23.11.26

Deadline 1 - Summary of Relevant Representation RR-354

Hampshire Water Transfer and Water Recycling Project (WA010002)

Water Matters Community

Unique PINS reference: [redacted]

> **Use of artificial intelligence**: Claude (Anthropic), an AI assistant, was used to help draft this summary of our Relevant Representation (RR-354). It worked from RR-354. All sections were drafted with its help and then reviewed and amended by us. We have checked the summary against RR-354, confirm that it is accurate and representative, and take full responsibility for it.

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This is the Water Matters Community's summary of its Relevant Representation of 24 August 2026 (RR-354). This summary is less than 10% of the length of RR-354, including its Annexes.

We **object** to the Project.

RR-354 was submitted on behalf of the 2,574 people or organisations listed in its Annex 1. They include 2 Peers, 2 local MPs, 25 Councillors and Parish Councillors, 30 groups, retired environmental health professionals, retired water industry specialists and Havant Thicket Reservoir stakeholders.

RR-354 already contains our own summary. It is Table 2, "Summary of the concerns the Water Matters community request to be examined in respect of the HWTWRP DCO application". We draw the Examining Authority's attention to Table 2 and ask that it be read with this document. In the Examination Library copy of RR-354, Table 2 starts at pdf page 219.

In the Examination Library copy of RR-354 – the parts appear in a different order from the document we submitted: the Annexes come first, and the main representation starts at pdf page 140.

Section 9 below is a guide to where each topic can be found in the Library copy.

The points below are those we most want the Examining Authority to have in mind at the moment. We have further responded on all of them in our other Deadline 1 submissions.

1. The regulatory gap

See Table 2, rows PMIE-2 and PMIE-4; WM representation, Sections 6 and 19.

- Recycling effluent for public drinking water supply is new to the UK and has no regulatory regime of its own.
- The Environment Agency can set permit limits only where a standard exists. Many contaminants of concern have none. The Drinking Water Inspectorate will not routinely audit the plant.
- NPS-WRI para 3.8.3 assumes that other regimes will be properly applied. For these substances that assumption has nothing to operate on. Controls in the Order would fill a gap, not duplicate regulation.
- Other countries that have adopted water reuse into potable water have done so in a different regulatory context, including requiring hazard control at source in the sewer catchment and regular independent expert audit. England has no equivalent.
- We asked for independent audit, source control and water quality requirements to be secured in the Order itself.

2. Uncertainty about the data

See Table 2, rows PMIE-2, PMIE-4 and WM6; WM representation, Sections 6(c), 9 and 10.

- Southern Water relies on its pilot plants at Budds Farm and Peel Common. We have obtained only Southern Water's summary of that pilot data.
- That summary nevertheless shows many contaminants of concern were detected after treatment. Sample numbers were low, and many substances were not tested for, including after treatment.
- Many of the contaminants that most concern the public were not modelled for the reservoir, the streams below it or the Solent.
- We asked for the full monitoring record: every substance measured, the detection limits, and every process failure or shutdown with explanation.

3. Alternatives

See Table 2, rows WM1(a), WM1(b), WM2 and WM3; WM representation, Sections 1 to 3 and Annex 2.

- Southern Water chose the Project in December 2021 without first properly assessing the alternatives or consulting on them.
- Other options (or a combination of them) were not properly considered: faster leakage reduction and mains renewal, reducing demand, moving river abstraction to the tidal limit, and more winter storage in reservoirs and aquifers.
- Other places to receive the recycled effluent, and other sites for the plant away from the Broadmarsh landfill, were not adequately assessed.

4. Need

See Table 2, row PMIE-1; WM representation, Section 5.

The Project was not in a published final water resources management plan, so Southern Water must make the case for need. Even once a plan is published, whether this Project, at this size, is the right way to meet the need remains a matter for the Examination (RR-354, Section 5).

5. Inadequate consultation: why it is still a matter for this examination

See Table 2, row WM2; WM representation Section 2.

- The consultation failures still matter for the purposes of the Examination, for at least two reasons.

- First, the failure to consult on alternatives at ‘the earliest stages of scheme evolution’ / formative stage goes directly to whether alternatives were properly assessed, as the EIA Regulations 2017 and NPS-WRI para 3.5.3 require. That is for this examination to decide.
- Second, the option chosen has no public mandate, and consultation responses were poorly handled. Both these failures are important and relevant matters under section 104 when deciding what weight to give Southern Water's case.

6. The draft Order

Articles 3, 5, 9 and 46 and Schedule 8 would let Southern Water direct and take control of a reservoir it does not own, override the spring-water basis of its planning permissions, and change the Environment Agency’s powers. We said these provisions go beyond what the Planning Act 2008 allows and are not justified (RR-354, Sections 4, 7 and 8 and Annex 7).

