

Response to Environment Agency and Natural Resources Wales consultation on Water Resources Planning Guideline – supplementary guidance documents: Environment and Society in Decision-Making

17 November 2020

Introduction

This consultation response is submitted on behalf of Energy UK.

Energy UK is the trade association for the energy industry with over 100 members spanning every aspect of the energy sector – from established FTSE 100 companies right through to new, growing suppliers and generators, which now make up over half of our membership. We represent the diverse nature of the UK's energy industry with our members delivering over 80% of both the UK's power generation and energy supply for the 28 million UK homes as well as businesses. The energy industry invests £13bn annually, delivers £31bn in gross value added on top of the £95bn in economic activity through its supply chain and interaction with other sectors, and supports 738,000 jobs in every corner of the country.

We would like to:

- Receive an email acknowledging our response
- Receive an email to let us know that the summary of responses has been published

Please email andy.limbrick@energy-uk.org.uk

The response is not confidential and can be published.

Comments are provided on the following supplementary guidance documents for the Water Resources Planning Guideline (comments on the main Guideline were submitted on 9 October 2020 in paper EnvC 77/20):

- 18643 Environment and society in decision-making (separate documents for England and for Wales)

18643 Environment and society in decision-making (England) – Environment Agency

In Section 1.1, it would be helpful to provide more detail on how 'society' is to be interpreted. It is clearly intended to be distinct from 'environment' and the benefits society gets from 'environment', and we support that. We feel the consequences (both adverse and beneficial) for non-Public Water Supply (PWS) direct abstractors should be considered within water resource planning. Depending on the interpretation of 'society' above, it is not the scale and nature of the Water Company (WatCo) problem but the challenges for wider society that are material. Throughout the document, it would appear 'you' is intended to be interpreted as WatCo. We note that the equivalent guidance for Wales is very clear that water resource planning guidance for WatCo in Wales should seek benefits for non-PWS sectors within decision-making.

The ecosystem services (provisioning) provided by surface waters to non-PWS water abstractors, dischargers and in-stream users are vital considerations to make explicit within water resource planning. For example, unreasonable abstraction associated with PWS could create unwarranted pressure on the abstractions of non-PWS abstractors and/or the environment, with potential direct and opportunity

costs to them and to wider society as a result of changes to the products and services those affected third parties provide, both now and in the future.

In Section 2.1, it is not clear whether or not the list of five ecosystem services specified is intended to cover provisioning. If not why not? See e.g. Annex 1 A4.1 Fig 2.

In Section 2.2, whilst there is no reason why WatCos should not have the objective of providing biodiversity and/or environmental net gain into their programmes, if provision of that net gain would have adverse effects on third parties, the potential for those adverse effects should be identified and considered in the assessment leading to the plan.

Section 6 presents decision-making in the context of a WatCo's Water Resources Management Plan - how is this to be reconciled with the balances struck in Regional water resource planning? Some of the guidance given would appear to render this difficult ("You should develop your own proportionate approach, based on your data and the complexity of the problem").

The following requires only 'consideration' of regionally shared approaches:

"You should design your own approach to incorporate environmental and social information into your decision-making. You should consider the benefits of adopting a regionally shared approach, enabling consistent comparisons to be made and potential for collaboration in optimising the decision-making process."

Section 6.1 states "You may need to consider the biodiversity and natural capital value of the water left in the environment." The natural capital value of water left in the environment would include the potential to provide provisioning services for non-PWS users, which we regard as a vital consideration. "You may need to consider..." should be strengthened significantly to 'You must factor fully into your analysis...".

Environment and society in decision-making (Wales) – Natural Resources Wales

In Section 1.1, we welcome clarity that the benefit set is to include water users other than customers (within society). We welcome the wide scope implied for the 'system' to be considered in the decision-making. We welcome the explicit inclusion in Section 1.1 that benefits are to be sought for 'different sectors' (taken to mean those outside the PWS sector).

In Section 2.3, we welcome the explicit recognition of the importance of the provisioning services provided by waters. This should be included in the list of ecosystem service related metrics set up in Section 2.3.

In Section 2.3, we question whether the guidance to indicate the possibility of using the same methods as neighbours do in relation to natural capital accounting is sufficiently strong, but we recognise there may be issues with adopting a consistent approach in trans-administration areas.

In Section 6, the guidance suggests individual WatCos should develop their own decision-making approaches. Whilst clearly well-intended in relation to the proportionality of approaches, there is the risk that this could lead to an option which has implications outside the WatCo's specific area and may be appraised differently in other areas. Perhaps a requirement to identify the possibility of this occurring and, where necessary, to ensure appropriate alignment of decision-making approaches, would be helpful?

In Section 6.1, given the value to others of water left in the environment (provisioning services) as well as to the environment itself, we feel the guidance that water left in the environment "may need to be considered" should be strengthened to "must be included in your analysis".

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