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South East Strategic Reservoir Option (SESRO)

Supporting Document E Planning and Land Strategy

J696-AA-XXXX-XXXX-RP-PL-100001

Version: 1.0

Standard Gate three submission for SESRO
SRO

Notice – Position Statement

- This document has been produced as the part of the process set out by RAPID for the development of the Strategic Resource Options (SROs). This is a regulatory gated process allowing there to be control and appropriate scrutiny on the activities that are undertaken by the water companies to investigate and develop efficient solutions on behalf of customers to meet future drought resilience challenges.
- This report forms part of the suite of documents that make up the 'Gate 3 submission.' Gate 3 of the RAPID programme represents a checkpoint on the way to solutions being prepared for consent applications. The intention at this stage is to provide RAPID with an update on activities being undertaken in preparation for consent application submission; activities' progress including programme through to completion; and consideration of specific activities to address particular risks or issues associated with a solution. The regulatory gated process does not form part of the consenting process and will not determine whether an SRO is granted planning consent.
- Given the stage of the SROs in the planning process, the information presented in the Gate 3 submission includes material or data which is still in the course of completion, pending further engagement, consultation, design development and technical / environmental assessment. Final proposals will be presented as part of consent applications in due course.
- The project information captured in this document reflects a design freeze in October 2024 following the non-statutory consultation, to meet the requirements of RAPID's gated process. Since then, the design has continued to evolve which includes further work with Affinity Water and Southern Water partners to form agreed requirements for the development consent application, such as the incorporation of Southern Water's proposed water treatment works into the SESRO consent. You can find the latest information about the design and development of the project at <https://thames-sro.co.uk/projects/sesro/>.

Disclaimer

This document has been written in line with the requirements of the RAPID Gate 3 Guidance (v3, January 2024) and to comply with the regulatory process pursuant to Thames Water's, Southern Water's and Affinity Water's statutory duties. The information presented relates to material or data which is still in the course of completion. Should the solution presented in this document be taken forward, the co-sponsors will be subject to the statutory duties pursuant to the necessary consenting process, including environmental assessment and consultation as required. This document should be read with those duties in mind.

Revision history

Version	Date	Submitted at
1.0	28-07-2025	RAPID submission

Acronyms

Acronym	Term
ACWG	All Company Working Group
DCO	Development Consent Order
EIA	Environmental Impact Assessment
HRA	Habitats Regulations Assessment
MDT	Master Deliverables Tracker
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
PA2008	Planning Act 2008
PADSS	Principal Areas of Disagreement Summary Statement
PMIE	Potential Main Issues for the Examination
RAG	Red, Amber, Green
SESRO	South East Strategic Reservoir Option
SoCC	Statement of Community Consultation
SoCG	Statement of Common Ground
SRO	Strategic Resource Option
STT	Severn to Thames Transfer
SWOX	Swindon and Oxfordshire
T2AT	Thames to Affinity Transfer
T2ST	Thames to Southern Transfer
TCPA1990	Town and Country Planning Act 1990
WFD	Water Framework Directive

Units

Unit	Definition
MI/day	Megalitres per day
Mm ³	Million meters cubed

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1 Introduction and Context

1.1 Introduction

- 1.1.1 Under the Water Industry Act 1991, every water company must prepare and maintain a Water Resources Management Plan (WRMP). This plan is updated every five years and sets out how companies are required to produce WRMPs every five years. The water-stressed status of south-east England was recognised by Ofwat (the Water Services Regulation Authority) following submission of the WRMP 2019 (Various Water Companies, 2019), and subsequently, funding was provided for water companies to investigate, then develop SROs that will benefit customers and the wider society and help protect and enhance the environment. Thames Water's WRMP 2024 was published on 18 October 2024, following a direction to publish from the Secretary of State in August 2024. The WRMP24 aligns with the revised draft Water Resources South East (WRSE) regional plan and establishes the need for a new 150Mm³ reservoir (the South East Strategic Reservoir Option, or SESRO) that will primarily supply Thames Water, Southern Water and Affinity Water customers.

1.2 SESRO

- 1.2.1 In 2019, Ofwat provided funding for water companies to investigate and develop new large scale Strategic Resource Options (SROs) which are expected to play a crucial role in meeting long-term water needs, particularly in the south east which is described as “seriously water stressed”. SESRO is a strategically important SRO which requires development by multiple partners for wider regional benefit beyond one company's supply boundaries. This type of scheme is lengthy and complex to consent and develop. In accordance with Thames Water's WRMP, SESRO is required to be operational by 2040.

1.3 RAPID

- 1.3.1 RAPID, a joint team made up of the three water regulators: Ofwat, the Environment Agency (EA) and the Drinking Water Inspectorate (DWI), was set up to support and oversee the progress of SROs. At PR19, Ofwat introduced a new gated process for which RAPID provides advisory oversight. At each gate, RAPID assesses the progress made in the development of each solution and provides recommendations to Ofwat on whether to release the next tranche of funding to continue scheme development. This process allows comparison of the solutions at regular intervals, and has clear checkpoints, or ‘gates’, to assess progress and determine which solutions should be taken forward for further work.
- 1.3.2 Each scheme passes through a series of governance ‘gates’, enabling key information to be presented and an assessment made on whether the scheme should continue for further development. The gates, for a standard SRO, set out by Ofwat in PR19 are as follows:

- Gate 1 – initial feasibility, design and multi-solution decision making
- Gate 2 – detailed feasibility, design and multi-solution decision making
- Gate 3 – finalised feasibility, pre-planning investigations and planning applications
- Gate 4 – planning applications, procurement strategy and land purchase.

1.4 Structure of Report

1.4.1 This report has been prepared to provide technical supporting information for the SESRO SRO gate three submission to RAPID. This report is Supporting Document E.

1.4.2 The structure of this supporting document is as follows:

Part 1 provides an overview of the planning and consents strategy for SESRO, sub-divided into various sections as follows:

- Preferred Planning Route and Key Steps
- Pre-Application Activities
- Managing the Process
- Managing Key Risks and Issues
- Statutory and Non-Statutory Consultation Progress
- Managing the Journey
- Other Consents and Licences

Part 2 is focused on the key issues associated with land access, acquisition and compensation, sub-divided into various sections as follows:

- Land Lifecycle
- Land Referencing
- Land Access for Surveys
- Acquisition of Land and Rights in Land
- Property Cost Estimate, Acquisition and Compensation Strategies
- Data Management

2 Purpose and Links to Other Documents

- 2.1.1 This report forms part of the submissions made at Gate 3 to the Regulators' Alliance for Progressing Infrastructure Development (RAPID) in respect of the South East Strategic Reservoir Option (SESRO). SESRO is one of a number of Strategic Regional Water Resource Options (SROs) nationwide and is nominated in Thames Water's published Water Resources Management Plan 2024 (WRMP24).
- 2.1.2 The project sponsors for SESRO are Thames Water, Affinity Water and Southern Water. The 'SESRO project team' and 'we' are used when describing actions carried out on behalf of the sponsors.
- 2.1.3 The purpose of this report is to provide an update to RAPID, for Gate 3, concerning the planning and land strategy for SESRO. It responds in particular to the planning requirements of '*Section 6.4 Planning and Land*' in RAPID's '*Strategic regional water resource solutions guidance for gate 3*' (Version 2, August 2023).
- 2.1.4 This report therefore builds upon Supporting Document G, '*Planning, consenting and land acquisition strategy*' which formed part of Thames Water's and Affinity Water's Gate 2 submission to RAPID. It avoids repetition of the Gate 2 Supporting Document G strategy, which thoroughly set out matters such as the consent application process, pre-application stages, land strategy and project interfaces; rather, here we provide an update where aspects of the strategy have been firmed up, moved on, and where progress in implementing it has been made. This report should therefore be read together with the Gate 2 strategy Supporting Document G.
- 2.1.5 This report should also be read together with the other documents comprising the Gate 3 submission, which provide further details on matters such as project programme, progress with stakeholder engagement, design, procurement model, carbon and environmental considerations among other matters that are relevant to consenting and land acquisition.

Part 1, Planning Strategy



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3 Planning Strategy: Planning Route and Key Steps

3.1 Preferred Planning Route

- 3.1.1 The Gate 2 *Planning, consenting and land acquisition strategy* identified that delivery of SESRO will require planning permission, land, environmental permits (including for abstraction and discharge of water), and a range of secondary consents and third party agreements. It concluded that the reservoir component of SESRO would be a nationally significant infrastructure project (NSIP) as it would be a reservoir in England constructed by a water undertaker¹ with storage volume exceeding 30 million cubic meters (Mm³), i.e. meeting the qualifying criteria in section 27(1) of the Planning Act 2008 (PA2008) as amended by the Infrastructure Planning (Water Resources) (England) Order 2019.
- 3.1.2 The Gate 2 strategy noted that a DCO could grant planning permission, land acquisition rights and many other consents, but not necessarily the abstraction and discharge permits or certain other prescribed consents and authorisations for which statutory body approval is reserved under section 150 of the PA2008. It also noted that a DCO application can include a wide range of 'associated development', which may be on- or off-site and which is necessary to help deliver the main NSIP reservoir development, collectively forming the SESRO project as envisaged. The Gate 2 strategy explained that a DCO can authorise more than one NSIP, which could be necessary or beneficial for consenting energy, rail, road or water transfer aspects of SESRO.
- 3.1.3 Having reviewed the qualifying criteria, feasibility and merits of three potential primary consenting routes for SESRO – namely planning permission(s) under the Town and Country Planning Act 1990 (TCPA1990), Development Consent under the PA2008 or a Hybrid Act of Parliament – the Gate 2 strategy concluded that a Development Consent Order (DCO) application under the PA2008 for one or more NSIPs together with associated development was the preferred strategy.
- 3.1.4 This remains the case. The proposed storage volume of SESRO, consistent with the WRMP24, would be 150 Mm³ which would require authorisation under the PA2008¹. The Gate 2 strategy concluded that while TCPA1990 application(s) could be used to provide planning permission for some aspects of the SESRO project, this was not considered to offer programme or consent risk reduction advantages over the 'one stop shop' of a DCO application as it could introduce complexity to the timing and overlap or interaction of consents; and Hybrid Acts are promoted only exceptionally, with justification required for moving away from the established DCO process. At Gate 3, this remains the position overall but consideration is being given any benefits of consenting early/enabling works under the TCPA1990.
- 3.1.5 The SESRO project team has therefore proceeded to register the SESRO project as

¹ however, see further discussion in paragraph 3.1.36 et seq

a prospective NSIP and forthcoming DCO application with the Planning Inspectorate and has progressed pre-application discussions with the Inspectorate. A Planning Inspectorate project page has been established² and a request for an EIA Scoping Opinion was made on 28 August 2024³ and a Scoping Opinion was received on 08 October 2024⁴. Pre-application progress is discussed further in Section 4.

