

Consultation on the draft revised Water Industry Strategic Environment Requirements (WISER)

Blueprint for Water Response – September 2021

Wildlife and Countryside Link is a coalition of 61 organisations working for the protection of nature. Together we have the support of over eight million people in the UK and directly protect over 750,000 hectares of land and 800 miles of coastline.

Blueprint for Water, part of Wildlife and Countryside Link, is a unique coalition of environmental, water efficiency, fisheries and recreational organisations that come together to form a powerful joint voice across a range of water-based issues.

This response is supported by the following Link members:

- Amphibian and Reptile Conservation
- Angling Trust
- British Canoeing
- Friends of the Earth England
- Marine Conservation Society
- Rivers Trust
- Salmon and Trout Conservation
- The Wildlife Trusts

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Question 1 - Key issues (page 8)**Are there any issues we have not identified which should be included here?****(max 300 words)**

There is no specific timescale for the wider implementation of natural capital appraisals that can be formalised and standardised across the industry in time for the next WINEP cycle and for AMP8. The language is encouraging but vague. If we are to see a step change in appraisal methods, then specific outcomes need to be added to the WISER, which must be implemented in AMP8.

There is also very little clarity in terms of a transformational change required for net zero targets, biodiversity and climate change. Again, the opportunity seems to have been missed in terms of providing more ambitious targets for resilience for e.g. (for assets, catchments and ecosystem services). On carbon, the WISER could encourage companies to look beyond the industry's current net zero commitment which, whilst welcome, excludes some emissions from scope.

Part 1 provides very little information regarding harm from spills. Considering the recent political and public pressure around storm overflows, we need more ambitious targets in the WISER, particularly around harm, and what step change is required for the industry to tackle this issue in the long run. By contrast, Part 2 (page 23) provides a lot more narrative and focus on harm rather than spills, which is certainly the right way to address risk from, and investment in, storm overflows. The definition for what constitutes "most harm" however, needs to be spelled out.

Minimising plastic contamination should be included as a key issue. The UK has not yet achieved its aim of GES under the Marine Strategy, and data from the Marine Conservation Society's Great British Beach Clean 2020 showed that sewage related debris made up 8.6% of the total litter items recorded on UK beaches.

Question 2 - Stepping up the ambition (page 9)**Are there any issues we have not identified which should be included here?****(max 300 words)**

The proposed ambition in Part 1 is very welcome, although it still falls short on the lack of clear steps and incentives for stronger collaboration. Without clarity on how the regulatory framework will be equitably applied to all sectors in terms of enforcement and risk-sharing, it's hard to see how better collaboration and alignment will happen, because there is no drive and incentive for others to work with the water industry, e.g., through ELMs, Nature Recovery Networks, etc. This document seems to suggest that the responsibility for coordination and alignment (therefore the risk for driving collaborative approaches) falls mainly on water companies.

There is a vague narrative in the document stating that "we recognise that many of the approaches require other sectors to play their part, however, it is essential that water companies demonstrate leadership...". Better guidance needs to be provided by Government and regulators, who have the right level of authority to promote and support wider collaboration and risk-sharing, particularly around planning and driving cross-sectorial compliance. The WISER seems to have missed the

opportunity to provide that clear guidance. There is therefore real concern that water companies will be expected to fulfil obligations which are clearly the remit of Government and regulators.

In terms of nature-based solutions (NBS), stronger narrative is needed for how water companies should be delivering these through a more concerted effort across the industry and beyond. The WISER should provide stronger steer on how to maximise the benefits of NBS (such as by not treating them as engineered solutions) to incentivise greater uptake, for example, through adopting outcome-based approaches rather than through traditional permitting as suggested elsewhere (WINEP methodology). The narrative around accepting and sharing the risk of NBS also needs to be stronger to encourage water companies to consider these options.

Finally, many of the ambitions listed would contribute to halting the decline of biodiversity and the recovery of species, though this ambition is itself not explicitly mentioned in this section. Including biodiversity recovery in the ambitions outright would send a clearer signal here.

**Question 3 - Does the draft revised WISER encourage water companies to deliver the required environmental regulatory requirements and customer expectations?
(max 300 words)**

Yes. However, the language could be made a lot clearer and more ambitious on some of the requirements (Table 1), particularly around ‘resilience for customers and the environment’, and ‘natural environment’; as well as on bathing water actions, principles for working in partnership to deliver integrated solutions, on flood risk management, the River Basin Management Plan objectives, climate change and Future Drainage. These are pressing problems that the industry will need to tackle in the next few years, but there is very little in the way of specific objectives to accelerate a more targeted action and to see the required step change in time for PR24 and AMP8.

