



Affinity Water Drought Plan

Strategic Environmental Assessment
Environmental Report Appendix H -
Environmental Report Consultation Log

June 2022

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Issue and Revision Record

Revision	Date	Originator	Checker	Approver	Description
A	11.03.22	S Soerensen J Fookes	S Robinson	N Levy	Draft issue for review
B	31.03.22	S Soerensen J Fookes	S Robinson	N Levy	Issue for client review prior to consultation
C	04.04.22	S Soerensen J Fookes	S Robinson	N Levy	Issue for consultation with Statutory Consultees
D	06.06.22	S Soerensen J Fookes	S Robinson	N Levy	Issue for public consultation

Document reference: 100383187-024 | 02 | D |

Information class: Standard

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Organisation comment received from	Date comment received	Consultation question / Document	Comment ID	Comment	Drainage Plan Response
Environment Agency	16/05/2022	Has the water company correctly interpreted the requirement to carry out an SEA on the draft drainage plan?	1	The draft Affinity Water Drainage Plan was published in June 2021 and was subject to public consultation where customers and stakeholders were able to provide feedback on the content and approach of the Plan. Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) were not undertaken as part of the initial development of the draft Drainage Plan. However, following the consultation feedback from Natural England, it was identified that these assessments were required to support the Drainage Plan. SEA and HRA have therefore now been undertaken to finalise the development of the Drainage Plan. This SEA Environmental Report has been prepared in accordance with the SEA Regulations and documents the outcomes of the SEA process. The HRA (Schedule 2022) is documented in a separate report but has been added to inform the SEA process.	Noted. No action required.
		Has a Strategic Environmental Assessment been carried out for the draft drainage plan?	2	Yes an SEA has been carried out on the draft drainage plan, documented in an SEA Environmental Report (dated April 2022)	Noted. No action required.
		Does the Environmental Report include and consider comments we made at the SEA scoping event?	3	The comments made at Scoping Stage have been considered with explanation given as to how they have been addressed. This is provided in Appendix B.	Noted. No action required.
		Does the Environmental Report refer to an appropriate study area and baseline (including current and future baselines)?	4	The SEA study area is set clear from the Environmental Report, although it is an outlined in the Scoping Report which sets the Affinity Water (NWDF) supply area, with a buffer applied to the GSE with regard to baselines.	Additional detail included on the study area (Section 3.1)
		Does the Environmental Report set out an SEA assessment methodology that is appropriate and describes how alternatives have been assessed and justified?	5	The full baseline chapter is contained within Appendix D, with an overview provided in the Environmental Report of the current baseline and future baseline.	Noted. No action required.
		Does the Environmental Report consider the environmental effects of the proposed drainage plan?	6	We Chapter 4 sets out a proposed methodology. The SEA Framework and methodology aligns with that of the Regional Plan, and explains the link with the Regional Plan in terms of option development. The methodology assesses adverse and covers the key aspects. It is good to see that influence on option development has been considered and this is outlined in further detail in subsequent chapters.	Noted. No action required.
		Does the Environmental Report identify the key environmental effects (positive and negative) that will result from the implementation of the actions within the draft drainage plan?	7	A summary of the assessment is presented within Chapters 5 and 6 of the Environmental Report, with key mitigation effects identified for both the construction and operation effects, as well as consideration being given to residual effects.	Noted. No action required.
		Does the Environmental Report identify the key environmental effects (positive and negative) that will result from the implementation of the actions within the draft drainage plan?	8	General mitigation measures have been identified within Chapter 7, with reference to the EA's own EA160 on water quality. Mitigation measures are also outlined in Chapter 6 for the cumulative effects assessment. It would be useful to see the significant negative effects identified in the assessment and outline the mitigation in relation to these potential effects on the water environment within Chapter 7.	Additional detail has been added to the mitigation section where it focuses on the EA's objectives which are identified for the EA's water environment. Significant effects such as mitigation (SEA) aspects on biodiversity, flora and fauna, and the objective on the water environment.
