water Companies, MPs and Local Authorities in February 2011. With this letter we aimed to notify our key stakeholders of our intention to update our DMP and list the major changes following the new powers under the Water and Flood Act 2010.

The draft Drought Management Plan was published on the Affinity Water website with a link for the Affinity Water website (www.Affinitywater.co.uk/east). Copies of the published draft DMP were sent to all the parties set out in the Regulations. This included the regulatory authorities (Environment Agency and Ofwat), the Secretary of State c/o Defra, the Local Authorities and Natural England. The draft DMP was sent to the Chief Executives of Anglian Water and Essex and Suffolk Water, and to the Consumer Council for Water.

Electronic copies and printed copies of the Plan were made available to the general public through our website.

We would like to thank the following for their formal representations:

- Environment Agency
- Natural England
- Essex County Council

We have taken into account representations made on our draft DMP and illustrate the changes that we have made in Section 3 of this Statement of Response. Where we have not made changes to our draft DMP we have outlined the reasons for not doing so.

3. Representations and Our Response

3.1 Environment Agency

The recommendations included in the response to the consultation provided by the EA are shown in the following pages, together with our response and where relevant how we have altered the draft DMP to take the recommendation into account or why we have chosen not to alter the draft DMP despite the recommendation.

Moderate issues				
Issue ref.	Area of issue	Issue and reference	Implications	Information or changes required
1	Drought triggers and scenarios	<p>The company has not fully assessed a range of drought scenarios. This is required to test drought triggers and to demonstrate how drought actions will be implemented during a drought. (Section 2, page 17 of the draft plan).</p> <p>The company has a robust groundwater supply system and the company states that there is no credible drought scenario that would require drought actions to be triggered. However, the company has not provided enough detail to demonstrate how the company would cope in different drought scenarios.</p>	There is uncertainty regarding how the company's resources will be affected in different drought scenarios.	The company needs to develop its scenarios further to test its drought triggers and to demonstrate how drought management actions would be implemented. The company should assess the likely effects of past drought events if they occurred today under current water resource infrastructure and demands. The company should assess a range of scenarios to reflect the variability of droughts including short, medium and long duration droughts.
<p>EA Recommendation 1 above has been taken into account and the draft DMP amended accordingly in section 2.3 - Drought Scenarios. Although the changes to the text are modest a substantial amount of time was spent referencing previous drought periods to the water levels at the borehole sites and at an EA observation borehole which confirmed that a suitable record was available for each of the short, medium and long period droughts previously experienced and that supplies were very secure in relation to droughts of varying durations within previous experience.</p>				

Moderate issues				
Issue ref.	Area of issue	Issue and reference	Implications	Information or changes required
2	Drought triggers and consistency with levels of service	<p>The drought plan includes trigger levels for implementing temporary use restrictions. This is not consistent with the Levels of Service in the company's Water Resource Management Plan for 'no restrictions'.</p> <p>Temporary use restrictions are included as an action within the drought plan if the company were to have a drought worse than previously experienced. The trigger level for temporary use restrictions is below the minimum historic groundwater level.</p>	<p>This inconsistency could cause confusion to customers and stakeholders as to what actions the company may take during a drought.</p>	<p>Once the company has considered a range of different drought scenarios, as outlined above, the company should be able to demonstrate how and when drought actions would be implemented. If the company demonstrates that it can cope with a long-term drought scenario without implementing temporary use restrictions then it should be made clear that the restrictions are included in the plan as an option to be used in extreme or unprecedented drought conditions.</p> <p>The company should also liaise with Anglian Water regarding its shared reservoir. The companies should consider flexible sharing arrangements to maximise use of the water available in a drought.</p> <p>Reviewing the actions the company may take in a drought may lead to a change in the company's level of service to its customers.</p>
<p>EA Recommendation 2 above has been taken into account and the draft DMP amended accordingly in the opening statement of Section 3 Drought Management Action to make it clear that the potential actions are not expected to be needed unless a future drought is very much more severe than any previously experienced. The company routinely liaises with Anglian Water Services (AWS) concerning the shared water resource position. How the joint resource is shared is subject to greater detailed joint scrutiny during developing drought conditions. The water sharing agreement between AW and AWS is set at 70:30 until 2020 but is sufficiently flexible for more or less to be taken by the companies. No change to the company's No Restrictions Levels of Service is considered necessary.</p>				

