Response form
‘Consultation on reserving water abstraction rights’

Consultation principles

We are running this consultation in accordance with the guidance set out in the government's Consultation Principles.

If you believe the consultation has not been run in accordance with the principles, please email consultation.enquiries@environment-agency.gov.uk.

Otherwise, for all other queries relating to this consultation, please email enquiries@environment-agency.gov.uk.

Ask for a copy of the Consultation document

Please contact our National Customer Contact Centre if you would like a printed version of the consultation document to be posted to you, details are as follows:

National Customer Contact Centre

Telephone: 03708 506 506

Minicom for the hard of hearing: 03702 422 549

Monday to Friday, 8am to 6pm

Returning your response

Your response to this consultation needs to be returned by **midnight on Monday 16 February 2026.**

We would like you to use this form if you are not submitting your response online. You can return it by email to wrnationalframework@environment-agency.gov.uk, with the subject header "Consultation: Reserving water abstraction rights". Please use this email address if you have any questions regarding this consultation.

You can return a physical copy of this form by post by sending it to the address below:

F.A.O "Reserving Water Abstraction Rights Consultation Team"
National Customer Contact Centre
PO Box 544
Rotherham
S60 1BY
United Kingdom

Privacy notice

We would like to keep you informed about the outcomes of the consultation. If you would like to receive an email acknowledging your response and telling you when we have published the consultation response document, please provide your email address with your response.

By giving us your email address, you consent for us to email you about the consultation. We will keep your details until we have notified you of the response document publication.

We will not share your details with any other third party without your clear and full consent, unless required to do so by law.

You can withdraw your consent to receive these emails at any time by contacting us at wrnationalframework@environment-agency.gov.uk.

Depending on the volume of responses we receive, we may use Copilot chat to assist with our analysis. In this case, all data will be anonymised, and Copilot will be used in full compliance with the Defra Group's M365 Copilot Chat Acceptable Use Policy.

The Environment Agency is the data controller for the personal data you provide. For more information on how we deal with your personal data please see our personal information charter on GOV.UK.

Please contact the Data Protection team at dataprotection@environment-agency.gov.uk for more information.

How we will use your information

After the consultation has closed, we will summarise the feedback in a consultation response document and make this publicly available on GOV.UK. We may include comments or quotes, unless you specifically request that we keep your response confidential.

We will not publish names of individuals who respond or personal data, but we will publish the name of the organisation for those responses made on behalf of organisations.

We will not respond individually to responses. If you have asked to be notified, we will contact you to let you know when the consultation response document is published.

In line with the Freedom of Information Act 2000, we may be required to publish your response to this consultation but will not include any personal information. If you have requested your response be kept confidential, we may still be required to provide a summary of it.

About you

Contacting you about your response

We welcome your views on our proposals. If you would like to receive emails acknowledging your response and/or telling you when we have published the consultation response document, please select from:

☑ yes, I would like to receive an email acknowledging my response

☑ yes, I would like to receive an email to let me know the consultation response document is published

If you have selected any of the above, please tell us your email address:

Email: marj.powner@gmail.com

Can we publish your response? We will not publish any personal information or parts of your response that will reveal your identity.

This is a required question, please select one of the following:

☑ Yes

☐ No

If you answered 'No', please tell us why below as we will need to understand this when responding to any Freedom of Information requests.

When we come to analyse the results of this consultation, it would help us to know if you are responding as an individual or on behalf of an organisation or group.

Please select from the following options:

☐ Responding as an individual (yourself, or on behalf of someone else)

☑ Responding on behalf of an organisation or group

☐ Other

If you're responding on behalf of an organisation or group, **please tell us the name of your organisation or group:**

Community Planning Alliance

If you selected 'Other', please specify**.**

_____

What sector do you represent?

☐Government and regulators
☐Environment
☐Agriculture and horticulture
☐Public water supply
☐Navigation
☐Recreation
☐Energy
☐Business
☐Industry
☑Other

If you selected 'Other', please tell us your sector**.**

The Community Planning Alliance is a national umbrella group for over 700 communities, all are campaigning against inappropriate development in their areas, and all disagree that decisions are being made in the 'public interest'. We have extensive knowledge and experience of the planning system, and our aims include seeking increased community participation, better environmental protections and the right homes and infrastructure in the right places.

Consultation questions

Related to Section 8 of the consultation document

Question 1. To what extent do you agree with the need to have a transparent approach which allows for water abstraction rights to be reserved?

Please choose one of the following:

☑ Strongly Agree
☐ Agree
☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Related to Section 9 of the consultation document

Question 2. To what extent do you agree with the expectation that the proposers of strategic schemes should apply for licenses early?

Please choose one of the following:

☑ Strongly Agree
☐ Agree
☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Question 3. To what extent do you agree that, for a public water supply scheme, the "need for water" is justified if it is included in a final Water Resources Management Plan, including in its adaptive pathways?

Please choose one of the following:

☐ Strongly Agree
☑ Agree
☐ Somewhat Agree
☐ Somewhat Disagree
☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Question 4. To what extent do you agree that, for a non-public water supply scheme, the "need for water" is justified if it is included in a strategic plan for the sector of water use?

