



Dee Valley Water: Draft Water Resources Management Plan – Habitats Regulation Assessment

Stage 1 Screening Assessment

Report for Dee Valley Water

Customer:

Dee Valley Water

Customer reference:

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Table of Contents

1	Introduction.....	3
1.1	Background	3
1.2	Dee Valley Water's Operational Region.....	3
1.3	Purpose of the HRA	5
1.4	Dee Valley Water WRMP	6
2	Methodology	6
3	HRA Screening Results	9
3.1	Potential Effects of the Draft WRMP 2017	9
3.2	Potential In-Combination Effects of the Plan.....	9
4	Consultation.....	9

1 Introduction

1.1 Background

All water companies in England and Wales are required to produce a Water Resources Management Plan (WRMP) every five years. The Plan sets out how the company intends to maintain the balance between supply and demand for water over the next 25-year planning horizon in order to ensure security of supply in each of the water resource zones making up its supply area.

A water company must ensure its WRMP meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended), hereafter referred to as the 'Habitats Regulations', before implementation. Under the Habitats Regulations, any plan or project which is likely to have a significant effect on a European designated site (either alone or in combination with other plans or projects) and is not directly connected with, or necessary for the management of the site, must be subject to a Habitats Regulations Assessment (HRA) to determine the implications for the site in view of its conservation objectives.

Both the '*Strategic Environmental Assessment and Habitat Regulations Assessment - Guidance for Water Resources Management Plans and Drought Plans*'¹ and 2016 *Final Water Resources Planning Guideline*² (WRPG) '*Water Resources Planning Guideline*'³ recommend that all WRMPs should be subject to the first stage of HRA, i.e. screening for likely significant effects. Dee Valley Water has prepared a draft WRMP 2019 (dWRMP19) covering over the 25-year planning period from 2020 to 2045. A Habitats Regulations Assessment has been prepared to accompany the publication of the dWRMP19 as set out in this report.

1.2 Dee Valley Water – Water Resource Planning

1.2.1 Dee Valley Water's Supply Area

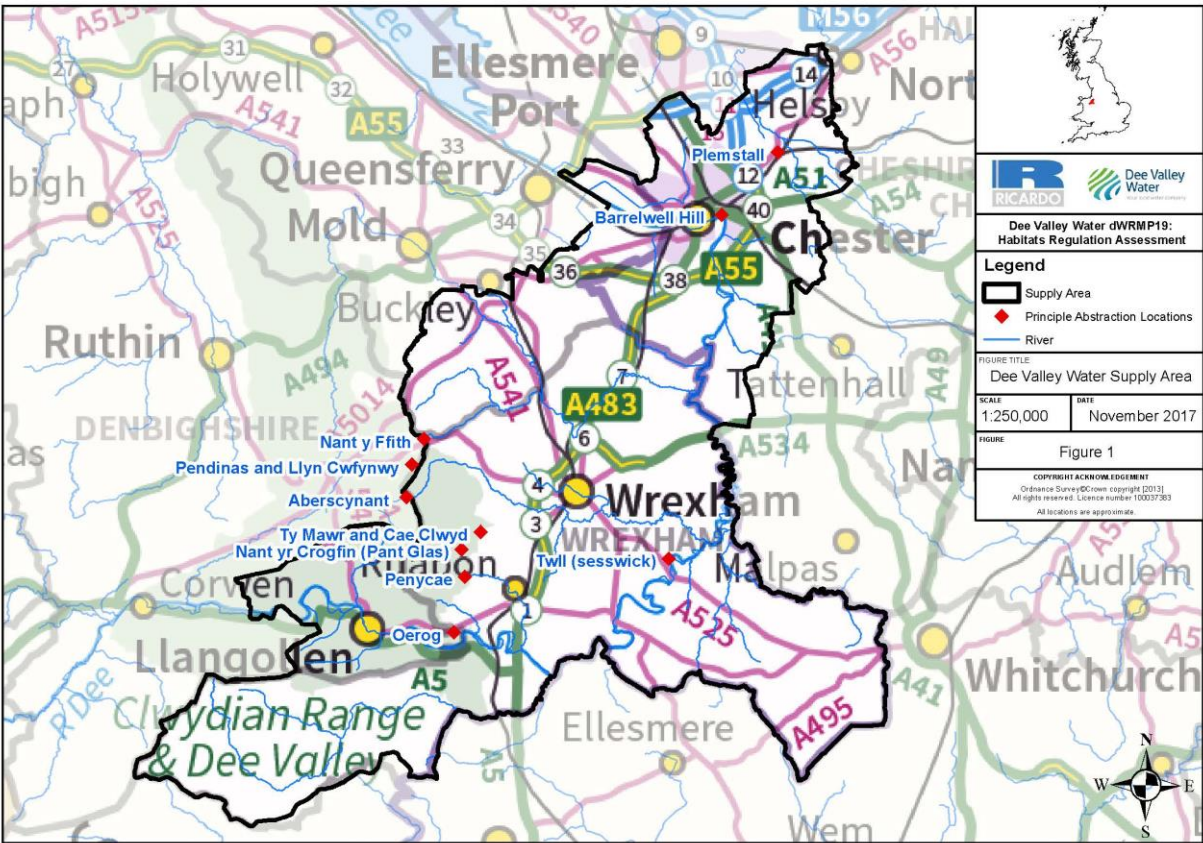
Dee Valley Water's supply area covers most of north-east Wales and the Chester City area, as shown in **Figure 1**.

