

[REDACTED]

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**From:** EIR  
**Sent:** 22 April 2025 17:13  
**To:** [REDACTED]  
**Subject:** [REDACTED]

Dear requester

**Provision of requested information, and Refusal of request – manifestly unreasonable, Information is reasonably accessible and Requested information is not held**

Thank you for your request for information about Water Recycling Centres in Norfolk and Suffolk, which we received on 26 March 2025. Your request has been considered under the Environmental Information Regulations 2004.

Please note that references to numbers in brackets are to the numbered questions in this request:

1. Please confirm which Water Recycling Centres (“WRCs”) Anglian Water operate in both Norfolk and Suffolk? Please provide the name and addresses of each WRC.

Please see provided excel spreadsheet of Water Recycling Centres (WRCs) within Norfolk and Suffolk. Address details are published on the individual WRC permit and these are available for download via the DEFRA public register (<https://environment.data.gov.uk/public-register/water-discharges>).

2. For each of the WRCs confirmed in response to (1), please separately confirm:

a. any permit limits, whether under the Environmental Permitting (England and Wales) Regulations 2016 or otherwise.

Details of individual WRC permit limits are available for download via the DEFRA public register (<https://environment.data.gov.uk/public-register/water-discharges>).

Please provide a copy of each permit;

Individual WRC permits are available for download via the DEFRA public register (<https://environment.data.gov.uk/public-register/water-discharges>).

b. the current operating capacity to treat wastewater.

The Dry Weather Flow (DWF) and Full Flow to Treatment (FFT) are detailed on the published permit for each WRC. Individual WRC permits are available for download via the DEFRA public register (<https://environment.data.gov.uk/public-register/water-discharges>).

Please provide evidence to support these capacity figures as part of your response;

The Dry Weather Flow (DWF) and Full Flow to Treatment (FFT) for WRC's is calculated in accordance with industry best practice including DEFRA / EA guidance. The permitted DWF and FFT is agreed with the EA before a legal permit is issued.

c. the current maximum capacity to treat wastewater and the current headroom to accept additional flows (if any).

Capacity and headroom figures vary dependent on a variety of factors including; climate, growth and catchment characteristics. Capacity and headroom are calculated in accordance with DEFRA / EA guidance and are regularly monitored to ensure ongoing compliance.

Please provide evidence to support these capacity figures as part of your response;

The Dry Weather Flow (DWF) and Full Flow to Treatment (FFT) are detailed on the published permit for each WRC. Individual WRC permits are available for download via the DEFRA public register (<https://environment.data.gov.uk/public-register/water-discharges>).

d. how frequently the capacities provided at (2) (b) and (2) (c) are checked or monitored.

Please confirm the process for this;

WRC capacity and headroom is calculated in accordance with DEFRA / EA guidance. Capacity and headroom is regularly monitored in accordance with the DEFRA / EA regulatory reporting requirements, which are summarised in each WRC permit.

e. whether Anglian Water make any distinction in its capacity calculations (including those provided in response to (2) (b) and (2) (c)) between wastewater flows derived from domestic premises and wastewater flows derived from non-domestic premises;

Capacity calculations are in accordance with DEFRA / EA guidance and take in to account a range of factors including; the domestic population equivalent, trade effluent, catchment geography such as infiltration (For example: catchment drain-down time following rainfall events) and growth.

f. the geographical catchment area the particular WRC serves and accepts wastewater flows from;

Due to the number of Water Recycling Centres in the counties of Norfolk and Suffolk, being 432 sites, this part of the request is being refused under Regulation 12(4)(b) Manifestly unreasonable

Regulation 12(4)(b) says that a public authority may refuse to comply with a request if the request for information is 'manifestly unreasonable'.

The Information Commissioner has issued public guidance on the application of regulation 12(4)(b) (<https://ico.org.uk/media/for-organisations/documents/1615/manifestly-unreasonable-requests.pdf>). This guidance contains the Information Commissioner's definition of the regulation, which is taken to apply in circumstances where either the request is 1) vexatious, or 2) where the cost or burden of complying with the request would be too great. Anglian Water considers that circumstance 2) is applicable to this request.

The 2004 Regulations do not contain a limit at which the cost of complying with a request is considered to be too great. However, the Information Commissioner's guidance suggests that public authorities may use the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 as an indication of what Parliament considers to be a reasonable charge for staff time.

The Data Protection (Appropriate Limit and Fees) Regulations 2004 stipulate that a cost estimate must be reasonable in the circumstances of the case. The limit given for local government is £450 or 18 hours work. Included within the limit the authority can consider the time taken to:

(a) determine whether it holds the information

- (b) locate the information, or a document which may contain the information
- (c) retrieve the information, or a document which may contain the information, and
- (d) extract the information from a document containing it.

