

## How to respond to the draft River Basin Management Plan consultation

If you have read the leaflet 'Stand up for the Kennet' you will know how important it is to respond to the Environment Agency's draft River Basin Management Plan.

**Neither the main River Kennet, nor its tributaries above Newbury is achieving Good Ecological Status. The draft River Basin Management plan shows no improvement to the river by 2015 or even by 2021.** We believe the plan should contain a more detailed assessment of the problems and more actions to improve the River Kennet.

To make it easy for you to respond to the Government consultation, we have summarised the bits of the plan which relate to the Kennet in this document. You can still look at the whole plan at the EA website or follow the link from the ARK website.

We have studied the plan in detail, obtained all the data the EA used and much more information besides. Our thoughts are summarised after each question. If you'd like to read our whole report it is on our website.

**This consultation provides the OPPORTUNITY for you to tell the Government that the River Kennet really matters to you!**

- It's simpler than it looks! –The relevant pages in the EA plan for the Kennet can be accessed through this link to the ARK web-site:  
[www.riverkennet.org/stand\\_up\\_for\\_the\\_kennet!.php](http://www.riverkennet.org/stand_up_for_the_kennet!.php)
- There are only nine questions and your response will be anonymous
- Your comments will need to be quite specific to ensure that the response by EA is not simply a stock phrase.
- Make EA aware of what you know – have they overlooked some problems that you know about? (for instance a leaking sewer, a massive crayfish population, areas with no grayling).

### HOW TO RESPOND:

- Print out this guide so that you can have it by your side as you go through the questions
- Go to this link <http://www.environment-agency.gov.uk/research/planning/33106.aspx>
- Choose 'Thames'
- You will see a page saying 'Your views count'
- In the top right hand corner of the webpage is the link for your response to the consultation.
- Click on 'Through e-consultation website'

An online form will then offer you the questionnaire containing nine questions. You will be presented with multiple choice answers and a space to say more after each question. We

have analysed the questions and outlined our concerns below, but urge you to express them in your own words wherever possible.

### Commenting on the River Kennet

- Make it clear in your response that you are referring to the River Kennet.
- To see exactly what the plan says about the River Kennet, you will have to look it up in **Annex B** of the EA plan which is on their website. Alternatively, use the link to the ARK website to see the just the pages related to the River Kennet.  
[http://www.riverkennet.org/stand\\_up\\_for\\_the\\_kennet!.php](http://www.riverkennet.org/stand_up_for_the_kennet!.php)

### Question

1) Do you agree with the assessment of problems in water bodies? What would you change?

### The plan says:

- *The Plan's assessment of potential future problems in the Thames RBD, including the Kennet, is:*
  - *Artificial flood defences – for example with artificial river embankments*
  - *Housing growth - leading to pressures on water quality and water resources*
  - *Sewage systems – leaks and overflows*
  - *Industrial waste - containing organic matter*
  - *Open space management - using fertilisers and pesticides*
  - *River maintenance and dredging - releasing pollutants from contaminated sediment*
  - *Surface run-off - from roads, driveways, car parks and contaminated land*
- *Significant issues:*
  - *Low flow and depleted groundwater due to abstraction*
  - *The impact of physical modification*
  - *The impact of changing agricultural and land management practices on the water environment*
  - *How future development can assist in achieving the Water Framework Directive objectives*
  - *The impact of urban run-off (including flood risk management)*
  - *The impact of aquatic alien species on ecosystem health*
  - *The impact of point source discharges*

*If you know of any other problems describe details when answering this question.*

### ARK's analysis:

***We DISAGREE (with the assessment of problems in the River Kennet)***

### ARK says:

The details in the plan for the Kennet are too vague, general and non-specific to identify problems.

The information for individual waters only states that fish or algae (phytobenthos) are failing but this does not actually tell you what the problems are that cause these failures.

The ecological status of a river is determined by its chemical and biological condition. The biological condition is determined through assessing the condition of fish, water plants, water insects and algal growth. **For most of the Kennet, the biological condition has not been assessed, particularly fish, water plants and algae.**

ARK has obtained detailed information on the river from the Environment Agency, Thames Water and various other organisations. We have concluded that the river is failing to achieve good ecological status because of:

- Over-abstraction at Axford, Ogbourne and several other boreholes
- High phosphate levels – partly from sewage works and partly from farm and road run-off
- Interaction of the river with the Kennet & Avon canal causing pollution and siltation
- Inappropriate deepening, widening and straightening of the river for supposed improvement in drainage
- Weirs which are often inappropriate or defunct
- Pollution and siltation from run-off from farmland and roads

These problems are causing:

- algal growth
- turbid water
- silted river bed
- lack of water plants
- low numbers of wild trout and grayling.

