Condition Discharge Report

Site: Havant Thicket Winter Storage Reservoir, Manor Lodge Road, Rowlands Castle.

Application Number - East Hampshire District Council (EHDC): EHDC-25-0922-RES

Application Number - Havant Borough Council (HBC): APP/25/00641

Details	Details to discharge the following conditions: The Applicant Portsmouth Water are seeking to discharge condition numbered 1 for EHDC and Number 2 for HBC "*scheme and risk assessment*" for Phase 3 (Main Embankment) as part of the implementation of Havant Thicket Reservoir The condition is worded under both Applications as follows: "Prior to the construction of the embankment valve tower, a scheme and risk assessment setting out measures (which shall include but not be limited to, construction or installation of signage, fencing, security measures, warnings, and lifesaving equipment) to minimise opportunities for unauthorised access to the valve tower in order to reduce the risk of drowning, shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter". **Reason:** In the interests of safety for the general public and in order to minimise the risks of drowning associated with the valve tower. The Application is supported by the following documents: • Adams Hendry Covering Letter dated 5th August 2025 (EHDC) • Application Form • Valve Tower Public Safety Measures Document (ref: HTR-FUW-P3-RC-RP-W-1708 Rev: P02)
Planning History	Planning Applications ● APP/20/00990 and 51680/01 - Hybrid planning permission for main reservoir – Approved. ● APP/20/00991 and 51680/02 - Outline planning permission for new pipeline - Approved. ● APP/22/00681 and 51680/03 - Reserved Matters Northern Access Route (Phase 1) - Approved. ● APP/24/00186 and 51680/08 – Reserved Matter Wetland (Phase 2) – Approved. ● APP/24/00311 and 51680/011 Reserved Matters Main Embankment (phase 3) – Approved. ● APP/24/00312 and 51680/012 Section 73 Main Embankment Realignment – Approved. Conditions • APP24/00312 and 51680/014 - Condition 26 Public Safety – Risk of Drowning (Phase 3). Approved.

Planning Policy	• EHDC Planning Policy – East Hampshire District Local Plan: Joint Core Strategy (2014) and East Hampshire District Local Plan: Second Review. • HBC Planning Policy – Havant Borough Local Plan (Core Strategy) March 2011 and Havant Borough Local Plan (Allocations) July 2014. • National Planning Policy Framework (NPPF) (December 2024). • Planning Practice Guidance (Use of Planning Conditions March 2014 updated July 2019).
Consultation Responses	Statutory and Non Statutory Consultee Responses: None Applicable. 3rd Party Comments Two objections received. The comments from objectors have been set out in the assessment below which includes the Applicants response and the LPAs consideration of them.
Planning Assessment	Planning Assessment The condition requires the Applicant/developer to provide measures to minimise opportunities for unauthorised access to the valve tower in order to reduce the risk of drowning, in the interests of safety for the general public. These have been set out in the accompanying document Valve Tower Public Safety Measures Document (ref: HTR-FUW-P3-RC-RP-W-1708 Rev: P02. *Background and Context* The recent S73 (APP/24/00312 and 51680/012) application was approved to amend the design of the main embankment. In the responses from 3rd parties concern was raised in respect of the risk of drowning from the off shore valve tower (page 25 of HBC committee report 14th November 2024). The risk from drowning formed part of the planning assessment, following the committee resolution it was agreed that a standalone planning condition would be annexed to the RMA decision (under reference APP/24/00311 and 56180/011) to cover the potential risk of drowning from the off shore valve tower which may become a structure that members of the public try to swim to or access. The applicant has submitted and approved (under condition 26) public safety measures for the main embankment phase 3. These were considered to be sufficient to provide warnings, physical barriers, surveillance and lifesaving apparatus to be installed within the vicinity of the embankment and allow access for emergency vehicles (fire and ambulance). In determining this condition Officers made it clear that "risk can be minimized however not eliminated entirely" (Officer underlining for emphasis). As with that condition there is no adopted planning policy advice on such matters, and therefore the issues of minimising risk that have to weighed in the planning balance. It is acknowledged that risk of drowning will be a potential risk associated with reservoirs. This was set out in the planning committee report (APP/24/00312) in the paragraphs below which related to the main reservoir permission: Paragraph 7.29 (officer underlining for emphasis): *"The potential use of the reservoir for swimming was considered at outline stage and it was concluded that it would not be safe to allow swimming in an unsupervised reservoir. Representations were received at that time raising concerns that the development would be a health and safety risk with regard to drowning. A condition (26 Public Safety) was secured for the developer/applicant to provide details of measures to reduce the risk of drowning. At that time it was acknowledged that* ***this risk cannot be eliminated, as is the case with any water body, however***

