

Consultation Details

This document can be made available in a range of alternative formats. Please contact us with your requirements.

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If you require any technical clarification on any of the documents please also use these contact details.

How to respond

The consultation will run for nine weeks to 27 September 2019. Please send any representations to the Department for Infrastructure (Dfi), who will review these before sending them to NI Water for comment. If you wish to make representations on the draft Plan or supporting documents please do so by 27 September 2019 using the below contact details:

Email: waterpolicy@infrastructure-ni.gov.uk

Eddie Dobbin
Water Resource & Supply Resilience Plan Response
Department for Infrastructure
Room 1-20
Clarence Court
10-18 Adelaide Street
Belfast BT2 8GB

The information you provide in your response to this consultation, excluding personal information, may be published or disclosed in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004 (EIR).

If you want the information that you provide to be treated as confidential, please tell us why, but be aware that, under the FOIA, we cannot guarantee confidentiality.

For information regarding your personal data, please refer to the Dfi Privacy Notice at <https://www.infrastructure-ni.gov.uk/dfi-privacy>.

For further details on confidentiality, the FOIA and the EIR please refer to <https://www.ico.org.uk>

Notes

The draft Plan is based on best practice and technical guidance in the industry.

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NI Water has not excluded any information from the draft Plan for either commercial confidentiality or for national security interests under Article 71(10) of the Water & Sewerage Services (Northern Ireland) Order 2006.

The Water and Sewerage Services Act (Northern Ireland) 2016, permits NI Water to combine the Water Resource Management Plan and the Drought Plan in a Water Resource & Supply Resilience Plan (WR&SR Plan).

Freedom of Information 2000 & the Environmental Information Regulations [EIRs] 2004

Following the consultation period, once all the comments have been reviewed and addressed as appropriate, NI Water will publish a summary of the consultation responses. Your response, with your personal details extracted or redacted (in line with the requirements of the Data Protection Act 2018 and General Data Protection Regulation) under Section 40 of the Act or Regulation 13 of the EIR, (as appropriate), may be disclosed on request. NI Water/ The Department can refuse to disclose information only in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right to request any non-personal, non-environmental, recorded information held by a public authority, including NI Water and the Department in this case.

The Environmental Information Regulations 2004 extends this right of request to “[environmental information](#)” for example, information about land development, pollution levels, energy production, and waste management.

This right of access to information, subject to exemption or exception, includes information provided in response to a consultation. NI Water/the Department cannot automatically consider as non-disclosable information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, should be made public or treated as non-disclosable.

This means that information provided by you in response to the consultation is unlikely to be treated as exempt from release to the wider public domain, except in very particular circumstances.

The Lord Chancellor’s Code of Practice on the Freedom of Information Act provides that:

- NI Water/the Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the NI Water / Department’s functions and it would not otherwise be provided;
- NI Water/the Department should not agree to hold information received from third parties ‘in confidence’ which is not confidential in nature;
- Acceptance by NI Water/the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses, please contact the

Information Commissioner’s Office at:

Information Commissioner’s Office – Northern Ireland

3rd Floor

14 Cromac Place

Belfast

BT7 2JB

Tel: (028) 90278757 / 0303 123 1114

Email: ni@ico.org.uk

Website: <https://ico.org.uk/about-the-ico/who-we-are/northern-ireland-office/>

Non-Technical Summary

Introduction

Northern Ireland Water (NI Water) aims to have a secure, resilient water supply network that will provide protection against drought and emergency situations. NI Water is required under the Water and Sewerage Services Act (NI) 2016, which amends the 2006 Order, to produce a Water Resource Management Plan on a maximum of a six yearly basis and a Drought Plan on a 3 yearly basis. This is achieved through the preparation of an overarching Water Resource and Supply Resilience Plan (hereafter referred to as 'the Plan' or WR&SR Plan) in line with the Price Control period (PC15 – 2015 to 2021¹).

For the purposes of the Plan, Northern Ireland was split up into 7 Water Resource Zones (WRZ). Early assessment of the supply demand balance for the WR&SR Plan identified that there were likely to be two WRZs with supply demand deficits which were West WRZ, and South WRZ. Therefore, a range of water resource options identified were developed with the aim of balancing the supply and demand for the two potential deficit zones. Alongside the development of the Plan options, a variety of resilience options were identified with the aim of increasing the resilience of Northern Ireland's water assets. From this list, 5 options were recommended for further consideration by NI Water during the plan period.