We think the plan should have clearly quantified the problems.

We would like to see more information about the cause of ecological failures and what specific actions are being targeted at these pressures.

We suggest respondents should ask why the biological condition has not been assessed and what EA propose to do about it – both actions and dates.

**If you know of another issue that is causing a problem on the river please describe details when answering this question. If you can supply any evidence of the biological condition of the river please do so. Make it clear which bit of river you are talking about.**

## Question

2) Do you agree with the **proposed objectives** – what would you change?

The EA plan says:

<i>Proposed objectives</i>	<i>WFD deadline</i>	<i>Deadline set in plans</i>
<i>Prevent deterioration in status for water bodies</i>	<i>2015</i>	<i>-</i>
<i>Aim to achieve good ecological and chemical status in water bodies (no details re: how this will be achieved – in direct contrast to requirements of the 2015 target)</i>	<i>2015</i>	<i>2027</i>
<i>For water bodies that are designated as artificial or heavily modified, aim to achieve good ecological potential</i>	<i>2015</i>	<i>2027</i>
<i>Comply with objectives and standards for protected areas <b>where relevant</b></i>	<i>2015</i>	<i>-</i>
<i>Reduce pollution from priority substances and cease discharges, emissions and losses of priority hazardous substances.</i>	<i>2015</i>	<i>-</i>
<i><b>Natura 2000 protected area objectives</b> will be achieved by “meeting the conservation objectives at a site,” – there are no guidelines or details on what these objectives will broadly be or how they will be assessed, other than that Natural England will determine if these have been met.</i>	<i>2015</i>	<i>-</i>

**Table 1.** Proposed objectives with WFD imposed deadlines, and deadlines proposed in the plans

- Presently there is no progress towards achieving good ecological status in the Kennet by 2015. There are no plans to improve current status by the 2015 deadline.

### **ARK's analysis**

**We STRONGLY DISAGREE (with the proposed objectives)**

#### **ARK says:**

The stated level of ambition (no improvement to the River Kennet by 2015, or even 2021) is astonishingly low.

A lack of information in the plan and associated annexes make it difficult to understand why so little improvement is being proposed, or how greater ambition in later plans is actually going to be achieved.

Although the River Basin Management Plan has stated that ecological potential from Marlborough to Newbury is only moderate (ARK thinks it is poor), the justification for not achieving good condition by 2015 is “disproportionately expensive – low or uncertain benefits”.

We suggest that respondents should ask to see details of what options have been considered to achieve good condition and how they have been appraised in terms of costs and benefits.

## Question

3) For **some water bodies** we (the EA) have proposed objectives with **deadlines after 2015** or a **lower overall target**. Do you agree with these changes?

The EA plan says:

- *Deadlines after 2015* are set for actions that “may not be technically feasible in the short term, but can be successfully implemented over a longer period of time.” Investigations may be needed to understand the source of problems and how to solve them, thence proposed objectives have been set for 2021 or 2027.
- “Less stringent objectives” (aka a **lower overall target**) is where for example, moderate for a specific element e.g. fish or phosphates, rather than good ecological status is the target for 2015

For the River Kennet from Marlborough to Hungerford and the River Og the target date for good ecological status is 2027. For the upper Kennet above Marlborough the date has not been assessed.

The whole river from source to below Newbury has been classified as a “Heavily Modified Water Body”. This means that the river does not have to achieve the ecological condition expected of an almost undisturbed river. The target of “good ecological potential” is a lower standard equivalent to as good as can be expected given the degree of modification.

**ARK's analysis:**

**We STRONGLY DISAGREE (with the 2027 target date and the lower standard implicit in the heavily modified designations)**

**ARK says:**

The 2027 target date is very unambitious. There is little justification in the plans for such a lack of action.

The problems of the River Kennet have been extensively studied over the past 10 years so **why can't action proceed right away, achieving the targets much earlier?**

The information in Annex B about why deadlines have been extended needs to be more detailed.

We don't think that the EA have justified why measures can't be done. (e.g. what are the measures considered disproportionately costly?)

No information is given about actions to be undertaken in the second planning cycle so it is hard to see how deadlines have been determined.

**We do not agree that the whole River Kennet from source to below Newbury should be classified as 'heavily modified'.**

**This is an excuse to allow a lower standard to be adopted for the River.**

We consider that the level of modification of most of the Kennet is normal for a chalkstream – for hundreds of years most chalkstreams have been modified by mills and water meadow systems, and these features add to the beauty and diversity of the river.

We do agree that the interaction with the K&A canal has damaged the river, but this is a problem which needs addressing, and is not a reason to accept a low standard.