***methods can be implemented to reduce this risk**. The applicant has designed the exterior of the valve tower to be untreated cast concrete and it is considered that the design's lack of exterior features to enable anyone to climb it is sufficient".*

At paragraph 7.30 it is stated (officer underlining for emphasis):

*" The applicant has also submitted details to discharge Condition 26, which details risk identification to drowning in an open body of water, provides detail on the control measures to be implemented to manage those risks and how they will be managed. Control measures include the use of hostile architecture and landscaping to guide behaviour, through the use of riprap, marginal planting and fencing / railings to deter unauthorised entry into the water and structures. The report acknowledges that despite comprehensive control measures, **it is not always possible to fully prevent and stop purposeful entry into the water and prevent accidents during unauthorised access to the water**. Therefore, measures to manage the residual risk shall be implemented which include the provision of lifesaving devices, along alongside a school engagement programme to be implemented by Portsmouth Water".*

At paragraph 7.31 it is stated:

"During reservoir draw down events, the valve tower would become exposed, as would the upper draw off. However, the design of the reservoir includes hostile architecture and landscaping to guide behaviour and deter unauthorised access. Fencing and riprap will therefore act as clear deterrents for any attempted unauthorised access to the valve tower during draw down events. The valve tower is also designed without any means of climbing the sides, again to deter unauthorised access".

At paragraph 7.32 it is stated:

Overall the valve tower would be an isolated structure that is sufficiently distant from the edge of the reservoir to deter unauthorised access and without any means of climbing the edges to further deter unauthorised access. It is considered that there is no increased risk of drowning as a result of relocating the valve tower over and above the risk associated with the approved reservoir. No further measures are proposed beyond the hostile architecture and landscaping to guide behaviour, through the use of riprap, marginal planting, signage, and fencing and railings to deter unauthorised entry into the water and structures. Access from a boat or other floating means of access will use a removable ladder to access the valve tower, therefore no gate or steps are required, and an overhang has specifically not been included to deter unauthorised access.

As landowner Portsmouth Water are required to meet the requirements of the Health & Safety Act 1974 and the risk of drowning has been reviewed by parliament which requires the "importance of the landowner's responsibility to assess and act on the risks posed by open bodies of water on their land".

In the minutes reported to the planning committee 31st October and 14th November 2024 it was stated that:

> "*There would be a whole range of other legislations and regulations that operate outside of planning, which would govern the safety of the reservoir. It would be impossible to eradicate risk completely, particularly the risk of persons committed to getting into the reservoir. However, there would be a range of methods that could be implemented to minimise this risk".*

The Applicants Design Measures

It must be noted that the condition requires details relating to the valve tower only, measures have already been submitted and approved for the wider Phase 3 Embankment.

The Applicants supporting document has been prepared in relation to the offshore valve tower, a structure for water intake and discharge operations. The document details the measures to be implemented in relation to public safety in direct association with the valve tower, specifically those which:

- Minimise opportunities for unauthorised access to the valve tower; and
- Minimise risk of drowning in association with the valve tower

Access to the valve tower will be for authorised personnel only. The primary access to the valve tower will be by foot via the control house and the culvert, which will also be restricted to authorised access.

Recreational use of the reservoir, swimming, along with water sports and watercraft, will not be permitted at Havant Thicket Reservoir. This will be enforced through the deterrent and preventative measures. As a result of the exclusion of swimming, water sports and watercraft, no visitors will be permitted to enter the water at any time and barriers will be in place between all footpaths and the water's edge

The Applicant's Control measures are focused on three interrelated areas, which are summarised as follows:

1) Deterrent measures (those discouraging actions or behaviours before they occur)

- Signage - Water safety signage will be present throughout the reservoir and the valve tower area.
- Site Monitoring - A networked video surveillance system (NVSS) will be established across the whole reservoir site. NVSS will aid with security and act as a deterrent towards entering the water. Video surveillance cameras joined up to the wider site NVSS system will be located close to the valve tower area and control house courtyard, covering both authorised access points to the valve tower structure.
- Community Education – Informing and updating Stakeholder groups and local schools with a focus on both site and water safety as well as discussion around the planned recreation offerings for the site, including prohibition of entering the water.

2) Preventative measures (those stopping actions or behaviours from taking place).

