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MPA submission to Welsh Assembly Government (WAG) Consultation- “A Water Strategy for Wales”

Thank you for informing the Minerals Products Association of the WAG consultation “A Water Strategy for Wales”.

The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of The British Precast Concrete Federation (BPCF) and the British Association of Reinforcement (BAR), it has a growing membership of 450 companies and is the sectoral voice for mineral products. MPA membership is made up of the vast majority of independent SME companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production and 95% of asphalt and ready-mixed concrete production and 70% of precast concrete production. Each year the industry supplies £9 billion of materials and services to the £120 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors.

The MPA agrees that a long-term policy direction in relation to water is essential when balancing the needs of the environment, business and the public water supply. MPA agree that an integrated approach will help to manage water, land and related resources in a more coordinated manner. It is hoped that the strategy will also assist with linking legislation and policy objectives (such as those required under the Habitats and Wild Bird Directive and the Water Framework Directive) which will streamline the regulatory system for businesses.

The minerals industry is regulated through the planning and permitting regime to ensure no impact is made to the water environment. We have concerns over the proposals set out in the Environment White Paper in relation to Natural Resource Management. The land use planning system must remain the key decision processes for deciding land-use. Water management should also be considered at this point to ensure water is available for the operation in question. In terms of mineral developments water is generally moved from the quarry sump to a nearby surface water body- little water is actually used. This should be considered at the planning stage in terms of integrated water resources as the dewatered water could be used by another water user.

Quarrying and Water Use

For many of our members dewatering is an essential part of their operations, without dewatering many quarries would cease to operate, thereby jeopardising the steady and adequate supply of minerals. It should also be noted that even if aggregate is able to be extracted before dewatering is required it is likely that the site would not be financially viable due to the costs involved of developing a minerals site.

The ability to dewater is vital to secure the future supply of aggregates construction materials, upon which the whole construction industry depends. What is at stake is the ability of operators to have certainty about their longer term ability to extract, particularly when the life of the quarry is planned (and permitted) for longer than the life of the water transfer and abstraction licence. This raises significant investment risks for the long term sustainability of the minerals industry.

As we are still awaiting the removal of the dewatering exemptions under the Water Act 2003 it is difficult to envisage how mineral sites will be permitted moving forward. It is equally difficult to understand how the removal of the exemptions will fit with the reform of the abstraction licensing system.

There may be some situations where a quarry void could be used to store water for release during times of low flow. This would have to be considered on a site by site basis. Equally the minerals development may be able to assist in moving water from ground to surface systems to help improve supply resilience.

We have listed the key areas where we would like to see further integration of regulations and water management below.

River Basin Management Plans

When first consulted on and implemented into UK regulation MPA actively engaged in River Basin Management Liaison Panels. However, as the plans evolved it was clear that they did not include all businesses and water uses in the catchment, rather focusing on PWS (Public Water Supply) use. Our interest has remained in the Catchment Area Management Strategy (CAMS) that sets the amount of water available for abstraction in a specific catchment. We would be interested to understand how the RBMPs will be developed further under NRW. The minerals industry has the potential to assist NRW in reaching good ecological status, especially in terms of flow morphology.

Abstraction Reform

The MPA have been keenly involved in the reform of the abstraction licensing system in England and Wales from the outset. Ultimately we consider that the way in which water resources are managed for abstraction/ use by business and the PWS alike, is an integral part of managing water sustainably. We consider that the proposed strategy does not make this link strong enough with just a passing mention of the abstraction licensing

reform. If the WAG propose the creation of an integrated management system for water resources this must be seen through regulation as well. The reform of the abstraction system should see a number of the arising problems listed in the Strategy solved, or at least with a proposed solution (such as the price of water). It is essential that the reform of the licensing system is linked to the Water Strategy and associated regulation.

We are extremely concerned that due to the delay in implementing the removal of the dewatering exemptions that the minerals industry will be entering into any new scheme as “new entrants”.

We are, however, encouraged to see the link between abstraction and returning water and hope to see this continued through the proposed integrated management system for water resources. Quarry dewatering often only results in the movement of water directly from one source to another, or returned to the same source during the process.

Consultation Questions

Water for Nature, People and Business

1. In looking at implementing legislation, are there any specific areas that you would like us to focus on?

Currently water related legislation is implemented in a dis-jointed fashion with little link between Directives and Acts. For example, there is little link River Basin Management Plans and Catchment Area Management Plans. To truly provide an integrated approach to managing the environment it is essential that areas such as these are considered as a whole. The amount of water available for abstraction is an essential part of understanding the requirements under the Water Framework Directive.

It is also essential that the requirements under Planning Permissions and Environmental Permits are closely considered. Planning Permission should provide the operator with the ability to operate and should consider all potential natural resource issues (such as lack of water for abstraction) with the Environmental Permit providing the means for utilising that resource. It is essential that Planning and Permitting work as one, rather than duplicating requirements. Our response to your consultation on the Environment Bill White Paper provides further representation on this point.