Minor issues				
Issue ref.	Area of issue	Issue and reference	Implications	Information or changes required
3	Map of company	The plan includes a map of the company's operating area (Figure 1.2, page 11). The map shows the company divided into 4 zones, it is not clear what these zones are and there is no explanation in the text. The company operates as one water resource zone and the plan states 'the risk of supply failure is shared throughout our area' (Section 1.3.5, page 13).	It is not clear what geographical units the company is using to manage the drought. The purpose of these units in the map has not been explained in the drought plan and may be confusing to customers.	The company should include an explanation of the map in the text. If the zones on the map are not relevant to the drought plan then this should be made clear and the map revised or removed from the plan.
EA Recommendation 3 above has been taken into account by removing the map.				
4	Demand management actions	It is not clear how the estimates of demand reductions have been made. The plan does not set out the assumptions it has made to derive these figures.	Estimated indicative demand savings are required to estimate the impacts of demand management options and to aid decision making during a drought.	The company should provide details of how the demand reductions have been estimated. Section 5.1 of the Water company drought plan guideline highlights methodologies available to help companies estimate savings. Experience from previous droughts and known demand savings from other programmes should be used to improve accuracy of the estimates. The company should present its data sources and highlight any assumptions when estimating demand.
EA recommendation 4 above has been taken into account by adding further explanation to Appendix A3.1. The company estimates were arrived by consideration of the experience of previous droughts in other companies but reduced to reflect the company circumstances of having very high household meter penetration and customers who are already very low per capita consumers in relation to industry norms. No attempt has been made to estimate the effects of restrictions beyond the first stage as the situation would be unprecedented in this area. The steps would however be necessary should a very severe drought occur. Any savings arising would be of benefit and help to avoid or delay further steps being required.				

Minor issues				
Issue ref.	Area of issue	Issue and reference	Implications	Information or changes required
5	Temporary restrictions	The plan does not consider working/liasing with neighbouring water companies to coordinate the approach to the use of temporary restrictions during a drought.	There could be confusion of customers of neighbouring companies if the approach to implementing temporary use restrictions is not coordinated.	The company should liaise with neighbouring companies to discuss its approach to temporary use restrictions.
EA Recommendation 5 above has been taken into account by adding further explanation in 3.2.4 as follows: Before any restrictions were introduced there would be discussions with other companies likely to be in the same position with special consideration to Anglian Water Services due to the common supply area land boundary and shared resource. The liaison would be aimed at achieving a common approach to limit the scope for customer confusion or for comparing and contrasting differences in approach as far as possible.				
6	Supply management options	It is not clear how the estimated increases in supply have been made. The plan does not set out the assumptions it has made to derive these figures.	Accurate estimates for supply management options are required to ensure the best option is used and the options can be prioritised.	The company should provide details of how the increases in supply have been estimated and set out the assumptions and data sources used for deriving these estimates. Supporting information for these estimates could include evidence of test pumping, pilot schemes and previous operational data.
EA Recommendation 6 above has been taken into account by adding further explanation to the appendix A 3.2				
7	Drought communications	The plan does not demonstrate how the company will monitor the effectiveness of different communications actions during a drought.	Without this information, the company may not use the most effective method of communication for its customers.	The company should demonstrate how it will choose and monitor the effectiveness of different methods of communications during a drought.
EA Recommendation 7 above has been taken into account by adding further explanation within Section 5 – Communications Plan				

3.2 Natural England

Comments and recommendations received from Natural England in their letter to the Secretary of State dated 26 January 2012 are shown below in italics followed by the company's response.

In section 3.4 of the drought management plan Veolia water East state that:

“Due to the robustness of the resource available and having never had to impose restrictions on customers, VWE does not believe the use of drought permits is required and therefore cannot envisage a situation where they would be required”

However, in appendix A.3.2 Veolia Water East list “ consider possible introduction of desalination” as a possible drought order. If this is an option, Veolia Water East must carry out an environmental assessment to determine the environmental sensitivity of any protected sites and the likely impacts from the implementation of the proposed option of desalination.