The Water Resource Zones are illustrated in the Figure 1 below.

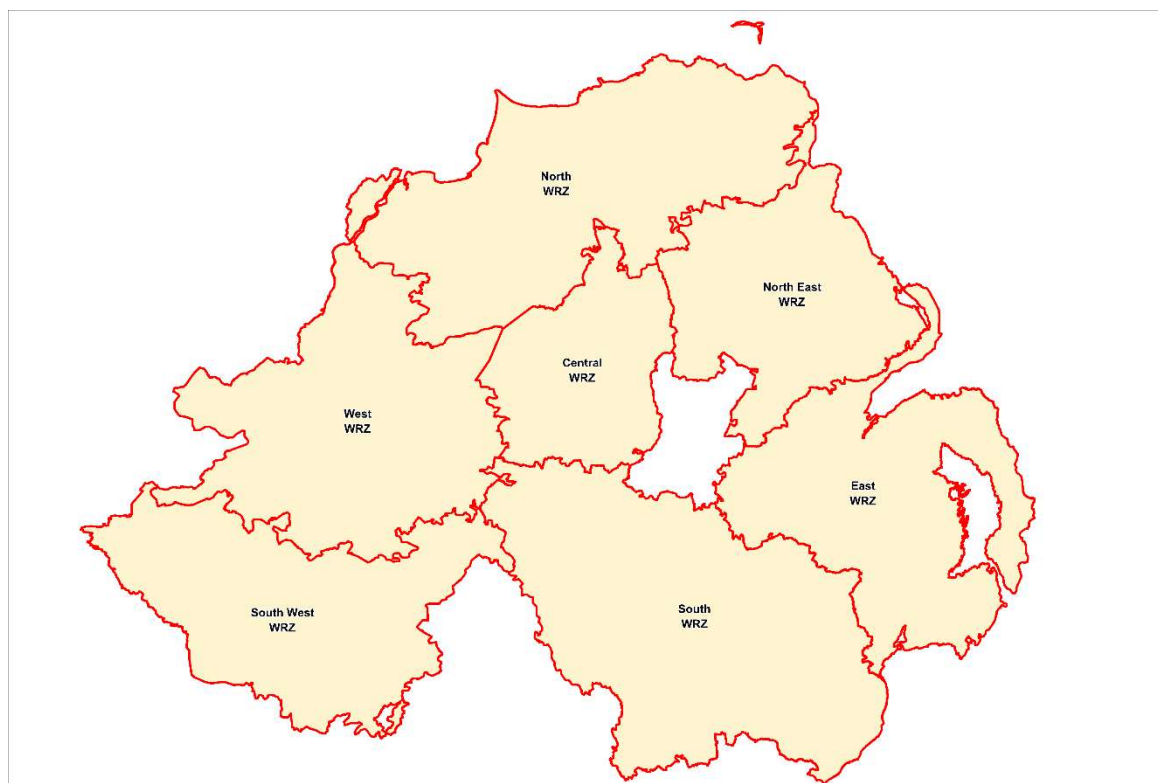


Figure 1: Water Resource Zone Boundaries

SEA Scoping Process

As the plan has the potential to result in significant environmental effects it requires a Strategic Environmental Assessment under European SEA Directive (2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) (SI 1633 2004). The Strategic Environmental Assessment is an iterative process for assessing the impacts of a plan or programme on the environment against the baseline situation.

¹ The price control agreement between NI Water and the Utility Regulator for this business plan 2015-2021.

The first stage of the SEA process was to determine scope of the assessment. This was defined following an assessment of the ‘baseline situation’ in Northern Ireland. This involved a review of the current environmental and social conditions and issues that could likely develop in the future in the absence of the WR&SR Plan. The scoping process identified the key environmental issues within each WRZ.

