

## Water Protection Zones (WPZs) – key messages October 2009

1. WPZs will become a mechanism within the Water Framework Directive (WFD) to tackle water pollution from urban and rural sources and they could also address adverse effects to the hydro-morphology of water bodies.
2. Our national project will aim to 'establish the concept' for using WPZs through a small number of 'candidate sites' in 2009/10. These sites will represent a variety of pressures and issues.
3. WPZs will be risk-based, outcome-focused and proportionate. We will use WPZs when existing mechanisms will not get us to the WFD objectives we need to achieve.

### Environmental issue

Diffuse water pollution is caused by many small or scattered sources, which are often individually minor, but collectively significant. It threatens the quality of some of our lakes, rivers, groundwater and coastal waters by contaminating them with sediment, organic matter, nutrients and chemicals. It is now a bigger threat to water quality than point source pollution.<sup>1</sup>

Up to 82 per cent of rivers, 53 per cent of lakes and 75 per cent of groundwater bodies are at risk of not achieving good ecological and chemical status by 2015 (as required by the WFD) because of diffuse water pollution.<sup>2</sup>

### What is happening with WPZs?

So far we have only used the existing legislation for WPZs once. We introduced a WPZ on the River Dee (Wales) in 1999. This controls point sources of industrial chemical pollution in the river.

Defra and the Welsh Assembly Government are currently amending the provisions of the Water Resources Act 1991, to widen the legislation on WPZs (Section 93 of the Water Resources Act 1991 England and Wales). This will increase its scope to tackle Diffuse Water Pollution and protect the morphology of surface water bodies.

Defra and the Welsh Assembly Government carried out a consultation on WPZs in January 2009. The results of this were published by Defra in September 2009. Defra is aiming to have the changes to the existing WPZ legislation in place by December 2009. We are working closely with Defra and the Welsh Assembly Government to ensure that the outcomes of these changes are effective and usable.

<sup>1</sup> Environment Agency (2007) *The unseen threat to water quality*. Diffuse Water pollution in England and Wales. Table 1. Percentage of the total length or area of each water body type. Water bodies can be at risk from more than one pressure.

<sup>2</sup> A summary of the Article 5 risk assessment results for England and Wales, together with method statements for the characterisation assessments and further background information is available at [www.environment-agency.gov.uk/wfd](http://www.environment-agency.gov.uk/wfd)

## What is a WPZ and what can it protect?

WPZs will be a regulatory mechanism to address water pollution and hydro-morphological damage that will lead to failure of WFD objectives. A WPZ will be a recognised geographical area in which we have additional powers to protect water. We will be able to use positive and prohibitive measures to address activities which cause direct or indirect damage.

We may use WPZs to address both urban and rural pollution sources and hydro-morphological damage to our water bodies.

We want to use WPZs to address the most vulnerable waters and specifically the WFD targets to achieve 'good status'. We will prioritise the use of WPZs to protect and improve the most valuable waters under the WFD, such as Drinking Water Protected Areas and Special Areas of Conservation.

We will ensure that WPZs are implemented in line with our better regulation principles. We are considering introducing WPZs only where there is clear evidence that we need to do more beyond voluntary mechanisms such as Catchment Sensitive Farming and Pollution Prevention Campaigns.

We will review the effectiveness of each WPZ individually to ensure that the measures within it continue to be both necessary and effective. After careful assessment we may remove a WPZ through the River Basin Planning Cycles if we believe the measures are no longer required.

## Our WPZ project

WPZs are a relatively untried mechanism. Hence, we will start with a small number of candidate sites in this project, prior to any widespread use. This is to refine our understanding and 'establish the concept' for WPZs prior to any wider use of them.

Where designation may be appropriate we will assess the potential environmental, financial and social impacts and then consult on sites individually. We will target and justify WPZs using robust evidence. We will tailor controls within each WPZ to meet the biggest risks, rather than produce a list of prohibited activities that apply to every business.

There will be an extensive dialogue about feasibility and options, both internally and with individuals and organisations with an interest in this work, before we make any formal proposals. There will also be a 12-week public consultation focusing on the specific content of individual WPZs. If implemented, we will enforce the requirements of individual WPZs using our regulatory powers.

We will only extend controls above existing measures like Nitrate Action Plans where we have strong evidence that these measures will not be enough to protect downstream receptors.

We estimate an average lead time of at least 15 months to establish a WPZ.

## Wales

In Wales, 42 per cent of rivers, 29 per cent of lakes and 40 per cent of groundwater bodies are at risk of not achieving good ecological and chemical status by 2015 because of diffuse water pollution. A new land management scheme – Glastir – will commence in January 2012, and it is unlikely that WPZs will be implemented in Wales until early indications are available from Glastir about its success in tackling diffuse water pollution.

The Welsh Assembly Government joined Defra in consulting on the legislative changes for WPZs to give the Environment Agency in Wales the same powers to implement such zones. The Welsh Assembly Government will be consulting, in the near future, on separate statutory guidance for the use of WPZs in Wales.

## Contact

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