		How the findings from the assessment inform the design of the drainage plan?	9	The influence of the environmental assessment is outlined within Chapter 5. This includes the EA's own EA160 on water quality. The assessment of effects is carried forward to Stage 2. The findings of the SEA have been used to influence the ordering in which the drainage permit options should be implemented, in particular changes to the Category 7 ordering for the Control Register.	Noted. No action required.
		Does the Environmental Report consider the interaction between the draft drainage plan and other relevant plans?	10	A PPV review has been undertaken and is presented in Appendix C. A summary is provided in Section 3.3.	Noted. No action required.
	Monitoring	Does the Environmental Report include a monitoring plan for the draft drainage plan?	11	Section 7 outlines that the monitoring requirements are set out in the EA's within the EA160, and set out what is included in the EA160.	Noted. No action required.
	Cumulative effects	Does the Environmental Report include a monitoring plan for the draft drainage plan?	12	Cumulative effects assessment has been undertaken. Some of the plans considered are currently in the process of being updated, e.g. other water company drainage plans, etc. Where Affinity Water working with others to understand the cumulative effects of the new or emerging drainage plans? Some of these drainage plans have been considered along with draft drainage plans available for consideration within the SEA.	The EA160 sets out the way of working that there are no other known other company permit options which the potential for cumulative effects. Affinity Water has worked with neighbouring companies to check whether any of their current/draft options have the potential to create cumulative impacts with our options. If necessary once other plans are finalised or revised, Affinity can give them the information on the EA160 as based on a pro-activity approach. Additional detail included to make this clearer.
	Key Steps and Consultation	Does the Environmental Report include a monitoring plan for the draft drainage plan?	13	From Section 8.1 it is unclear as to how the SEA Environmental Report is being consulted on. It sounds like it is going to the Statutory Commission. The SEA Environmental Report should ideally go to for consultation publicly alongside the draft Drainage Plan.	The SEA Environmental Report will be published for an eight-week public consultation between June and August. This will allow the public to make any comment on the contents of the Environmental Report. Following the consultation period, a consultation log of responses will be produced to record the comments received from the public (alongside those already received from the Statutory Commission), and a summary address them. The Environmental Report will be updated to reflect the consultation outcomes.
Natural England	06/05/2022	Environmental Report - Methodology	14	The overall approach to the Strategic Environmental Assessment (SEA) is sound and sufficiently precautionary. It includes an assessment of combined and in-combination impacts of options. We note that many of our comments are on earlier draft text request provided by email on 18 March 2022) had been addressed.	Noted. No action required.
	Environmental Report - Mitigation and Monitoring	Does the Environmental Report include a monitoring plan for the draft drainage plan?	15	There are a few points of the report where further information is needed or would be helpful, and Natural England advises the following amendments are made to the final report. A clear overview of mitigation requirements to address limitations in the current data should be provided in the environmental report. A clear overview of mitigation options should be provided in the environmental report demonstrating what impacts they will mitigate.	Noted. This is covered in the more detailed comments below.
	Environmental Report - Assessment	Does the Environmental Report include a monitoring plan for the draft drainage plan?	16	The SEA considered the mix of drainage permits have the potential to result in residual negative effects on aquatic wildlife, other flora and priority species. There are three options (PPV, ADRS and FUL) which are identified to have potential effects on negatively and locally designated sites including Sites of Special Scientific Interest (SSSIs) and Local Nature Reserves (LNRs). The findings of this assessment should now inform a review of the draft plan and prioritisation of options within that plan.	The individual draft permit assessments and the cumulative effects assessment have been used to identify prioritisation of the implementation of the draft Drainage Plan. The prioritisation exercise undertaken as part of the SEA supports the categorisation identified within the draft Drainage Plan. The SEA has also included the EA's own EA160 on water quality.
