

Anglian Water Services Limited

Date: 21 February 2024

Lancaster House
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Dear Anglian Water Services

Protecting designated sites in the Waveney and Little Ouse Valley Fens and Norfolk Valley Fens Special Areas of Conservation additional lines to AMP8 WINEP requirement

Following our letter dated 27 November 2023 we would like to provide an update on the next steps.

As you are aware, recent information received from Natural England means that we need to complete a new Habitats Regulations Assessment for some of your licences. This will apply to licences likely to have a significant effect on a Site of Special Scientific Interest (SSSI) within the Waveney and Little Ouse Valley Fens Special Area of Conservation and/or the Norfolk Valley Fens Special Areas of Conservation (SAC).

Further investigation is required to assess the likely significant effect of abstraction on these sites. This will involve further SSSI condition assessments by Natural England, which will inform initial modelling work the Environment Agency will undertake. Any modelling work will be undertaken in consultation with yourselves. Anglian Water Services may need to submit supporting information to assist with our impact assessments, in order to provide individual refinement to the specific SSSI. We will notify you when/ if input is required.

Based on our initial screening, the following licences held by Anglian Water Services have been identified as having a likely significant effect on one or more of these SSSIs:

SAC	SSSI	Licence Number	Licence Name
Norfolk Valley Fens	Southrepps Common	7/34/08/*G/0093	Royston Bridge
Waveney and Little Ouse Valley Fens	Weston Fen	6/33/42/*G/0020	Riddlesworth
Waveney and Little Ouse Valley Fens	Weston Fen	AN/033/0044/021/R02	HARLING (Sq Plantation)
Norfolk Valley Fens	Thompson water, Carr and Common	AN/033/0048/005/R02	East Watton
Norfolk Valley Fens	Great Cressingham Fen	6/33/48/*G/0122	North Pickenham
Norfolk Valley Fens	Badley Moor	7/34/13/*G/0230	Mattishall
Norfolk Valley Fens	Coston Fen	7/34/13/*G/0230	Mattishall
Norfolk Valley Fens	Coston Fen	AN/034/0013/011/R01	Bardford
Norfolk Valley Fens	Foulenden Common	6/33/48/*G/0117	Didlington (High Ash)
Norfolk Valley Fens	Sheringham and Beeton Regis Common	AN/034/0005/010	Sheringham
Norfolk Valley Fens	Badley Moor	AN/034/0011/057/R02	Swanton Morley
Norfolk Valley Fens	Potter & Scarning Fens, East Dereham	AN/034/0011/057/R02	Swanton Morley
Norfolk Valley Fens	Booton Common	AN/034/0011/055/R02	Sparham
Norfolk Valley Fens	Booton Common	7/34/11/*G/0398	Cawston
Norfolk Valley Fens	Buxton Heath	7/34/11/*G/0398	Cawston
Norfolk Valley Fens	Thompson water, Carr and Common	6/33/48/*G/0032	Watton
Norfolk Valley Fens	Foulenden Common	6/33/49/*G/0051	Beachamwell
Norfolk Valley Fens	East Walton and Adcock's Common	6/33/61/*G/0006	Gayton
Norfolk Valley Fens	Southrepps Common	7/34/05/*G/0036	Mundesley
Norfolk Valley Fens	Potter & Scarning Fens, East Dereham	7/34/11/*G/0366	East Dereham
Norfolk Valley Fens	Badley Moor	7/34/11/*G/0366	East Dereham
Norfolk Valley Fens	East Walton and Adcock's Common	6/33/56/*G/0198	Marham

On completion of required groundwater modelling work, there may be a requirement to apply licence changes to the licences detailed above, to meet the requirements of the Conservation of Habitats and Species Regulations 2017.

Where Anglian Water Services currently have a renewal application submitted for a licence listed in the Table above, the determination date for this licence has been extended to 31 March 2025. This extension has been agreed in order to allow modelling work to be completed, however we may be able to issue licences before this date.

If a licence change is required and Anglian Water Services are unable to immediately implement this required licence change, Anglian Water Services will have to make a case for Imperative Reasons of Overriding Public Interest (IROPI) under Regulation 64 of the Conservation of Habitats and Species Regulations 2017. A case for IROPI requires compensatory measures to be put in place until the required licence change can be accepted. We would therefore recommend that you start planning for the potential need for an IROPI case(s).

Water companies have a duty to help protect, conserve and restore European sites. This is a statutory driver in the Water Industry National Environment Programme (WINEP) and water companies are expected to contribute to maintaining or restoring the habitats and species of European sites at favourable conservation status across their natural range in the UK.

Following discussions with Ofwat, we can now confirm the requirement to add the HD (Habitat Directive) lines to the AMP8 WINEP programme. We will add these lines for each of the licences identified as having potential impact on the Habitat Regulations sites as listed above.

In line with the PR24 Guidance Note – [‘Data Handling and Changes Tracking after Options Development’](#) the Environment Agency will add these lines to the AMP8 WINEP spreadsheet. Anglian Water will be required to complete an Options Assessment Report for each Action ID. We propose creating two new Action IDs, one for licences linked to the Waveney and Little Ouse Valley Fens SAC and one for licences linked to the Norfolk Valley Fens SAC.

These two action IDs will consist of one line per licence under the HD_INV driver, to enable an Options Appraisal (OA) assessment following the Environment Agency led investigation on the Waveney and Little Ouse Valley Fens SAC and/or the Norfolk Valley Fens SAC. The deadline for this OA will be the 31 December 2026. A second set of lines per licence will be listed under the HD_IMP driver, to implement the actions of the OA assessment, to be delivered by 31 March 2030.

We will add these lines to your AMP8 WINEP spreadsheet before the end of March 2024. We will also give you the opportunity to review these lines. If you should have any queries in the meantime then please do not hesitate in contacting us on the details below.

Yours faithfully,

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