This comment is similar to the EA Recommendation 2 above and the company has modified the draft DMP in the opening statement to Section 3 to reinforce the fact that restrictions and drought management actions of concern to Natural England are only expected to be resorted to if a future drought is very much more severe than any previously experienced.

Habitats Regulation Assessment

As stated earlier, Natural England would expect the plan to outline how Veolia Water East has considered the Habitat Regulations and an audit trail will need to be included in the plan to demonstrate how the HRA screening was undertaken.

The above comments have been taken into account by adding further explanation on the above topics in Appendix 2A of the revised draft DMP. No substantive changes have been made but an explanation of why the company considers the above comments do not affect the DMP is provided.

Strategic Environmental Assessment

Natural England would expect Veolia Water East's Drought Management Plan to document whether a Strategic Environmental Assessment (SEA) is required to support this plan.

The above comments have been taken into account by adding further explanation on the above topics in Appendix 2A of the revised draft DMP. No substantive changes have been made but an explanation of why the company considers the above comments do not affect the DMP is provided.

Liaison with Natural England

Natural England welcomes every opportunity to work with Veolia Water East on drought planning and management, ensuring that requirements for the protection and enhancement of the natural environment are met and that there is adequate opportunity for the development of the most sustainable solutions. We would therefore like to recommend that the plan outlines how Veolia Water East will liaise with Natural England and ensure we are involved in discussions about potential drought permits/orders at a very early stage to allow enough time to consider the environmental implications.

The above comment has been taken into account by added further explanation in section 3.3.7 and 3.4 that the company would liaise with Natural England and the Environment Agency should Drought Permits or Other Options such as de-salination become required. As this situation would only arise in the event of a drought very much more severe than any previously experienced, the lead-in period would be used for this liaison.

3.3 Essex County Council

Comments and recommendations received from Essex County Council in their letter to the Secretary of State dated 27 January 2012 are shown below in italics followed by the company's response.

From my perspective it would be very useful for Veolia Water to confirm its role as a Category 3 Responder under the Civil Contingencies Act in the plan, as this will highlight that the organisation does not work in isolation and that the Essex Resilience Forum are the medium for discussion and consultation.

This comment has been addressed in the plan by an inclusion in section 1.10 Essex Resilience Forum Liaison, which confirms VWE's role as a Category 2 Responder under the Civil Contingencies Act and that the Head of Operations acts as contact with the Essex Resilience Forum.

There is an extensive section on the VWE website for Vulnerable Customers and I believe that reference to the support available would be appropriate in section 3.2.3.3 Concessions and Exemptions.

This comment has been addressed by including a reference to the support available through the company's website in a new Section 3.2.4.3 Vulnerable customers.

There were a few acronyms which were not included in the list of abbreviations...

A review of the acronyms used was carried out and omissions were addressed as appropriate. A number of codes have been used in the public document for security purposes so are not abbreviations or acronyms and are therefore not included in the list of abbreviations.

Appendix A

Representations Received



Representation on Veolia Water East's draft drought plan

27 January 2012

We are the Environment Agency. We protect and improve the environment and make it **a better place** for people and wildlife.

We operate at the place where environmental change has its greatest impact on people's lives. We reduce the risks to people and properties from flooding; make sure there is enough water for people and wildlife; protect and improve air, land and water quality and apply the environmental standards within which industry can operate.

Acting to reduce climate change and helping people and wildlife adapt to its consequences are at the heart of all that we do.

We cannot do this alone. We work closely with a wide range of partners including government, business, local authorities, other agencies, civil society groups and the communities we serve.

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1 Introduction

This is the Environment Agency's review of Veolia Water East's draft drought plan.

A water company drought plan sets out the short-term operational actions that a company will take in a range of drought situations to maintain public water supplies without causing unnecessary risk or damage to the environment. These plans should be flexible, consider the needs of customers and other stakeholders and be aligned to Government and Environment Agency objectives.

We have a statutory duty to manage water resources in England and Wales and we aim to make sure there is enough water for people and the environment in a drought. We have reviewed and reported to Ministers on water companies' previous statutory drought plans in 2006-07 and voluntary drought plans since 1999.

We are a statutory consultee and provide advice to Government on the content of these statutory plans. Government expects the company to follow the recommendations outlined in this report.