- 3.1.6 In further developing the details of the preferred planning route and strategy to execute it, we have focused on the following areas since Gate 2.
- 3.1.7 Working to **establish a core set of proposed Design Principles and refining the project vision** for SESRO as a whole. The vision and design principles are intended to fulfil the water resource requirements established by WRMP24, duties under the Water Industry Act 1991, the 'good design' and other policy expectations of the Water Resources National Policy Statement (NPS), and the project sponsors' vision for community and environmental benefit that can be provided by SESRO.
- 3.1.8 This has enabled refinement and better definition of the associated development that is necessary to deliver the reservoir NSIP and to provide the overall SESRO project as envisaged, so that this can be included within the updated planning and land strategies. This work has been informed by design development, option appraisals and a range of early non-statutory consultation and engagement as discussed in Sections 4 and 7 of this Supporting Document and elsewhere in the Gate 3 report.
- 3.1.9 Working to further define the **project boundary of SESRO with respect to how it interacts with other SRO and non-SRO projects**. This has enabled further consideration of what NSIP(s) should be authorised through the SESRO DCO application and what other project elements should be included as associated development. It has also allowed consideration of where provision (such as space set aside or other design affordances) should be made for other projects and for construction sequencing. Overall, this has helped to refine where the SESRO DCO Order Limits are expected to be drawn in relation to other project boundaries.
- 3.1.10 Further considering **other consents and licences required for SESRO** and the optimum route to acquire these, including where there may be opportunity to strategically de-risk the SESRO consenting and delivery through greater inclusion of other consents and licences within the DCO, facilitated by a collaborative working approach to consents negotiation with prescribed bodies.
- 3.1.11 Further building up the appropriate **processes, governance arrangements, capability and resources** to execute the planning and land strategy as the project has moved into the DCO application preparation stage. This is discussed in Section 4.

² <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/WA010005>

³ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/WA010005/WA010005-000010-WA010005%20-%20Scoping%20Report.pdf>

⁴ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/WA010005/WA010005-000017-SESRO%20Scoping%20Opinion%202017%20EIA%20Regs%20FINAL.pdf>

- 3.1.12 Further **developing and implementing the stakeholder engagement strategy**, including both non-statutory engagement and preparing for statutory pre-application consultation required under the PA2008 and other applicable regulations, which is discussed in Section 7.

Planning reform and project sponsors' approach

- 3.1.13 Following earlier consultation and an Action Plan for system-wide reform of the NSIP process, in October 2023 the Levelling Up and Regeneration Act received Royal Assent and reforms under this are being implemented through secondary legislation and refreshed guidance. This is an active process, with a new charging regime for certain prescribed consultees in the DCO process, a new Planning Inspectorate pre-application service and refreshed Inspectorate advice notes being introduced in 2024. Further reforms are proposed to be delivered through secondary legislation, guidance and other government mechanisms in 2024 and 2025. These include biodiversity net gain for NSIPs, the outputs of the Spatial Planning for Infrastructure Taskforce, the establishment of new governance for all major infrastructure within central government, digital transformation, and the development of Environmental Outcome Reports to replace Environmental Impact Assessments.
- 3.1.14 In July 2024 a Planning and Infrastructure Bill was announced, aimed at speeding up the delivery of infrastructure and housing. At the end of July, the government has consulted on changes to the National Planning Policy Framework and proposals for changes in the thresholds for certain types of water resource NSIPs (not affecting the SESRO reservoir capacity), solar and onshore wind NSIPs⁵. In November 2023, a consultation on smarter regulation for the energy, water and telecoms sectors⁶ asked whether the PA2008 definitions of water NSIPs should be updated, although the initial government response to that consultation in May 2024⁷ has not commented further on this point.
- 3.1.15 In this changing regulatory and policy environment, the project sponsors' intention is to show leadership in the NSIP space through the SESRO project, and to engage actively with reforms as they come forwards. Thames Water has responded to the July 2024 planning reform consultation. The SESRO project team has engaged with the Planning Inspectorate to agree to proceed under Service Tier 2 (discussed in Section 4) and with other prescribed consultees where new service charging applies. Through the All Company Working Group (ACWG), the SESRO project sponsors have and will continue to co-ordinate with other water resource project sponsors to establish best practice for NSIPs in this sector and to engage constructively with planning reform.

⁵ Ministry of Housing, Communities & Local Government: Proposed reforms to the National Planning Policy Framework and other changes to the planning system (updated August 2024)

⁶ Department for Business & Trade: Smarter regulation: Strengthening the economic regulation of the energy, water and telecoms sectors (November 2023; Question 11)

⁷ Department for Business & Trade: Smarter regulation: Delivering a regulatory environment for innovation, investment and growth (May 2024)

NSIP works and project interactions

- 3.1.16 The need for SESRO at 150 Mm³ scale as identified in WRMP24 arises from its role in supplying water to the South East region. This involves water transfers to Affinity Water's region via the River Thames, Southern Water's region via the Thames to Southern Transfer (T2ST) SRO project, and within Thames Water's region via supply particularly to the Swindon and Oxfordshire (SWOX) area and Farmoor reservoir via non-SRO transfer and supply project(s). T2ST's capacity is expected to be 120 MI/day, but the project is expected to be the subject of a Section 35 Direction request, discussed further below. The Severn to Thames Transfer (STT) also remains part of the adaptive plan set out in WRMP24 as a potential future project.
- 3.1.17 Defining the interfaces between SESRO and these SRO and non-SRO projects is a key aspect of the planning strategy, which will determine the NSIP and associated development works authorised by the DCO and consequently the necessary Order Limits, and any overlaps or protective provisions for other SROs. The project sponsors are in active discussion to evaluate the project interfaces, sequencing, procurement and physical location of works and inform decisions on the planning strategy.
- 3.1.18 The T2ST SRO is understood to comprise a water transfer pipeline, water treatment works (WTW) and other associated development. It is anticipated that either the pipeline will constitute an NSIP (post proposed reforms to the Planning Act 2008) or that the T2ST project will be directed under Section 35 of the Act to constitute a project of national significance, in either case therefore required to be consented by way of a DCO.
- 3.1.19 Current T2ST proposals identify that the WTW and initial section(s) of T2ST pipeline(s) connected to a T2ST pumping station are likely to be located within the SESRO site. Thames Water and Southern Water are continuing to explore the consenting responsibilities for this infrastructure, within the SESRO DCO application and the proposed T2ST DCO application. The SESRO DCO application may therefore either incorporate or allow for consent boundary overlap for a water transfer project that requires development consent (i.e. some of this T2ST infrastructure within the SESRO site) in addition to the core SESRO reservoir NSIP and associated development, depending on the location and construction sequencing of these works.
- 3.1.20 No additional physical works are required for the use of the River Thames to transfer water to Affinity Water for T2AT and so this will not form part of the SESRO DCO or other consents, save potentially in respect of the abstraction and discharge licenses (discussed in Section 9).
- 3.1.21 The SWOX/Farmoor transfers are non-SRO projects and are anticipated to be consented separately via TCPA1990 application(s) in due course. At this stage, no works are intended to be included in the SESRO DCO, but passive design allowance is being considered through measures such as pumping station design and space for a future water treatment works and pipeline construction when

designing the SESRO landscaping and habitat proposals. In due course the drafting of the DCO will be considered to facilitate such physically overlapping future TCPA planning permission(s).

- 3.1.22 No works for STT are intended to be included in the SESRO DCO, but passive design allowance is being considered through measures such as intake and outfall tunnel and pumping station design, and SESRO site landscaping and habitat proposals.
- 3.1.23 The above points have been taken into consideration for the initial project boundary, study areas and nature of potential environmental impact pathways discussed in the EIA Scoping Report.
- 3.1.24 However, the planning strategy remains under evaluation. It is noted that should it be necessary, it is possible for two or more DCOs to have overlapping Order Limits or for one DCO to assign the benefit of its authorisations to multiple parties to construct and/or operate different works.
- 3.1.25 We are also evaluating the energy supply options for SESRO, including potential for on-site renewable or other low/zero carbon generation, and the optimum approach with regard to the existing solar generating capacity within the project footprint. If it were at or above a combined 50 MW threshold, energy generation would also constitute an NSIP (although the planning reform consulted on in August 2024 would raise the thresholds for solar to 150 MW), which would have policy support through NPS EN-1 and EN-3. At present it is not expected that energy generation for SESRO will meet the NSIP threshold, meaning that it would be incorporated as associated development (see below), but this will be kept under review.