For the purposes of the 2004 Regulations, a public authority may use this hourly charge in determining the cost of compliance. However, the public authority is then expected to consider the proportionality of the cost against the public value of the request before concluding whether the request is manifestly unreasonable.

Additionally, the Information Commissioner's guidance on Regulation 12(4)(b) states that the cost of considering exempt information can be taken into account:

*"Under FOIA the cost of considering whether information is exempt cannot be taken into account under section 12 (the appropriate costs limit) but can be taken into account under section 14(1) (vexatious requests). This is because section 12 limits the activities that can be taken into account when deciding if the appropriate limit would be exceeded. This is not an issue under the EIR. The costs of considering if information is exempt can be taken into account as relevant arguments under regulation 12(4)(b)."*

The Information Commissioner has confirmed the use of the Data Protection (Appropriate Limit and Fees) Regulations 2004 is appropriate as a starting point under the 2004 Regulations, but also notes that all of the circumstances of the case must be taken into account to determine whether a request can be deemed manifestly unreasonable on the grounds of cost under the 2004 Regulations. Including:

- (a) the nature of the request and any wider value in the requested information being made publicly available;
- (b) the importance of any underlying issue to which the request relates, and the extent to which responding to the request would illuminate that issue;
- (c) the size of the public authority and the resources available to it, including the extent to which the public authority would be distracted from delivering other services; and
- (d) the context in which the request is made, which may include the burden of responding to other requests on the same subject from the same requester.

The information requested is voluminous.

It is acknowledged that Anglian Water is a significant sized organisation, however, its primary role is the provision of drinking water and sewerage services to members of the public not providing information. To extract and collate the data would be time consuming. The request would inevitably distract the team members from delivering sewerage services.

Whilst it is difficult to fully assess the time estimate for complying with the request. It would take many hours. This would create a disproportionate burden on Anglian Water and its resources.

### **Regulation 12(4)(b) - The public interest test**

Regulation 12(4)(b) is subject to the public interest test set out in Regulation 12(1)(b). This specifies that a public authority may only rely on an exception if, in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosure.

Whilst we acknowledge that information on Water Recycling Centre catchment areas could be viewed as of public interest, we conclude this does not outweigh the time which would be needed to comply which would in turn disrupt Anglian Water's ability to perform its core functions

The information could be classed as reasonably accessible as Anglian Water provides Public Access Terminals which members of the public can use to access water and sewerage mapping and related asset information.

There are three terminals located at Anglian Water, Henderson House, 4 Lancaster Way, Huntingdon, Cambridgeshire PE29 7DU.

These terminals are available for use between 09:00 and 17:00 hrs, Monday to Friday (excluding bank holidays). There is no need to book an appointment, just turn up, park in one of the marked visitor bays and go to Reception to sign in. If the terminals are in use you'll be asked to wait, and in busy times your access may be limited to a specific time period.

Anglian Water Asset Plans are also available online from [Digdat Utilities](#) for a fee.

You may also be able to view Anglian Water Asset plans at your local council offices.

However your request is asking for 'the geographical catchment area the particular WRC serves and accepts wastewater flows from;' for 432 Water Recycling Centres, where the catchment could be only a small village or a large geographical area.

For the reasons given above we believe the cost of compliance is disproportionate to the public value of the request.

### **Regulation 9 Assistance**

We want to be as open as possible in answering requests, and to help people obtain the information they are looking for. Unfortunately, in this case, we are unable to supply the information that you have requested. As we explain above, the time needed to produce the maps and the logistics of sending them to you due to file size makes the cost of compliance disproportionate to the public value of the request. Nevertheless, you could, for example, ask for a smaller number of Water Recycling Centres, we would suggest a maximum of 5, such that we can consider whether it may be possible to respond to certain aspects of your request without incurring significant cost and diversion of resources from Anglian Water's other work.

g. whether the WRC accepts and processes wastewater flows from other WRCs (whether via tankering or direct flows or otherwise);

WRC's periodically accept flows from other works, whether temporarily by tanker, or permanently from decommissioned WRC's. Acceptance of flows is dependent on a number of factors including; available capacity, treatment capability at the receiving works and operational need.

h. has Anglian Water already undertaken any phosphate, nitrate, or other nutrient stripping works to the WRC (or any other works aimed to treat wastewater through nutrient removal)?

Nutrient removal (if required) and associated nutrient permit limits are detailed in the individual WRC permit. Individual WRC permits are available for download via the DEFRA public register (<https://environment.data.gov.uk/public-register/water-discharges>)

If so, please provide details including the nutrient output in terms of phosphates and nitrates. Are any such works scheduled or planned over the next ten (10) years?

Nutrient limits are detailed in the WRC permit. Details of individual nutrient removal improvement schemes are detailed within the Water Industry National Environment Programme (WINEP). ([PR24 Water Industry National Environment Programme](#))

If so, please provide full details and the anticipated output in terms of nitrate and phosphate discharge following completion and commissioning of those works.