Key Environmental Issues

- **Water Quality and Quantity of surface and groundwater bodies:** any option must not lead to detrimental change in the WFD status of a water body and take into account objectives for improving their status. Increased abstractions could affect habitats that depend on certain water levels and quality.
- **Statutory and non-statutory designations:** A number of designations were identified within close proximity to potential plan options; AONB's, Natura 2000 sites, Scheduled Monuments, Listed Buildings, Battlesites, Ancient Woodlands, Historic Parks and Gardens and Areas of Archaeological Interest or Special Archaeological Interest.
- **Tourism, recreation and landscape areas:** Tourism and recreation are important for the local economy. Water quality and quantity are important aspects for the River Derg, Lough Erne and Lough Neagh as very popular tourist locations; popular activities include canoeing, kayaking, golfing, fishing and walking trails. Landscape quality and visual amenity are also important aspects behind the popularity of these locations.

A review of international, national, regional and local legislation Plans, Policies and Programmes (PPPs) relevant to the development of the SEA and the WR&SR Plan was undertaken to identify the commitments and policies in place to protect the environment and communities. From the key issues and policies identified, a list of SEA objectives was defined, as illustrated in the table below.

SEA Objectives

SEA Theme	Objective
Population, Economy and Human Health	1. To protect public health and promote wellbeing and avoid disadvantaging any group or area. 2. To protect and enhance recreational amenity and public access. 3. To contribute to raising awareness of water conservation.
Tourism and Recreation	4. To protect and enhance recreation and amenity facilities.
Material Assets	5. To avoid conflict with strategic infrastructure, and support viable land use, businesses and sustainable resource use.
Biodiversity, Flora and Fauna	6. To protect and enhance aquatic and terrestrial biodiversity including statutory and non-statutory sites, protected species, fisheries and priority habitats.
Landscape, Townscape and Visual Amenity	7. To maintain and enhance valued landscape character and visual amenity.
Climate	8. To minimise the carbon footprint of the Company. 9. To contribute to climate change adaptability of the environment and resilience for water supply.
Water Environment	10. To protect and improve surface water and groundwater body status; including water quality and quantity. 11. Ensure sustainable levels of surface water and groundwater abstraction.
Cultural Heritage and Archaeology	12. To conserve and enhance buildings, sites and features of archaeological and historic interest and their settings.
Geology and Soils	13. To protect and enhance soil quality and avoid conflict with identified mineral resources and ASSI's.
Sustainability Issues	14. To ensure resilience to natural events such as droughts, flood events and freeze/ thaw. 15. To minimise the risk of flooding taking account of climate change.

SEA informing the WR&SR Plan development

The Environmental Assessment was integrated into the development of the plan throughout the process from the start of the options selection and appraisal process. Initially 52 water resource options were identified, and following the screening process, 23 options were selected as potential feasible options for the Plan. The option numbers were reduced largely due to removal of options considered as high risk for environmental impacts but also for reasons such as water availability, technical suitability, and promotability. The 23 options comprised nine water resource options and 14 demand management options.

The 23 feasible options were taken forward for further development and were assessed in more detail against the SEA objectives to identify potential significant effects and mitigation requirements. An overall environmental risk category was determined for each option and this was taken into account in identifying the potential groups of options for the plan or 'plan scenarios'. This environmental assessment fed into the multi-criteria analysis used along with the results of the Economic Balance of Supply and Demand (EBSD) modelling to identify the Preferred Plan.

Additional assessments of the individual options and Preferred Plan were undertaken to support the SEA and to meet specific regulatory or policy requirements; including Habitats Regulation Assessment (HRA), Water Framework Directive (WFD) Assessment, Equalities Impact Assessment (EQIA) including Human Rights Assessment, Regulatory Impact Assessment (RIA) and Rural Proofing Assessment.

Habitats Regulation Assessment

HRA has been undertaken on the draft Plan as part of the requirement to avoid significant adverse effects on European sites. A high level HRA stage 1 screening assessment was undertaken to identify potential likely significant effects on European sites. Four options from the Preferred Plan and the drought plan were screened in as requiring Stage 2 Appropriate Assessment as likely significant effect on European sites could not be ruled out. HRA may still be required on some options at the project development stage as part of obtaining the required planning consents or determining permitted development and Drought Orders.