2. Do you have any suggestions for improving and extending community involvement in integrated catchment management?

It is currently unclear what integrated catchment management entails so at this point we have no further comments.

3. We have highlighted the close link between land management and the water environment. Are you aware of examples of good practice which could be reproduced elsewhere?

Our Members are experts in restoring exhausted mineral workings to provide various habitats and benefits to the local community. We would be happy to provide case studies on request.

4. What opportunities do you see for developing PES schemes in relation to water management in Wales? What should be the role of Government in developing these schemes?

At this current time, until further details are published, we would like to withhold our views on the PES schemes.

5. What more could we do to make the most of our water, particularly in terms of supporting our agenda for Green Growth?

We have already explained the problems that the industry faces with the removal of the dewatering exemptions. This is linked directly to the Green Growth agenda.

Taking Action to Reduce Pollution

6. Do you agree with our focus on diffuse pollution? If not, please explain why.

The majority of our Members' operations will have controlled (via an Environmental Permit for Discharge) point source discharges. It would seem sensible to focus on diffuse pollution if this is a key reason to failure of "good status" under the WFD.

7. Are there any additional pollution problems which you believe we should identify? If so, what actions do you believe are required?

No comment.

8. Do you agree with the scope of activity for General Binding Rules, as specified?

General Binding Rules may provide NRW with another means to control diffuse pollution in some situations. If these are to be introduced discussions with the industries that they may be applied to should take place. Duplication of controls (as set through Planning Permissions and Environmental Permits) should be avoided at all costs.

9. Do you agree that variable monetary penalties are the appropriate mechanism for Natural Resources Wales to enforce general binding rules?

Further detail is required on the proposed controls that will be placed through the General Binding Rules. NRW already have the ability to enforce pollution events through various Directives (Habitats and Wild Birds, for example), the Water Act 2003 and the use of the Civil Sanctions. Further information on how these penalties could apply to those in breach of General Binding Rules is required.

Improving the way we plan and manage our water services

10. Do you agree with the principle behind aligning the Water Resource Management Plan and Drought Plan with the Asset Management Planning Cycle?

No comment

11. Do you agree that there is a need to improve our long term planning for waste water and sewerage management?

No comment

12. How can we ensure that Water Companies plans link with wider natural resource management plans? Do you have views about how this should be implemented?

No comment

13. Do you agree with the proposals to encourage more efficient water use? Are there are further actions that can be taken?

No comment

14. Do you agree with our approach to metering? What other factors do we need to consider?

No comment

15. Do you agree with this approach to managing leakage? Are there are ways we can ensure leakage is sustainably reduced?

No comment

Water affordability and delivering excellent services to customers

16. How can we ensure best practice is shared across the water industry, to ensure that innovative solutions to address water poverty issues are shared with others?

No comment

17. Have we identified the key issues and actions in relation to water affordability issues?

No comment

18. Are there any other approaches we could adopt to support the needs of both domestic and business customers?

No comment

Protecting and Improving Drinking Water Quality

19. Are there any additional drinking water quality matters that we should consider? Do you agree with our proposal to investigate the transfer of water supply pipes to the water companies?

No comment

20. Should we develop and consult on a long term strategy to remove the health risks associated with the historic use of lead in plumbing?

No comment

A New Approach for Drainage

21. Do you agree with our priorities for drainage matters?

No Comment

22. This section has focused on built infrastructure, which mostly serves developed areas. Is there anything more we should consider for rural areas?

No Comment

23. Are there any other significant issues which you believe we should have included?

No Comment

Supporting Delivery

24. Do you agree with our approach to ensuring that regulation is focussed on the Welsh Government's priorities? Do you have any other views or suggestions regarding the regulatory framework and whether it is fit for purpose?

A large proportion of the Welsh Water Strategy is focused on the PWS. There is little focus on water resources as a whole for industry users. Although, this has been subject to a consultation through the proposed Abstraction Reform it is essential that water resources are managed as a whole

25. Are there other actions that we should undertake to support innovation across the water sector as a whole?

No Comment

26. What more could the Welsh Government do to effectively support businesses in the water sector to grow and prosper?

Ensure that regulation is implemented in a timely and consistent manner. In terms of the minerals industry we would welcome the opportunity to discuss the removal of the dewatering exemptions under the Water Act 2003.

27. Are there other actions that the Welsh Government needs to undertake to support the delivery of this Strategy?

No further comment

28. What information would you find useful to assess how the Welsh Government has progressed against key outcomes and actions in the Strategy?

No comment

29: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

No further comment

I hope you find our comments constructive, please do let me know if I can be of further assistance.

Yours sincerely,

Nicola Owen
Environment and Waste Policy Executive
Mineral Products Association