



North Kesteven
DISTRICT COUNCIL

David Black
Chief Executive
Ofwat
Centre City Tower
7 Hill Street
Birmingham
B5 4UA

By Email only

11 May 2023

Dear Mr Black,

Strategic regional water resource solution: gate two draft decision for Anglian Water for the South Lincolnshire Reservoir

Thank you for the opportunity to respond on behalf of North Kesteven District Council to the draft Gate 2 decision for the South Lincolnshire Reservoir.

The proposed reservoir sits entirely within the administrative boundary of the district and we recognise that it represents an important piece of water infrastructure that will have a range of both positive and negative impacts upon the residents of, businesses within and visitors to the district and wider county, as well as having environmental consequences. To this end, Council Officers have proactively engaged with Anglian Water in the process in order to inform, influence and shape the project in the interests of local communities, the environment and to seek to ensure that, if the project does come to fruition, that we can seek to minimise the impacts of the development whilst maximising the potential benefits.

The invitation for Anglian Water (with Affinity Water's involvement in the project coming to an end) to progress to Gate 3 and the preparation of detailed designs and documentation to support the pre-application requirements for an NSIP is noted. The Council anticipate and welcome our continued engagement in the programme of work in terms of both the requirements for the project to address the requirements of RAPID as well as the NSIP process.

Turning to the recommendations listed on page 23 of the relevant draft decision, we would offer the following comments and welcome their inclusion in the final decision:

Recommendation 1:

Anglian Water's decision to undertake a non-statutory consultation last Autumn was supported by this Council; indeed, we worked closely and proactively with Anglian Water to set out our views on the scope and requirements of the consultation,

including the addition of further face-to-face consultation events. We are pleased to note that Anglian Water responded positively to our engagement with them.

However, whilst we note that Anglian Water has produced a consultation response report, we are disappointed that this does not provide full access to the representations made nor does it provide a sufficiently detailed appraisal of key issues and their responses.

We therefore agree with the aims of your recommendation 1 but would suggest the requirements be made more explicit. For the sake of transparency and openness the database of representations needs to be made publicly available (within the bounds of the management requirements for personal data) and that a more detailed analysis of the key issues and responses is published. In this way there is greater certainty and transparency in the way respondents, stakeholders, partners and the project team can demonstrate how and why specific representations are being addressed. A useful parallel can be drawn in this respect to the processes that govern plan-making for local authorities where all duly made representations are available and it is incumbent on the plan-making body to distil the key issues and clearly show how each issue is being addressed.

Recommendation 4:

The need to include reference the 'systems work' is noted. The Council has been engaged in the discussions on systems and note the benefits that can be secured, particularly in accessing investment from beyond the promoter and public sector, for example the increasing access to and availability of institutional green investment portfolios.

However, whilst accessing alternative investment opportunities is supported and could realise wider systems benefits for the development and wider geography, it is an inescapable principle of the planning system that the developer that causes a negative impact should seek to mitigate that impact ie. the developer pays principle. There is therefore a reasoned expectation and obligation for Anglian Water to directly fund the development and mitigate its impact, including measures on and off-site to deliver measurable benefits and safeguards for the local community.

The opportunity to invest in wider systems to secure benefits is welcome, and there will no doubt be synergies with the need to invest in mitigating the reservoir project, but this systems work is not a substitute for the reasoned expectation that Anglian Water invests appropriately in directly mitigating their development.

Recommendation 6:

This recommendation is fully supported since it serves a function to ensure measurable biodiversity net gain can be achieved.



Recommendation 7:

The scale of the reservoir in terms of creating the embankments and their crest height in a gently undulating landscape (where it appears the crests of the embankments will be likely to form and/or compete with the existing highest ground hereabouts) will produce a pronounced and irreversible change to the character and amenity of the local landscape and how it interacts with landscape character, the historic settlements and built heritage. There will be a high degree of permanent change that needs to be thoroughly assessed and where mitigations are delivered both on and off-site. There is we accept a dichotomy between an engineered embankment and a more natural environment that benefits from trees and hedgerows, nonetheless a key challenge for the designers will be in striking an appropriate balance between engineering needs and successfully integrating and assimilating the embankments into the environment. To some extent here the challenge is to the engineering principles as a bald crest devoid of trees and landscaping features such as hedges is likely to fail to integrate successfully given these will become the most prominent parts of the landscape.

In this context the emphasis in this recommendation is full supported and the Council welcomes the role prescribed for us as local planning authority.

Action 4 (page 21):

Support is offered to this action. The option for open channel transfer, rather than piping the water from the River Witham, offers numerous biodiversity and ecology benefits as well as wider recreational opportunities. It is right that these opportunities and issues are explored in detail.

Again, the Council is grateful of the opportunity to comment on the draft Gate 2 decision and welcomes further engagement with you to clarify all or any of the matters raised.

Yours sincerely,

Mark Williets
Development Manager