1.1 Structure of this representation

We have carefully assessed all the information set out in Veolia Water East's draft drought plan. We have assessed the plan against the guidance in our water company drought plan guideline¹, legislation and objectives set by Government. This representation sets out the issues or concerns we have with the draft plan following our assessment. It does not provide information on areas of the draft plan for which we had no comment.

Section two of this representation sets out our recommendations for the draft plan. These recommendations focus on the most significant issues we have identified from our technical assessment of the draft plan.

The report in appendix one outlines the evidence to support these recommendations. Links are made between the recommendations and the evidence report for ease of reference. The evidence report also logs less significant issues we have identified that would further improve the plan.

Section three outlines our view of how Veolia Water East has met relevant legislation and Government Directions.

Section four gives our view of Veolia Water East's public consultation on its draft drought plan.

¹ Environment Agency water company drought plan guideline, June 2011.
<http://publications.environment-agency.gov.uk/pdf/GEHO0311BTOJ-E-E.pdf>

2 Recommendations

2.1 Summary

Veolia Water East's draft drought plan should not present a risk to public water supplies or the environment in a drought but is lacking some evidence to confirm this conclusion. Many aspects of the draft plan follow the guidance set out in our water company drought plan guideline, meet the requirements of legislation and meet Government objectives.

Veolia Water East's draft drought plan proposes demand measures only to manage supplies in a drought. This is appropriate given the company's secure groundwater sources and supply-demand balance surplus. However, we cannot determine whether the temporary use restrictions proposed would be required in a range of droughts because the plan has not been robustly tested against an appropriate range of drought scenarios and triggers.

Some additional drought order and supply options have been retained in the plan to show customers and stakeholders what the company would do to deal with extreme drought situations. These options together with the temporary use restrictions may appear to conflict with the company's published level of service of no restrictions.

The plan considers potential environmental impacts from these options and presents sufficient information to show that the environment will be adequately protected from adverse impacts of implementing any drought actions.

Given its secure water resource situation, we consider that Veolia Water East would be able to manage a drought effectively, but the draft plan does not fully demonstrate that a sufficient range of drought scenarios have been considered.

2.2 Recommendations for changes

Below we have set out our recommendations that cover the key issues we have identified with Veolia Water East's draft plan, together with the changes that it should make to its drought plan.

Less significant and minor issues that could result in further improvements to the plan are detailed in the evidence report in appendix one.

Recommendation 1- drought scenarios

The draft plan does not demonstrate that the company has considered appropriate scenarios to test its triggers and actions. The company has a robust groundwater supply system and a supply-demand balance surplus, but we recommend that the company further develops its scenario assessment and then reviews the drought actions and triggers that would be needed under these drought scenarios. This work should demonstrate that drought management actions in the plan will be effective in short, medium and long-term drought scenarios.

The drought plan should also differentiate between drought actions the company may use in a drought within the range of conditions it plans for following this testing, and

those it would only need under an extreme scenario, to aid customer and stakeholder understanding of when actions may be required.

See issue 1 in the evidence report for further details for changes we recommend to address this issue.

Recommendation 2 - drought management actions and level of service

The actions within the company's drought plan are not consistent with the published levels of service within the company's Water Resources Management Plan of 'no restrictions'.

The draft drought plan's actions include temporary restrictions on water use. The trigger for implementation of this action is set below the company's minimum historic groundwater level, therefore it is unlikely to ever be implemented. The company should further clarify how this trigger relates to its levels of service and in what drought scenario this action might be implemented.

The company shares a reservoir source with Anglian Water and the draft drought plan indicates that its sharing agreements may be flexible if Anglian Water was experiencing drought conditions. We recommend that the company should work with Anglian Water and the Water Resources East Anglia group to explore what actions or agreements it could take to maximise the water available in a drought in the local area, given that the company is likely to experience drought problems under different scenarios to its neighbours. Reviewing such actions the company may take in a drought may lead to a change in the company's level of service to its customers and the implications would need to be explored as part of its future water resources management plan and PR14 business plan.

See issue 2 in the evidence report for further details for changes we recommend to address this issue.