	Environmental Report - Limitations	Does the Environmental Report include a monitoring plan for the draft drainage plan?	17	The Scoping stage should seek to identify limitations and assessment made to the baseline data. Any limitations that arise from addressing the assessment stage which should be further monitoring or research. Under monitoring the report states that data monitoring will be expanded in the EA160 but under the SEA guidance this should also include in the SEA Environmental Report.	Additional detail included on the EA160 on water quality. The EA160 sets out the way of working that there are no other known other company permit options which the potential for cumulative effects. Affinity Water has worked with neighbouring companies to check whether any of their current/draft options have the potential to create cumulative impacts with our options. If necessary once other plans are finalised or revised, Affinity can give them the information on the EA160 as based on a pro-activity approach. Additional detail included to make this clearer.
	Environmental Report - Key Issues and Opportunities	Does the Environmental Report include a monitoring plan for the draft drainage plan?	18	Table 3.3 (under biodiversity, flora and fauna) should be priority habitats and species under non-designated sites in the same way that specific protection status is listed under designated sites. Opportunities should include increasing habitat and species resilience to climate change. This could be presented against the climate factors or biodiversity, flora and fauna table.	The final table in Table 3.3 under opportunities for biodiversity flora and fauna already covers "Increase the resilience of species and habitats to climate change".
	Environmental Report - Mitigation	Does the Environmental Report include a monitoring plan for the draft drainage plan?	19	In section 7 it is important to provide a clear overview of mitigation required. While it is acceptable to include further details in the EA160 the SEA should demonstrate how impacts identified can be mitigated what impacts cannot be mitigated. This should then be included in an assessment of the impacts and risks.	Additional detail included on the EA160 on water quality. The EA160 sets out the way of working that there are no other known other company permit options which the potential for cumulative effects. Affinity Water has worked with neighbouring companies to check whether any of their current/draft options have the potential to create cumulative impacts with our options. If necessary once other plans are finalised or revised, Affinity can give them the information on the EA160 as based on a pro-activity approach. Additional detail included to make this clearer.
	Environmental Report - Monitoring	Does the Environmental Report include a monitoring plan for the draft drainage plan?	20	Section 6.1.5 should detail any future monitoring needed to address any gaps in the baseline data. While it is acceptable to cover further details in the EA160, SEA should demonstrate how impacts identified can be mitigated what impacts cannot be mitigated. This should then be included in an assessment of the impacts and risks.	Additional detail on monitoring provided.
	Environmental Report - Assessment	Does the Environmental Report include a monitoring plan for the draft drainage plan?	21	Under 6.2 the assessment effects of the BUNDS is minor when this could provide priority habitats and species under non-designated sites in the same way that specific protection status is listed under designated sites. Opportunities should include increasing habitat and species resilience to climate change. This could be presented against the climate factors or biodiversity, flora and fauna table.	The HRA has been updated to reflect that BUNDS draft permit would require minor construction sites (this previously included the EA160 on water quality). The EA160 sets out the way of working that there are no other known other company permit options which the potential for cumulative effects. Affinity Water has worked with neighbouring companies to check whether any of their current/draft options have the potential to create cumulative impacts with our options. If necessary once other plans are finalised or revised, Affinity can give them the information on the EA160 as based on a pro-activity approach. Additional detail included to make this clearer.

