

JANUARY 2025
WORSHIPFUL COMPANY OF WATER CONSERVATORS (WCWC)

PLAN FOR THE FUTURE, LEARN FROM THE PAST, ACT NOW
SECOND EDITION

An overview of thinking in 2022-2025 to provide an input into the national conversation on the future of water management

PROLOGUE

1 The Worshipful Company of Water Conservators ('WCWC') is a City of London Livery Company focussed on the long-term health of our water resources and the broader environment. Our members include senior professionals from water, environmental and related industries and regulators, along with others who share our concern for water and the environment. Our experience and knowledge ranges from the complexities of environmental sciences, through the application of engineering to deliver the goals identified by those sciences, and the subsequent management of the assets created. The WCWC's purpose is *promoting a diverse and sustainable environment*.

2 It has responded to numerous Consultations and Calls for Evidence. These are archived on its website.

<https://waterconservators.org/policies-and-practices/>

In view of the likely evolution of water management policies and strategies, it decided to highlight some of its suggestions over the two and a half years up to August 2024 . It recognises that the mosaic of delivery has small and big pieces. And sometimes not sorting out the small issues can get in the way of delivering the big solutions. So key points were summarised in highlighted red, but the reader is encouraged to look particularly at the section dealing with catchment management strategies as these are the engines which will drive the achievement of river, estuarine and coastal water use and quality goals. The reader is also encouraged to read the evidence available on the financing and governance of water services. Indeed, to delve into the source papers on the WCWC website. There is a circularity about the presentation, in that there needs to be an understanding of the issues before suggestions for the ways forward are set out. In order to capture attention, the principal ways forward were set out first with subsequent elaboration.

3 The WCWC has consistently provided evidence, based on experience; it has not sought to praise or admonish any organisation, but has provided, support and comment and made suggestions as to where it is of an opinion that is needed. It does note that the whole topic of water services has returned to the media and political agenda, as it has many times in the past, particularly in the 1970s prior to regionalisation, and in the 1980s prior to privatisation. This return has been driven by the concerns over the cost of living, the impact of climate change, rising population, greater concerns over a diminishing natural world and greater demands on the uses of environmental waters, particularly wild swimming (driven in part by the social impact of the lockdowns in the covid crisis). But the WCWC has repeated several

times that the debate on water management is bedevilled by poor information and presentation and this must be remedied.

4 These submissions have been supplemented by Thinkpieces. The August 2024 Overview pulled together some of the consistent messages and some key points which might be of value as contributions to the development of national policy and practice. Inevitably the expertise of the members of the WCWC is focussed more on the detail of water service delivery than on agriculture, but the regulatory experiences embrace all aspects.

5 Firstly it is worth considering how the complexity is addressed. There is a tendency in preparing a summary like this to want 'the top three messages' yet as life often reveals, whilst the focus is on these strategic issues, the tactical issues, set aside for a moment, have tendency to sting unexpectedly. The consultations to which the WCWC had responded have been largely on tactical issues and there had been no advance on the 'big picture'. So, the overview focused on what the WCWC had suggested for the long-term strategy, and included some suggestions on key, but not all, tactical issues.

6 It would appear that the new administration was continuing with the mix of strategy and 'fine grain' tactics and the WCWC will be contributing from its reservoir of wisdom. Many of the proposals from the new administration resonated with the evidence provided by the WCWC on the strategy and tactics for water administration, for example by introducing a social purpose for water companies and by announcing a review of the Environmental Improvement Plan.

7 At the end of the Overview that WCWC noted that, as this was being published, a major consultation on a review of the National Planning Policy Framework was issued and needed a response, which the WCWC has now done. Much has happened since then. A major step is the establishment of a Water Commission to review the functioning of the water utility sector in October 2024

<https://www.gov.uk/government/news/governments-launch-largest-review-of-sector-since-privatisation>

8 The consultations since August have not addressed the wider issues of water conservation management and have been focussed more on 'finer grain matters.' As the Call for Evidence for the Water Commission approaches, the WCWC has produced a second edition of the Overview.

9 The highest-level message from the WCWC continues to be that there is an urgent need to create an integrated water strategy and a need to bring the leaders together in a more coherent way; this approach is being adopted in other sectors, for example the national programme for New Towns and for renewable energy. Whilst the WCWC would not suggest the same mechanisms, nevertheless the creative thinking behind these drives could be brought to establishing a better consensus on water. Current developments in policy and regulation are evolving as a patchwork of silos often inconsistent, not linking together or to what is place now.

10 The Defra Water Plan of 2023 is mentioned rarely, if ever.

<https://www.gov.uk/government/publications/plan-for-water-our-integrated-plan-for-delivering-clean-and-plentiful-water/plan-for-water-our-integrated-plan-for-delivering-clean-and-plentiful-water>

11 It often seems that water conservation is driven by developments which are ‘not seeing the wood for the trees.’ The question is now often asked; what has gone wrong with water? One answer, in part, is that there is not a consistent ‘drum beat’ for all the processes of change. Greater clarity and harmony is needed.