Associated Development

- 3.1.26 The project sponsors have carefully considered the legal framework for associated development under Section 115 of the PA2008, guidance on what can constitute associated development⁸, national policy drivers and duties under the Water Industry Act 1991.
- 3.1.27 As with discharging any of their statutory duties, the project sponsors (and in due course the infrastructure delivery bod(ies)) must develop SESRO in accordance with duties under section 3 of the Water Industry Act 1991. Broadly speaking, this requires SESRO to be developed in a way that furthers conservation interests (including the wider role of SESRO in reducing water abstraction in stressed catchments), has regard to the protection of heritage and takes into account the effects the proposals will have on landscapes and wildlife. It must also have regard to the desirability of preserving freedom of access to open spaces or heritage sites.
- 3.1.28 The other key element for considering whether a particular work should be included

⁸ Department for Communities and Local Government (as-was): Planning Act 2008. Guidance on associated development applications for major infrastructure projects (April 2013)

in the DCO is policy in the Water Resources NPS. The NPS contains the primary tests against which the DCO application will be examined, forms the primary decision making framework for the application, and therefore its policy prescriptions (for example with respect to landscaping, recreation or habitat compensation) are relevant to whether such works would be supported if included as associated development.

- 3.1.29 Once it has been established whether a work can legally be authorised as associated development by a DCO, and whether it would be supported as necessary by duties under the Water Industry Act or through policy expectations in the Water Resources NPS, further consideration must then be given to the potential consenting benefits and risks of particular works, and how any such works could or would be delivered in the procurement context. A conclusion can then be reached as to whether a particular work should be included in the DCO application from both a strategic and practical perspective.
- 3.1.30 The alternative would be for other aspects of development related to SESRO but not necessarily constituting associated development, or for which inclusion in the DCO is not the optimum choice, to be consented separately or be deemed not necessary for the SESRO development.
- 3.1.31 Key advantages of including works as associated development in the DCO are that this provides a single consent (with associated controls via DCO requirements) to implement, avoiding overlapping consents, and provides for compulsory acquisition of land or rights over land.
- 3.1.32 Key risks are the potential addition of complexity to the DCO application, additional environmental impacts, the justification and consideration of alternatives required for compulsory acquisition, the potential loss of flexibility to deliver works by other means, and the potential complexity of DCO control measures and procurement if different aspects of the works are to be procured via different routes (discussed in Supporting Document F, Procurement and Operational Strategy).
- 3.1.33 At this stage it is proposed that all the currently envisaged aspects of SESRO beyond the core elements that require development consent are capable of constituting associated development and inclusion in the DCO is the preferred consenting route. TCPA1990 applications for aspects of the SESRO project therefore do not at this stage form part of the consenting strategy, with the preference remaining to provide the necessary planning permission for associated development through the DCO, but such applications could form part of the planning strategy if required.
- 3.1.34 As noted above, Thames Water and Southern Water are continuing to explore consenting responsibilities for T2ST infrastructure proposed to be located on the SESRO site.
- 3.1.35 However, this position will be kept under review: should there be an advantage (for example to permit enabling works earlier in the programme) then this can be considered. The SESRO project team has actively used the TCPA1990 route to

obtain planning permission for site survey and clay compaction trial works which are informing the SESRO engineering design and environmental impact assessment, discussed in Section 4. However, it is also noted that the two local planning authorities within which SESRO works are expected to be located (Vale of White Horse and South Oxfordshire councils) are proposing to maintain a formal position objecting to the SESRO project in their emerging draft Joint Local Plan, which is currently at Regulation 19 consultation stage.

Consideration of any requirement for Section 35 Direction

- 3.1.36 For the SESRO reservoir to automatically qualify as an NSIP, it must meet the criterion of Section 27(1)(b) of the PA2008 that construction is carried out by one or more water undertakers (as defined by Section 56 of the Water Industry Act 1991). The proposed commercial model for procurement of SESRO construction and operation is discussed in Supporting Document F, Procurement and Operational Strategy. This introduces the possibility that the entity that may be the ultimate beneficiary of those aspects of the DCO authorising the construction of the reservoir NSIP and that carries out construction, is not a water undertaker, which would mean that at the time of development the SESRO project may not automatically constitute the NSIP purported to be authorised by the DCO.
- 3.1.37 Proposed planning reforms, consulted on in September 2024⁹, would amend the Planning Act 2008 to bring *“the construction, maintenance or operation of water infrastructure by a third party on behalf of a water undertaker”* within the definition of an NSIP, which would resolve this issue.
- 3.1.38 However, to mitigate the risk that these amendments have not taken force at the time the DCO application is submitted, it was agreed with officials at DEFRA that a direction under s.35 of the Planning Act 2008 should be sought from the Secretary of State for Environment, Food and Rural Affairs to enable the Project to be consented by way of a DCO.
- 3.1.39 The DCO process would provide the most effective consenting route for securing delivery of the Project and would provide the most efficient mechanism for securing the extensive range of statutory powers, permissions, consents and licences required. The alternative route of seeking planning permission under the Town and Country Planning Act 1990, coupled with a multitude of other separate licences, powers and consents, carries a risk of substantial delay to the delivery of this piece of critical national infrastructure.
- 3.1.40 TWUL therefore requested that the Secretary of State for Environment, Food and Rural Affairs gave a Direction under section 35 of the Planning Act 2008 for the ‘principal’ element of the Project to be treated as development for which development consent is required. On Wednesday 11th June 2025, DEFRA officials

⁹ <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

confirmed that the s.35 direction requested had been made. The DCO application process and the position of the project with respect to policy (including, crucially, project need in relation to the WRMP24) in the Water Resources NPS are not affected by the s.35 Direction received.

3.2 Programme and steps to application submission

3.2.1 The SESRO project programme is driven by a number of factors, most critical of which is the need to be operational by 2040. Section 6 in the main Gate 3 report and Supporting Document D: project Management Plan, provide an overview of the timing of key planning strategy steps to preparing the DCO application for submission. The programme for other consents and licences is discussed in Section 8 of this document.

3.2.2 Key actions and milestones up to submission are:

- EIA Scoping Request submitted to the Planning Inspectorate – achieved August 2024
- EIA Scoping Opinion from the Planning Inspectorate – received October 2024
- Land referencing and preparation of the Land and Special Category Land Plans, Book of Reference and Statement of Reasons – ongoing
- Preparation of the draft DCO, Works Plans, and other accompanying reports – ongoing
- Undertaking EIA and also HRA and WFD assessment as needed, and preparing a Preliminary Environmental Information Report – ongoing
- Agreement of Statement of Community Consultation and carrying out statutory consultation – autumn 2025
- Having regard to consultation comments, updating work and preparing final application documents including Consultation Report – Q1-3 2026
- DCO application submission – expected between September-November 2026

3.2.3 The programme shown above will be updated as necessary during the pre-application period. Updates to key milestones in the pre-application programme will be communicated to key stakeholders and published on the project website: <https://thames-wrmp.co.uk/projects/sesro>.

3.2.4 Subsequent to submission of the application, the acceptance, examination, decision-making, discharge of requirements and implementation of land powers stages prior to construction are expected to take approximately three to four years. Although in some cases these stages are subject to statutory timescales which if adhered to by all parties would reduce that period, in practice there can be variability. The overall project programme therefore provides for suitable contingency in the period between DCO application submission in September 2026 and construction start in 2030. As noted previously, the overall SESRO

programme is shown in Section 6 in the main Gate 3 report.

3.2.5 The statutory timings of key post-submission stages are:

- **Application acceptance** – 28 days
- **Pre-examination**, during which the applicant must publicise the application and invite relevant representations; an Examining Authority is appointed by the Planning Inspectorate and a Preliminary Meeting held to set out the examination programme. There is no statutory timescale but three to five months is typical.
- **Examination**, during which written representations are made and typically an Open Floor Hearing, Compulsory Acquisition Hearing and one or more Issue-Specific Hearings as needed. Written representations are made by interested parties and the Examining Authority will issue one or more rounds of written questions for the applicant's response. The normal maximum timescale for this is six months unless subject to fast-track procedures.
- **Recommendation and decision**, in which the Examining Authority prepares a recommendation report (three months) and the Secretary of State makes a decision (three months). At present and in recent years, Secretary of State decisions are frequently delayed substantially beyond this statutory timescale.
- **Post-decision**, where there is a six week window in which a decision can be challenged via judicial review in the high court.
- **Discharge of requirements, implementation of land powers and obtaining other consents and licences**, for which there is no statutory period prior to development works commencing.

3.2.6 Aspects of the planning strategy discussed elsewhere in this document, including the emphasis on pre-application agreement on key issues with statutory consultees (facilitated by the Service Tier 2 (Standard) support from the Planning Inspectorate, and strategic de-risking of other consents and licences, are also intended to facilitate adherence to the timescales as set out above.

4 Planning Strategy: Pre-Application Activities

- 4.1.1 Following is a summary of key pieces of work since Gate 2 to support and implement the planning strategy, together with the outcomes or how these have influenced the strategy as presented here for Gate 3.