		Environmental Report - Assessment	22	It is 2.3.3 of the FUL permit is given a moderate negative effect, while other permits that include an increase in discharge that could affect a SSSI are given minor negative effects. It is not clear why the FUL permit has been given a higher severity rating on the assessment scoring criteria guide. Are negative impacts on a SSSI always to be moderate negative impact.	The reference to moderate level minor related to effects on SSSIs are taken directly from the EAs. Each of the drought permits are given an overall moderate negative effect pre mitigation and minor negative post mitigation level. Table 6.5.1. Additional reference to the FULs within the summary level of the effects in Section 5.2.3.2 to 5.2.3.3.
		Environmental Report - Cumulative Assessment	23	It is noted that the assessment is a high level assessment of cumulative impacts of any permits which could theoretically be issued at the same time or in succession. Names are given to give you an impression of what the worst case scenario would be used together and that you would only do the detailed assessment and update the EA if required, but it is important to have a high level understanding of the risks so that you can plan and prioritise accordingly. If there is a risk, there may be measures you could take in advance of a drought to mitigate any impacts, and make the environment more resilient. This could be made difficult by making it more likely that using options concurrently would be acceptable, should that need arise.	The cumulative assessment requires the use of a high level assessment of potential cumulative effects based on the information available within the EAs. The cumulative assessment considers where the Drought Permits in the South East impact the same receptors and therefore identifies the potential for effects in relation to objectives on biodiversity, flora and fauna, and of the water environment. The assessment already identified that there is not anticipated to be cumulative effects on the Abdon, Ludlow and Garsington flood SSSI as it is unlikely there would be any additional effects to the multiple effects identified within the individual drought permits. EAs, SLTs and SDQs are both located within dry valleys and it is likely there will be dry during periods of drought and so such there is not anticipated to be cumulative effects. The site is not a GWCTE and the South SLT EAs (2016) confirm that terrestrial vegetation at the site would mainly be dependent on local groundwater levels and these would likely be low during implementation of the drought permits. However, it should still be noted that the implementation of the permits in the South East are not likely to be required and the cumulative implementation is also not likely to be required, however, the cumulative assessment is made. An Ability Visitor need to apply, the EAR will need to be updated.
		Environmental Report - Mitigation	24	You have identified that in-stream measures and adjustments to improve habitat conditions are potential mitigation options. Such works could be planned and delivered in advance of drought, to help make it more likely that drought permits options will be acceptable and reliable during drought. We encourage you to think about this as much as possible, and consider whether such habitat enhancement work programs could be incorporated into the WINEP for PGAs.	There is reference to the WINEP for PGAs and the delivery of projects to improve ecological health including those commitments potentially affected by drought permit options will help to improve natural resilience and in turn will support resilience to any impacts from drought permits. Address text to reference the delivery of in-stream measures to be delivered as part of this programme.
		Environmental Report - Assessment: Mitigation Appendix G	25	Response required to permit to state that an assessment of what effects have been identified and what their impact on SSSI features is likely to be. Natural England is pleased that SMP will be carried out on a precautionary basis prior to the implementation of the drought plan. This will allow more accurate baseline data for future monitoring after implementation to be compared against.	Noted. No action required.
		Environmental Report - Appendix A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z	26	As a summary, we are concerned that potential impacts on the historic environment are largely dismissed in the Strategic Environmental Assessment Environmental Report, without clear and convincing justification.	Noted. Additional responses provided below.
Historic England	13/05/2022	Environmental Report - Historic Environment	27	We therefore suggest that the assessment is revisited to carefully consider the potential implications for the historic environment (both designated and non-designated), or if this work has been done, to better articulate how these issues have informed the assessment.	Additional detail has been included in regards to the historic environment. This includes information from the EARs which reviews heritage assets within the water study areas. Across all drought permits, it was determined that there would not be any additional impacts as a result of the drought permit implementation therefore the assets were not considered to be sensitive. The overall conclusions have remained neutral at this stage. However, any additional potential effects identified by Historic England from the consultation responses are now recognised within the assessments. These effects are still noted on this stage and it is recognised that further baseline collection and assessment is required at a more detailed stage.
		Environmental Report - Historic Environment	28	It should also be noted that drought permits will be implemented in severe drought conditions and the additional impact of the drought permits on these assets is not likely to be significant. However, this will be explored further at a more detailed stage as required.	It should also be noted that drought permits will be implemented in severe drought conditions and the additional impact of the drought permits on these assets is not likely to be significant. However, this will be explored further at a more detailed stage as required.
		Environmental Report - Historic Environment	29	Historic England recommends the collection and assessment of specific baseline information which could include identifying the potential for buried, unexcavated and biological and palaeoenvironmental remains of significant interest and highlights that can be associated with river valleys, floodplains, estuaries, coastal and wetland areas including rivers, large, protected and other freshwater.	As outlined above in (Comment 28), the SEA now recommends further baseline collection and assessment is undertaken at a more detailed stage to determine the additional potential effects. It should also be noted that drought permits will be implemented in severe drought conditions and the additional impact of the drought permits on these assets is not likely to be significant. However, this will be explored further at a more detailed stage as required.
		Environmental Report - Historic Environment	29	Although it may be appropriate for this evidence gathering and assessment to take place in the more detailed design/application stage, it is important to raise these issues and suggest how they might further down the line be tackled as the consideration of unexcavated archaeology may be costly to deal with and deep-flooding, artefacts and coastal deposits difficult to evaluate by standard techniques.	