¹ UKWIR (2012) Strategic Environmental Assessment and Habitats Regulations Assessments - Guidance for Water Resources Management Plans and Drought Plans (WR/02/A).

² Defra, Welsh Government, Ofwat, Environment Agency, Natural Resources Wales (2016) Final Water Resources Planning Guideline.

³ EA, Ofwat, Defra and the Welsh Government (June 2012) Water resources planning guideline: The guiding principles for developing a Water Resources Management Plan.

Figure 1 Dee Valley Water Supply Area



1.2.2 Background, Legislation, Policy and Guidance

Water Companies in England and Wales are required to produce a WRMP every five years. The Dee Valley Water dWRMP19 plan sets out how Dee Valley Water intends to maintain the balance between supply and demand for water over the 25-year period (2020-2045) in order to ensure security of supply for its customers.

The Water Resources Planning Guideline (WRPG) advises that water companies should consider the environmental and social effects (beneficial and adverse) of the options considered for balancing supply and demand, and the effects of the WRMP overall.

The WRPG states that water companies must carry out a Habitats Regulations Assessment of the WRMP.

1.2.3 Dee Valley Water Draft WRMP 2019

The dWRMP19 demonstrates how Dee Valley Water intends to meet the demand for water and protect the environment over the next 25 years planning period from 2020 to 2045. Over the 25 years which the plan covers, no supply deficit is forecast. The dWRMP 2019 will therefore include no new water supply schemes. However, although there is no supply deficit, Dee Valley Water has included demand management measures in its dWRMP19 to reflect customer expectations and government priorities.

These will include:

- An enhanced metering programme to help reduce per capita consumption that will see promotional campaigns to encourage the uptake of optional metering and the continuation of the change of occupier metering policy.
- Enhanced water efficiency services including bespoke home visits to provide behavioural advice and fit water saving devices, such as shower regulators and timers, for free, plus increased digital services enabling customers to better understand and track their water use. For non-household customers, water use audits and self-audit packs will be available on request.
- Leakage management and reduction delivered through the enhanced metering programme (it is easier to identify and fix leaks on properties with a meter), mains renewal and through innovation activities such as improved data analysis and new technologies.

The dWRMP19 also recognises the scope for water trading with other companies. New imports from other companies are not included in the dWRMP 2019 due to the forecast supply surplus and, although discussions with neighbouring companies regarding possible new exports have been ongoing during pre-consultation for the dWRMP 2019, no additional resources are proposed to provide any new bulk water transfers to other companies.

