



BAWAG Newsletter

September 2 2021

Foreword

By Steve Moncaster, Membership and Technical Advisor

While tricky harvesting conditions are keeping most members busy, the last few weeks have also seen progress with some key water related issues. We met with Defra to discuss the upcoming consultation on Environmental Permitting Regulations; worked with other abstractor groups, the NFU & ADA on the initial round of planning for the WRE regional plan and are currently working with affected abstractors on a response to proposals for reducing abstraction in the Ant valley. As summer turns to autumn, the results of these efforts will become clearer and should give us plenty to discuss in the membership meetings planned for October and November. Contents this month include:

- Committee & Membership meetings 2021/22
- Abstraction reform and the proposed new Environmental Permitting Regulations (EPR)
- Water resource and abstraction related events
- Ant Broads and Marshes update

If you have any queries or wish to share any other news, feel free to email (bawag@burefarm.co.uk) or ring me on 07710 60710. The next newsletter will be out in early November.

Regards

Steve

Committee & Membership meetings 2021/22

There will be a meeting of the Committee **Thursday 21st October** at 2pm. It will be held in the Boardroom at the AF Group Offices, Honingham Thorpe, Colton, Norwich, Norfolk NR9 5BZ.

Attendance can either be in person or via Teams and an agenda will be circulated nearer the time. Current suggestions include:

- Update on the National Framework for Water Resources
- Initial results from October/November members meetings
- Ant valley update
- Membership strategy
- Initial proposals for the AGM, to be held in February 2022

Abstraction reform & the proposed new Environmental Permitting Regulations (EPR) ~ notes from Defra circular

Following a decision to delay the move of water abstraction and impounding licensing into the EPR regime, due to the COVID-19 pandemic, Defra now plan to consult on the detail of the move in September 2021. **Abstraction and impounding licensing will move into the EPR regime in 2023.**

This move is part of a drive to modernise abstraction and impounding management; to streamline the overall environmental regulatory framework; and is one of the commitments in the Government's 2017 Water Abstraction Plan. The Abstraction Plan sets out how Government will reform water abstraction management over the coming years, to protect the environment and improve access to water. The move allows for further rationalisation and unification of regulations so that most environmental permissions fit under one legal framework. This is especially advantageous to the growing number of customers who hold more

than one legal permission with the Environment Agency and conduct multiple activities on the same site.

Defra is proposing to adopt the provisions of the EPR as far as possible for abstraction and impounding activities. However, some of the fundamental principles that protect abstractors and the environment are specific to water resources legislation and are not found in the existing EPR. As such, Defra is proposing to move parts of the existing legislation over into the EPR to keep those provisions which are essential to water resource management.

Defra is proposing that on the move into the EPR there will be no change to existing licences' rights, entitlements or conditions. Permits which are issued after the move to EPR will have different rights and EPR conditions. Abstractors who hold a time limited licence which expires after the move to EPR is implemented will need to apply for a permit upon expiry of the time limit, which will have different rights and EPR conditions.

Defra is inviting views on its proposals via a public consultation. The consultation will run for 12 weeks, and can be accessed at Defra - Citizen Space on launch in September. Licence holders and other stakeholders will be contacted to inform them of the consultation and how to take part prior to launch.

Water resource & abstraction related events

As well as the EPR consultation, we are aware of the following abstraction related events coming up in the next few weeks:

Water Resources East (WRE) regional water resource planning conference. WRE are offering a series of one-day meetings at the Moller Centre, Cambridge to help stakeholders participate in the regional water resource planning process. The dates are the Thursday 7th, Thursday 14th and Thursday 21st October 2021. An equivalent on-line event will be held on the Monday 18th October.

WRE local catchment focus workshops. WRE are also offering a series of catchment-based events for exploration of local water resource issues. For Norfolk abstractors these

include for the Cam & Ely Ouse catchment on Tuesday 5th October 2021 and for the Broadland, North West Norfolk and North Norfolk catchments on Thursday 4th November 2021.

BAWAG will be represented at both of these events & a briefing note will be issued in September to explain what we see as the critical issues. Feedback on this will be welcome ~ if there is any appetite for a members pre-meet to discuss issues raised in the briefing note please let me know.

Ants Broads and Marshes update

In the last few weeks, we have met with the affected abstractors, legal counsel and a Steering Group which has been convened by the Environment Agency (EA) to progress matters. The latter includes EA Board member Catherine Wright, Natural England (NE) Area Manager Hannah Thacker and NFU Deputy President Stuart Roberts. To support this group, a working or “delivery” group has also been formed. This will examine technical issues related to the changes which have been proposed and report on these. The Delivery Group starts work Thursday 8th September.

The current focus for BAWAG, the NFU and the affected abstractors is on finalising our legal strategy. This includes preparing a technical rebuttal to the arguments presented in the EAs “Closure Report”. In parallel, we have started to look at alternative options for meeting statutory environmental objectives in the Ant Valley. Our aim is to develop a plan for the short, medium and long-term which is environmentally & economically sustainable but involves less intervention than is currently planned. As part of this, we will also be identifying potential funding sources for any new infrastructure which is required.