A SUBMISSION TO THE CONSULTATION ON REFORM OF THE WATER SECTOR IN IRELAND

TO

WATER SERVICES SECTION

DEPARTMENT OF ENVIRONMENT, COMMUNITY AND LOCAL GOVERNMENT

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BY

THE RIVER SHANNON PROTECTION ALLIANCE (RSPA)

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INTRODUCTION

FUNDAMENTAL RIGHTS

THE NEED FOR A WATER AUTHORITY

PUBLIC VERSUS PRIVATE OWNERSHIP

WORLD WATER SHRINKAGE
INTRODUCTION

This submission to the Consultation on Reform of the Water Sector in Ireland is presented by the River Shannon Protection Alliance (RSPA). The RSPA was formed in response to proposals by Dublin City Council (DCC) to abstract water at high volumes from the Shannon for piping to Dublin, and out of deep concerns on the part of communities along the entire length of the river at the potential adverse affects of these proposals.

It is not the intention of this document to discuss the merits or de-merits of the DCC proposals. That is a matter for another forum. However in the course of our deliberations and engagement on the issue of water abstraction, the overall question of the critical nature of water usage in Ireland has come into sharp focus, raising serious concerns not just for the Shannon but for all of the fresh waters of the country.

Since the inception of the RSPA we have been calling for the establishment of a national body which would sustainably administer and manage the fresh water resources (rivers, lakes and subterranean) for the benefit of the people of Ireland and future generations. Based on our experiences to date, and getting up close and personal, with the issues arising, we have formed a view on the need for such a utility, its structure, and its general remit. In the following pages we set out this view which is based on our conclusions and our soundings in the wider community.
**Fundamental Rights**

We believe that policies underpinning the administration of a water utility should be based on a set of *first principles*, within which the rights of human and non-human species, and balanced economic development, are enshrined and protected, and free from influence by third parties of any kind.

In terms of the needs of human and non-human species, we are of the view that availability of water is a human right, and must not be denied for any reason. Water is as fundamental a right as is the air we breathe, and without which life cannot be sustained. Therefore it cannot be withheld for reasons (e.g. inability to pay), which are outside the control of the individual.

We are also of the view that the principle of *first rights* should apply. While the waters of Ireland are owned by the Irish people, and should be held in trust on their behalf by the water utility, priority of extraction for human and other usage should favour in the first instance the riparian extractors. This ensures that extractors are compelled to maximise *local usage of* supplies before seeking supplies outside of their immediate environs. Thereafter where contention for supplies exists, resolution must not be at the disadvantage or expense of the incumbent communities.

We believe that people should have right of access to water, sufficient for basic human needs, and that such access should be free of financial charge to the consumer. In the first instance water is provided by nature, and is available to the potential utility free of cost, and must not be seen as a convenient commodity for revenue generation.

Costs to the utility do arise however once the process of extraction begins, and it is reasonable that financial charges to the consumer should begin at this point, but only at this point. Such charges however should be based on the cost of extraction and delivery only, and contain no element of the product (water) itself. In other words, consumers should not have to pay for water, but should be expected to pay for delivery of it.
**Establishment of a Water Utility**

As stated, the RSPA has been calling for the establishment of a national water authority to manage and control all of the fresh waters of Ireland (including desalination, should it come to pass), and to do so in a sustainable manner, and with regard to conservation and preservation of the country’s most valuable and vital resource, balanced against the complex web of usage requirements of humans, non-humans, and economic activity. Accordingly, it would be tasked with monitoring and maintenance of water quality, and extraction/treatment and delivery of supplies to users. Avoidance of ecological and environmental degradation, and indeed their improvement should be highly prioritised in all of the utility’s work.

It is vital that the structure and form of such a body be set up *the right way* in terms of *fitness for purpose*, if it is to have the policies, resources, and legal status to enable it to meet the demands of its remit. Failure to put appropriate structure and form in place will exasperate the many shortcomings in current systems, and leave the country in a perilous position of inefficient usage, serious wastage, and imbalance and uncertainty of supply.

In terms of structure, we are strongly of the view that the utility should be a public body reporting to the highest level of government, and free from third party influence of any kind.

In financial terms, its objective must be that of recouping its costs of extraction and delivery from its users, and not the generation of profits for itself or the state. If water is seen as a means of bringing in revenues, it can lead to over-extraction, profligacy, and eventual degradation of water resources.