3 Compliance with relevant legislation

The first part of this section looks at compliance with the Drought Plan Direction 2011 and outlines where we consider Veolia Water East has not complied with these Directions. In this assessment, we consider that a Direction has not been complied with where the draft plan does not meet the principles of the Direction.

The second part of this section looks at the approach Veolia Water East has taken regarding recent changes to legislation regarding temporary water use restrictions.

3.1 The Drought Plan Direction 2011

Section 4 of the [Drought Plan Direction 2011](#) specifies additional matters that should be addressed in water company drought plans. We have assessed the draft plan for compliance against these Directions.

We consider that Directions 4(b), (c), (d), (e), (f) and (g) are not applicable to the actions set out in the company's draft drought plan than the company currently plans for.

Veolia Water East has presented sufficient evidence in its draft plan to demonstrate compliance with all relevant Directions.

3.2 Legislation relevant to demand-side drought management actions (temporary restrictions)

Section 36 of the Flood and Water Management Act 2010 (inserted into the Water Industry Act 1991) allows water companies to implement a wider range of temporary water use restrictions during a drought. The Water Use (Temporary Bans) Order 2010 gives further information and requirements on the implementation of this legislation. We have assessed how the company has considered this legislation and incorporated the principles of the UKWIR Code of Practice (11/WR/33/3) into its draft plan.

Veolia Water East has considered how this new legislation could be implemented in a drought and has incorporated the principles of it into its draft drought plan. The draft plan sets out the changes in legislation that have occurred.

The draft plan allows sufficient time for representations to be made and considered by the company before restrictions are implemented. It also sets out the process that customers should follow to make representations and includes a proforma template for representations in its appendix 3.3.

The company proposes to implement temporary water use restrictions in one phase during its zone 3 drought trigger. Further water use restrictions using an ordinary drought order are proposed by the company in the draft plan as part of drought actions during its zone 4 drought trigger. The draft plan states that this option would not be required unless the water resources situation was very serious. We would recommend that the company provides some more detail in the drought plan on how it would implement a drought order and how it would demonstrate that there is sufficient need and lead-in time for drought order applications to be made. The company should also estimate the demand savings it would expect to achieve as a result of implementing

demand-side drought management actions. This is linked to issue 4 in evidence report.

The company proposes to implement the exemptions and concessions specified in the Flood and Water Management Act 2010 and the Water Use Temporary Bans Order 2010. The draft plan specifies that representations will be considered on the grounds of health and safety. We would encourage the company to consider if any additional exemptions and concessions could help to protect economically and socially vulnerable customers from any adverse effects from temporary water use restrictions.

It is not clear if the company consulted with its customers during the pre-consultation period and how those views were taken into account to form the approach to temporary restrictions. The company should review relevant customer feedback received as part of the draft drought plan consultation and describe any changes to the approach in its statement of response.

The company has not presented information on how its proposed approach would operate successfully with neighbouring companies' proposed implementation of temporary restrictions in a drought. This is especially important because Veolia Water East's water resource situation may differ from its neighbours. We recommend that the company considers how its proposed implementation of temporary restrictions may work alongside the approach neighbouring companies are proposing and present further information on this in the drought plan. Recommendation 2 details how a wider review of drought management options may help address this.

From information presented in the draft plan, the approach proposed by Veolia Water East would meet the statutory requirements for implementing temporary restrictions in a drought. The company has considered the principles within the UKWIR Code of Practice guidance but does not demonstrate that these principles have been incorporated into its approach.

4 Our view of the public consultation

Veolia Water East began its public consultation on 5 December 2011. The consultation ran for 8 weeks and ends on 27 January 2012.

The draft drought plan is available on Veolia Water East's website with details on how to make a representation. There is no accompanying press release or homepage web link to the drought plan consultation via the website. Paper copies are available upon request.

We consider that Veolia Water East has provided satisfactory opportunities for customers and stakeholders to make representations on its draft drought plan.

Appendix 1 Evidence report

In this table we detail the issues we have raised in this representation and the evidence behind these.

- Issues categorised as 'major' are those that we consider highly significant to the draft plan that may result in an unnecessary risk to public water supplies and/or major risk to the environment in a drought. These issues may also contribute to issues raised in section three, Compliance with relevant legislation.
- Issues categorised as 'moderate' are those that we consider significant to the draft plan and may reduce the effectiveness of drought actions, stakeholder/customer understanding and/or present a moderate risk to the environment.
- Issues categorised as 'minor' are those that we consider would further improve the draft plan.