Water Framework Directive Assessment

The WFD assessment included a review of the existing ecological status associated with the relevant water bodies and compared this to site specific information about the options proposed. The assessment concluded that the final WR&SR Plan is unlikely to lead to deterioration in ecological status of waterbodies but identified that there is considerable uncertainty surrounding the specific options for this plan level assessment. Further assessment is recommended during option design development to understand the potential risks to ecological status. All options taken forward would need further study to inform design and planning approvals. Figure 2a illustrates the Preferred Plan options within the context of the main river catchment areas in Northern Ireland and Figure 2b the Resilience options.

Other Assessments

The EQIA determined that no vulnerable groups or Human Rights would be affected and that the Plan had the potential to benefit everyone in Northern Ireland. The RIA determined that there would be no major direct or indirect impacts on the wider economy or customers. Drought Plan issues with hosepipe restrictions on car washes, farms, and other businesses were considered within the assessment and potential mitigation measures identified to ensure that impacts on specific groups would be avoided through application of appropriate communication plans, consultation and use of exemptions. Overall the Plan was assessed as providing benefits to the economy and business through supporting security of water supply. The Rural Proofing Assessment concluded that rural areas would not be disproportionately affected by the Plan and that all regional and local areas had the potential to benefit from the plan.

SEA informing the assessment of Resilience Options

The resilience options considered were assessed using the same SEA methodology as the water resource options to identify potential significant effects and mitigation measures required to inform selection and implementation of these options. Ten options were selected for further consideration to

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provide supply resilience. After further multi-criteria assessment, five options were proposed for consideration by NI Water during the plan period.