**Question 4 - Please provide any other comments you have on the draft revised WISER
(max 300 words)**

It is positive to see that DWMPs will be made statutory with “strong links to the WINEP”, although the revised WINEP methodology makes very little mention of DWMPs, or of how collaboration around delivery of drainage area obligations will be met by all relevant parties, not just by water companies

The paragraph on Green Finance is generic, containing nothing that sets a clear direction of travel for the industry, which suggests that the Government and regulators are not clear on what that should look like (the proposed Green Finance Taxonomy isn’t enough for delivery of regulatory obligations). Without a clear position on how water companies will engage with green finance, it’s hard to see how we will move on from opportunistic trials to mainstream “ahead of PR29”.

ANNEX 1 - SPECIFIC TECHNICAL COMMENTS ON PART 2

Page 3 – “Water body status (river basin management plan objectives) Legislation and duties”

Are we going to see RBMP outputs specifically set out for adaptive management, with actions to tackle climate change and population growth? The RBMP continues to be a “black box” when it comes to

setting outcomes, with water companies and others having very little input into the assessment process. And outputs tend to be mainly driven by water quality. But with resilience becoming increasingly important, the expectations need to be broadened out to include targets beyond water quality, and the RBMP needs to become more transparent and collaborative.

Page 4 – “Water companies should work with stakeholders and catchment partnerships to explore integrated solutions and delivery of multi-functional benefits at a catchment scale...Each sector... deals with its proportional contribution, following the polluter pays principle”.

The polluter pays principle and fair share contributions are **not** equally enforced across sectors. And without regulation and policy driving more collaborative initiatives, underpinned by an even-handed approach to regulatory compliance, it’s hard to see how integrated solutions and collaboration will become mainstream.

Page 7 – “Water companies are encouraged to investigate alternative technologies to UV disinfection. Catchment initiatives and partnership working can be effective in reducing the impact of contamination of shellfish water protected areas.”

This narrative is welcome. However, it’s important that water companies are not expected to provide UV as a “fall back option” once they’ve gone down the route of catchment initiatives, partnerships and innovative approaches. Otherwise, it may become too risky for water companies to even consider alternative options.

Page 8 – “Climate change impacts, future demand and deterioration caused by emerging and current substances need to be mitigated.”

Current and emerging substances need to be addressed from a societal obligations approach, e.g., more needs to be done at source, since some of these substances are currently ubiquitous and control at asset level isn’t enough and may become too costly.

Page 9 – “It is anticipated water companies will need to have regard to the priorities set out in the LNRS covering their operational area when agreeing PR24 priorities.”

It is unclear whether enough is being done around disseminating the plans for LNRS and if there will be enough detail made available in time for PR24 and the next WINEP cycle.

Page 10 – Expectations for European and Ramsar sites

Nutrient neutrality – there are complexities around mitigation proposals, for example, on land availability and changes in land use required to achieve nutrient neutrality; issues with short versus long-term planning, and in many areas, water companies are already achieving required targets through treatment works, therefore, anything above and beyond will become even more challenging and too costly.

Catchment nutrient balancing – unless the EA streamline and reduce level of complexity on CNB negotiations and agreed targets, it's hard to see how the industry will maximise the opportunities therein.

Page 17 – Chemicals

We agree with the more strategic combined approach to addressing these pollutants. However, better guidance and policy are needed around tackling societal contributions and better source control, particularly for the more ubiquitous chemicals, for which asset control alone isn't enough.

Also, the next stage of the chemical investigations programme needs to be more collaborative beyond the water industry and the regulators, and with better sharing of data and findings, if we are to tackle these issues in a more integrated way.

Page 23 – *“Overflows that do the most harm, or impact on the most sensitive and highest amenity sites, should be prioritised first.”*

The narrative in Part 2 provides better focus on the impact of storm overflows based on harm rather than on spills alone. This is the right way to address risk from storm overflows and the right way to prioritise future investment. The definition for what constitutes “most harm” however, needs to be spelled out.

Page 26 – Expectations: Water supply and environmental resilience

It's important that water supply and demand is brought into a sustainable balance that accelerates resilience, including thought better integrated water management and how wastewater and water systems interact at catchment scale.

Page 29 – *“Water companies are encouraged to participate in a programme of collaborative trials, identified within the WINEP, looking at low carbon wastewater treatment technologies”.*

Looking at low carbon wastewater treatment technologies is a step in the right direction, but more needs to be added around circular economy and waste recovery, especially with focus on sludge (page 31).