



Response to Southern Water Working Draft Drought Plan 2027 Consultation

Submitted on behalf of The Grayling Society

The Grayling Society welcomes the opportunity to comment on Southern Water's Draft Drought Plan 2027.

As an organisation dedicated to raising awareness and promoting conservation of the European grayling (*Thymallus thymallus*) and the protection of the rivers upon which the species depends. We therefore have an interest in the management of abstraction and drought measures affecting the internationally important chalk streams of southern England, including the Rivers Test and Itchen.

The importance of grayling

Grayling are one of the United Kingdom's most ecologically significant freshwater fish species. They are recognised as a species requiring management measures under Annex V of the Habitats Directive, and their conservation has long been recognised as an important component of river management in the UK. The Grayling Society and Grayling Research Trust have worked for decades alongside regulators, fisheries managers and conservation organisations to improve understanding of the species and promote evidence-led conservation (Annex 1: GRT Grayling Conservation Guide 2018).

Grayling are particularly valuable as an indicator species. Their ecological requirements are highly specific. They depend upon clean, cool, well-oxygenated rivers, stable flow regimes, high-quality gravel substrates for spawning and excellent water quality throughout every stage of their life cycle. The Grayling Research Trust's conservation guide demonstrates that grayling are particularly susceptible to changes in temperature, dissolved oxygen and habitat quality. Their abundance therefore provides an important indication of the ecological condition of chalk stream systems.

The Rivers Test and Itchen are internationally renowned chalk streams and support nationally important grayling populations. Protecting the ecological integrity of these rivers is therefore fundamental not only for grayling conservation, but for the wider health of these globally rare freshwater ecosystems.

Evidence of decline

The Environment Agency's fish monitoring data gives cause for significant concern.

The comparison of historic and recent Environment Agency electrofishing surveys and angler catch return data demonstrates substantial declines across southern England over approximately the last twenty years. Whilst national trends vary between regions, both independent datasets identify marked declines within the southern Environment Agency region, with electrofishing surveys showing reductions of approximately 67% and angler catch returns indicating declines of around 42%. The accompanying analysis concludes that both monitoring approaches provide valuable evidence of

population change (Annex 2: Frank King's Comparison of grayling numbers in each Environment Area from catch return and electro fishing data).

The Grayling Society is particularly concerned by the evidence of decline within the Rivers Test and Itchen. These internationally important chalk streams have experienced long-term abstraction pressures alongside increasing environmental stress arising from climate change, elevated water temperatures and prolonged low-flow conditions. Grayling are among the species most sensitive to these cumulative pressures, and declining populations should be regarded as an early warning of wider ecological deterioration.

Against this background, any proposal that could increase abstraction pressure or weaken existing environmental safeguards warrants the highest level of scrutiny.

Measures to reduce drought impacts

The Grayling Society welcomes many aspects of Southern Water's Draft Drought Plan.

In particular, we support measures intended to reduce demand before environmental damage occurs, including continued leakage reduction, improved metering, water efficiency initiatives and the willingness to introduce water-saving restrictions where necessary to protect sensitive chalk streams. These preventative measures represent the correct strategic approach and recognise that environmental protection should begin before severe drought conditions develop.

We also welcome Southern Water's acknowledgement that the Rivers Test and Itchen require enhanced protection during periods of prolonged dry weather, including the potential implementation of water-saving measures before a formal drought is declared. This reflects the exceptional sensitivity of these rivers and recognises the need for proactive environmental management until longer-term strategic water resource schemes are operational.

Review of the Section 20 Agreement

However, we have serious concerns regarding the proposed review of the Section 20 Agreement.

The consultation document states that the current agreement expires in 2030 and will therefore require review during the lifetime of this Drought Plan. It also confirms that the Section 20 Agreement currently provides the framework governing drought permits and drought orders in Hampshire, together with extensive environmental monitoring, mitigation and compensation measures associated with abstraction from the Rivers Test and Itchen.

The Grayling Society considers this to be one of the most significant issues arising from the consultation.

The existing Section 20 framework was established because of the exceptional environmental sensitivity of these internationally important chalk streams. Any

proposal that could alter that framework, reduce existing environmental safeguards or increase pressure on protected habitats and species must be supported by compelling scientific evidence, robust environmental assessment and full compliance with domestic and international environmental law.

Reliance upon IROPI

We are particularly concerned by any future reliance on the concept of **Imperative Reasons of Overriding Public Interest (IROPI)** to justify environmental impacts affecting these protected rivers.

At this stage, The Grayling Society does not consider that Southern Water has demonstrated that all feasible alternative solutions have been fully explored and exhausted before any reliance on IROPI could properly be contemplated.

The consultation itself recognises that major strategic schemes, including Havant Thicket Reservoir and the Hampshire Water Transfer and Water Recycling Project, are intended to provide long-term resilience and reduce abstraction pressure on the Rivers Test and Itchen.

While we fully recognise the importance of maintaining resilient public water supplies, the legal threshold for reliance upon IROPI is necessarily high. It is essential that any future proposals demonstrate, through transparent evidence and robust environmental assessment, that there are no feasible alternative solutions capable of avoiding or reducing impacts on protected habitats and species before exceptional legal provisions are considered.

The Grayling Society will continue to examine carefully the development of the Drought Plan, the review of the Section 20 Agreement and any associated proposals. Where we consider that statutory environmental protections have not been properly applied, or that the legal tests relating to alternative solutions have not been satisfied, **we reserve all our legal rights and will consider legal action where appropriate.**

Conclusion

The Rivers Test and Itchen are internationally important chalk streams supporting nationally significant grayling populations and exceptional freshwater biodiversity.

The available evidence demonstrates that grayling populations across southern England are already under considerable pressure. As a species that is highly sensitive to changes in flow, water quality and habitat condition, grayling provide an important indicator of the ecological health of these rivers. Their decline should be treated as a warning that the resilience of these internationally important chalk stream ecosystems is already being compromised.

The Grayling Society therefore welcomes Southern Water's commitment to improving drought resilience through demand management, leakage reduction, water efficiency and earlier intervention to protect sensitive rivers. However, we urge Southern Water, the Environment Agency and Defra to ensure that any review of the Section 20

Agreement strengthens rather than weakens the environmental protections afforded to the Rivers Test and Itchen.

The Grayling Society remains committed to engaging constructively throughout the development of the Drought Plan. Equally, we will continue to scrutinise proposals affecting these internationally important rivers to ensure that their ecological integrity is protected and that all statutory environmental safeguards are fully observed.

Dr Marnie Lovejoy, Chair Grayling Society