7. Clarification: PFAS and PFOS

- Annex 6, Appendix A, Section 1 (page 4) gives PFOS as an example of a forever chemical with no guideline.
- The passage should read: "including most forever chemicals (such as PFOA and PFHxS; only PFOS has an EQS standard) and pharmaceuticals".
- Our point is otherwise unchanged, and **Table 2 (rows PMIE-2 and PMIE-4)** states the position correctly.

8. Other matters of concern

We also raised: four preliminary matters about how the application was publicised; the choice of the Broadmarsh landfill site and the risk of leachate reaching Langstone Harbour; reject water discharged to the Solent; carbon and energy; landscape and night lighting; the Habitats Regulations Assessment; and whether the mitigation relied on is secured in the Order.

9. Where to find each topic and other issues of concern in RR-354

The table below lists the topics and issues of concern in RR-354 and the pdf page on which each starts in the Examination Library copy of RR-354. Table 1 of RR-354 (pdf page 144) links each headline topic to the main text. We provided this table previously. It is copied here (with some slight updating) for ease of reference.

Pdf page in the Library copy	**Water Matters Community Relevant Representation Contents** Topics of objection / concern proposed for Examination
140	**Introduction;** who WMC represent and statement of expertise
144	**Overview of concerns**
144	**Table 1 – Headline topics for objection and concern**
219	**Table 2 – Summary of concerns that the WMC request be examined**
146	Preliminary matters for consideration by the ExA
148	**Inadequate assessment of options and consultation on alternatives**, including more sustainable solutions and alternative options for the environmental buffer
153	**Improper consultation** before option selected in 2021, including failure to consult those likely to be affected and take account of their views
155	**Inadequate alternative site assessment for location of the HWTWRP Water recycling plant**
160	**Fundamental repurposing of Havant Thicket Reservoir and pipeline** – Material change from a chalk spring water fed reservoir – Loss of unique biodiversity opportunity, first chalk spring fed reservoir in the world – Change in operation of the reservoir
165	**The need case for new water infrastructure and this specific project is not robust** – Scale of need & size of plant – Specific need for this project at this location
168	**The principle of water recycling and gaps in the current regulatory framework to control risks** from this technology which is new to the UK for public water supply. – Inadequate regulatory framework to ensure risk reduction at source, including an enforceable mechanism for independent audit and control – Lack of guideline values (Environmental Quality Standards) to control risks – Lack of confidence in Southern Water being able to control risks
173	**Ultra vires;** the scope of the powers sought over Havant Thicket Reservoir
176	**Interface with Portsmouth Water assets**; restrictions on it and customer use, as well as removal of regulator's powers
178	**Water Quality**; impacts at the reservoir, downstream, Langstone Harbour, the Solent, bioaccumulation and increased background exposure through drinking water
188	**Environmental Impact Assessment**; concerns about modelling, no assessment of indirect foreseeable effects (public turning to bottled water), direct impacts, sludge production/ disposal etc.
196	**Flexibility/optionality**
197	**Control of construction impacts**; including risks of building on a contaminated landfill. Concern that mitigation of leachate risk to Langstone Harbour is not possible.

Pdf page in the Library copy	Water Matters Community Relevant Representation Contents Topics of objection / concern proposed for Examination
199	**Landscape and visual impacts**; including urbanising coastal views & night time lighting
204	**Carbon impacts**; including not adequately considering lower emission alternatives
207	**Energy concerns/ impacts**; large consumption, sustainability & impacts on growth
210	**Control of operational impacts**
211	**Environmental mitigation** and enhancement areas; the significant increased leachate risk to Langstone Harbour (SPA, SAC, Ramsar, SSSI) cannot be mitigated
212	**Scope of Project benefits;** lack of benefits & clarity on benefits
214	**Securing mechanisms and secondary consenting**; including planning conditions to secure independent audit and enforceable control, and hazard reduction in the sewer catchment to reduce risk
216	**Habitats Regulations Assessment**; including risks & in-combination impacts

Annexes to RR-354, with supporting information

3	**Annex 1**: A full list of the organisations, groups and individuals supporting the Water Matters Community Representation (more than 2,500 individuals and groups)
39	**Annex 2**: Moving the Otterbourne Abstraction to Woodmill at the tidal limit of the River Itchen; including benefits and illustration showing screening should have selected
53	**Annex 3**: Response to the 2024 consultation on draft WRMP24 by Tracey Viney
78	**Annex 4**: Response to the 2022 consultation on HWTWRP by Tracey Viney
108	**Annex 5**: Supporting information from the original spring fed reservoir planning application
112	**Annex 6**: Water Matters Community letter to the Secretary of State 9 April 2026 App A - Explanation of the regulatory gap App B - International case study extracts
130	**Annex 7**: Proposed DCO changes to legislation that adversely impact; A - Portsmouth Water's future use & control of the Havant Thicket Reservoir B - Regulators' powers that need to be examined
136	**Annex 8**: Landscape and Visual Impact Assessment supporting information