The utility should be established as a *new* and independent body, and should not be placed under or within any other state or semi state entity which might in time be privatised. If not a completely *new* body, an alternative worth consideration would be to place it under and within The Department of the Environment.
We see **metering** as a necessary device for the effective operation of a water utility, and as a useful means of eliminating serious and unnecessary waste/leakage. Meters will identify and pinpoint waste/leakage, and resulting usage charges will force those responsible to remedy the situation.

In terms of charging for the use of water, we favour a system whereby a user is allowed a generous amount of water free of charge. Only when the free amount is exceeded would charges be levied at a given unit cost. This is consistent with the concept of free water, and payment for delivery and/or excess usage.

In any event there must be a provision within the charging system whereby a person who genuinely cannot pay should be accommodated fairly and equitably, and not left without water.
Public Ownership Versus Privatisation

We are strongly of the view that the waters of Ireland should not be given over to private interests. Water rights (ownership) must be retained by the state, and the functions of administration and distribution must be the sole responsibility of the publicly owned utility.

Involvement of private interests as possessors of water rights and/or utility operators can and does lead to over exploitation, degradation of water resources, and higher unit cost to consumers. The state can also suffer serious financial penalties if forced to compensate private operators where revenue levels agreed between the parties fall short of target, as in the case with road toll charges.

The primary and often sole motive of private operators is profit, and other considerations all too frequently become secondary. There are many examples around the world where water and operation rights were given over to private vested interests with disastrous results for the state and consumers, resulting in efforts by states to reverse situations, often at high buy back costs. Australia, as just one example, is currently attempting to buy back rights to the Murray Darling River, which does not reach the sea any more, due to climate change, over extraction, and over silting.

In Ireland we have an opportunity not to repeat these mistakes, making it extremely important that we get it right the first time.
**World Water Shrinkage**

One could easily be forgiven for assuming it unthinkable that in Ireland we could at any point face a scarcity of water. Historically, we have enjoyed an overabundance of it, for human use, agriculture, industry, and ecological well being, and indeed there have been some who from time to time wished we had less of it. We are in fact spoiled by this bounty to the point where not only have we taken it for granted, assuming that the resource is infinite, but we have become careless and wasteful to an extraordinary extent. Recent figures indicate that the national average of loss/wastage from the country’s municipal supply systems, coupled with profligate customer side usage, is in excess of 40%.

The fact is the resource is not infinite, and there is strong evidence that even in Ireland we could, in the not too distant future begin to see a tightening of water supplies. Many parts of the world, not excluding Europe and the U.K., are experiencing alarming reductions and shortages, due to climate change and over extraction. Many of the world’s great rivers The Colorado, The Jordan, The Indus, The Murray Darling, to name but a few, are seriously and irreversibly compromised, and in most cases no longer reach the sea.

These rivers are of vast length, reaching distances of many hundreds and even thousands of miles. Superb though Ireland’s waters are, even our longest rivers are but a minnow in comparison. Ireland will not be immune to climate change and over extraction, both of which are advancing apace, and if these larger rivers can deteriorate as quickly as they have, then we must conclude that deterioration of Ireland’s waters would occur much more rapidly.

Environmental Scientist Mr. Jack O’Sullivan in a recent submission to the Joint Oireachtas Committee on the Environment, Transport, Culture, and the Gaeltacht stated that “Water scarcity is increasing, not only worldwide, but throughout Europe. The European Commission has recognised for the past 4 years that water management must be improved, and more emphasis placed on water saving and conservation......”.

*Consultation on Reform of the Water Sector in Ireland*
In his book published in 2009 entitled PEAK WATER (Civilisation and the World’s Water Crisis), author Alexander Bell stated “Peak water is the point when the available water is not enough to meet the demands of the world’s growing population. We might live on a watery world, but we are exhausting accessible supplies. Many parts of the world are already facing this crisis, and not only in the developing world. Some of the places experiencing ‘peak water’ are in the USA, Europe and the UK. Even the wettest lands will be engulfed in the global catastrophe that looms – this is the issue of our age.”

We must therefore be careful that in setting up our water utility, its structure and form is based on policies and objectives that will unflinchingly protect and preserve all of Ireland’s water resources for the long haul, long term, for the many generations to come. We have an opportunity to do this now, but it will only happen if we do it right. If done wrongly, we will not get a second chance.

The government is currently facing many critical difficulties which urgently require immediate solution. Understandably, the temptation to implement short term solutions, if only for the moment, must be difficult to resist. Water provision is too vital an issue to be well served by a quick fix solution and must take the long term view.

A Short Term Solution Could Result in a long Term Disaster.