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25th November 2022

Dear Sir/Madam

**THE NORTH SOMERSET COUNCIL (BANWELL BYPASS AND SOUTHERN LINK)
COMPULSORY PURCHASE ORDER 2022 AND THE NORTH SOMERSET COUNCIL
(BANWELL BYPASS AND SOUTHERN LINK) (SIDE ROADS) ORDER 2022**

In accordance with the statutory notices dated 10th October 2022, Bristol Water, as Statutory Water Undertaker for the North Somerset District Council area ('the Water Undertaker') – writes to submit the following representations regarding the above Orders.

The Water Undertaker's position

At this stage, pending further detail and agreement between the parties, the Water Undertaker is obliged to raise Objection, for the following reasons: (a) to safeguard a significant water source, which could be adversely affected by the proposed construction method; and (b) to ensure that the Water Undertaker's in-situ assets and associated water mains are protected as necessary and that, if required, any associated costs are met in full by the Acquiring Authority.

Through its Searches and close liaisons with the Water Undertaker, the Acquiring Authority will be aware of the presence of the Water Undertaker's assets and its statutory rights in respect of them. It is anticipated that the following points will be the subject of further dialogue between the parties, with the aim to reach a resolution which is satisfactory to both services to the public.

Potential impact on the Water Undertaker's Water Source

The Water Undertaker holds an Abstraction Licence for a spring source within Banwell, named "Banwell Spring" – a spring which rises at the foot of the Mendip Hills and provides (after treatment) drinking water to a population of approximately 180,000 customers.

Early analysis has suggested that the proposed construction method for the Banwell Bypass may lead to depressurisation of the underlying rock formation (Mercia Mudstone Group) to the north of Banwell Spring, the consequence of which is that the groundwater head at the Spring may be reduced and the groundwater yield from Banwell Spring lowered.

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Detailed hydrological impact assessment is necessary, to identify a full understanding of the potential impact of the Banwell Bypass on Banwell Spring. Satisfactory data analysis and other assessments will be necessary to assess the impact and/or any appropriate mitigation and, in the event the Order Scheme should proceed and be constructed, ongoing monitoring will also be required to ensure there is no future detrimental impact on the groundwater yield or water quality.

The necessary terms and costs to be met by the Acquiring Authority are expected to be secured in an Asset Protection Agreement and completed between the parties at the Acquiring Authority cost.

Potential for Impact on Water Infrastructure

Discussions between the Water Undertaker and representatives of the Acquiring Authority are continuing and have determined that the Water Undertaker's in-situ infrastructure, namely water main network, will be impacted by the Banwell Bypass. To date, it is not understood if the Acquiring Authority intends to acquire any land of the Water Undertaker per se, rather that it is seeking to acquire land in which assets are situate.

The water infrastructure which is affected by the Order Scheme is significant and is vital for the necessary continued supply of water to the public/customers. The Acquiring Authority will be aware that the Water Undertaker's infrastructure must not be damaged, and that the Water Undertaker's statutory access rights to inspect, maintain, repair, alter and replace its infrastructure must not be affected and should be carefully managed.

Given the potential for serious consequences to the supply of water services, the Water Undertaker respectfully requests that both Orders should not be confirmed unless and until measures are formally secured (by way of application and/or agreement as appropriate), to guarantee the continued free operation of the Water Undertaker's infrastructure and the safe supply of water to its customers. At present, the Acquiring Authority has been made aware of the need to undertake a detailed assessment of the likely impact to water infrastructure, design work for any agreed diversions and/or other works, together with a commitment to meet all associated costs including design and construction costs.

Summary

Until further liaisons and agreement is in place, the Water Undertaker is obliged to Object to the above Orders and must submit that the benefits of the Order Scheme are not presently demonstrated to outweigh the potential damage to the Water Undertaker's water source and infrastructure, which are essential to maintain water supplies to the public/customers. The Water Undertaker, as statutory custodian of water services to the public, must respectfully reserve the right to make further representations in due course.



**BRISTOL
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Yours faithfully



Stuart Cleland BSc (Hons) MRICS
Land and Property Manager

Bristol Water plc

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