- Site Access Control - Vehicle barriers will be positioned across both access points to the reservoir (the Northern and Southern Access Roads). These will be locked for unauthorised personnel outside of the reservoir's opening hours.
- Shoreline Access Control - Site access tracks for authorised vehicles will be secured using vehicle access gates. Operation of these will be restricted to Portsmouth Water staff. To enable access by emergency vehicles, these gates are to be secured with a combination lock and a 24/7 manned contact number provided on nearby signage to enable gate combination to be shared with emergency services without delay.
- Hostile architecture - Riprap (an aggregate with stone ranging from 64mm to 256mm diameter) will be used as erosion protection within the valve tower area. This is an example of hostile architecture, an urban design strategy deployed using built elements to purposefully guide behaviour and often utilised in near water, including along riverbanks and coastlines and near bridge structures and culverts.
- Segregation from the water's edge - Physical barriers in the form of a 1.10m high livestock proof fence will be in place between the embankment crest path and the water's edge. The use of fencing provides a clear separation between the publicly accessible area on the crest path and the restricted area at water's edge. The mesh panels on the stockproof fencing will be located on the path side to prevent climbing of the rails on the fencing by younger visitors to the reservoir.
- Valve Tower Design - External walls of the valve tower are to be a smooth concrete finish with no cavities, protrusions or covers which could be used to aid in climbing the structure. At Top Water Level (TWL) the vertical walls of the valve tower will extend 1.6m above the water, with this distance increasing to 12.5m at Minimum Operational Level (MOL). The anti-climb fencing, extends a further 1.1m above the top of the valve tower, resulting in a total vertical height of 2.7m from TWL to the top of the fencing.
- Anti Climb Fencing - Anti-climb fencing has a flat outward face with all supporting posts fixed inside the fence, eliminating the risk of a person being able to grab hold of the posts. The mesh face also provides no hand or footholds, meaning when at the edge of the valve tower there is a 2.7m vertical height above TWL which would need to be scaled in order to access the top of the valve tower.

3) Life-saving measures (measures to aid in rescue and life-saving)

- Public Rescue Equipment (PRE) - A lockable throwline cabinet is to be installed on the crest path within close proximity to the valve tower.

	• Emergency first aid equipment & Automated External Defibrillators (AEDs) - Equipment for emergency first aid, including AEDs, is to be available at the Visitor Centre and control house (accessible via authorised personnel). • Emergency Response - Any emergency response required at Havant Thicket Reservoir will involve Hampshire and Isle of Wight Fire & Rescue Service (HIWFRS) and South Central Ambulance Service (SCAS) units. • In Water Safety - Grab chains have been added to the valve tower as an additional safety feature to prevent drowning by any persons who do enter the water. These have been incorporated into the valve tower design. Around the external circumference of the valve tower, two sets of grab chains are to be provided with a 60cm interval to allow for fluctuation in water level. <u>Risk Assessment</u> The Applicants have produced a "Risk Assessment Matrix" relating specifically to public safety in relation to the valve tower. This has been completed in accordance with Risk Assessment Scoring detailed in Appendix C and in accordance with the Construction (Design and Management) Regulations 2015, Management of Health and Safety at Work Regulations 1999 & Health and Safety Guidance publication 151. When the control measures detailed above are applied, this decreases and mitigates the risk of unauthorised valve tower access and/or risk of drowning, with the residual risk assessment valve being greatly reduced. <u>Response to Third Party Objections</u> The Table at Appendix 1 sets out the detailed comments from objectors, the response from the applicant and the LPAs conclusions.
Conclusion	It is considered the risk and control measures provides the LPA sufficient information to minimise the risks of drowning once the valve tower is operational and completed. It must be noted that the risk of drowning will not be completely eliminated as a determined member of public despite all the warnings could access the reservoir. There is an inherent risk associated with any reservoir infrastructure, the details submitted in connection with the condition shows a commitment from Portsmouth Water to acknowledge and plan for such events. The detailed comments from 3rd parties attest to the concern from such events. These have been considered in the determination of this discharge of condition application and was also considered in the assessment debate and determination of the S73 and RMA application relating to the Embankment and the introduction of an off shore valve tower.
Recommendation	Discharge Planning Condition.
Drawing Numbers	• Adams Hendry Covering Letter dated 5th August 2025 (EHDC) • Valve Tower Public Safety Measures Document (ref: HTR-FUW-P3-RC-RP-W-1708 Rev: P02)

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Background Documents and Reports

Planning Decision Notice and Committee APP/24/00312 /00311 and 51680/012 / 011.