Moderate issues				
Issue ref.	Area of issue	Issue and reference	Implications	Information or changes required
1	Drought triggers and scenarios	<p>The company has not fully assessed a range of drought scenarios. This is required to test drought triggers and to demonstrate how drought actions will be implemented during a drought. (Section 2, page 17 of the draft plan).</p> <p>The company has a robust groundwater supply system and the company states that there is no credible drought scenario that would require drought actions to be triggered. However, the company has not provided enough detail to demonstrate how the company would cope in different drought scenarios.</p>	There is uncertainty regarding how the company's resources will be affected in different drought scenarios.	The company needs to develop its scenarios further to test its drought triggers and to demonstrate how drought management actions would be implemented. The company should assess the likely effects of past drought events if they occurred today under current water resource infrastructure and demands. The company should assess a range of scenarios to reflect the variability of droughts including short, medium and long duration droughts.

2	Drought triggers and consistency with levels of service	<p>The drought plan includes trigger levels for implementing temporary use restrictions. This is not consistent with the Levels of Service in the company's Water Resource Management Plan for 'no restrictions'.</p> <p>Temporary use restrictions are included as an action within the drought plan if the company were to have a drought worse than previously experienced. The trigger level for temporary use restrictions is below the minimum historic groundwater level.</p>	This inconsistency could cause confusion to customers and stakeholders as to what actions the company may take during a drought.	<p>Once the company has considered a range of different drought scenarios, as outlined above, the company should be able to demonstrate how and when drought actions would be implemented. If the company demonstrates that it can cope with a long-term drought scenario without implementing temporary use restrictions then it should be made clear that the restrictions are included in the plan as an option to be used in extreme or unprecedented drought conditions.</p> <p>The company should also liaise with Anglian Water regarding its shared reservoir. The companies should consider flexible sharing arrangements to maximise use of the water available in a drought.</p> <p>Reviewing the actions the company may take in a drought may lead to a change in the company's level of service to its customers.</p>
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Minor issues

Issue ref.	Area of issue	Issue and reference	Implications	Information or changes required
3	Map of company	The plan includes a map of the company's operating area (Figure 1.2, page 11). The map shows the company divided into 4 zones, it is not clear what these zones are and there is no explanation in the text. The company operates as one water	It is not clear what geographical units the company is using to manage the drought. The purpose of these units in the map has not been explained in the drought	The company should include an explanation of the map in the text. If the zones on the map are not relevant to the drought plan then this should be made clear and the map revised or removed from the plan.

		resource zone and the plan states 'the risk of supply failure is shared throughout our area' (Section 1.3.5, page 13).	plan and may be confusing to customers.	
4	Demand management actions	It is not clear how the estimates of demand reductions have been made. The plan does not set out the assumptions it has made to derive these figures.	Estimated indicative demand savings are required to estimate the impacts of demand management options and to aid decision making during a drought.	The company should provide details of how the demand reductions have been estimated. Section 5.1 of the Water company drought plan guideline highlights methodologies available to help companies estimate savings. Experience from previous droughts and known demand savings from other programmes should be used to improve accuracy of the estimates. The company should present its data sources and highlight any assumptions when estimating demand.
5	Temporary restrictions	The plan does not consider working/liasing with neighbouring water companies to coordinate the approach to the use of temporary restrictions during a drought.	There could be confusion of customers of neighbouring companies if the approach to implementing temporary use restrictions is not coordinated.	The company should liaise with neighbouring companies to discuss its approach to temporary use restrictions.
6	Supply management options	It is not clear how the estimated increases in supply have been made. The plan does not set out the assumptions it has made to derive these figures.	Accurate estimates for supply management options are required to ensure the best option is used and the options can be prioritised.	The company should provide details of how the increases in supply have been estimated and set out the assumptions and data sources used for deriving these estimates. Supporting information for these estimates could include evidence of test pumping, pilot schemes and previous operational data.
7	Drought communications	The plan does not demonstrate how the company will monitor the effectiveness of different communications actions during a drought.	Without this information, the company may not use the most effective method of communication for its customers.	The company should demonstrate how it will choose and monitor the effectiveness of different methods of communications during a drought.