SUMMARY

12 This Overview addresses the responses to Consultations over the Autumn and winter of 2024-5. The WCWC urges readers to put this together with the previous edition of August 2024.

13 It addresses concerns that

- the NPPF still does not address issues concerning the water sector, particularly arising from the impact of growth in housing and the economy
- the proposals for nature recovery, with respect to water conservation do not take account of other initiatives and could cause further complication
- there is insufficient recognition of other policy initiatives and consultations, such as the National Water Resources Framework, Industrial Strategy, Environmental Improvement Plan
- the evolution of bathing water policies and regulations does not take a holistic approach even within themselves, let alone the broader picture of controlled water management, particularly river management, there is a continuing ‘line of sight’ with storm overflows from sewers and very little addressed with the impact of agriculture and highway drainage
- there needs to be a balance between more affordable homes, cheap food, cheap water and the provision of aspirations, such as universal wild swimming
- the proposals for an update of Guidance on storm overflows should be based on contemporary 2018 Guidance and not still draft 1997 Guidance on implementation of the Urban Waste Water Treatment Directive Regulations (not found in the public domain)
- the suggestions, made by the WCWC for an overarching strategy, as set out in the August edition of this Overview, be addressed urgently. Bearing in mind time scales, this might be incorporated into the responses to the consultation on River Basin Planning
- the Water Commission might take account of these matters to set the review of the water utility sector into proper context
- the complexity of the timelines needs greater understanding and explanation of the complexity of dates affecting the execution of AMP8 and the preparation of PR29 and AMP 9

14 It often seems that water conservation is driven by developments which are ‘not seeing the wood for the trees.’ The question is now often asked; what has gone wrong with water? One answer, in part, is that there is not a consistent ‘drum beat’ for all the processes of change. Greater clarity and harmony is needed.

CONTRIBUTIONS SINCE AUGUST 2024

Planning .. the Framework

15 A major issue since the election of the new Government has been the commitment to growth and, in particular to more housing, the target being 1.5 million new homes by 2029. The WCWC has asked how the impact of this on water conservation this can be reconciled with the commitment to 'sort out water.'

16 In the Autumn of 2024 the Ministry consulted on a revision of the National Planning Policy Planning Framework NPPF. Whilst the WCWC understood that this was necessary to resolve the nexus of issues around the delivery of the Government's housing targets and aspirations for improved water conservation, the WCWC expressed concern in its response that the proposed revisions did not address this fully and, indeed, there were substantial changes needed to update the supporting guidance on water matters. For example, like the recent concerns expressed by many organisations, such as Ofwat and the ICE, the WCWC has expressed concern that that the long-promised introduction of mandatory sustainable drainage systems, was not included. The supporting reference to this in the NPPF is many years of date.

'Serious cause for concern': Water experts react to lack of mandatory SuDS regulation adoption | New Civil Engineer,

17 The WCWC drew attention to its previous interventions on what an overarching strategy, based on a system of use and quality objectives, could look like, and advocated the inclusion of this in a more formal system of catchment management as envisaged in the Water Plan. The WCWC was concerned for example in the oversimplified approach to the recycling of treated sewage effluents.

18 The revised NPPF was published in December 2024

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

It did not address the issues identified by the WCWC.

Planning and Nature Recovery

19 However, at the same time, Defra and the Ministry of Housing, Communities and Local Government published a Working Paper on development and nature recovery. This ignored much of what is happening now in catchment management and proposed a new system of Delivery Plans and Delivery Bodies.

<https://www.gov.uk/government/publications/planning-reform-working-paper-development-and-nature-recovery>

20 The WCWC advocated that the way forward should be spent in refining the current approaches on catchments, certainly with respect to nutrients, and some of the ideas proposed could be incorporated into these. The WCWC expressed some concerns over the operation of the Nature Restoration Funds. And in January 2025, just as the WCWC was preparing to submit its response, it became aware that as part of the WISER consultation, the Environment Agency was minded to cease Catchment Nutrient Balancing, but will continue with catchment permitting .

EA set to withdraw “ineffective and unworkable” catchment nutrient balancing

21 No mention was made of these ideas in the Working Paper and the WISER consultation did not appear to be aware of what was being proposed in the Working Paper! The WCWC responded by saying that, to pick up some of the Government’s own words, the proposals in the Working Paper needed testing against the Environmental Principles Duty of the Environment Act 2021 and the Better Regulation Framework, ‘Planning to get Britain building and turn the tide on nature’s decline’ definitely. Whilst holistic management, catchments and outcomes over processes do, indeed matter, the new processes as set out, do not address these in an appropriate manner.