APPENDIX 1 – Third Party Objections

Public Comment	Applicant Future Water Response	LPA Comments
Valve Tower Public Safety Measures (Rev PO2 – 1/8/25) Report submitted in respect of discharging Condition 2 (Phase 3) While the document sets out control measures which are an improvement on the original Phase 3 planning application submission Condition 2 regarding risks to the public should not be discharged by the LPA until further information has been provided to enable a full assessment of the risks including: 1. More details on any currents or vortex that may be formed during the normal functioning of the outlets at the tower below top water level, or during emergency drawdown.	This was addressed as part of the Section 73 and Phase 3 RMA applications. During operation of the upper draw off, whilst currents will be generated, these would not be sufficient to pull a person under the water. During a drawdown event, once the water level approaches the level of the upper draw off, this will stop being used and the lower draw off will be used. Therefore there is no risk of drowning as a result of the operation of the upper draw off.	The Applicant's explanation on currents is sufficient and no further information would be required and this is not information required by the condition.
2. Details on any proposed secondary means of access to the valve tower required for operational safety to evacuate staff in the event of an emergency, or for future maintenance.	This was addressed as part of the Section 73 and Phase 3 RMA applications. The Section 73 Application and the Phase 3 RMA do not propose a bridge as a secondary means of access. As stated in the S73 Planning Statement para 2.2.23 *"The top of the valve tower can be accessed by boat, pontoon or other non-permanent method as secondary means of access in the case of an emergency...."*.	Not required by the condition. As per the FW response this was addressed as part of the RMA/S73 submission.
Stakeholders have repeatedly requested clarification on these issues, and it is incumbent on the LPA to ensure that it does have this information in order to fully assess the risks the valve tower may pose to the public, and whether the preventative measures proposed will be effective under all circumstances. Noting that even the applicants post mitigation risk scores remain borderline unsafe (12 major risk possible).	▪ As detailed in Appendix C, risk ratings are calculated by determining the likelihood of the identified hazard and the impact this would then have on the persons identified at risk. ▪ In all cases, the likelihood of the risk has been reduced by the application of control measures and in many cases the severity has also been reduced as a result of the measures included to protect public safety. ▪ In all cases the residual risk rating is either deemed 'safe' or 'mostly safe' – not 'unsafe' as referred to in the public comments. ▪ In those cases where the risk rating is classed as 'mostly safe', control measures are in place to manage that risk, and the risk would only materialise as a result of a person wilfully either entering the water or doing something which is not permitted at the reservoir.	Information on access is not required by the condition. The risks of the valve tower was considered in the assessment of the S73/RMA applications. The preventive measures are part of this assessment and must be balanced with the overarching position of not being able to remove all risk as set out in the comments above.

Public Comment	Applicant Future Water Response	LPA Comments
There is also no recognition of the fact that some members of the public will carry in canoes, paddle boards and potentially even jet skis from Warren Park, or even Rowlands Castle. The information provided to the LPA needs to specifically consider whether the preventative measures proposed are sufficient to address this additional risk.	This was addressed as part of the approved Condition 26 Drowning Risk Review and Control Measures, which detailed specific control measures designed into the reservoir to deter people from accessing the water and form using water craft. This includes hostile architecture, including fences, riprap, gates and signage.	The Applicant has set out in detail measures to prevent access - hostile architecture, including fences, riprap, gates and signage. These measures seek to prevent access to the valve tower, in the context of ensuring behavioral changes that PW are seeking.
While stakeholder feedback in 2008 was that there should not be public use of the water for recreation there was a desire amongst stakeholders and the community to see supervised use of the water for training using non-powered craft such as canoes and sail boats, to ensure the opportunities presented by a safe sheltered in land water body were not wasted. Thus the statement made in section 2.3 of the report is not accurate. Portsmouth Water repeatedly committed to stakeholders that the opportunity for future supervised use of the water by schools, youth groups, sea cadets etc. would be kept open, so that if a competent provider came forward the supervised use of the water could be accommodated safely at the reservoir. Therefore, it is essential that Portsmouth Water honour that commitment and ensure that the design of the valve tower includes an assessment of risks related to non-powered craft using the water, either officially or in an unauthorised manner. The current submission does not consider whether the risk posed by water craft using the water is different in relation to the valve tower and adequately addressed by the control measures proposed.	No public access to the water for swimming, or with any form of water craft, will be permitted by Portsmouth Water – the principle of which remains unchanged since planning permission was granted in 2021. There is, therefore, no need to consider the risk of such public use. Irrespective, the design of the valve tower and the security fencing has taken into consideration the potential use of water craft and has been designed to prevent access to the valve tower with the fencing being flush with the outside of the value tower structure and the top of the fencing a total of 2.7m above the top water level preventing access to the valve tower by a person stood on a floating water craft.	Officer confirm in line with the Applicants comments that no public access to the water is permitted for swimming, or with any form of water craft. These comments are not relevant to the assessment of the details required by the condition. The hybrid planning consent was explicit that the reservoir was not be used for recreation purposed including swimming (description of development excludes reference to any recreation use as does the committee report). While the hybrid consent does not specifically restrict swimming in the reservoir, numerous measures are included in the document approved pursuant to Condition 26 - Drowning Risk Review and Control Measures, to prevent swimming and make it clear that swimming is not permitted.