Table 4.1 – Activities and influence on the planning strategy

Activity	Outcome or influence on the planning strategy
Pre-application engagement with the Planning Inspectorate and receipt of Section 51 advice	<p>No specific concerns or obstacles have been identified regarding the proposed DCO application planning strategy for SESRO.</p> <p>Developing the project description / definition for SESRO and the interfaces with other SROs was advised; this has been done as discussed below.</p> <p>The Planning Inspectorate also advised considering staggering the timing of non-statutory consultation and an EIA scoping request, although it was noted that in some cases stakeholders find it useful for information to be released at the same time. A sequential approach was adopted with non-statutory engagement during June-August and submission of the EIA Scoping Request on 28 August 2024.</p>
Request for Planning Inspectorate pre-application Service Tier 2 (Standard)	The SESRO project team has agreed with the Planning Inspectorate to proceed with pre-application Service Tier 2 (Standard). This will facilitate the appropriate level of pre-application engagement, support and advice from the Planning Inspectorate, including with respect to facilitating discussion and consensus-building between the applicant and statutory consultees concerning key examination issues and potential areas of disagreement.
Further development of resource and capability, processes and governance as described in Section 4.	This ensures that the project sponsors and the SESRO project team have appropriate resource, processes and governance arrangements in place to deliver the planning strategy, including internal resources and re-procured Programme Partner and Technical Partner roles in 2024.
Engagement in the Vale of White Horse and South Oxfordshire Draft Local Plan 2041 Regulation 18 and Regulation 19 consultations	<p>The project sponsors Thames Water, Affinity Water and Southern Water jointly submitted consultation comments at the Regulation 18 consultation stage in early 2024 and are continuing to engage through the Regulation 19 and forthcoming Examination in Principle stages.</p> <p>Land for SESRO remains safeguarded in the updated draft Local Plan for Regulation 19 consultation.</p> <p>Strategic policies in the draft Local Plan, including proposed spatial policies for transport corridors, housing and employment land, have been considered within and have helped to inform the options appraisals for aspects of SESRO design. Consideration of emerging local policy is also relevant to the planning strategy because it will inform Local Impact Reports in due course, and because while the Water Resources NPS has primacy as policy</p>

Activity	Outcome or influence on the planning strategy
	for determination of the DCO application, local policy is capable of being a matter which is also 'important and relevant' under s. 104(d) of the PA2008.
<p>Back-checking of Gate 2 solution and further structured options appraisals for specific scheme elements of SESRO (road access and public road realignment, rail siding and materials handling, intake-outfall location, auxiliary drawdown channel or tunnel solution, and locations of visitor facilities and operational plant such as the pumping station)</p>	<p>The Gate 2 Planning and Land Strategy reviewed requirements arising from the Water Resources NPS, EIA Regulations and other legislation such as the Water Framework Directive for a structured appraisal of options/alternatives to support the DCO application, including recommending ongoing back-checking of previous project definition or design decisions where appropriate.</p> <p>This has been accomplished through a series of structured options appraisals examining aspects of the expected SESRO design from Gate 2 (such as the auxiliary drawdown channel) and further details of design as described in the left column. The option appraisal findings and preferred options identified in each case have been presented for feedback as part of the stakeholder engagement during summer 2024.</p> <p>The outcomes of this process have helped to refine the project definition for EIA Scoping, pre-application engagement with PINS, and to inform the planning strategy with respect to the expected area of Order Limits, NSIP(s) and associated development that the DCO would authorise. It also provides an evidence base to be used and back-checked as part of further appraisal of alternatives under the EIA Regulations and as otherwise required for the DCO application.</p>
<p>Definition of proposed Design Principles for SESRO (in accordance with the 'Good Design' expectations of the Water Resources NPS) and preparation of an Interim Master Plan</p>	<p>This has helped to ensure alignment of SESRO with the Water Resources NPS and has refined the working design for the options appraisals, EIA scoping and public engagement as described above. As such it supports progress, under the planning strategy, towards submission of the DCO application.</p>
<p>Engagement with Southern Water regarding the potential location, connection, design requirements and consenting of the Thames to Southern Water (T2ST) SRO pipeline connection to SESRO and pumping station</p>	<p>A key project interface is the connection of SESRO and T2ST, with the latter also expected to be consented via a DCO application on an application programme circa two years behind that of SESRO.</p> <p>Engagement with Southern Water has assisted in clarifying the need and potential location within the SESRO site for a T2ST pumping station and water treatment works (which has been subject to an alternative sites appraisal and subsequently an options appraisal for integration with the SESRO design) and the expected location of the T2ST pipeline corridor at its northern (SESRO-facing) end.</p> <p>Thames Water and Southern Water are continuing to explore the consenting responsibilities for this infrastructure, within the SESRO DCO application and the proposed T2ST DCO application. The project sponsors and the SESRO project team are now better sighted on this matter The SESRO DCO</p>

Activity	Outcome or influence on the planning strategy
	<p>application may incorporate some of this T2ST infrastructure or allow for consent boundary overlap with T2ST. This informs the planning strategy for defining the development for which development consent is required and the associated development works.</p> <p>In addition, this work has allowed for consideration of construction sequencing and incorporation of T2ST works on the SESRO site within the emerging SESRO masterplanning and design.</p>
<p>Early statutory consultee engagement through Technical Liaison Groups to consult on aspects of solution development</p>	<p>Regular technical engagement with statutory consultees has facilitated progress in the SESRO design and EIA scoping as discussed in other rows. This helps to give early insight and facilitate reaching consensus on environmental and technical matters, which will aid in forthcoming engagement with the Planning Inspectorate under pre-application Service Tier 2 (Standard) and ultimately in delivering a DCO application which meets the Water Resources NPS policy, legislative requirements, and other material planning considerations.</p>
<p>Non-statutory public information and public consultation events to present and receive feedback on the options appraisal outcomes, draft Design Principles and Interim Master Plan</p>	<p>Public engagement and feedback has informed and continues to influence the SESRO design and legacy benefit goals, which is a key part of planning and the DCO application process.</p> <p>It lays the groundwork for fulfilling the further prescribed stages of statutory consultation during 2025 and to enable the Planning Inspectorate to be assured, in due course, of the adequacy of consultation, which forms part of pre-acceptance checks for the DCO application.</p>
<p>Preparation of an EIA Scoping Report and receipt of an EIA Scoping Opinion from the Planning Inspectorate</p>	<p>While pre-submission EIA scoping is not mandatory, it is strongly recommended as good practice and as such it is a key pre-application step which enables progress towards preparing Preliminary Environmental Information for statutory consultation in 2025. A Scoping Opinion has been received on 08 October 2024.</p>
<p>Two planning applications and receipt of planning permissions for Clay Compaction Trial and use of Steventon Depot as a base for managing environmental baseline surveys. Carrying out Clay Compaction Trial and environmental baseline surveys.</p>	<p>Baseline environmental surveys identifying sensitivities and constraints, plus landscape masterplanning and initial feasibility assessments for habitat compensation, enhancement and biodiversity net gain, have all helped to establish the likely land required for SESRO and hence the expected Order Limits for the DCO application at this stage. The strategies for environmental compliance, mitigation and biodiversity net gain are all key aspects of the consent application.</p> <p>The Clay Compaction Trial and related geotechnical ground investigation are important to the engineering design of SESRO. Among other matters, they provide data that allows the reservoir embankment slope design to be refined and firmed up, reducing the breadth of design envelope parameters and limits of deviation that will be required for these works in the DCO.</p>

Activity	Outcome or influence on the planning strategy
Engagement with land interests.	As set out in Supporting Document E2, Land Strategy, acquisition of land and land rights by agreement is preferred where possible, but it is expected that the SESRO DCO application will seek compulsory acquisition powers. Early engagement with land interests facilitates agreement, where possible, and enables progress in the prescribed steps for compulsory acquisition to deliver the planning and land strategies.

5 Planning Strategy: Managing the Process

- 5.1.1 Effectively managing the process of a successful DCO application, examination, discharge of requirements, and securing other consents and licences, requires the following to be in place:
- efficient and well-tested systems and processes;
 - sufficient internal and external capacity and resources; and
 - thorough assurance, governance and risk management approaches.
- 5.1.2 The SESRO project sponsors have worked since Gate 2 to further develop the approach for SESRO and other SROs in all three of these areas. Our strategy to secure the consents we need is to:
- build trust and credibility through our actions with all stakeholders and decision makers, drawing on
 - resources with an appropriate breadth and depth of expertise to create high quality, collaborative technical and strategy work, which we will demonstrate through
 - exemplary record keeping to inform high quality DCO documents and public material that will pass the acceptance and examination stages to achieve development consent.
- 5.1.3 We will manage the consenting process, including risks and opportunities, through:
- strong project governance;
 - active consents risk-raising and collaborative problem solving;
 - proactive stakeholder strategies to manage, mitigate and resolve consenting issues; and
 - actively learning and building on lessons as we progress, through a real-time feedback programme.
- 5.1.4 These principles are designed to ensure that we submit a well-designed, compliant scheme with broad stakeholder support.
- 5.1.5 Further information on systems and processes for governance and assurance of the project, including consent application processes, can be found in Supporting Document D.

6 Planning Strategy: Managing Key Risks and Issues

6.1 Overarching consent risk management and mitigation

- 6.1.1 As discussed in Section 4, the project sponsors and the SESRO project team have further developed the risk management and governance processes to support the SESRO project as it moves to Gate 3 and looking ahead to Gate 4. These include a master project risk register, consents risk management tool, and live DCO application issues tracker.
- 6.1.2 Details of managing risks and issues can be found in the main Gate 3 Report (section 6).