No reason has been given for designating the river as heavily modified. **We suggest that respondents should challenge the designation of 'heavily modified' and ask EA to justify it.**

### Question

4) We have followed a process to assess (appraise) these actions. This process is described in detail in Annex E. Do you agree with how we have done this?

#### *The EA plan says:*

*Annex E describes the processes undertaken to identify and appraise measures.*

#### **ARK's analysis:**

**We STRONGLY DISAGREE (with the process and its outcomes)**

#### **ARK say:**

It is impossible for any non-expert to understand how or why actions have been selected. A clear and simple outline about why certain measures have been adopted, and others have not, should be provided.

This Annex is very technical and dense and confusing.

The annex should contain a clear description of the national level process for determining whether a measure is disproportionately costly.

### Question

5) What comments do you have on these actions? Are there any actions we've missed, or any changes you'd propose?

#### **ARK say:**

The actions listed for the River Kennet **do** cover most of the identified problems, but only in **vague and generalised terms**. For example:

- The problem of interaction with the K&A canal which has such a profound influence downstream of Hungerford is addressed by a single action "develop links with British Waterways to manage canal discharges and abstractions". There are no targets and no commitment to take any action.

ARK thinks that the plan should contain lists of actions to address specific problems, with a timescale for completion.

ARK has put forward a programme of actions to address the problems of the Kennet. These actions are summarised in the leaflet 'Stand up for the Kennet'. More details are given in

ARK's report on the ARK web-site. The programme we have put forward builds on all the activities undertaken by ARK, the EA, Thames Water and others over the past 10 years. It pulls everything together into a coordinated programme which would achieve good ecological status in much of the river by 2015 and all of it by 2019.

**We urge you to comment on the actions in the River Basin Management Plan in the light of the programme that we have put forward.**

### Question

6) What comments on **Scenario C actions** do you have, including any additional information you can supply about specific actions?

#### *The EA plan says:*

- *There are three scenarios that comprise of actions designed to fulfil obligations of the RBMP. Scenario A covers planned actions that will be undertaken anyway under other legislation (e.g. Habitats Directive).*
- *Scenario B consists of planned actions due to happen. However, it is hard to determine how many of these actions are genuinely new.*
- ***Scenario C** covers entirely new measures but will not necessarily happen due to uncertainty in funding or the effectiveness of the measure. It is unclear how these Scenario C measures will be prioritised.*

#### **ARK analysis:**

Most of the Scenario C actions for the River Kennet cover more monitoring and investigation of known problems.

#### **ARK says:**

**The proposed monitoring and investigation is absolutely essential** to achieving improvements in an acceptable timescale. All the investigations should therefore be in Scenario B. There should be a firm commitment to complete all the investigations by 2012, as ARK has proposed in its programme.

### Question

7) What support can you offer, such as undertaking any actions or providing resources to help deliver more for your environment?

#### **ARK says:**

ARK exists to improve the River Kennet. We will continue to promote our own improvement projects and support others'. For example, we already help in monitoring the river through participation in the Riverfly partnership – we can help with other types of monitoring through our local members. We can continue to deliver community river restoration projects such as those at Cooper's Meadow and Priory Gardens in Marlborough. **Please say here if you are prepared to help.**

*We believe that a detailed sub-basin plan is needed for the River Kennet. This can and should be completed by the end of 2009. ARK would welcome an active role in developing a sub-basin plan for the Kennet. **If you can offer specialist knowledge, please do so.***

## Question

8) Do you agree with our assessment of **how climate change will affect the pressures on the water environment?**

*We suggest: **DISAGREE***

### **ARK analysis:**

- The climate change annex provides an excellent, high level of detail of possible interactions between climate change and existing pressures. A useful next step would be to outline mitigating strategies to combat potential impacts.

### **ARK says:**

More emphasis should be placed on the importance of ecosystem resilience - the more we do improve our waters now, the better prepared they will be to cope with climatic changes in the future. For example, river ecology will be more resilient in the face of drought in the future if over abstraction is dealt with now. Plans to protect and improve groundwater resources will be vital for people and wildlife in the future.

## Question

9) Do you have any other comments on this draft plan that you haven't already told us?

### **Things ARK think:**

We would like to see greater clarification of the process/calculations used to decide what is 'technically infeasible' or 'disproportionately expensive' where this has been described as the reason for delaying a deadline.

The plans must show clearly the proportion of pollution by sector (e.g. agriculture, water industry etc.) and show exactly how polluters are being made to contribute to solving the problems.

The technical nature and lack of important information make this consultation very hard to engage with meaningfully.

**DO YOU HAVE ANY OTHER COMMENTS ON THE RIVER KENNET?  
IF SO ADD THEM TO THIS QUESTION**

**Thank you for taking the time and trouble to give your feedback.**