With Portsmouth Water and the LPA having supported moving the tower 20m offshore the risk of drowning events occurring during the lifetime of the reservoir has been increased significantly. Further work is needed to fully understand and assess that increased risk to ensure that everything possible is done to minimise that significant risk. Further comments on the applicants submission are provided below for action/ consideration. <u>Additional comments for action/ consideration</u> 1. Currents and vortexes could be created during drawdown (normal or emergency operations). This could significantly change the safety risk to the general public and it is essential that the report submitted to discharge condition 2 sets out; a) Whether currents and vortexes could be formed, under what operating scenarios, at which structures/ outlets, and how frequently this may occur? b) Consider the risks any such currents and vortexes pose to an unauthorised swimmer (including a small child) or water craft and whether the measures proposed are adequate to address that risk?	This was addressed as part of the Section 73 and Phase 3 RMA applications. During operation of the upper draw off whilst currents will be generated these would not be sufficient to pull a person under the water. During a draw down event, once the water level approaches the level of the upper draw off this will stop being used and the lower draw off will be used. Therefore there is no risk of drowning as a result of the operation of the upper draw off. The design of the grille over the intake is included and has been approved as part Section 73 and Phase 3 RMA permission. The screens (grilles) covering the inlets and outlets will be installed in accordance with the Flood and Coastal Erosion Risk Management (FCERM): Culvert, screens and outfall manual; and, Design and operation of trash screens - phase 3 current standards and requirements as set out in the risk assessment at paragraph 3.5.3.1. They are designed to ensure that flow rates are not	The risks has been fully assessed as part of the S73 application which considered the location of the valve tower off shore. The principle cannot therefore be revisited as part of this discharge of condition. Officer considered that the further information requested by the objector is not required to discharge the condition and has been addressed by the Applicant.

Public Comment	**Applicant Future Water Response**	**LPA Comments**

Appendix B, page 23, refers to the risk of 'entrapment drowning' and grills over the intakes. It is essential that further details is provided to the LPA on the risks associated with normal operational drawdown and emergency drawdown. The information previously submitted with the Phase 3 application was inadequate to assess the adequacy of grills to prevent access (water full & when the outlets are exposed during drawdown), page 23 refers to "grille design discussed with LPA". The details of the grille design and specification should be included in the information to discharge Condition 2 as they are needed as a control measure for public safety. Appendix B, page 24, refers to the risk of "Strong currents during drawdown", followed by a vague reference to "Rate of drawdown *not believed to be sufficient* to pull someone under". The risk of drowning is real and this vague statement is insufficient. Could the currents be sufficient to drawdown a small child? The design engineers will be able to calculate the currents created by normal operational drawdown and emergency drawdown and provide this information along with an assessment of the risk to a child or person with different body weights. The calculations and assessment to back up this statement and provide assurance on this key point must be provided to the LPA as an appendix to the report. There is reference in Section 3.1.1 to provision of signage to warn of submerged objects, but no reference to the fact that the submerged culverts and pipes could have adverse currents associated with them. The text for sign A in Appendix A refers to; "There may be HAZARDS UNDER the WATER at this location. This WILL affect your ability to swim or help others". Clarity should be provided by the applicant on what this refers to and whether adverse currents and vortexes are anticipated under any operational conditions before this safety condition is discharged by the LPA.	sufficient to affect people entering the water. At Top Water Level, the depth of water over the high-level inlet pipe/grating will be 5.5m and over 50m from the shoreline of the reservoir. As the inlet will not be visible at such a distance and depth, it is not considered to create a temptation for people to swim out to reach the inlet. The screens are angled to encourage any debris to fall off and avoid them becoming blocked. Periodic maintenance will however be carried out and will be undertake during maintenance draw down periods.	