Preferred Plan

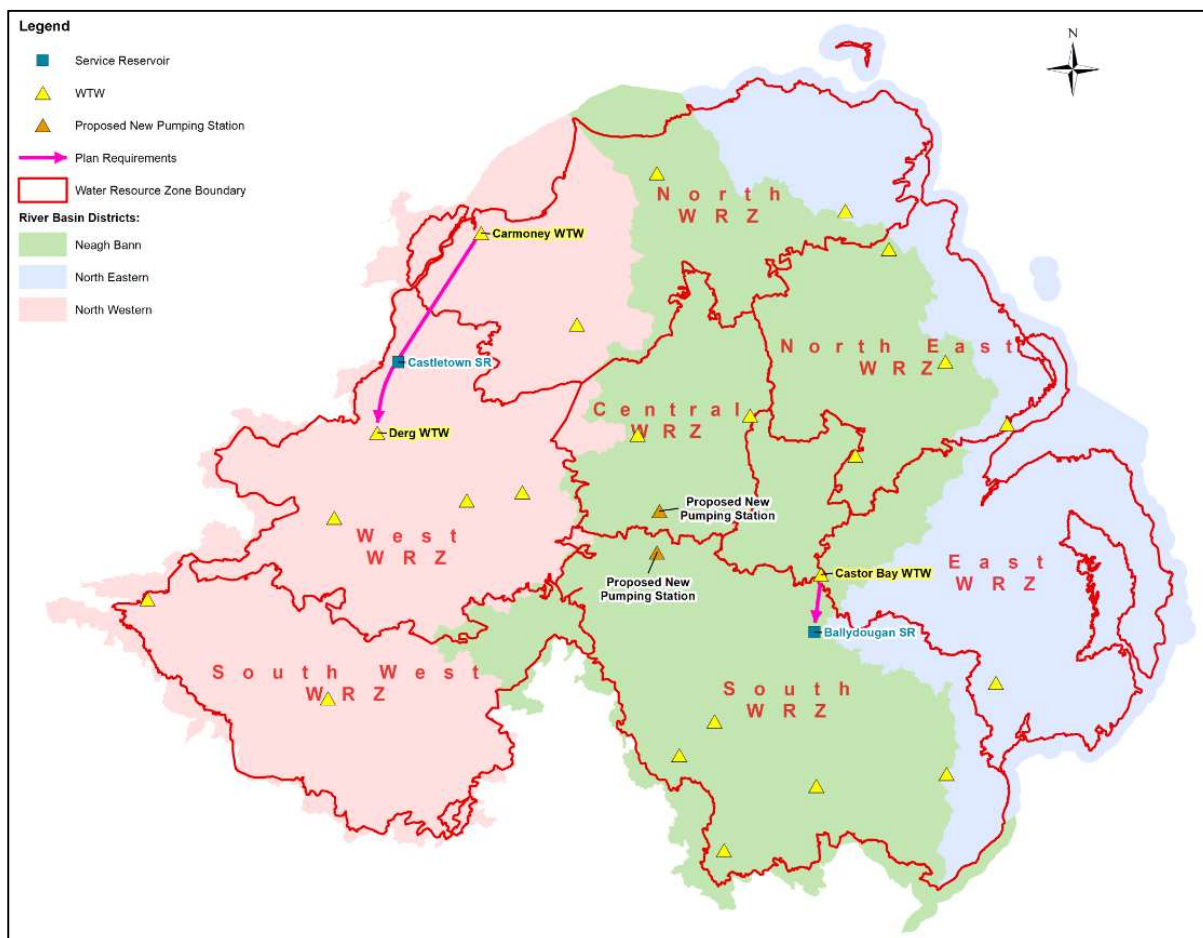


Figure 2a: Preferred Plan Options and the River Catchments

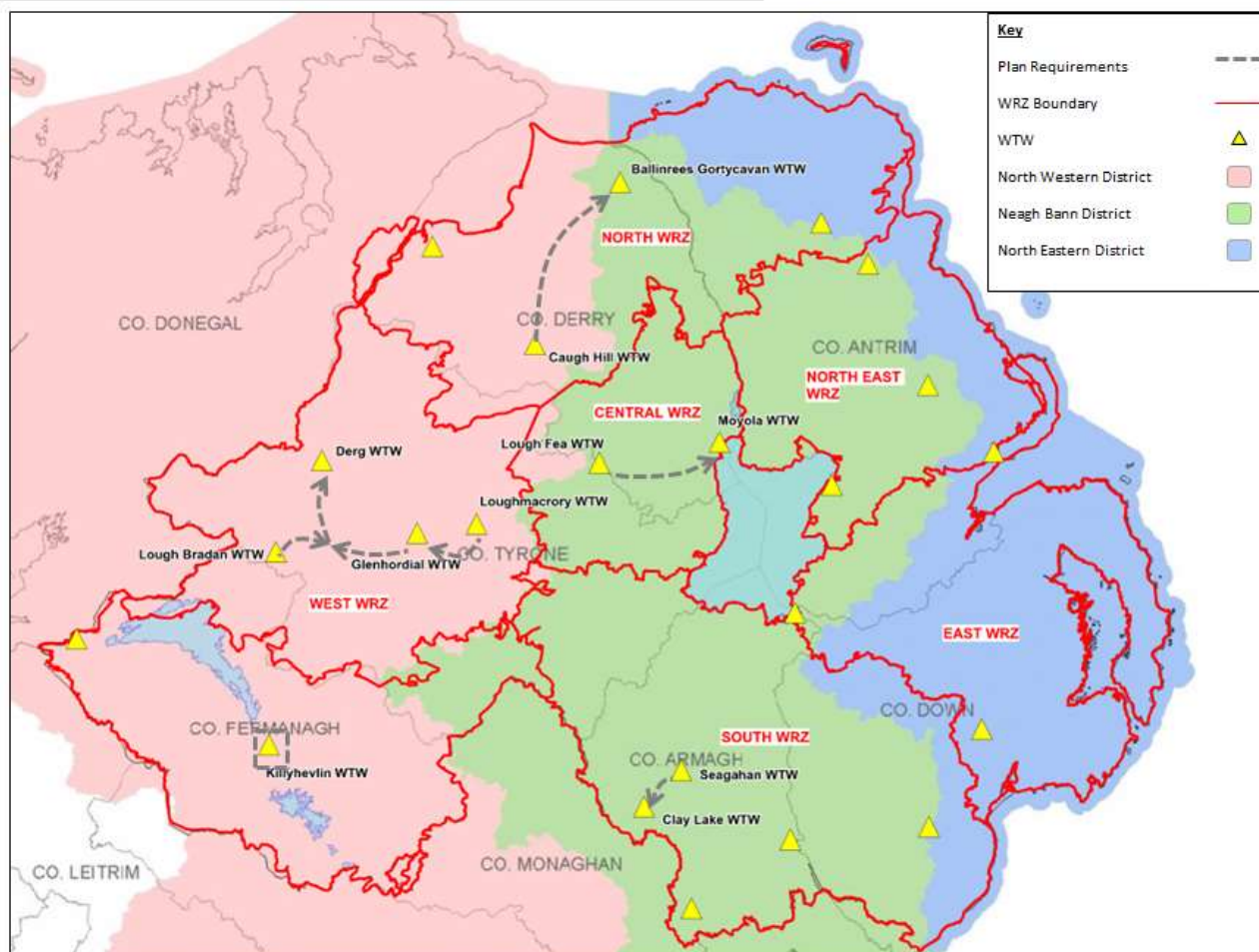


Figure 2b: Resilience Options and the River Catchments

The Preferred Plan includes a range of demand management measures and treated water transfers which are aimed at tackling the predicted future supply demand deficit during critical dry periods. The plan includes a package of demand management options which provide largely positive long term effects through water and energy savings. These measures also provide potential for raising water conservation awareness.

The treated water pipeline options have the potential for construction impacts on biodiversity, the water environment, landscape and cause traffic disruption but with adequate routing and construction management these can be reduced to short term moderate to minor effects. Long-term significant effects can be avoided through appropriate investigation informing design and construction and ensuring high quality of reinstatement to, for example, avoid long term landscape impacts and prevent net habitat loss.

One resilience option involves upgrades to a water treatment works (WTW). However the impacts are largely limited to local construction disturbance. Other resilience options involve either treated water pipelines to allow water to be distributed to higher demand areas, or provision of additional pumping stations.

The assessment of the Drought Plan identified that potential impacts from demand management measures on some groups and business are expected to be avoided through the application of industry guidance on the drought management process, including the development of a communications plan and the use of appropriate exemptions and consultation on specific proposals. The Drought Plan has potential to include measures such as increased abstraction from existing sources or reduction in compensation flows from reservoirs in some drought conditions. The risk to international and national nature conservation designated sites and their qualifying species would need to be assessed for specific measure locations. HRA is likely to be required as part of this, to determine if there are any likely significant adverse effects on European or International sites and if