7 Planning Strategy: Statutory and Non-Statutory Consultation Progress

7.1 Non-Statutory Pre-Application Consultation and Engagement to Date

- 7.1.1 The project sponsors and the SESRO project team have carried out extensive non-statutory consultation and engagement since the Gate 2 stage. This has involved the public, local authorities and stakeholders such as National Highways, the Environment Agency and the North Wessex Downs National Landscape Partnership among others.
- 7.1.2 The main goals of this have been:
- to keep all stakeholders informed about SESRO project progress, the emerging proposals, and programme for further engagement, consultation and application activities;
 - to discuss and request feedback about specific aspects of emerging SESRO design including environmental and community benefit opportunities; and
 - to liaise with landowners and interested parties about matters including land acquisition and access for baseline environmental and geotechnical surveys.
- 7.1.3 In the following Section 8 of this document, the role of early non-statutory engagement and consultation in managing the journey for stakeholders (particularly residents and the wider public) is discussed further.
- 7.1.4 Supporting Document G, Stakeholder Engagement Strategy, provides more detail about the processes of stakeholder engagement to date, key themes emerging, and the programme for further engagement.
- 7.1.5 With regard to technical engagement and consultation with statutory and non-statutory consultees, it should be noted that the SESRO project is currently at an early stage in the pre-application process. Our engagement to date has been designed to be proportionate and effective for the stage the project is at, and has comprised a mix of regular consultee meetings in line with service level agreements, technical engagement on specialist issues and correspondence to handle queries from statutory consultees and local authorities.
- 7.1.6 We have supported, and where appropriate will further support, statutory consultees' activities through suitable service level agreements, including provisions established through changes to the PA2008 (cost recovery) and through the use of Planning Performance Agreements.
- 7.1.7 Figure 7.1 shows issue-specific discussions with technical stakeholders that have been held. To date, engagement with statutory consultees and local authorities has comprised the following:

- Regular programmed meetings with the Environment Agency and Natural England
- Regular programmed meetings with the host local planning authorities
- Investigation into affected statutory undertakers and start of process with these parties
- Presentation to the Local Resilience Forum to detail the position on emergency planning and working together
- Briefings to elected officials at appropriate milestones of the project
- Early-stage engagement with local businesses in the Thames Valley
- Legacy workshops to initiate partnership working with interested stakeholders

7.1.8 Between June and August 2024, a 12 week non-statutory consultation took place and included seven Community Information Events. Technical experts were available at the events to discuss the interim masterplan (a spatial layout of the proposed reservoir and surroundings) and key optioneering studies undertaken to inform the current design.

7.1.9 We currently propose to hold statutory consultation on a full set of proposals for the new reservoir in 2025. Before then, a draft Statement of Community Consultation will be consulted on with the applicable local authorities, regard will be had to responses, and a final Statement of Community Consultation will be published. This will explain how we will consult and work with local communities.

7.1.10 The SESRO project affects persons with an interest in land under section 44 of the PA 2008 due to surface and below-ground construction works. An ongoing programme of engagement for all relevant affected persons is in place – see Supporting Document E2, Land Strategy, for details.

Figure 7.1 - SESRO Summary of Technical Engagement 2024



7.2 Statutory Pre-Application Consultation

- 7.2.1 The required steps for pre-application consultation under the PA2008 ('statutory consultation') are set out in Sections 42 to 49 of the Act. The prescribed parties to consult are defined in Sections 42, 43 and 47 of the Act and in Schedule 1 to The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 as amended by The Infrastructure Planning (Miscellaneous Provisions) Regulations 2024. In addition, there are pre-application publicity and consultation requirements under The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 for EIA development, which are applicable to SESRO.
- 7.2.2 The Ministry of Housing, Communities and Local Government (MHCLG) publishes statutory guidance to applicants on the necessary process¹⁰. Under Section 50 of the 2008 Act, applicants must have regard to this guidance. In addition, the Planning Inspectorate publishes advice for applicants on preparing the Consultation Report¹¹ and on the stages of the process from the public's and other interested parties' perspective¹², which are relevant to consider.

¹⁰ MHCLG. *Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects* (30 April 2024)

¹¹ Planning Inspectorate Advice Note: *Nationally Significant Infrastructure Projects: Advice on the Consultation Report* (8 August 2024)

¹² Planning Inspectorate Advice Note: *Nationally Significant Infrastructure Projects: The stages of the NSIP process and how you can have your say* (8 August 2024)

8 Planning Strategy: Managing the Journey

- 8.1.1 We recognise the importance of managing the ‘journey’ for all who will be directly affected by the construction and operation of SESRO. The approach is based on principles of clarity and transparency, inclusiveness, and responsiveness to people’s views.
- 8.1.2 Details of our approach can be found in the Stakeholder Engagement Strategy (see Supporting Document G).

9 Planning Strategy: Other Consents and Licences

9.1 Introduction

- 9.1.1 Under Section 33 of the PA2008, obtaining development consent removes the need to obtain a range of other conventional permissions. Part 7 of the PA2008 sets out other authorisations that can be included in a DCO, including (as shown in Section 120) a range of ancillary matters such as deemed consents and licences under various statutory provisions, listed in Schedule 5 to the PA2008. However, under Section 150, there are certain prescribed consents or authorisations for which the separate need can only be removed (i.e. they can be included in the DCO) only with the agreement of certain statutory parties. These are referred to as the prescribed consents, listed in Schedule 2 to The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015.
- 9.1.2 The Gate 2 Planning and Land Strategy in Table 4.1 and Annex 1 listed around forty consents, authorisations and licenses that may be required for construction or operation of SESRO, not counting those that are provided in all cases (where applicable) under Section 33 of the PA2008. Several of these are routinely included within DCOs and it was proposed that this would be done in the SESRO application. The Gate 2 Strategy noted that it was possible also to include prescribed consents, with the agreement of the prescribed statutory bodies; but that key consents such as an Environmental Permit are relatively complex and endure as a regulatory regime for the whole lifetime of a project, so are not typically included in DCOs. At the Gate 2 stage, it was not anticipated that prescribed statutory bodies were likely to agree to inclusion of such consents under Section 150 nor that this would be beneficial for SESRO to do, and so for these reasons and to not over-complicate the DCO process, it was assumed that would not be done.
- 9.1.3 The Gate 2 strategy also noted there are specific agreements and regulatory requirements relating to the River Thames which may be affected by SESRO, including the Lower Thames Operating Agreement, Thames Conservancy Act 1933 (river levels), Thames Tideway-related water quality management, and flood management (specifically the Maidenhead, Eton and Windsor Flood Alleviation Scheme and the prospective River Thames Scheme DCO application). Generalising this point, it is also usual for various third party agreements to be required outside the DCO; these can include matters such as section 106 agreements with local authorities, commercial arrangements with parties such as utility companies, or agreements with landowners.

9.2 Approach

- 9.2.1 Gate 3 is an appropriate juncture to revisit and update the position expressed at Gate 2 as regards the plan and programme for obtaining other consents and

licences, where this is necessary. The project sponsors consider that this is an evolving area and one in which there is the opportunity to de-risk SESRO (and equivalent opportunities for other SRO projects) through showing leadership in developing best-practice approaches, in line with the strategy set out in paragraph 3.1.15.

- 9.2.2 Firstly, the list of other consents, authorisations and licences expected to be required has been reviewed, and will continue to be updated as the nature of SESRO works becomes clearer in the course of preparing the DCO application. At this stage, all of those listed at Gate 2 are considered still potentially to be relevant. Minor potential additions related to fish have been identified, which do not change the approach or timescales overall for obtaining other consents, authorisations and licenses.
- 9.2.3 The clear intent of the PA2008, expressed at the time the Act was passed and apparent when considering Section 33 and Part 7, is to enable DCOs to provide a 'one stop shop' for consenting nationally significant infrastructure which wraps up as many other consents as possible. This remains the case with current planning reform and consultation, which has speeding up and simplifying the process of obtaining consent for such infrastructure as a key goal.
- 9.2.4 With respect to SESRO project programme and risk, there is a balance to be struck between inclusion of other consents and licences in the DCO or obtaining these via the ordinary statutory process outside the PA2008 regime.
- 9.2.5 Inclusion will often require more detail in the DCO application, such as fixing operating parameters, providing mature control plans, and negotiating with consultees concerning appropriate protective provisions; and/or can require a mechanism under a DCO Requirement or provision to provide this detail subject to further approval post-consent. This risks reducing the flexibility of the authorisation provided by the DCO itself or requiring onerous over-generalised control measures (where detail cannot yet be fixed) at the consent stage. It has the potential to cause challenges during examination where prescribed statutory bodies do not feel able to agree to prescribed consents being included in the DCO.
- 9.2.6 Exclusion carries the risk that other such consents and licences necessary to construct or operate SESRO may cause programme delay, may incur repeated work (preparing similar information for multiple applications), could lead to conflict between what is authorised by the DCO and what is authorised, or required, by another consent or license (e.g. a project design or operating parameter), or even ultimately might not be obtained.
- 9.2.7 At the Gate 3 stage, the above considerations mean that there are four categories of other consents, authorisations and licences (i.e. other than those provided by Section 33), the strategy and programme for each of which is as follows.

