



**TOWN & COUNTRY PLANNING ACT 2008 AND THE INFRASTRUCTURE
PLANNING (EXAMINATION PROCEDURE) RULES 2010**

**Response to First Written Questions regarding the Proposed Able Marine
Energy Park on the South Humber Bank of the River Humber at Immingham,
North Lincolnshire.**

RESPONSE BY ANGLIAN WATER SERVICES LIMITED

PLANNING INSPECTORATE REFERENCE NUMBER: TR030001

UNIQUE REFERENCE NUMBER: 10015541

DATE OF WRITTEN STATEMENT: 29 JUNE 2012

CONTENTS

	Page Number
Introduction	3
Question 50 Other Consents	3
Question 98 Statutory Undertakers	5

1 Introduction

- 1.1 Anglian Water has reviewed the questions posed and responds to those deemed relevant at this stage. Anglian Water may have to refer back to the questions posed should emerging information from Able UK or third parties raise further matters.

2 Question 1-49

- 2.1 Anglian Water has no comments at this stage.

3 Question 50: Other Consents

- 3.1 The proposed development will trigger, due to relocation or increased flows, the requirement under the Environmental Permitting Regulations 2010 for revised permits for existing Anglian Water discharges. A Flood Defence Consent and associated assessments will be required under the Water Resources Act 1991 should the existing sludge and brine outfall be relocated. An overview and progress summary are outlined for each consent anticipated.

3.2 Environmental Permits for the Brine and Sludge Main

- 3.2.1 Anglian Water has two pipelines that run from Elsham Water Treatment Works and discharge into the Humber Estuary. These pipelines and outfall are wholly within the development site. Able has raised, in principle, the diversion of the sewers and relocation of the outfall. The relocation of the outfall will trigger the need for a variation of existing permits.

- 3.2.2 Anglian Water have two valid permits for the existing outfall;

Permit number	Date Issued	Discharge description
AW3TSF805X	8 March 1973	Trade effluent (water treatment works sludge) to the controlled waters of the River Humber (Humber Estuary)
ANNTS682B	31 March 1993	Trade effluent (diluted waste regenerant solution from nitrate removal) to the Humber Estuary

- 3.2.3 Permits are issued by the Environment Agency under the Environmental Permitting Regulations 2010.
- 3.2.4 Anglian Water is currently undertaking pre-application discussions with the Environment Agency with regard to the relocation of the discharge point in the Humber Estuary.
- 3.2.5 To support this Anglian Water is undertaking a programme of sampling and modelling of water quality impacts. Once complete, Anglian Water will submit an application to vary the above permits. Pending the results

from the ongoing investigation, discussions with the Environment Agency and direction from Able, Anglian Water anticipate submitting an application in three to six months.

- 3.2.6 The statutory determination period for a variation to a permit is four months. If the Application is considered more complex because of other legislation or planning constraints then a longer timescale may apply.

3.3 Flood Defence Consent

- 3.3.1 The proposed relocation of the outfall will trigger the requirement for a Flood Defence Consent under Water Resources Act (WRA) 1991. The WRA and associated byelaws require an application for consent for works in, over, under or adjacent to main rivers. Consent is required to ensure the proposed works does not increase flood risk or damage the integrity of the flood defences.

- 3.3.2 Flood Defence consents are issued by the Environment Agency.

- 3.3.3 In early discussions regarding the relocation of the outfall the Environment Agency has indicated that a Water Framework Directive Assessment may be required to support the Flood Defence Consent. Formal pre-application discussions with the Environment Agency will begin once the Water Quality sampling and modelling has been completed, and diversion is considered acceptable in principle by all parties.

- 3.3.4 The statutory determination period for a Flood Defence Consent is two months.

3.4 Environmental Permit for South Killingholme Sewage Treatment Works

- 3.4.1 South Killingholme Sewage Treatment Works will need to be upgraded in order to accept the proposed flows from the Marine Energy Park. This will include upgraded treatment process and a revised discharge permit.

- 3.4.2 There is a valid permit issued to Anglian Water for the existing discharge;

Permit number	Date Issued	Discharge description
AW3NFF535D	31 January 1966	Trade effluent (water treatment works sludge) to the controlled waters of the River Humber (Humber Estuary)

- 3.4.3 Permits are issued by the Environment Agency under the Environmental Permitting Regulations 2010.
- 3.4.4 Anglian Water is currently undertaking pre-application discussions with the Environment Agency with regard to increased flow and the possible relocation of the final effluent discharge point from its current location (pending water quality requirements).
- 3.4.5 To support discussions, Anglian Water is undertaking modelling to investigate water quality impacts. Once complete, Anglian Water will submit an application to vary the above permit. Pending the results from the ongoing investigation, discussions with the Environment Agency and direction from Able, Anglian Water anticipate submitting an application in three to six months.
- 3.4.6 The statutory determination period for a variation to a permit is four months. If the Application is considered more complex because of other legislation or planning constraints then a longer timescale may apply.

4 Questions 51- 97

- 4.1 Anglian Water has no comments at this stage.

5 Question 98: Compulsory Acquisition- Statutory Undertakers

- 5.1 Anglian Water Services Limited ("Anglian Water") is appointed as the water and sewerage undertaker for the Anglian region, by virtue of an appointment made under the Water Industry Act ("WIA") 1991. Anglian Water is a wholly owned subsidiary of AWG plc. The principal duties of a water and sewerage undertaker are set out in the WIA.
- 5.2 Initial discussions have taken place between Able UK and Anglian Water regarding assets and land ownership affected by the proposed development. These include;
 - 5.2.1 Land within Anglian Water, 'statutory undertakers', control;
 - I. Diversion of two pipelines (sludge and brine main) crossing the site.
 - II. Relocation of the existing outfall for the two pipelines above.
 - III. Relocation of the existing water storage works
 - IV. Potential relocation of existing outfall from South Killingholme Sewage Treatment Works
- 5.3 Land required by Anglian Water as 'statutory undertaker' to serve the proposed development;
 - I. Expansion of the Sewage Treatment Works.
 - II. Alternative land should the Water Storage Works be relocated.
 - III. Alternative land should the outfall for the two pipelines be relocated
 - IV. Alternative land should the outfall from STW be relocated.

- 5.4 Discussions remain at a very early stage and no details referring to alternative location and routes have been proposed.
- 5.5 Anglian Water will assess any options proposed with regard to land acquisition and asset relocation/diversion.
- 5.6 At this stage it is not clear how the development may affect Anglian Water assets (see Anglian Water's Written Representations section 3 for further details).