Please choose one of the following:

- ☐ Strongly Agree
- ☐ Agree
- ☑ Somewhat Agree
- ☐ Somewhat Disagree
- ☐ Disagree
- ☐ Strongly Disagree
- ☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

There must be much better (and more visible/transparent) assessment and measurement of the 'need for water' in national infrastructure projects (particularly those that are not related to water capture and storage initiatives, such as dams, reservoirs or desalination plants).

Water is used in all types of construction, including for making concrete, controlling and suppressing dust, cleaning, specialised tasks like piling, drilling and hydro-demolition, landscaping and pond filling, and soakaway testing.

There must also be consideration of the harms to the water supply from national infrastructure projects, such as data centres, for example, or new or extended road schemes, which could lead to higher levels of water runoff, impacting existing riparian habitats and water courses.

The 'need for water' should be a core consideration in the business case for the project and in meaningful comparisons with alternative options. A detailed review of the 'need for water' in a new road scheme, for example, compared with the alternative of investing in significantly improved public transport, should result in more sustainable decision making.

Question 5. To what extent do you agree with our expectation that national critical infrastructure needs for all sectors of use should be identified and accounted for in strategic plans (such as Regional Energy Strategic Plans) which include an appraisal of options for meeting that need?

Please choose one of the following:

- ☑ Strongly Agree
- ☐ Agree
- ☐ Somewhat Agree
- ☐ Somewhat Disagree

☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

As with our response to question 4 above, the 'need for water' should be a core consideration in the business case for any initiatives and in meaningful comparisons with alternative options.

In the case of Regional Water Strategic Plans, for example, a detailed review of the 'need for water' should include both direct and indirect impacts of proposed initiatives. Whilst pylons, for example, do not have a direct impact on water supply or management for their operational use, water is a crucial resource for the construction phase and a key consideration in the environmental planning and management of the project, particularly for any proposals that may impact flood zones, flood defences, riparian habitats or watercourses (including in relation to runoff).

The necessity of initiatives that may impact water supply should also be a consideration to ensure zombie proposals (projects that are unlikely to be built or fully commissioned) do not distort requirements. Battery Energy Storage Systems (BESS), for example, are reportedly now oversupplied within the approved planning applications pipeline and there is a lack of capacity in the grid to accommodate the backlog[1]. Where BESS are in operational use, they should be included in a 'need for water' assessment due to safety concerns (BESS have a proclivity to combust, producing toxic fires and waste). BESS need access to significant water sources to ensure the fire service can tackle any incidents (which can be extensive, a BESS fire in Liverpool took 59 hours to extinguish[2]) and there is a risk of toxic waste water runoff.

Strategic planning could impact the opportunistic nature of requests seen in the NESO connections request queue, which is now having to be unwound due to the lack of a previous strategy.

Question 6. To what extent do you agree that the proposed framework provides adequate environmental safeguards?

Please choose one of the following:

☐ Strongly Agree
☑ Agree
☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

[1] https://www.thenational.scot/news/24962632.battery-storage-site-project-queue-double-grids-2030-requirement/
[2] https://www.whatdotheyknow.com/request/a_copy_of_the_fire_incident_repo/response/2075510/attach/html/5/Significant%20Incident%20Report%20Final%20redacted.pdf.html

Whilst we support the approach, we are concerned about the potential lack of consideration of the cumulative impact on the environment from multiple initiatives affecting riparian habitats and watercourses. There should be a strong focus on the mitigation hierarchy to increase environmental and ecological protections.

Consideration must also be given to the type of water needed. Does every applicant need abstracted water or can grey water/recycled water or water treated to a lesser level be used?

Question 7. The proposed approach aims to manage the uncertainty in a scheme's environmental impact through the abstraction licensing system, using self-destruct clauses, rather than being based on policy alone.

To what extent do you agree with this approach?

Please choose one of the following:

☐ Strongly Agree
☑ Agree
☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Whilst the approach certainly appears sensible, there should be a period of piloting and ongoing robust monitoring to ensure it is effective.

Question 8. The proposed approach uses derogation agreements to enable short-term licensing of the "reserved" water to other users ahead of the "effective date" of strategic scheme licences, thereby allowing ongoing access to water resources.

To what extent do you agree with this?

Please choose one of the following:

☐ Strongly Agree
☑ Agree
☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Again, robust monitoring will be essential to ensure this process is effective.

Question 9. To what extent do you agree that catchment reviews should be used to determine the ongoing sustainability of licensed abstraction for strategic schemes?

Please choose one of the following:

☐ Strongly Agree
☑ Agree
☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Question 10. To what extent do you agree that short-duration licenses should be included in the catchment reviews where possible?

Please choose one of the following:

☐ Strongly Agree
☑ Agree
☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Question 11. The proposed framework suggests that the regional tier of water resources planning should be used to coordinate and facilitate collaborative solutions, in order to reduce competing demands. To what extent do you agree with this?