Table 9.1 – Approach to other consents, authorisations and licences

Category	Examples	Approach
Routinely included in DCOs, i.e. those in PA2008 Section 120 and Schedule 5	Tree removal; works to highways or public rights of way	Include within the DCO with approval of details under a requirement post-consent as is typical.
Prescribed consents (i.e. those under PA2008 Section 150) which are in consideration for potential inclusion in the SESRO DCO	Land Drainage Act licence; Water Resources Act abstraction licence; Flood Risk Activity Permit	Further consideration prior to Gate 4 through engagement with prescribed statutory bodies to determine the most appropriate approach. Protective provisions to be used as appropriate.
Prescribed consents (i.e. those under PA2008 Section 150) which are less likely to be suited for inclusion in the SESRO DCO	Environmental Permit; protected species licences	Current expectation is that some consents will be obtained outside the DCO process – see programme below. Consideration of other consent interaction with design or operational parameters set through the DCO and also the commercial / procurement strategy. Consideration of the scope to undertake environmental assessments in such a way as to support multiple applications.
Third party agreements and agreements relating to the management of flows and water abstraction in the River Thames	Basic Asset Protection Agreement; utility supply or diversion agreements	Agreements to be made outside the DCO process – see programme below. Consideration of agreement interaction with design or operational parameters set through the DCO and also the commercial / procurement strategy.

9.3 Programme

9.3.1 Section 6 in the main Gate 3 report provides an overview of the programme. As noted above, some of the secondary consents and licences will be required prior to the start of construction works, some before specific works, and some prior to operation.

9.3.2 Based on the programme for the DCO application submission and the statutory timescales for determination of the application, there would be a

period of around two years between a consent decision and the start of construction work in 2030 to facilitate discharging DCO requirements and obtaining other pre-construction consents and licences. There would then be a period of around 8-10 years during construction, before filling and commissioning of SESRO to reach operation by 2040, during which pre-operational consents and licences can be obtained. Early work to progress such consents and licences, including 'shadow' applications to demonstrate no impediment, will be undertaken where necessary.

- 9.3.3 Certain key operational consents such as abstraction and discharge licences may be material to a decision on proceeding with investment in construction and may also inform aspects of detailed design, so may be required to an earlier programme than pre-operation.

Part 2 - Land Strategy



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10 Land Strategy: Land Lifecycle

- 10.1.1 A land strategy has been developed by Thames Water which provides a framework through which the land and property requirements of the full project lifecycle are identified and delivered from its optioneering through to its operations.
- 10.1.2 Within the land strategy there are key considerations built in to ensure the land and property requirements are identified and delivered through the land acquisition programme and these are set out at Figure 10.1 below:

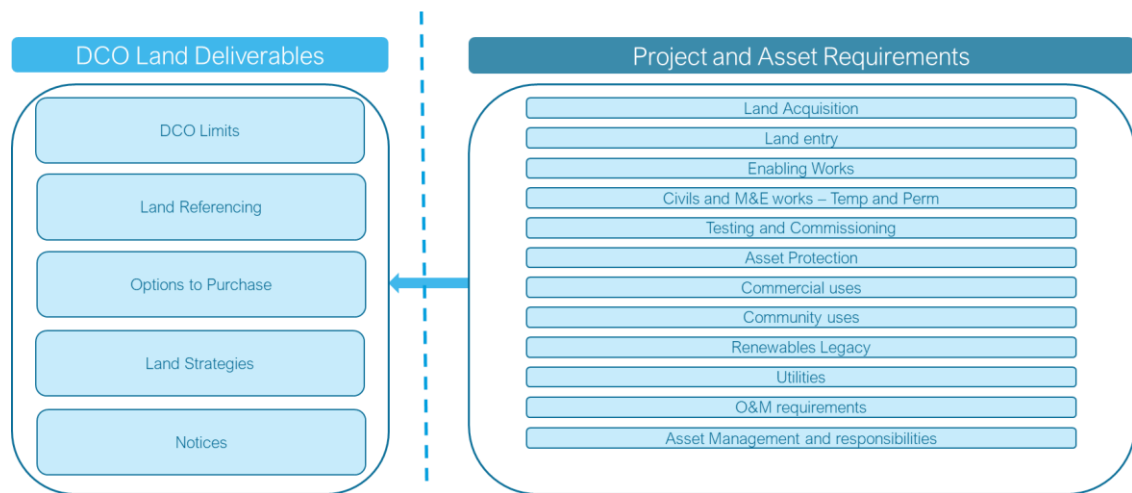


Figure 10.1 - Land acquisition considerations

- 10.1.3 The land strategy spans three key phases of the project:
- 1) Optioneering and scheme development up to and including DCO submission;
 - 2) Construction, testing and commissioning;
 - 3) Operations, maintenance and asset management.
- 10.1.4 The processes and strategies for achieving land acquisition and obtaining land access and undertakings will meet the following objectives:
- Accurate land referencing to ensure that all affected parties are consulted in accordance with legislative requirements;
 - Ensure that a robust level of due diligence is completed and all additional consents required for the purposes of land acquisition and access are identified and sought (e.g. crown land, special category land);
 - Acquire access to land for surveys in line with the project programme – this has involved the use of statutory powers to enable such access where it could not be negotiated;
 - Optimise land acquisition by agreement prior to DCO examination whilst

maintaining records to support the case for compulsory acquisition;

- Implementing and servicing of notices;
- In negotiations, treat landowners fairly whilst maintaining value of money for Thames Water;
- Follow Thames Water governance process for all land agreements;
- Respond to project requirements as they emerge;
- Seek to mitigate project programme, cost and scope risk.

10.1.5 The land strategy is 'live' and will be reviewed regularly as the project develops.

11 Land Strategy: Land Referencing

11.1 Introduction

- 11.1.1 Land referencing is required to identify all parties with an interest in the land, including landowners, occupiers and users of land that may be affected by the proposed project. Land referencing typically involves gathering various types of data, including land ownership details, land use history, legal restrictions and rights, rights of access, existing infrastructure, and other relevant information. This data is collected from multiple sources, such as land registry records, local authority records, maps, surveys, and further engagement with affected parties.
- 11.1.2 Land referencing is commenced at an early stage in the planning process as the information gathered is also used to facilitate environmental surveys and is continuously updated as the project progresses into the later stages of application preparation.
- 11.1.3 Validated information is also required in advance of the statutory consultation, as applicants have a statutory obligation to identify and consult with people and organisations that have a legal interest in property or land that may be affected by a proposed scheme.
- 11.1.4 Land referencing forms the core evidence base for the Book of Reference (parts 1 – 5) that accompanies the DCO application and ensures that all affected parties receive the relevant statutory notices.

11.2 Interests that need to be identified

- 11.2.1 As outlined in the Planning Act 2008 (the 2008 Act), the project is required to identify individuals in one or more of the categories set out in section 44 and section 57 of the 2008 Act for the purposes of consultation and notification under sections 42 and section 56 of the 2008 Act.
- 11.2.2 This includes undertaking “diligent inquiry” to identify parties with an interest in land within Categories 1, 2 and 3:
- Category 1 includes owners, lessees, tenants (whatever the tenancy period) or occupiers of the land within Order limits;
 - Category 2 includes parties that have an interest in the land or who have the power to sell and convey or release the land within Order limits;
 - Category 3 includes parties that the applicant thinks that, if the order sought by the application were made and fully implemented, the person would or might be entitled to make a relevant claim for compensation under section 10

of the Compulsory Purchase Act 1965 and/or Part 1 of the Land Compensation Act 1973 and/or section 152(3) of the 2008 Act.

11.3 Land Referencing Limits

- 11.3.1 At Gate 3, limits are still being developed but the working assumption to enable commencement of land referencing is the EIA scoping boundary submitted in September 2024.
- 11.3.2 For the purposes of the statutory consultation planned in 2025, the land referencing limits will be the same as those provided within the statutory consultation documents if different from the EIA scoping boundary.

11.4 Desktop Referencing

- 11.4.1 Initial desktop referencing was carried out in March 2022 concluding in February 2023, the purpose of which was to identify landowners where survey access is required and to enable affected landowners to be informed of the non-statutory consultation in 2023 and 2024. The draft redline boundary used was developed at RAPID Gate 2.
- 11.4.2 The new Technical Partner's Land Team was instructed to commence delivery of the formal land referencing activity in July 2024 and so far, has completed desktop land referencing by obtaining HMLR data for land within the EIA Scoping boundary.
- 11.4.3 The desk-based land referencing activity also included a first draft of the parcel plans which has been completed.

In November 2024, the project wrote to affected landowners within the EIA scoping boundary to introduce the new Technical Partner's land team and to inform potentially affected landowners that the new land team will be contacting them as part of this land referencing activity and offering them a chance to ask questions or to meet to discuss the project in more detail.

In January 2025, the project again wrote to affected landowners within the EIA scoping boundary to seek confirmation of their land ownership information via Land Interest Questionnaires (LIQ) and responses are being logged and the information contained therein added to the referencing information.

- 11.4.4 HMLR data was refreshed and will continue to be refreshed up to DCO and beyond. Key milestones where this information will be updated include:
 - No more than 3 months prior to statutory consultation;
 - No more than 1 month prior to completion (and submission) of the book of reference.

11.5 Land Interest Questionnaire

Information obtained through desktop referencing has been and will be supplemented

and verified using LIQs. These were issued to all land interests within the EIA Scoping boundary in January 2025 and included requests for information about a recipient's own interests, associated third party interests and the spatial extent of their land / property.

- 11.5.1 The project will continue to issue LIQs as the referencing continues and as necessary as new interests are identified or until known interests respond.
- 11.5.2 Where LIQs are or were returned with updated information regarding a landowner, tenant / lessee, occupier or other land interests, these updates will be recorded by the Technical Partner's Land Team in the preparation of the Book of Reference.
- 11.5.3 Where LIQs are not returned, follow-up site visits will be conducted on a minimum of two separate occasions to make direct contact with the owner or occupier of the property.
- 11.5.4 Recipients of the LIQ correspondence and letters will be offered the opportunity and direct contact details to respond to, or ask questions about, the project via a dedicated project email address and/or through the Technical Partner's Land Team.
- 11.5.5 This correspondence also provides an opportunity for the project to consult with landowners.

