

## Sussex North Water Resource Zone Statement of Common Ground – Water Neutrality

### 1. Parties to the Agreement

1.1 This Statement of Common Ground has been agreed between the following signatories:

- Chichester District Council
- Crawley Borough Council
- Horsham District Council
- Mid Sussex District Council
- South Downs National Park Authority
- West Sussex County Council

It has also been endorsed (see Appendix 1) by:

- Southern Water
- Natural England
- Environment Agency

1.2 Individual representatives of these organisations are listed in the Signatories section of this Statement.

1.3 As a consequence of Natural England’s Position Statement for Applications within the Sussex North Water Resource Zone (published on 14 September 2021), all of the signatories understand the need for development to demonstrate water neutrality in the Sussex North Water Resource Zone (WRZ) and agree or endorse the approach set out below. The Sussex North Water Resource Zone (WRZ), as defined in section 3 of this Statement of Common Ground and Appendix 2, is supplied by drinking-quality water initially sourced from a groundwater abstraction point in Pulborough. Natural England has advised that this abstraction cannot be ruled out as having a negative impact on the wildlife sites in the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site. They have advised that any new development that takes place must not to add to this adverse effect and one way of achieving this is to ensure that all new development which takes place is water neutral.

1.4 Further background to the need for water neutrality in the WRZ is set out in the Joint Topic Paper: Water Neutrality.

## 2. Purpose of this statement

- 2.1 This statement evidences a joint commitment by all signatories to ensuring water neutrality in the WRZ.
- 2.2 The statement sets out the agreed geographical boundary for the WRZ within which water neutrality is to be maintained (Section 3 and Appendix 2). It then provides the agreed joint working arrangements and sets out agreed principles and responsibilities to the ongoing management of water neutrality within the Sussex North WRZ.

## 3. Geographical context – Sussex North Water Resources Zone

- 3.1 The Sussex North WRZ covers a large area within northern West Sussex, including almost the entirety of the administrative boundary of Horsham District Council, the north east part of Chichester District Council, a significant part of Crawley Borough Council, and a small portion of Mid Sussex District Council. Some of the area is also located within the boundary of South Downs National Park Authority. West Sussex County Council is the relevant upper tier authority for all these areas.
- 3.2 The extent of the area (Appendix 2) has been determined by Southern Water and accepted by Natural England as the area within which water neutrality is required for new development.
- 3.3 It is possible that the WRZ boundaries could alter to reflect the activities of Southern Water (for instance, the rezoning of customers to other water resource zones so that they receive water from alternative water sources). Should this occur, it is agreed that this information will be communicated by Southern Water to all parties so that any necessary updates can be made.

## 4. Agreements between the parties

### *Principal objective*

- 4.1 The signatories agree that they will use their respective powers as necessary to achieve water neutrality with respect to new development. The Local Planning Authorities, though at different stages of plan preparation, are preparing Local Plans to identify areas of development within the context of the need to achieve water neutrality over the relevant plan periods. In any case, water neutrality will need to be achieved until such a time that Southern Water implement measures to supply water requirements without adverse impacts on designated sites. This is likely to be implemented within the various Local Plan periods. The signatories commit to maintaining a dialogue to understand when a strategic solution

will come forward as an alternative to abstraction at Pulborough. The work of the individual signatories will be progressed in a strategic and coordinated manner.

#### *Governance*

- 4.2 Reports on key water neutrality matters are taken to the Water Neutrality Executive Board for their consideration and recommendations. This consists of senior representatives of the signatories to this statement, as well as representatives from DEFRA<sup>1</sup>, DLUHC<sup>2</sup> and Ofwat. The Executive Board is supported by a Water Neutrality Lead Officer Group, who in turn are supported by smaller and more focused working groups. All of these are coordinated by the Water Neutrality Project Manager which is a joint post between Horsham District Council, Crawley Borough Council, Chichester District Council, West Sussex County Council and the South Downs National Park Authority.

#### *Evidence*

- 4.3 Chichester District Council, Crawley Borough Council and Horsham District Council, with the input from all signatories to this Statement of Common Ground, have developed a shared evidence base to support a joint approach to water neutrality and help progress the respective Local Plans. Details of this technical evidence base are set out in the Joint Topic Paper: Water Neutrality. A key element of this is an appraisal of water supply offsetting measures, which are necessary to enable water neutral new development.
- 4.4 Given that the WRZ crosses administrative boundaries, the different bodies involved have different regulatory roles and cumulative development impacts must be taken into account, the evidence base stresses the importance of working together across the whole of the WRZ. The signatories agree that they have worked collectively and proactively to address issues relating to the need for water neutrality in the WRZ. The signatories agree to continue to work together and with other authorities and bodies, as necessary to deliver and implement water neutral plans and development.
- 4.5 It is agreed that the evidence base is up to date and considered sufficient at the point of publication to support the joint policy as outlined below and to support the development of the water offsetting scheme. The signatories to this Statement of Common Ground agree to communicate with each other to identify if any further evidential work is needed.