needed further appropriate assessment and mitigation measures may be required. These assessments are recommended to be undertaken in advance of any drought orders being required with the commitment that in the case that adverse significant effects were identified and could not be avoided through mitigation, alternative drought order options would be employed.

Cumulative Effects

Potential cumulative effects of in-combination impacts for the Plan were assessed. Potential impacts included options which would be constructed over the same period, within the same river catchment, impacting the same designation, waterbody or road.

Mitigation

The SEA identified a range of mitigation measures and recommendations for further study to reduce the potential impacts of the Plan and ensure contribution to meeting objectives to improve supply and environmental resilience. The key mitigation measures are:

- the application of good practice and adherence to guidelines on development to avoid impacts on designated sites and non-designated interest; and
- to take account of potential impacts of construction works on habitat connectivity and wetlands and make provision for reinstatement ensuring no net loss of habitat.

The SEA identifies a proposed monitoring and management plan which identifies potential to include wider measures to support resilience such as through targeted catchment management and early investigation of sustainable abstraction reduction risk. An SEA monitoring plan and environmental action plan has been developed to provide a basis for feedback on performance for future WR&SR Plans.

Further Information

Further information on the plan can be obtained directly from NI Water using the contact details below:

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Asset Strategy
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Consultation

Comments and views on the SEA Scoping Report have been taken into account. Actions and responses are detailed within this report. Comments on this Environmental Report are welcome and will be used to inform the final WR&SR Plan.

Legislation requires that consultation response on the WR&SR Plan should be sent to the Department for Infrastructure (DfI) who will then pass these on to NI Water to assess. Consultation responses should therefore be sent to:

Water Resource & Supply Resilience Plan
Water & Drainage Policy Division
Department for Infrastructure
Room 1-22
Clarence Court
Belfast
BT2 8GB
waterpolicy@infrastructure-ni.gov.uk