Planning and Industrial Strategy

22 The NPPF states that *it supports economic growth in key sectors, aligned with the Government’s industrial strategy and future local growth plans, including laboratories, gigafactories, datacentres, digital economies and freight and logistics – given their importance to our economic future.* This adds several other pieces to the patchwork. The WCWC questions whether or not the evolving Industrial Strategy addresses the needs of water conservation.

23 In October 2024, the Department of Business and Trade (DBT) published a Green Paper on the industrial strategy; the Consultation closed in November and the Government is now analysing the responses. Whilst the WCWC did not respond to that Consultation it had responded in the winter of 2023/24 on the role of water in growth to earlier consultations by the DBT and it hopes that what it said then will be relevant.

<https://www.gov.uk/government/consultations/invest-2035-the-uks-modern-industrial-strategy/invest-2035-the-uks-modern-industrial-strategy>

<https://www.gov.uk/government/consultations/invest-2035-the-uks-modern-industrial-strategy/invest-2035-the-uks-modern-industrial-strategy>

https://assets.publishing.service.gov.uk/media/670d394f3b919067bb48310c/invest-2035-the-uks-modern_industrial-strategy.pdf

24 It was stated by the Government that *In the coming months we will work with business, unions, experts and representative groups to develop the Industrial Strategy. In addition to the work of the Industrial Strategy Advisory Council we will be holding focused roundtables and conversations across the UK between now and Spring. We will work closely with regional, local and devolved government partners to build out local plans for growth aligned to the national Industrial Strategy*

framework. We want to hear from you and collaborate on the development of the Industrial Strategy. We want your views on how Government can go further to reduce costs to business and kick-start investment. We have published a Green Paper, available on GOV.UK, that will inform the Industrial Strategy's final shape and we welcome your input. Our trade and diplomatic network also stand ready to support and should you wish to engage further on the details of the Industrial Strategy please contact your local British High Commission, Embassy or Consulate. We will publish our Industrial Strategy and growth driving Sector Plans alongside the multi-year Spending Review in Spring 2025 and will continue to expedite its implementation through dedicated teams, working closely with the Industrial Strategy Advisory Council.

25 The WCWC is strongly of the view that water requires a sector plan and that there must be specific roundtables and conversations about the role of water in growth. As a specific example, the Government has highlighted its aspiration to be the world leader in Artificial Intelligence. As described earlier, the NPPF articulates the role of giga-factories.

<https://www.bclplaw.com/en-US/events-insights-news/proposed-planning-policy-for-data-centres-gigafactories-and-biotech-labs.html>

Planning and Water Resources

26 AI has huge demands for water resources, for cooling, as the WCWC has opined before. So these might predicate the location of such factories to water rich areas, even coastal areas which might help in coastal town recreation, yet another government policy.

<https://www.gov.uk/government/publications/future-of-seaside-towns-government-response-to-the-liaison-committee-report/future-of-seaside-towns-government-response-to-the-liaison-committee-report>

27 One way of coping will be to encourage water recycling perhaps in a more meaningful concept of this, than was set out in the rather simplistic concepts of the original NPPF consultation.

<https://insights.spans.co.in/innovative-approaches-to-sustainable-water-management-in-gigafactories-clu2p3xm1000rhc7xvew9k4p3/>

28 And this has cross connections to the National Water Resources Framework .

www.gov.uk/government/publications/meeting-our-future-water-needs-a-national-framework-for-water-resources/meeting-our-future-water-needs-a-national-framework-for-water-resources-accessible-summary

In December 2024 the Government announced that an update of the Framework would be made in the Spring 2025 having worked on the draft Plans.

<https://www.gov.uk/government/publications/a-review-of-englands-draft-regional-and-water-resources-management-plans/19b2f89b-e5ad-4387-afab-884c275437ee>

<https://wre.org.uk/wp-content/uploads/2025/01/WRE-Regional-Plan-2024-progress-report-final.pdf>

Bathing Waters

29 At the end of the year Defra consulted on a revision of the 2013 Bathing Water Regulations.

<https://consult.defra.gov.uk/water/bathing-water-reforms-consultation/>

This made some proposals which would increase the responsibilities for inland bathing water, in particular, without recognising the potential technical and cost implications. In its response the WCWC expressed concern that the Consultation did not put swimming in controlled waters into the context of risk and hazard management and drew analogy with health and safety legislation. The WCWC suggested the creation of the concept 'Health and Safety in Wild Swimming with Bathing Place Risk Assessment and Mitigation'. The WCWC is not the first body to make this kind of suggestion. There is no overall integrated strategy at present.