11.6 Site Visits

- 11.6.1 Site visits will be undertaken on behalf of Thames Water as part of the land referencing activities. These site visits will initially be targeted at properties where:
 - no LIQ had been returned by the owner or occupier;
 - incomplete information was identified on the returned LIQ to clarify any gaps in information.

Site visits will be undertaken between 2 – 4 weeks after the first round of LIQs have been issued and such visits will respond to the requirements of land referencing information obtained.
- 11.6.2 Where there is no response at a property when visited the land referencing team will leave a calling card detailing the date and time of the attempted visit and the contact details for the land referencing team. This calling card will ask the owners / occupiers of the property to call the land referencing team to arrange a suitable time for the site team to visit their property and brief them on the project too.
- 11.6.3 If no response is received, the property will be visited on at least one other occasion (likely more) in an attempt to make direct contact with the owner or occupier of the property and clarify their land ownership information. On each occasion, a calling card will be left at the property.

11.7 Erection of On-Site Notices for Unknown Owners

- 11.7.1 Where land ownership information cannot be ascertained through desktop or site referencing methods, site notices will be erected requesting information about the ownership and occupation of the land to which the notices are affixed. These notices will display the land ownership boundary in question and provide details of how to contact the land referencing team or Thames Water with the relevant information.
- 11.7.2 Regulation 9 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 also states that statutory notices should be erected at intervals of no less than five kilometres along the proposed route of the works, except where the land is covered in water. This applies for linear schemes which are greater than 5km and is typically used for statutory notices. However, these locations could also be considered as part of the Unknown Notice methodology as it may provide justification of scheme notification if a land interest were to challenge at a later date.

11.8 Section 52 of the Planning Act 2008

- 11.8.1 Where landowners have not responded to the LIQ, Thames Water may elect to utilise section 52 of the 2008 Act to obtain information about interests in land.
- 11.8.2 A section 52 authorisation will enable Thames Water to serve a notice on a specified person requiring them to provide full details of land ownership and occupation within the specified land interest categories in the 2008 Act.
- 11.8.3 The authorisation request(s) will need to be made to the Planning Inspectorate, who administers the process and makes the decision on behalf of the Secretary of State. The process is set out in [Nationally Significant Infrastructure Projects: Advice on the process for obtaining information about interests in land \(under section 52 of the Planning Act 2008\)](#).
- 11.8.4 A decision on whether to utilise section 52 will be made prior to statutory consultation and will depend upon the level of confidence in the information already obtained from the LIQs.

11.9 Identifying Category 3 Parties

- 11.9.1 Category 3 persons include those who may have:
- 11.9.2 A relevant claim for compensation under Part 1 of the Land Compensation Act 1973, compensation for depreciation of land value by physical factors caused by the use of SESRO. These include:
- Noise
 - Vibration
 - Smell

- Fumes
- Smoke
- Artificial lighting
- Discharge of any solid or liquid substance onto land

11.9.3 A relevant claim for compensation for injurious affection as a result of execution of the works, including persons with potentially affected / interference with rights of access under section 10 of the Compulsory Purchase Act 1965 and / or section 152(3) of the 2008 Act.

11.9.4 Based on the EIA Scoping limits, reviews commenced in October 2024 to identify Category 3 persons and this assessment is ongoing.

11.10 Health & Safety for Site Visits

11.10.1 The SESRO limits are controlled under CDM regulations and as such, there are Health and Safety requirements to ensure the safety of the land referencing teams entering this CDM area.

11.10.2 As part of this process, sites visits must be notified to the Principal Contractor and the site visitors must sign in and out of the site.

11.10.3 Thames Water has also stipulated that no site visit to meet landowners and occupiers should be carried out by lone individuals but instead, should be attended in pairs as a minimum.

12 Land Strategy: Land Access for Surveys

12.1 Introduction

- 12.1.1 The project is actively undertaking surveys and investigations to inform the project's design and to gather information to comply with EIA, WFD and HRA requirements. These surveys and investigations are both intrusive and non-intrusive surveys across a variety of survey types.
- 12.1.2 The preferred approach for obtaining access to land is for Thames Water to agree an Access Licence with each landowner and this approach has been actively pursued for all lands over which access is required.
- 12.1.3 Where landowners do not agree to enter into an Access Licence, Thames Water will seek to facilitate such access through statutory powers to Survey and Investigate.
- 12.1.4 The land initially identified for survey and investigations access, are landholdings of the major landowners within the limits of the project. Access to this land has been facilitated mainly through Access Licences and less commonly, through Section 172 Notices pursuant to the Housing and Planning Act 2016 (where Access Licences could not be agreed with the landowner or were refused).
- 12.1.5 The Access Licences facilitate a rolling programme of surveys and investigations and from the end of November 2024, access to land outside the major landowners' landholdings will be sought to facilitate the remaining surveys needed. The Technical Partner's Land Team has been instructed to commence negotiations to access this remaining land with a focus on obtaining access to land by March-April 2025 in time for the next stage of the survey and investigations programme.

12.2 Access Licences

- 12.2.1 The Access Licences used by Thames Water are a standard form of Licence offered to the various landowners covering both intrusive and non-intrusive surveys.
- 12.2.2 Compensation is paid to landowners in accordance with a standard rate card which is appended to the Access Licence.

12.3 Section 172 Powers

- 12.3.1 There have been instances, in the first phase of surveys and investigations, where landowners have refused to grant access to their land for various reasons. In such instances, Thames Water has elected to facilitate such access by utilising powers through Section 172 of the Housing and Planning Act 2016 (HPA 2016).
- 12.3.2 Under normal circumstances, where a promoter of a project seeks to utilise Section 172 powers, the promoter controls how and when these powers are

exercised. However, where a promoter is proposing a reservoir project, exercise of Section 172 powers is regulated by the Reservoir Act 1975 (RA 1975). Consequently, the RA1975 requires a promoter to obtain consent from the Department for Environment, Food & Rural Affairs (DEFRA) before it can exercise Section 172 powers.

12.3.3 Where Thames Water has elected to use Section 172 powers, it has obtained DEFRA consent to do so, and this required Thames Water to provide evidence to DEFRA that:

- It had notified the relevant landowners that agreement to access land could not be agreed between the parties and that it would seek to utilise Section 172 powers in the absence of such agreement;
- It notified DEFRA of its intention to seek written authorisation to exercise Section 172 powers over relevant land and the reasons why;
- It had tried to negotiate access to the landowner's land but either it had been unsuccessful or such access had been refused.
- The request does not relate to Crown land or land belonging to a statutory undertaker.

12.3.4 To date, where Thames Water has applied to DEFRA to use Section 172 powers, it has obtained DEFRA consent to do so.

13 Land Strategy: Acquisition of Land and Rights in Land

13.1 Land to be acquired

13.1.1 The overarching principle of the land strategy is to acquire all of the necessary land and rights in land (in a timely manner) to facilitate all stages of the project's lifecycle including: enabling works; main works; mechanical and electrical works; testing and commissioning; bring into use; operations; and asset management/land management.

13.1.2 Therefore, in developing the land strategy and the limits of the project the following requirements have been considered and remain under review:

- Land and rights needed for the core infrastructure;
- Land and rights needed to facilitate the operation and maintenance of the infrastructure;
- Land and rights needed to facilitate the protection of the infrastructure;
- Land and rights needed to construct the infrastructure;
- Land and rights needed to mitigate the impacts of the infrastructure or its construction;
- Land and rights needed to provide alternative facilities for landowners and occupiers affected by the project;
- Land and rights needed for requirements such as biodiversity and environmental net gain;
- Land and rights needed for ancillary development such as community facilities, community-commercial uses and renewables;
- Land and rights needed for Southern Water and Affinity facilities and their construction, operations and maintenance and protection;
- Land and rights needed for special category land or replacement land.

13.1.3 The project is still developing its design and so the land requirements are also being developed in tandem. The Land Team is integrated into the wider project team within Thames Water and the Technical Partner to provide advice and support in respect of land acquisition and to ensure the land required is justifiable and proportionate. It can be expected that as this design develops, the land requirements may change to accommodate all of the emerging requirements.

13.1.4 A review of the project's land requirements based on the requirements above was undertaken in May-June 2024 and the following land acquisition categories will need to feature in the DCO submission:

- Permanent Land – being the acquisition of the freehold and other relevant interests in land as well as riparian interests;
- Permanent Land (subsoil only) – where the transfer structure between the reservoir and the River Thames is a transfer tunnel i.e. a subsurface structure, then - where possible and where to do so in isolation from the surface land would not prejudice the delivery of the project - only the freehold of the tunnel plus a 'Protection Zone' will be acquired (excluding land at surface level);
- Permanent Rights – being the acquisition of permanent rights in land only for both Thames Water and/or third parties where necessary;
- Restrictions in land – being the acquisition of rights/restrictions in land to ensure the protection of the infrastructure e.g. a Protection Zone;
- Temporary land – being land required to be temporarily occupied only, primarily to facilitate the construction of the project;
- Temporary rights in land – being rights in land required temporarily, primarily to facilitate the construction of the project.