Please choose one of the following:

☑ Strongly Agree
☐ Agree
☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Whilst we strongly agree with this approach, the regional assessments MUST be comprehensive and should consider all the issues we have highlighted in our response to questions 4, 5 and 6.

Question 12. The proposed framework uses a hierarchy to support licensing decision-making across scheme categories to allocate water abstraction rights when competing demands could not be fully reconciled.

To what extent do you agree with the need for a hierarchy?

Please choose one of the following:

- ☑ Strongly Agree
- ☐ Agree
- ☐ Disagree
- ☐ Strongly Disagree
- ☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Question 13. To what extent do you agree that the hierarchy should reflect the needs of public water supplies first?

Please choose one of the following:

- ☑ Strongly Agree
- ☐ Agree
- ☐ Somewhat Agree
- ☐ Somewhat Disagree
- ☐ Disagree
- ☐ Strongly Disagree
- ☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Question 14. To what extent do you agree that the hierarchy should place national critical infrastructure above other schemes (not including schemes for public water supply)?

Please choose one of the following:

- ☐ Strongly Agree
- ☐ Agree
- ☐ Somewhat Agree
- ☐ Somewhat Disagree
- ☐ Disagree

☑ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Some of what would currently be considered to be your "Tier 3. High priority proposals aligned to specific government policy objectives" should be considered a higher priority than national critical infrastructure (not including schemes for public water supply). Nature-based solutions (such as peatland rewetting, forest planting, etc) and food security should become Tier 2 of the hierarchy. Other national critical infrastructure would then become Tier 3 and other High Priority Proposals would become Tier 4, with all other activities becoming Tier 5.

The hierarchy must consider sustainable initiatives above others and with the government considering the Lower Thames Crossing to be a national critical infrastructure project, it is clear that the new Tier 3 will include a number of unsustainable initiatives.

Question 15. To what extent do you agree that government should set out its priorities in a water plan?

Please choose one of the following:

☑ Strongly Agree
☐ Agree
☐ Somewhat Agree
☐ Somewhat Disagree
☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Question 16. To what extent do you agree that regional planning groups should be involved in translating government priorities into tier 3 of the proposed hierarchy so that they are reflected locally?

Please choose one of the following:

☐ Strongly Agree
☐ Agree
☑ Somewhat Agree
☐ Somewhat Disagree
☐ Disagree
☐ Strongly Disagree

☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

Regional planning groups should be involved in translating government priorities into the new tiers we have proposed in response to question 14.

Question 17. To what extent do you agree that this framework ensures fair consideration of schemes from other sectors or local projects?

Please choose one of the following:

☐ Strongly Agree
☐ Agree
☑ Somewhat Agree
☐ Somewhat Disagree
☐ Disagree
☐ Strongly Disagree
☐ Do not know/ not applicable

Please provide specific comments to support your response. (*Optional)*

We are concerned that the importance of sustainability and the cumulative impact on water resources is not more prominent within the framework, along with the mitigation hierarchy for understanding the environmental and ecological impact of any proposed scheme.

Free text questions

[Please avoid including any personal information in your responses]

Question 18. Do you think any other sectors should be prioritised in the decision-making hierarchy?

Please choose one of the following:

☑ Yes
☐ No
☐ Don't know

If you selected **Yes**, please provide specific comments below:

Nature based solutions and climate mitigation initiatives should be prioritised above schemes such as new roads.

Question 19. With regards to the allocation of water resources, what changes to the future landscape of water resources planning and abstraction licensing would you like to see to better enable access to water resources while protecting the environment and existing abstractors?

Please provide specific comments below:

We would like to see much more involvement of communities in the end-to-end process. Communities should have a much greater understanding of the importance of water resources planning and the impact of approved abstraction licenses.

Question 20. Do you foresee any challenges with the proposed approach?

Please choose one of the following:

- ☑ Yes
- ☐ No
- ☐ Don't know

If so, what are they?

We are particularly concerned about the lack of priority 'sustainability' is given within the planning process. We are not convinced that the 'need for water' within the construction phase, or indirect water needs in the operational phase, for example, are sufficiently considered when determining solutions. This could lead to a significant under-estimate of water requirements at a local, regional and national level.

Question 21. Do you foresee any unintended consequences with the proposed approach? If so, what are they?

Please choose one of the following:

- ☑ Yes
- ☐ No
- ☐ Don't know

If so, what are they?

We believe that more consideration of the cumulative impact of all developments in a particular area is needed to ensure there are no gaps in water need assessments.

Question 22. Are there any specific sectors or types of projects that you believe should be given additional consideration?

Please provide specific comments below:

Nature based solutions (such as peat restoration or tree planting) and climate mitigation initiatives (such as wetland creation) should be given additional consideration.

Question 23. Do you see any potential conflict of this proposed framework with other policy goals and objectives?

Please choose one of the following:

- ☐ Yes
- ☐ No
- ☑ Don't know

If you selected **Yes**, please provide specific comments below:

Question 24. Do you have any other comments or suggestions regarding the proposed approach?

Please provide specific comments below:

Thank you for responding to this consultation. Following the end of the consultation, we will produce a consultation response document and this will be published online by Monday 11 May 2026.