2. No information is provided on whether there will be a secondary means of access, as the application confirms that construction is underway Portsmouth Water must now know what is proposed and should confirm before Condition 2 is discharged; • Has it been confirmed that a secondary means of access to the valve tower (*confined space?)* is not required? (as none is shown) • If not, what is the secondary means of access proposed? • Is a means of rescue from the valve tower roof proposed? Section 2.2.4 does refer to the stairwell providing access to the roof for maintenance and 'emergency access'. If so, will there be a gate in the security fencing on top of the valve tower? Will there be steps provided from the roof to the water for boat rescue?	See response above - This was addressed as part of the Section 73 and Phase 3 RMA applications – a bridge is not proposed as a secondary means of access. No steps to the top of the valve tower are included or required. Similarly, a gate in the fence is not required. Emergency access to the top of the valve tower can be accessed by boat, pontoon or other non-permanent method as secondary means of access in the case of an emergency.	Officer concur with the Applicants response and this matter has already been addressed as part of the Section 73 and Phase 3 RMA applications – a bridge is not proposed as a secondary means of access. The Applicant has addressed the comments on access to the valve tower.

Public Comment	Applicant Future Water Response	LPA Comments
If so, details of the gate, means of safe egress must be provided before Condition 2 is discharged so that the impact those measures could have on public safety (and unauthorised access to the tower roof) can be fully assessed. *Noting that access covers are shown from the valve tower staircase onto the roof.* • Will a bridge be constructed from the valve tower roof to the embankment? The LPA will be aware that there was significant concern amongst stakeholders and the community about the significantly increased risk to public safety of having a bridge, including the risk of youths/ drunks trying to access and jump on the bridge, increasing the risk of injuries or drowning. • Page 9 refers to video surveillance covering 'both' authorised access points to the valve tower. If the main access is through the control house courtyard, where is the second access this refers to? If a secondary means of access is planned the applicant must provide the LPA with further details so that these can be assessed in the context of how this might change the risk to the public, so that can be fully considered by stakeholders, the community and the LPA prior to the discharge of Condition 2.		There are two ways to access the valve tower, the primary one is via the Control House and through the culvert, the secondary one is via the top of the valve tower itself via boat. Both of these access points will be covered by CCTV.

3. CCTV surveillance – Given the high risks insufficient information is provided in Section 3.1.2 on the provision of CCTV to monitor the valve tower. The applicant should be required to confirm; • How many dedicated cameras will be provided on the embankment crest directed at the valve tower, as one camera will not be adequate to give coverage on both sides of the tower in order to spot youths gathering or a person/ child swimming out to the tower in order to ensure a prompt response. • That the quality of the image will be adequate to see anyone swimming in the water or hanging onto the chains around the structure during the day and night (i.e. that there will be some form of night vision system) • Will the surveillance system include a sound facility which enables the camera operator to shout out a warning that an intruder has been spotted and the alarm raised to an appropriate responder? • Will the system be monitored 24/7, 365 days a year, by whom and where, to ensure a prompt response to stop an unsafe situation developing, or respond in an emergency? • How will the cameras be protected from vandalism that might make them ineffective?	As stated, CCTV will be installed at the reservoir site which will aid with security and act as a deterrent towards entering the water. The coverage of CCTV will be determined prior to installation, but will be sufficient to identify a person trying to access the valve tower.	The Applicant has confirmed that CCTV will be in operation close to the valve tower area (Page 9 of the submission).

Public Comment	**Applicant Future Water Response**	**LPA Comments**
Note 1: Text refers to cameras are to be located 'close' to the valve tower area and control house. Detail is needed on where the CCTV cameras will be located in order to assess their effectiveness to monitor and address the risks. If a camera is located at the base of the southern embankment to monitor the Control House entrance and courtyard that will provide NO surveillance to the valve tower, which is over the other side of a 20m high embankment. Multiple camera positions will be needed at the top and base of the embankment in this area. Note 2: Appendix B (page 24) refers to the CCTV being on the visitor centre, this is a long distance from the valve tower and would not provide adequate surveillance of both sides of the valve tower, including the side closest to the shore.		