#### *Joint policy approach*

- 4.6 The water neutrality evidence base identifies a need to have a shared policy approach to ensure consistency in plan-making and decision-taking across the WRZ. It recommends that a joint water offsetting scheme is established for development proposals to utilise to demonstrate water neutrality. These findings have been accepted by the Executive Board.

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<sup>1</sup> Department for Environment, Food and Rural Affairs

<sup>2</sup> Department for Levelling Up, Housing and Communities

- 4.7 Accordingly, a joint model local plan policy has been drafted to ensure consistency across the WRZ with respect to water neutrality. All relevant signatories agree to including a policy in their emerging Local Plans which closely reflects the model policy, albeit worded to reflect specific local circumstances. Southern Water, Natural England and the Environment Agency confirm their support for the joint policy.

*Joint mitigation of new development*


- 4.8 It is agreed that work on a water offsetting scheme will be prioritised and appropriately resourced by all signatories. This is detailed in section 5 of this Statement of Common Ground.

5. Statement of Intent (ongoing work)

- 5.1 The focus of future water neutrality work is the establishment and deployment of a joint water neutrality offsetting scheme within the WRZ which can be accessed by developers to demonstrate that their proposals are water neutral and enable them to come forward. Developers will still be able to utilise other offsetting measures, should they choose to do so. The Water Neutrality Project Manager is progressing this work. As a priority, further opportunities to fund the development and implementation of the water offsetting scheme will be explored by all signatories with a responsibility over water supply infrastructure and enabling new development.
- 5.2 The signatories to this Statement of Common Ground recognise that the offsetting scheme will involve the exchanging and storing of appropriate information and data relating to planning applications and water offsetting measures. Much of this will be held by statutory providers of infrastructure or by Government agencies. All signatories agree to supply up to date and accurate information as necessary and in good time. The signatories also agree that any data sharing and processing will be done in accordance with applicable data protection law.
- 5.3 Each signatory agrees to provide information pertinent to water neutrality as per the reasonable requests of other parties and with any agreed timescales and data protection law. Such requests may arise from statutory or legal processes (for example, planning applications, Habitat Regulations Assessments, and other environmental assessments) or for non-statutory tasks supporting the ongoing management of water neutrality within the WRZ.

## 6. Signatories

6.1 The undersigned agree at the time of signing to the above statement. It is understood and agreed between the parties named below that the statement may be reviewed as appropriate and on reasonable request of any of the signatories to it.

Andrew Frost Director Planning & Environment Chichester District Council		Dated: 25.07.23
Clem Smith Head of Economy and Planning Crawley Borough Council		Dated: 20.07.23
Barbara Childs Director of Place Horsham District Council		Dated: 20.07.23
Sally Blomfield Assistant Director – Planning and Sustainable Economy Mid Sussex District Council		Dated: 25.07.23
Tim Slaney Director of Planning South Downs National Park Authority		Dated: 21.07.23
Michael Elkington Head of Planning Services West Sussex County Council		Dated: 20.07.23

## Appendix 1: Stakeholder Statements of Endorsement / intent

### **Environment Agency (Solent & South Downs / Kent & South London)**

The Environment Agency (Solent & South Downs area & Kent and South London area) endorse the principles set out in this document, including attending the Water Neutrality Executive Board and sharing information in a timely manner upon reasonable request (subject to any relevant legislative provisions such as the Environmental Information Regulations 2004).

The matters set out in this document are without prejudice to the Environment Agency's powers and discretions. The above endorsement may be withdrawn after having given reasonable notice to the signatories.

### **Natural England**

Natural England (Kent and Sussex area team) endorse the principles set out in this document, including attending the Water Neutrality Executive Board and sharing information in a timely manner upon reasonable request (subject to any relevant legislative provisions such as the Environmental Information Regulations 2004).

The views set out in this document are without prejudice to the proper exercise by Natural England of its powers and duties. The above endorsement may be withdrawn after having given reasonable notice to the signatories.

### **Southern Water**

Southern Water continues to be a key part in the ongoing activities on Water Neutrality, working to support all of our customers within the Sussex North Water Resource Zone, the key local authorities, Natural England and the Environment Agency. Southern Water endorses the principles set out in this document including attending the Water Neutrality Executive Board and sharing information in a timely manner upon reasonable request, whilst in accordance with the relevant data protection laws and any other relevant legislative provisions such as the Environmental Information Regulations 2004.

As regards paragraph 4.1, Southern Water confirms that it will maintain a dialogue with the signatories in terms of its strategic solution coming forward and its abstraction at Pulborough, but wish to make clear that whether or not the abstraction continues is not dependent on the strategic solution and involves various other factors as well.

As regards paragraph 5.1, Southern Water wishes to make clear that whilst it endorses this SoCG, it is not a signatory, and therefore this paragraph should be viewed in this context.

The matters set out in this document are without prejudice to Southern Water's statutory powers and discretions. Southern Water reserves the right to amend or withdraw its endorsement of the principles contained within this document upon providing reasonable notice to the signatories.

Appendix 2: Map of Sussex North Water Resource Zone

