

8 July 2025

Rt Hon Steve Reed MP,
Secretary of State for the Environment, Food and Rural Affairs
2 Marsham St,
London SW1P 4DF

By email only: steve.reed.mp@parliament.uk; secretary.state@defra.gov.uk;
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Dear Secretary of State,

Re: Chalk Stream Designation

WildFish is an environmental charity concerned at the continuing pressures and threats from over-abstraction and pollution on chalk streams.

For as long as it has been in existence, WildFish¹ has been actively campaigning to end over-abstraction. WildFish has submitted responses to consultations on water company plans for chalk stream catchments,² and the overuse of drought permits.³ We have published reports on abstraction with possible solutions to the problems faced by chalk streams⁴ and have advocated a revised approach to linked metapopulations of salmon in chalk streams which should receive equal protection.⁵ We have also drawn attention to the threat of over-abstraction due to planning proposals where there is no water resource capacity to meet demand without harming riverine ecosystems.⁶ Finally, we have campaigned for the ill-thought-out Planning and Infrastructure Bill to be ditched as it seeks to disapply hard-won protections for sensitive conservation sites, in a dash to promote economic growth at any cost.⁷

Borehole and surface water abstractions are leading to low flows in rivers particularly in the south-east of England. Excessive groundwater abstraction leaves chalk

¹ Previously Salmon & Trout Association and Salmon & Trout Conservation

² [WildFish-Response-to-SW-WRMP-Consultation -19.11.24.pdf](#)

³ [Microsoft Word - National drought consultation - response WF](#). Also see WildFish article [There may be a drought coming: water companies need to act now | Wildfish](#)

⁴ [wildfish.org/wp-content/uploads/2025/06/WildFish-Abstraction-Report_090625.pdf](#) pp. 15-19

⁵ [WildFish tells UK Governments: act now to protect endangered wild Atlantic salmon | Wildfish](#)

⁶ [03.03.25 Planning Report Formatted FINAL](#)

⁷ [Planning Bill poses huge threat to wild fish populations | WildFish](#)

streams without basal flows in summer. In return, poorly-treated and untreated sewage is discharged into these chalk streams and the already-depleted aquatic ecosystem cannot cope.

Government promises of future investment are not enough, especially where there are real threats from unbridled development facilitated by the Planning and Infrastructure Bill.⁸ What is needed is certainty of protection under the law, not compromise and vague promises.

However, the law can provide the driver for change. We therefore propose a simple and cost-effective approach to protection.

There are 161 chalk streams.⁹ They are all regarded as “priority habitats”¹⁰ but this lends them no or little actual protection. A few chalk streams (eleven in total)¹¹ are designated under domestic law as Sites of Special Scientific Interest (SSSI) such as the Test and the Kennet.¹² Very few indeed are Special Areas of Conservation (SAC), most notably the River Avon and the River Itchen.¹³

The unprotected chalk streams are simply assessed on a bog-standard basis under the usual Water Framework Directive criteria (including for flow and relative health) and permits and licences to abstract or pollute do not take into account the sensitivities of chalk streams and their aquifers. Nor are those permits and licences subject to regular review.¹⁴

We know that sewage pollution and abstraction are the main causes of the demise of chalk stream ecosystems. But environmental damage occurs because of an absence of controls and a real failure to admit the extent of the problem. In short, a failure to give protected status to chalkstreams means that there is ineffective regulation of activities likely to cause damage.

But where – as with the Itchen – the river is given SAC status under the Habitats Directive and the Conservation of Habitats and Species Regulations 2017, strict conservation duties apply.

⁸ See Government response to the petition, “Don’t Abandon the Chalk Stream Recovery Pack” [Don’t abandon the Chalk Stream recovery pack - Petitions](#)

⁹ <https://chalkstreams.org/2020/10/28/the-index-of-english-chalk-streams/>

¹⁰ These are identified under s 41 of the Natural Environment and Rural Communities Act 2006. At most this means they are material considerations in planning applications – but little else.