13.2 Land Acquisition – the process principles

13.2.1 It is a requirement of the DCO process that promoters of projects should seek to acquire land by negotiation in the first instance instead of relying on the exercise of compulsory acquisition as its primary approach. In this instance, Thames Water will follow standard DCO practice and seek to negotiate:

- Options to Purchase;
- Early acquisition of land or rights/restrictions by agreement;
- Occupation of land temporarily by agreement; and
- Temporary access over land by agreement.

13.2.2 Thames Water will seek to engage with landowners to avoid the need to rely on powers of compulsory acquisition, however, the project's DCO application will nonetheless seek to include powers of compulsory acquisition to ensure that It can still deliver the required land and rights for delivery of the project and its requirements if negotiations with landowners fails;

- Land can be delivered in a timely manner to meet the project requirements and timeframes;
- To hold the project harmless from certain interests in land which might impede or restrict the safe, efficient and economic operation of the infrastructure

Where Thames Water does include powers of compulsory acquisition within its DCO application, it will need to make a case for these powers in line with the tests set out in DCLG guidance and the 2008 Act. This case will be set out in the Statement of Reasons which is to be prepared as a DCO applicable deliverable.

- 13.2.3 Thames Water is committed to ensuring that it and its Technical Partner work collaboratively with those parties affected by the proposals and that they are treated fairly, their issues heard and responded to appropriately. Each engagement will be respectful and managed sensitively.
- 13.2.4 Land acquisition negotiations will continue throughout the DCO application preparation with landowners and land interests affected identified in the Book of Reference and any negotiations or attempts at negotiations will be documented in the Schedule of Negotiations and Powers Sought to be submitted with the relevant application.
- 13.2.5 A review of the high-risk, complex or strategic land uses and owners has been completed and those landowners have been identified for early negotiation which commenced in August 2024.

13.3 Early Commencement of Land Acquisition activities

- 13.3.1 In order to provide as much time as possible to negotiate with affected landowners, Thames Water's Land Team has committed to commencing land acquisition activities at the earliest opportunity and therefore, engagement with affected parties as early as possible.
- 13.3.2 This early-engagement approach has included instructing its Technical Partner's Land Team to commence its land referencing and land acquisition activity in July 2024.
- 13.3.3 At the recent non-statutory consultation, landowners potentially affected by the proposals were written to and invited to attend the information events to learn more about the project and how it may affect them. At these events a dedicated land team was present to ensure that landowners affected or concerned by the proposals could discuss the impacts directly with land experts.
- 13.3.4 The project is also already engaged with a number of landowners through the survey and investigation access negotiations and land acquisition has formed part of these discussions.

13.4 Land acquisition activities commenced

- 13.4.1 Given that Thames Water has already instructed its Technical Partner to commence land referencing and land acquisition activities a number of activities have been completed as summarised in Table 13.1 below.

Table 13.1 - Land referencing, acquisition and access activities commenced at gate three

Category	Activity commenced
Land Referencing	Land referencing teams established (August 2024);
	HMLR titles obtained for land within the project limits (September 2024);
	First Draft of the Parcel Plans produced (October 2024)
	Various management plans produced and agreed;
	First 'Landowner Letter' and list of recipients agreed (October 2024) and were issued late November 2024;
	Letter seeking landownership and occupation details through LIQs issued in January 2025.
Land Acquisition	Handover presentation on landownership by incumbent land advisors to Technical Partner Land Team completed (August 2024);
	Full briefing to full project teams on land acquisition principles, activities and programme completed (September 2024);
	Early acquisition negotiations with affected landowners commenced in August 2024 focussing on major landowners already engaged in negotiations for survey and investigation access;
	Engagement with landowners met at the recent non-statutory consultation events;
	Engagement with local power network DNO;
Surveys and investigations	The Technical Partner's Land Team has been Instructed to take-over survey and investigation negotiations and access from the incumbent land team by the end of November 2024;
	A handover meeting by incumbent land advisors to the Technical Partner Land Team was carried out in early November 2024.

14 Land Strategy: Property Cost Estimate, Acquisition and Compensation Strategies

14.1 Property Cost Estimate

14.1.1 The Property Cost Estimate (PCE) has been updated since gate two to include:

- A cost provision of the transfer tunnel/channel options;
- Revised estimates based on new information or understanding of land uses and occupation;
- Revised estimates based on revised Gate 2 limits;
- Addition of contingency figures to provide contingencies for:
 - Potential blight claims (non-statutory and statutory);
 - Potential Part 1 claims;
 - Section 10 claims;
 - Taxes including VAT and SDLT;
 - Adjustments for general property rises based in appropriate indices.

14.1.2 This latest version of the PCE at Gate 3 will continue to be developed up to DCO submission and there are potential new and emerging land requirements which may arise and affect it including:

- Requirements for biodiversity and environmental net gain land;
- Requirements and costs associated with the existing solar farms;
- Requirements arising from Renewables, Utility and Power strategies;
- Requirements arising from overhead line relocation;
- Requirements arising from the reservoir-river transfer facility especially if a channel is the preferred option;
- Requirements for rail infrastructure/sidings;
- Levelling Up and Regeneration Act 2023 conservation requirements;
- Land uses which emerge through detailed land referencing and landowner engagement;
- New requirements emerging as project design develops;
- Traffic works and road widening requirements;
- Flood mitigation and management requirements;

- In river mitigation requirements;
- Changes to project limits;
- Walking, cycling and horse-riding routes;
- Species translocation requirements;
- Requirements of the EIA Scoping Limits.

14.1.3 From Gate 3 onwards, the new Technical Partner's Land Team will be responsible for the development of the project's PCE up to DCO submission.

14.2 Land Acquisition Budget

14.2.1 Thames Water appointed a Land Lead in May 2024 and a review was undertaken of the land acquisition strategy and associated PCE. Post this review the following issues and risks were identified, which have now been addressed and built into the gate three PCE, which is incorporated into the revised capex estimates of the project (see gate three main report section 8.1). This results in an increase of around 20% compared to the PCE at Gate 2. This increase is due to:

- Post Gate 2, the PCE has been adjusted to account for emerging design options;
- The PCE was a point in time desktop estimate and subject to change and rising property prices;
- The PCE had various exclusions which have now been included in the Gate 3 PCE as contingencies;
- The PR24 budget spend window does not align with the project's land requirements, especially around early enabling works;
- Any early acquisition of land cannot take place until the Infrastructure Provider (IP) is onboard to agree and fund early acquisitions;
- Mitigation of property price rises (particularly residential) can be delivered by early acquisition making the cost of acquisition higher if acquisition is deferred;
- A strategy which only considers Options to Purchase does not allow for delivery of early works or early acquisition of land to mitigate programme or cost risk;
- The current proposed budget does not allow for advanced land acquisition of solar farms or other complex or long-lead land uses;
- The current budget does not reflect the compensation cost liability when serving compulsory purchase notices (if served) as landowners are entitled to an immediate settlement payment of 90% of assessed claim;

- The current budget does not allow for ‘allied’ developments or realising other commercial opportunities to recover acquisition costs or realised OPEX and CAPEX savings.
- The current budget does not allow for innovation in land acquisition strategy or allow it to respond to projects requirements and needs.

14.3 Land Acquisition Budget Spend Profile

- 14.3.1 The current land acquisition strategy and early commencement of land acquisition negotiations will influence the spend profile of the PR24 budget.
- 14.3.2 Around 90% of the land within the current limits for the project is owned by 13 major landowners. Engagement with these landowners regarding Survey and Investigations works and Licences has commenced. In some instances, these owners have expressed a desire to allow early acquisition and, in these instances, initial discussions have occurred. However, where Thames Water has not been approached on early acquisition a full understanding of the likely Options to Purchase achievable is not yet understood and so the costs associated with these Options has not been assessed.
- 14.3.3 The remaining 10% of the land in limits is owned by around 100-130 other parties and engagement on Options to Purchase will commence in early 2025. They have not been actively engaged in land acquisition/Options to Purchase negotiations. Until these landowners have been fully engaged, a full understanding of the likely Options to Purchase achievable is not yet understood and so the costs associated with these Options has not been assessed.
- 14.3.4 Thames Water’s Land Team is currently developing a cost management regime which will enable:
- The tracking, estimating and profiling of PR24 budget spend concerning Options to Purchase; and
 - The tracking, estimating and profiling of the likely PCE liability and spend for any advanced acquisitions and/or IP liabilities for the actual acquisition of property or exercise of Options as and when required.

15 Land Strategy: Managing Key Risks and Issues

- 15.1.1 As noted in the planning strategy in section 1, the project sponsors and the SESRO project team have further developed the risk management and governance processes to support the SESRO project as it moves to Gate 3 and looking ahead to Gate 4. These include a master project risk register, consents risk management tool, and live DCO application issues tracker.
- 15.1.2 Details of managing risks and issues can be found in the main Gate 3 Report (section 6).

16 Land Strategy: Data Management

16.1.1 All communication with landowners and affected parties is and will continue to be managed in accordance with Thames Water's SRO portfolio data handling policies and procedures, recorded in Thames Water's stakeholder management system and copies of correspondence uploaded and attached to the relevant communication record. This includes:

- LIQs (outgoing and incoming)
- Date and time of site visits (successful and unsuccessful)
- LIQs completed on site
- Emails (outgoing and incoming)
- Letters (outgoing and incoming)
- Records of telephone conversations
- Statutory notices issued
- Confirmation questionnaires (outgoing and incoming)
- HMLR data
- Meeting Minutes

16.1.2 The system provides a clear audit trail of the diligent inquiry process and serves as the single platform for all landowner and property information.



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