1.3 Purpose of the HRA

This report documents the first stage in the HRA process (Stage 1 Screening) of Dee Valley Water's dWRMP19. The HRA has been undertaken in accordance with currently available

guidance^{4,5,6,7,8,9,10,11} and is based on a precautionary approach as required under the Habitats Regulations.

The assessment refers to the likely significant effects of an option on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) (also known as Natura 2000 sites).

- SPAs are classified under the European Council Directive 'on the conservation of wild birds' (2009/147/EC; 'Birds Directive') for the protection of **wild birds and their habitats** (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).
- SACs are designated under the Habitats Directive and target particular **habitats** (Annex 1) **and/or species** (Annex II) identified as being of European importance.

Governments also expect potential SPAs (pSPAs), candidate SACs (cSACs), compensation habitat and Ramsar sites to be included within the assessment.

- Ramsar sites support **internationally important wetland habitats** and are listed under the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention, 1971).

For ease of reference through the HRA process, these designations will be collectively referred to as European sites, despite Ramsar designations being made at the international level.

The purpose of the screening stage is to determine whether any part of the plan in question (in this case the dWRMP19) is likely to have a significant effect on any European designated site. This is judged in terms of the implications of the plan for a site's conservation objectives, which relate to its 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated¹²). Significantly, HRA is based on a rigorous application of the precautionary principle. Where uncertainty or doubt remains, an impact should be assumed, triggering the requirement for Appropriate Assessment of that scheme.

The screening stage also must conclude whether any in-combination effects would result from the schemes within the plan itself, or from the plan in-combination with other plans and projects, and whether these would adversely affect the integrity of a European site.

2 Methodology

The objective of the HRA is to establish firstly whether schemes included in the dWRMP19 are likely to have a significant effect on European sites, and secondly, where a significant effect is likely, to determine through Appropriate Assessment, whether the plan (alone or in-combination with other plans and projects) would adversely affect the integrity of the European site(s).

⁴ European Commission Environment DG (2001) Assessment of plans and projects significantly affecting European Sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

⁵ Department for Communities and Local Government (DCLG) (2006) Planning for the Protection of European Sites. Guidance for Regional Spatial Strategies and Local Development Documents.

⁶ English Nature (1997) The Appropriate Assessment (Regulation 48) The Conservation (Natural Habitats &c) Regulations, 1994. Guidance Note HRGN1.

⁷ English Nature (1997) The Determination of Likely Significant Effect under The Conservation (Natural Habitats &c.) Regulations 1994. Guidance Note HRGN3.

⁸ Countryside Council for Wales (2012) Draft Guidance for Plan Making Authorities in Wales: The Appraisal of Plans Under the Habitats Regulation. Prepared by Tyldesley D.

⁹ Tyldesley, D. (2011) Assessing projects under the Habitats Directive: guidance for competent authorities. Report to the Countryside Council for Wales, Bangor