¹¹ [Environmental campaigners call for chalk streams legal protection - BBC News](#)

¹² What protection does SSSI status afford rivers? the answer is very little. it mainly effects the licensing of projects and they need to be taken into account in planning decisions. But such designations do not give the same protection as SAC designation. That can clearly be seen in the different ways that water resource issues are considered in relation to the Rivers Test (a SSSI) and the Itchen (an SAC).

¹³ Some SACs have metapopulations of salmon or are connected with compensatory measures relating to SACs and thus those sites not formally or officially designated must be treated as SACs.

¹⁴ The Catchment Based Approach Strategy Report has an excellent discussion of the limitations of the application of standard assessment of flow in chalk streams for WFD purposes. See for instance p. 38 [CaBA CSRG Strategy MAIN REPORT FINAL 12.10.21](#); see also WildFish “Abstraction Report”

That is because public bodies, including regulators and water companies, have to “*exercise their functions. . . so as to secure compliance with the requirements of the Directives.*”¹⁵ Appropriate assessments must be carried out where plans or projects are likely to have a significant effect “*either individually or in combination with other plans or projects*”. The authority should then only agree to a plan or project where there will be no “*adverse effect*” on the “*integrity of the site*”.¹⁶

Importantly, where there are existing abstraction licences, conservation law says that there should be regular reviews of abstraction licences or discharge permits.¹⁷

Of course, these protections do not currently cover the majority of chalk streams.

We recognise that designation as SACs would not resolve all the issues faced by chalk streams. There are other problems that would need correcting too, such as co-ordinating capacity for sewage and water with the legal requirement for water and sewage companies to connect to new development.

However, we believe that the Government should now take the following steps:

1. Direct the Joint Nature Conservation Committee (JNCC) and Natural England (NE) to designate all chalk streams as SACs;¹⁸
2. Direct the Environment Agency (EA) to undertake a wholesale review of permits and licences with immediate steps taken to act to protect newly designated chalk streams;
3. Require the EA and NE to change the way in which they assess the health of chalk streams by setting bespoke environmental targets in line with conservation objectives;
4. Change the way the EA measures and manages the capacity of chalk streams and related aquifers to support abstractions;
5. Remove clauses relating to the disapplication of conservation law from Part 3 of the Planning and Infrastructure Bill.

We note that in answer to the petition “*Don’t abandon the Chalk Stream recovery pack*”, the government has published a response dated 1 July 2025 which is entirely unsatisfactory as it does not deal with the root problem: an absence of protection for

¹⁵ Johnson J in *Harris* confirmed that the Habitats Regulations which transcribe the Directive are retained EU Law. *Harris & Anor v EA* [2022] EWHC 2264 (Admin). It is made absolutely clear that “*the scope for departure*” from such obligations “*is considerably narrowed*”.

¹⁶ See Article 6(3) and Regulation 63

¹⁷ See, for instance, Regulation 65

¹⁸ Regulation 12 of the Conservation of Habitats and Species Regulations 2017 establishes a duty to designate “*sites of national importance*” as SACs. Chalk streams are clearly candidates for notification and designation as they fall within Annex I of the Habitats Directive, “*Water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation*”.

chalk streams.¹⁹ We would be grateful if the Secretary of State could respond to this letter fully rather than relying on high level administrative promises and lists of achievements that do not deal directly with the issue of *protection* for chalk streams.

We have published this letter as we believe the requested steps would have broad public support and provide a clear and objective way to end the crisis facing chalk streams.

We expect a full response which confirms that the government will now set in motion the process for designation, with a full explanation of the government's position in relation to its obligations under Habitats law and details of any advice it has received from JNCC or from NE.

We look forward to hearing from you.

Yours sincerely,

Nick Measham
CEO
WildFish

¹⁹ The response includes a list of work the government will do to "restore" chalk streams as "part of [the government's] mission" with reference to the Water (Special Measures) Act 2025 and investment streams but little of that would help to restore chalk streams *and protect* them directly. Promises of investment (subject to time and changes in government) mean little unless there are enforceable protections in place.

cc. Tony Juniper, CEO Natural England: tony.juniper@naturalengland.org.uk;
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