4. Recreational use of the water – The statement made in Section 2.3 of the report regarding the community 'preference' for no water sports and water craft is an over simplification of the feedback received by Portsmouth Water. In fact there were quite mixed views from community stakeholders, with the decision on balance being to prohibit use of the water by the general public for swimming and water craft. However, there was a strong desire amongst stakeholders and the community to see supervised use of the water for training using non-powered craft such as canoes and sail boats, to ensure the opportunities presented by a safe sheltered in land water body were not wasted. Thus the statement made in Section 2.3 of the report is not accurate. Between 2009 and 2020 Portsmouth Water repeatedly committed to stakeholders that the opportunity for future supervised use of the water by schools, youth groups, sea cadets etc. would be kept open, so that if a competent provider were to come forward at any point in the future the supervised use of the water could be accommodated safely at the reservoir. Indeed this was documented in the 2009 Portsmouth Water post consultation feedback report. It was also recognised by managers at Portsmouth Water that it would be impossible to stop youths and adults carrying canoes, paddle boards and potentially even jet skis in from the adjacent residential areas at Warren Park, or Rowlands Castle, and using the water in an unauthorised manner when the visitor centre is closed. In the report there is no recognition of the fact that oUenders will carry in canoes, paddle boards and potentially even jet skis in Section 3.2.1 and 3.2.2. The information provided to the LPA needs to specifically consider whether the preventative measures proposed are sufficient to address this additional risk. It is essential that Portsmouth Water honour their commitment to future proofing the recreational use of the site and ensure that the design of the valve tower includes an assessment of risks related to non-powered craft using the water, either officially or in an unauthorised manner as it will happen. The current submission does not consider whether the risk posed by 'craft' (canoe's, paddle boards etc.) using the water is different and adequately addressed by the control measures now proposed for the valve tower.	See response above - No public access to the water for swimming, or with any form of water craft, will be permitted by Portsmouth Water – the principle of which remains unchanged since planning permission was granted in 2021.	Officer confirm the position on public access which remains as originally approved. This issue is not part of the scope of the current discharge of condition application.

Public Comment	**Applicant Future Water Response**	**LPA Comments**

5. Mud substrate exposed – The table in Section 2.1 confirms that during drawdown there will be NO water present between the shoreline and the valve tower. No information is provided on the substrate that will be exposed and any health & safety risks related to it. Rip-rap covered in weed will be slippery. Presumably where the rip-rap ends the base of the reservoir will be slippery mud and with time covered in deep mud. The offshore valve tower will remain a draw for unauthorised access even during drawdown. - There is no information in the main report provided by the applicant on what the risks will be during drawdown and how they will be addressed. The information in Appendix B page 25/26 is too vague. - This was previously raised by stakeholders and the community as a concern at the time of the Phase 3 planning application. The increased risks that the valve tower poses during drawdown must be considered more fully and addressed before the discharge of Condition 2.	The area between the valve tower and shoreline (and beyond) will be covered entirely with riprap as shown on approved Section 73 drawing HTR-GHD-ZZ-ZZ-DR-T-0011 P02 – Main Embankment Landscape Plan. Risks associated with mud exposed beyond the valve tower, and control measures applied, are detailed in the Appendix B Risk Register.	The Applicant has set out the design of the area between the shoreline and the valve tower as indicated Section 73 drawing HTR-GHD-ZZ-ZZ-DR-T-0011 P02 – Main Embankment Landscape Plan.
6. Delay to consultation - If the report to discharge Condition 2 was submitted to the LPA on 6/8/25 why has it taken so long to share it with stakeholders and councillors? - Especially when the development has already commenced and it was councillors on the planning committee reacting to concerns from the community that required the addition of the safety condition to the planning consent for the Phase 3 application.	There is no formal consultation period for condition discharge applications and therefore notification of the public by the LPAs is not required. Stakeholders were made aware of the submission in the Stakeholder Advisory Group meeting on 9th September, and it was explained by the Case Officer that due to changes to Havant Borough Council's IT system, there was a delay in the application being advertised on their website.	There are no formal public consultation arrangements for discharge of condition applications. Comments from third parties have been considered as part of the assessment.
<u>Further observations</u> A) Section 2.1 confirms that the tower is just 19.5m offshore at its closest point, with the water depth around the tower ranging under normal operation from 2.6 to 3.7m deep. This confirms that the tower is very close the shore and certainly deep enough to swim and drown in. It is inevitable that youths and drunks will be tempted to swim out to, and/or around the tower, presenting a significant risk of drowning.	See responses above - A risk assessment has been carried out to ensure public safety in the design of the reservoir and includes appropriate measures to control and manage the risks.	This condition seeks measure to minimize and manage risk and comments have already been made in respect of the scope of the condition.
B) The presence of Rip-Rap rocks on the shore will NOT stop youths or drunks from accessing the water. Page 11 provides a photo example of Rip-Rap.	This was addressed in the approved Condition 26 Drowning Risk Review and Control Measures. Riprap is one of a number of control measures included in the design of the reservoir to guide behaviour and deter access to the water. As explained in Section 3.2.2 of the report, riprap is considered a form of 'hostile architecture', which is used to guide behaviour. It creates a surface which is difficult to walk on and visually provides	Rip Rap is considered an appropriate design preventive measure in the suite of measures outlined above.