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Date: 27 January 2012

Dear Mr Henderson,

Draft Drought Management Plan 2011 – Public Consultation

Thank you for your letter dated 5th December regarding the Draft Management Plan 2011. As Cabinet Member for Environment and Culture, I have been asked to respond to the public consultation with my views.

On the whole, I thought this was an interesting and concise plan; please see my feedback outlined below:

From my perspective it would be very useful for Veolia Water to confirm its role as a Category 3 Responder under the Civil Contingencies Act in the Plan, as this will highlight that the organisation does not work in isolation and that the Essex Resilience Forum (and Suffolk) are the medium for discussion and consultation.

There is an extensive section on the VWE website for Vulnerable Customers and I believe that reference to the support available would be appropriate in section 3.2.3.3 Concessions and Exemptions.

Lastly, there were a few acronyms which were not included in the list of abbreviations; these are TARD, THXI and DI.

I do hope this feedback helps, and if I can be of any further assistance, please do not hesitate to contact me.

Yours sincerely,



Jeremy Lucas CC
Cabinet Member for Environment and Culture
Essex County Council

26 January 2012

Our ref: 40809_Veolia Water East draft drought management plan

Your ref:



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BY EMAIL ONLY

Dear Sir/Madam

Veolia Water East Draft Drought Management Plan

Natural England received a Drought Management Plan consultation from Veolia Water East dated 5 December 2011, which we received on 12 December 2011. We have considered the drought plan against the full range of Natural England's interests in the natural environment. Based on the information provided with the plan, our comments are as follows

Previous consultation:

Natural England responded to a pre draft drought plan consultation from Veolia Water East on 1st April 2011 where we raised a concern that Veolia Water East did not intend to undertake a Habitat Regulation Assessment (HRA) to determine whether the plan is likely to have a significant effect on European sites alone or in combination with other plans and projects. It is not clear in the draft plan how these concerns were considered and the subsequent decisions made

Veolia Water East did responded informally to Natural England's concerns around the need for an HRA (email 4th April), explaining that their groundwater sources are very resilient and as they abstract from a confined aquifer they believe there is no known detrimental impact on any surface feature or designated sites. They also believe that there is no known detrimental impact from the abstraction from Ardeigh Reservoir where the non drought condition licence allows for all available water to be abstracted at the tidal limit of the R Colne in Colchester.

Natural England would expect an audit trail of the HRA screening process detailing the reasons why Veolia Water East believe a likely significant effect assessment and appropriate assessment are not required. The HRA screening should be included within the Drought Plan so that compliance with the Habitats Regulations can be demonstrated.

Proposed drought actions:

In section 3.4 of the drought management plan Veolia water East state that:

"Due to the robustness of the resource available and having never had to impose restrictions on customers, VWE does not believe the use of drought permits is required and therefore cannot envisage a situation where they would be required"

However, in appendix A.3.2 Veolia Water East list “ consider possible introduction of desalination” as a possible drought order. If this is an option, Veolia Water East must carry out an environmental assessment to determine the environmental sensitivity of any protected sites and the likely impacts from the implementation of the proposed option of desalination.

Habitats Regulation Assessment

As stated earlier, Natural England would expect the plan to outline how Veolia Water East has considered the Habitat Regulations and an audit trail will need to be included in the plan to demonstrate how the HRA screening was undertaken.

Strategic Environmental Assessment

Natural England would expect Veolia Water East’s Drought Management Plan to document whether a Strategic Environmental Assessment (SEA) is required to support this plan.

Liaison with Natural England

Natural England welcomes every opportunity to work with Veolia Water East on drought planning and management, ensuring that requirements for the protection and enhancement of the natural environment are met and that there is adequate opportunity for the development of the most sustainable solutions. We would therefore like to recommend that the plan outlines how Veolia Water East will liaise with Natural England and ensure we are involved in discussions about potential drought permits/orders at a very early stage to allow enough time to consider the environmental implications.

I hope this is helpful at this stage but please don’t hesitate to contact me if we can provide further advice and information.

Yours sincerely



Anne Ramsay, Lead Advisor

Land Use - Operations unit Natural England

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