



19 November 2024

Mr Steve Reed,
Secretary of State for the Environment, Food and Rural Affairs

By email only: secretary.state@defra.gov.uk; steve.reed.mp@parliament.uk

Dear Secretary of State,

Re: Southern Water's Water Resources Management Plan 2024

Please find attached WildFish's response to the Southern Water Services' Water Resource Management Plan (SW WRMP) consultation.

As you know, WildFish is an environmental charity dedicated to the protection of wild fish and their habitats including chalk streams in the South of England. We previously raised concerns, *inter alia*, at the lack of transparency for the last iteration of SW WRMP.

Our aim is not to defer and delay the progress and the implementation of the schemes discussed in the WRMP. But we are concerned at the impact on the chalk streams and the lack of commitment and speed with which alternative abstraction options are being implemented, which means that the chalk streams are under increasing threat from existing and future pressures. Nevertheless, the assessments of impact on the chalk streams must be undertaken lawfully, even if that means they will need to be repeated, with full public access to the results.

The defects in the WRMP, in brief, are that there is a lack of transparency; there are unreasonable delays in providing long-term supply sources; there is an absence of explanation for the extended time frames for those sources; there is a lack of objective commitment to long term projects and schemes to ensure environmental protection from abstraction; there are limited alternative projects to ensure a back-up plan if the main projects fail; the WRMP is not consistent with the 2018 s 20 Water Resources Act 1991 Agreement between SW and the Environment Agency.

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In particular, we draw your attention to other defects which could be fatal to the WRMP and are likely to form the basis of a legal challenge if not dealt with. The Habitats Regulations Assessment, WFD Assessment and Strategic Environmental Assessments are defective and incomplete. They also treat the rivers Test and Itchen and the species they hold, including salmon, as distinct meaning they are subject to different levels of scrutiny dependent on the river's protected status. But that is at odds with the EA's advice. The mistake infects all the assessments prepared by SW. That also means that the WRMP and the s 20 arrangements for drought conditions will need re-assessing.

We believe that the following must happen to ensure that the legal errors are corrected and that the sensitive rivers are protected from excessive of exploitation:

1. The environmental assessments must be repeated to correct errors and published to allow proper public scrutiny of impacts;
2. The water company must take into account the metapopulation designation in assessing environmental impact;
3. The WRMP must be made consistent with its s 20 WRA obligations (which it is not at present);
4. SW must be required to commit to a reasonable timetable for the long-term measures which should be supervised carefully by the Secretary of State.

We look forward to hearing from you.

Yours sincerely

Justin Neal,
Solicitor,
WildFish