30 The WCWC was also dismayed that the 'line of sight' for achieving compliance with bathing water standards was with control of storm sewage overflows and not with agriculture and highway drainage discharges, which have significant effects on rivers. The WCWC warned that unless there is a holistic approach there is a risk that there will still be failures in designated bathing waters after the Storm Overflow Discharge Reduction Plan is complete. It is also concerned about the consequences of the drift towards a more universal demand for swimming in controlled waters. there needs to be a balance between more affordable homes, cheap food, cheap water and the provision of aspirations, such as universal wild swimming.

31 A good example of a lack of overall understanding was demonstrated by the concerns expressed about the promise by the Mayor of London to create "swimmable rivers" in the capital by 2034, must not encourage people to swim in the dangerous tides of the Thames.

<https://pla.co.uk/swimming-tidal-thames>

<https://www.standard.co.uk/news/london/sadiq-khan-swimmable-rivers-london-water-tidal-thames-dangerous-safety-b1203945.html>

Storm Overflows

32 To close the circle of consultations, in December 2024, Defra issued draft guidance on storm overflows which sought to base future guidance on an update of draft 1997 Guidance on the 1994 Urban Waste-Water Water Treatment Directive Regulations (which is not in the public domain) rather than the 2018 Guidance used by the Environment Agency on current permitting.

33 Furthermore, the Government added some technical measures to the Water (Special Measures) Bill going through Parliament at present, and these include provisions to make Event Duration Monitoring mandatory for Emergency Overflows.

Yet the current proposal does not mention these, while the 2018 Guidance does. The WCWC suggested that the focus should be on updating the current Guidance.

https://assets.publishing.service.gov.uk/media/673f55562ff787d4e01b0a25/Consultation_document_draft_information_and_guidance_on_storm_overflows.pdf

River Basin Management

34 Returning now to the 'big picture' the WCWC draws attention to its suggestion that it may well be that a more holistic approach may emerge from the current review of River Basin Plans. In November 2024 Defra launched a Consultation process on the review of river basin plans for December 2027 to be concluded by May 2025.

<https://www.gov.uk/government/consultations/river-basin-planning-working-together-2024>

35 The WCWC will respond. Whilst it does not have the resources to comment on the details of any plans, it does advocate an evolution of a national overarching strategy as set out. The Environment Agency has already set out some markers for that process.

<https://engageenvironmentagency.uk.engagementhq.com/river-basin-management-plans>

This refers to a number of delivery elements including the Catchment Based Approach (CaBA), which the WCWC has advocated in its thinkpiece produced for Defra.

36 The WCWC is also mindful of the review published by the Office of Environment Protection.

https://www.theoep.org.uk/sites/default/files/reports-files/A%20review%20of%20the%20implementation%20of%20River%20Basin%20Management%20Planning%20in%20England_Accessible.pdf

A major review of the framework for those Plans and even of the 2017 Water Framework Directive Regulations might offer a way forward. The Government has not yet published the review of the Environment Improvement Plan.

<https://www.gov.uk/government/news/government-launches-rapid-review-to-meet-environment-act-targets>

Water Commission

37 Finally, one big piece in the patchwork is the Water Commission. The WCWC made an early submission to it and suggested that before the functioning of the water utility sector could be addressed properly there was a need to create the

overarching strategy for the management of controlled waters to provide the framework from whence the objectives of that functioning could be defined. The Call for Evidence is expected in mid-February, but there is still no indication of whether the review by the Commission will include that. If it does not, there is a risk that its outcome could become just another piece, although very large piece, of the patchwork of policy and regulation. With the progress of time and the magnitude of the wider holistic approach that seems unlikely. In which case, if there must be a parallel overarching strategy produced urgently, as the WCWC has advocated, to act as the counterbalance to the Water Commission review outcomes. One way forward is to make the review of the framework of River Basin Plans more prominent, as advocated above.

Time-line

86 So this comes down to timings. The WCWC has attempted to pull dates together in a time line. The Government has already stated that the intention is to implement the outcomes of the Water Commission review by the end of this Parliament in mid-2029. This will be relevant to the determination of PR29 in December 2029, but that process is likely to start in mid-2027. AMP8 starts in April 2025 and there are already policy demands and proposed regulatory changes which will impact on that and the WCWC is uncertain as to what those impacts will be, and it suggests that clarity is needed. For example, the impact of the Government drive for growth with 1.5 million new homes by the end of the Parliament and its drives for new industries. It may be that the processes are robust enough to cope or that there will need to be a reset. Some of the other dates over the next five years will be relevant to PR29 and AMP9, and these must be sufficiently understood by mid-2027.

A plea for holistic clarity

39 The WCWC wishes to be clear that none of its members are involved in the day to day details of policy development or practical execution, and it may well be that people who do such work understand the fit of all the pieces, but what is placed in the public domain does not provide coherent insight. The WCWC is an 'informed mystery shopper' of the processes and if it cannot put all the pieces together, then it is likely that other outsiders might not understand either and this might explain some of the misunderstanding in the public domain.