Details of individual nutrient removal improvement schemes are detailed within the Water Industry National Environment Programme (WINEP) ([PR24 Water Industry National Environment Programme](#)) which includes proposed nutrient removal limits.

i. are any of these WRCs currently in breach of those Environmental Permits or other permits or restrictions confirmed in (2) (a)?

If so, please provide full details, including which WRCs are in breach and to what extent and how frequently / for how long; and

WRC compliance is constantly monitored in accordance with DEFRA / EA guidance and the associated regulatory reporting requirements of the Environmental Permitting Regulations (2016). Further information is available via the DEFRA public register and DEFRA Water Quality Monitoring (WIMS) platform.

DEFRA Public Register Link: [Public Registers Online](#)

DEFRA WIMS Link: [Defra Data Services Platform](#)

j. for each of the previous five years, which of these WRCs breached the Environmental Permit or restrictions confirmed in (2) (a)?

As 2i

For each breach, please provide full details, including when such breaches occurred, the extent of the breach and the reason for such breach over the previous five years.

As 2i

3. Is Anglian Water aware of how the Environmental Agency assess and record breaches of Environmental Permits or other capacity restrictions applicable to its WRCs?

Regulatory reporting is undertaken in accordance with the requirements of the Environmental Permitting Regulations (2016). Further details of regulatory reporting returns are available via the DEFRA Water Quality Monitoring (WIMS) platform and DEFRA public register.

DEFRA Public Register Link: [Public Registers Online](#)

DEFRA WIMS Link: [Defra Data Services Platform](#)

Please confirm methodology and any guidance or evidence Anglian Water holds to confirm what constitutes a breach and how such breaches are assessed and calculated.

as 3

4. Does Anglian Water hold any information or evidence as to the environmental impact (or likely environmental impact) (whether in terms of increased nutrient loadings or otherwise) as a consequence of any breaches confirmed in (2) (g) above?

If so, please provide such information and/or evidence.

Environmental impact is measured in accordance with the EA's pollution incident categorisation system and through the EA's watercourse monitoring programme. Incidences of pollutions are publicly available via the DEFRA Public Register.

Defra Public Register Link: [Public Registers Online](#)

5. For each of the WRCs confirmed in response to (1) above, please confirm the capacity projections over the next ten years?

We are refusing to answer this question under regulation 12(4)(b). As explained in Question 2f gathering the information for this question for 432 sites would be disproportionate to the public value of the request

6. In relation to those capacities confirmed in response to (2) (b) and (c), and the projections confirmed in response to (5):

a. How are such projections calculated and what developments (or otherwise) are included? Please provide full details, including in particular whether allocated sites in local development plans and existing sites subject to planning permissions are included in the projections, and provide a full schedule of those sites.

b. What rainfall, water table and other weather assumptions have been taken into account when calculating such projections?

c. Do these existing operational and projected capacities include development of sites subject to an allocation in either:

a) currently adopted development plan;

b) emerging development plan,

or c) both?

d. Do these existing operational and projected capacities include developments which already have the benefit of outline planning permission?

We are refusing to answer this question under regulation 12(4)(b). As explained in Question 2f gathering the information for this question for 432 sites would be disproportionate to the public value of the request

7. When calculating the projections confirmed in (6), how many additional dwellings is Anglian Water assuming each of their WRCs will be required to serve across the next five years? Please provide a response for each of the WRCs confirmed in response to (1).

8. Please confirm how regularly Anglian Water review and revise its projections for capacity required from each of its WRCs over future years.

Please confirm the methodology for this (including the input of any rainfall, water table and other weather assumptions).

Calculations we use to respond to planning application are updated yearly. The Q90 is calculated over a full year to allow for weather pattern/variation. The new non-compliance assessment due to start in 2026 takes this even more into consideration as it allows for weather variation year by year

9. Does Anglian Water remove proposed developments from its proposed capacity calculations if such developments will construct and deliver their own site-specific WRC or are not anticipated to deliver waste water flows (in whole or in part) to a relevant WRC operated by Anglian Water until the end of the projection period?

where we know a development will not connect to our network we will not account for their flows in our calculations.

10. What information do Anglian Water use to base their future capacity requirement projections for each of its WRCs on?

Please provide methodology (including the input of any rainfall, water table and other weather assumptions as well as development projections).

In our capacity assessments, Anglian Water assesses the receiving water recycling centre's (WRC) dry weather flow (DWF) headroom, where we take the latest Q90 DWF figures, as verified by the Environment Agency and add to this, sites with planning consent that we anticipate will connect to our network in 2025.

11. Are there any current confirmed investment programmes to upgrade any of those WRCs confirmed in (1)?

If so, please provide details for each.