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	no clear route to access the water's edge. Additional measures to deter access to the water include fencing, signage and CCTV.	
C) As for the Phase 3 application there are no images or illustrations to show how much more ugly and visually intrusive than Figure 7 the valve tower will be when the enormous safety signs and other ancillary infrastructure have been added on top of the structure. Nor from how far away the structure will be visible.	Safety signs will not be placed on top of the valve tower. Safety signs will be fixed to the outside of the valve tower structure above the water line as shown on Figure 8 to identify the grab chain locations. No other safety signs will be placed on the valve tower. As detailed on the safety signage drawing in Appendix A of the report safety signs will be located adjacent to the crest path.	There are no design or visual impact concerns from the suite of measures proposed, They are necessary elements of the overall reservoir project and must be balanced with the need to prevent risk.
D) Education is unlikely to be effective against youths and drunks most likely to exhibit the antisocial behaviour of concern and enter the water.	Education is detailed within the report as a deterrent measure and is targeted at ensuring community-wide awareness of dangers of violating site rules. As noted by Section 3.2 of the report, education (and other deterrent measures) is supplemented by preventative measures to impede actions or behaviours by those who have chosen to disregard these measures.	There is no objection to the education awareness as part of the measures proposed.
E) There is a risk that gates controlled with a combination lock could be compromised if the code for the gate becomes known (Section 3.2.2 refers).	Similar systems are in place nationwide across utility sites. The code will be changed regularly by Portsmouth Water's Operations team.	The mitigation proposed is considered appropriate.
F) Section 3.2.2 refers to "Launching of unauthorised watercraft arriving by vehicle/ trailer will be prevented due to the lack of access/ proximity to the water's edge." This fails to recognise that the water's edge is close enough to the residential housing areas that watercraft can be carried into the site, especially paddleboards and canoes. Noting that locals have previously indicated to Portsmouth Water state that they will carry in their jet ski!	See response above - No public access to the water for swimming, or with any form of water craft, will be permitted by Portsmouth Water – the principle of which remains unchanged since planning permission was granted in 2021. This was addressed in the approved Condition 26 Drowning Risk Review and Control Measures. A number of control measures are included in the design of the reservoir to guide behaviour and deter access to the water. These measures include locked gates, fencing and riprap which will all make it very difficult for people to *'carry in their jet ski'* or any other water craft onto the reservoir.	Officer consider the response from FW is sufficient to address the comments on access.
G) The distance from the shore to the valve tower is 19.5m at its closest point. It is not practical to throw a 'throwline' that distance. The need to keep the throwline cabinet locked will delay any rescue attempt.	As detailed in correspondence relating to Condition 26 discharge, the use of throwlines follows the recommendation by the Royal Life Saving Society that in their professional experience they are more effective at saving lives in similar situations than life rings. As	Officer consider the response from FW is sufficient to address the comments on the throwline.

	Section 3.3.1 explains, a lockable cabinet ensures the throwline	
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	cannot be tampered with or removed when not required which is recommended by the Royal Life Saving Society.	
H) Page 16, Section 3.3.2 refers to the valve tower being 'partially submerged and no longer visible upon filling of the reservoir'. This is not true. Figure 1b, 7 & 8 show correctly that the combined height of the valve tower and security fencing will stick out of the water by between 2.8m and 3.8m during normal operation with seasonal variation, with the full height of the tower exposed and visible during drawdown. The structure will be very visible at all times.	This reference has been taken out of context and should be read as a whole sentence. The reference is made in relation to parts of the structure no longer visible upon filling of the reservoir, for example the culvert and the upper and lower draw offs, however, the potential ambiguity is understood. The top of the valve tower will remain visible as detailed within Figures 1a and 1b.	The visibility of the valve tower is not a matter for consideration. The design, appearance and visual impact was considered as part of the S73/RMA applications.
I) Appendix B – additional controls column refers to 'Patrols' but no detail is provided in the report on how often the area will be patrolled during the day and at night?	Security patrols will be undertaken regularly, however, exact details relating to timing and routing are to be established within Portsmouth Water's operational strategy documents following development of visitor centre facilities and completion of main reservoir construction.	The applicant has clarified the position on patrols and this is considered sufficient to explain the operation.
j) Some of the risks assessed by the applicant in Appendix B even with the control measure proposed remain at 12, which is borderline on being assessed as 'not safe', score 12 - major risk possible). This shows that the concerns raised by the community when the valve tower was moved offshore were completely valid and that the decision to move the valve tower offshore leaves unacceptable risks which cannot be adequately be overcome.	See response above - In all cases the residual risk rating is either deemed 'safe' or 'mostly safe'.	The decision to move the valve tower off shore has been made under the S73 amendment. The location of the valve tower is not up for consideration under this conditions discharge application. The Applicant's position as regards the risk rating has been set out.