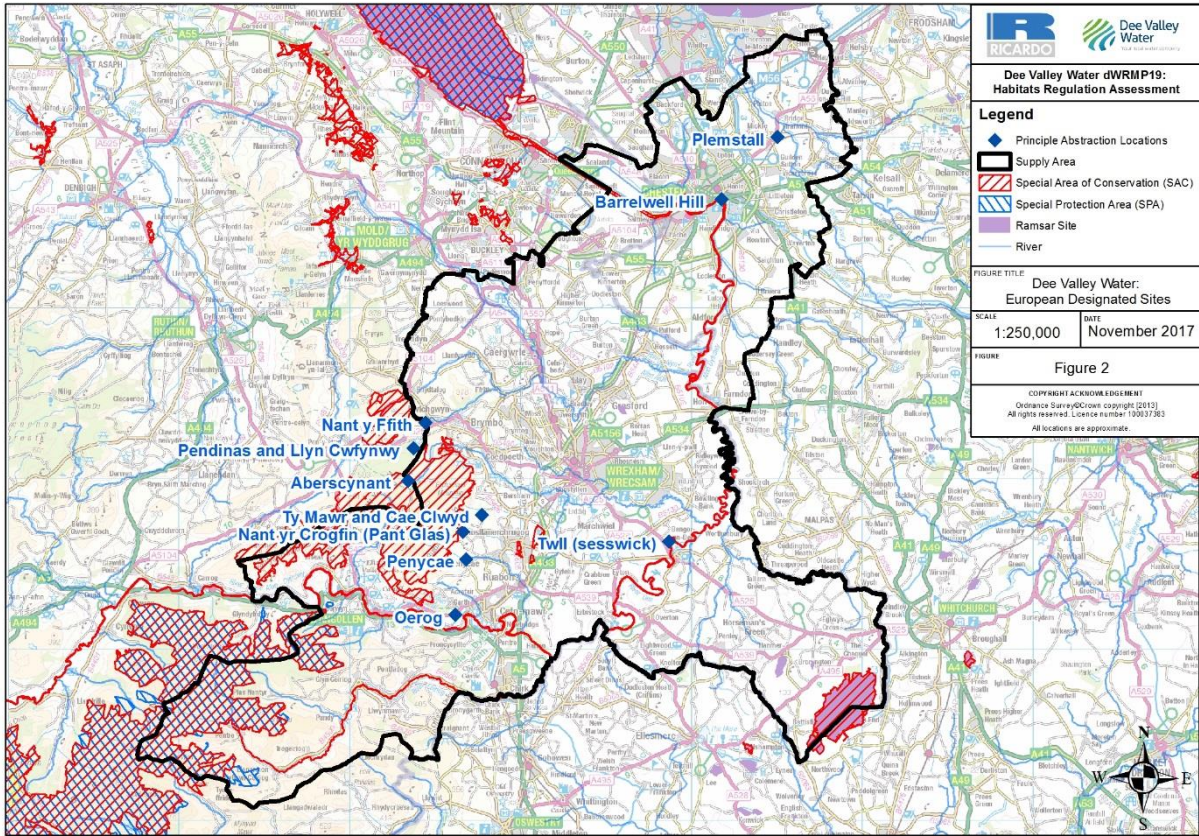
¹⁰ Defra (2012) The Habitats and Wild Birds Directives in England and its seas: Core guidance for developers, regulators & land/marine managers.

¹¹ Tyldesley, D. & Chapman, C. (2015) The Habitats Regulations Assessment Handbook. DTA Publications. Version 4.

¹² Annexes are contained within the relevant EC Directive.

Figure 2 illustrates the European designated sites within the Dee Valley Water water supply region.

Figure 2 European Designations in Dee Valley Water Supply Area



3 HRA Screening Results

3.1 Potential Effects of the dWRMP19

The qualifying habitats and species of European sites are vulnerable to a wide range of impacts, including:

- physical loss or damage of habitat;
- disturbance from noise, light, human presence and activities;
- changes in hydrology (e.g. changes in water levels, river flow, flooding, drought);
- changes in water or air quality;
- biological disturbance (e.g. direct mortality, introduction of disease or non-native species).

However, as a supply surplus has been forecast in the dWRMP19, the schemes considered for inclusion in the dWRMP 2019 include demand management schemes only (see Section 1.4). The demand management schemes are unlikely to have any adverse effects on European designated sites as they relate to measures which will not result in any new development and will help to reduce (or prevent increases to) water abstraction (e.g. reducing water leakage and reducing water consumption through household water metering and promotion of water efficiency measures). Any works required in relation to these demand-side schemes (e.g. leak repairs, installing water meters) are largely implemented within urban areas and of a scale that would not lead to likely significant effects on any European designated site.

It can therefore be concluded that Dee Valley Water's draft WRMP19 will have no likely significant effects on any European designated sites within or immediately adjacent to the supply area and therefore no Appropriate Assessment of the dWRMP19 is required.

3.2 Potential In-Combination Effects of the dWRMP19

No in-combination effects of the demand management schemes are likely with any other plan, programme or project.

4 Consultation

Dee Valley Water has undertaken the first stage in the HRA process, Screening, on its draft WRMP 2019. The screening concluded that no schemes would result in a likely significant effect (LSE). Natural England, Natural Resources Wales and the Environment Agency will now be consulted on the findings of this assessment.



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