Information on our investment plans can be found on our website

[Drainage and wastewater management plan](#)

12. Are there any further (whether in draft or anticipated) investment programmes to upgrade any of those WRCs confirmed in (1)?

If so, please provide details for each, including their current progress status and anticipated date such investment programme will be confirmed and anticipated works completed.

See Q11

13. In respect of each of those investment programmes confirmed in response to (11) and (12):

a. Which WRCs are the focus or priority of these investment programmes?

How is such priority determined?

b. What is the prospective maximum capacity of each of the WRCs subject to the investment programmes?

c. What are the anticipated milestones for capacity upgrades to the WRCs subject to the investment programmes, including, but not limited to, the proposed final date of completion?

See Q11

14. If there are no such investment programmes:



- a. is this a position that is anticipated to change considering the current WRC capacity levels and assumed housing growth?
- b. please confirm how Anglian Water will accommodate and cater for such growth and demand for waste water recycling in the absence of any investment programmes; and
- c. are there any temporary solutions proposed to deal with any increase in demand?

Any future developments will be assessed by the business as they are received. We do not hold information on changes we have not had sight of.

15. Over the past ten years, in respect of those WRCs confirmed in (1), has Anglian Water sought funding (whether from Ofwat or otherwise) to maintain, upgrade or increase capacity where such funding has been refused or otherwise not been secured?

Please provide details and any information as to why such bids were refused.

We are refusing to answer this question under regulation 12(4)(b). As explained in Question 2f gathering the information for this question for 432 sites would be disproportionate to the public value of the request

16. We understand that Anglian Water has asked Ofwat to refer its PR24 Final Determination to the Competition and Markets Authority but that there will be no delay to the delivery of Anglian Water's plans for year one of AMP8 as a result of this referral<sup>1</sup>. Please confirm:

- a. Which (if any) of the WRCs confirmed in (1) will Anglian Water invest in to increase capacity to treat wastewater under the current PR24 Final Determination and when?

Details of WRC improvement schemes as part of the PR24 Final Determination are detailed within the Water Industry National Environment Programme (WINEP). [\(PR24 Water Industry National Environment Programme\)](#)

- b. In respect of such WRCs

please confirm when such works would be completed and operational and the increased capacity of the relevant WRC following such works.

Please confirm what is required, following completion of the works, for the improvements to become operational and the likely time periods for this?

Details of WRC improvement schemes as part of the PR24 Final Determination are detailed within the Water Industry National Environment Programme (WINEP). [\(PR24 Water Industry National Environment Programme\)](#)

- c. Which (if any) of the WRCs will Anglian Water deliver improvements to within year one of AMP8? In respect of such WRCs please confirm when such works would be completed and operational and the increased capacity of the relevant WRC following such works.

Details of WRC improvement schemes as part of the PR24 Final Determination are detailed within the Water Industry National Environment Programme (WINEP). [\(PR24 Water Industry National Environment Programme\)](#)



17. Anglian Water is subject to obligations under the Levelling-up and Regeneration Act 2023 for certain of its WRCs to meet “Technically Achievable Limits” (“TAL”)<sup>2</sup> . For each of the WRCs set out in response (1) above and which are subject to this requirement please confirm:

a. When does Anglian Water expect works to achieve TAL to be completed, operational and commissioned?

Details of WRC improvement schemes as part of the PR24 Final Determination, including schemes to achieve Technically Achievable Limits (TAL) are detailed within the Water Industry National Environment Programme (WINEP). ([PR24 Water Industry National Environment Programme](#))

Please confirm the steps required for operation and commissioning (if different), and the likely timescales following completion of works?

As 17a

b. Will such works increase the capacity of any of these WRCs to treat waste water from a greater number of dwellings than the current capacity of these WRCs?

If so, please confirm such increased capacity for each WRC in question.

Please see Q17a

18. By reference to Anglian Water’s Developer Charging Arrangements<sup>3</sup> :

a. Please confirm the total receipts by Anglian Water pursuant to such arrangements for each of the preceding ten years?

b. How have such receipts been spent?

Please provide a breakdown, to include confirmation of amount of receipts spent on works for each of the WRCs listed at (1) above and provide details of such works.

Please confirm whether such works increased capacity (and by what extent) and/or improved the WRC’s ability to remove nitrates or phosphates (and again to what extent).

We are refusing to answer this question under regulation 12(4)(b). As explained in Question 2f gathering the information for this question for 432 sites would be disproportionate to the public value of the request

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If you are unhappy with the service you have received in relation to your request and wish to request an internal review, you should email [EIR@anglianwater.co.uk](mailto:EIR@anglianwater.co.uk) or write to:

Legal Director, Anglian Water Services, Lancaster House, Lancaster Way, Ermine Business Park, Huntingdon PE29 6XU

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

If you have any queries about this email, please contact me.

Yours sincerely

**EIR Team**

**Anglian Water Services Limited**

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