

Empowering Mayors to Decide upon Water Infrastructure

Ministry of Housing, Communities & Local
Government Consultation Submission



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Introduction

Aligning spatial planning with water infrastructure capacity

Water UK is the trade association for the UK's water industry. We represent all regulated water and wastewater companies in England, Northern Ireland, Scotland and Wales. The water and wastewater sector is currently delivering an unprecedented scale of investment to secure future water supplies, protect the environment and enable sustainable growth.

Water UK welcomes the opportunity to respond to the Ministry of Housing, Communities & Local Government [Planning powers for mayors in England](#) consultation on implementing the English Devolution and Community Empowerment Act 2026. The consultation looks to bring similar planning powers that have been given to the Mayor of London to the mayors of Strategic Authorities across England. Currently mayoral authorities outside London have very limited planning powers meaning planning decisions are instead made by 337 local planning authorities e.g. county councils, district councils, without formal input from the regional mayor.¹

In recognition of the number of authorities and the complexity this creates, the Government has proposed that elected mayors of Strategic Authorities can use their political mandate and regional outlook to make decisions needed to drive growth. These powers include the duty to produce a Spatial Development Strategy like the London Plan, the option to call in or determine planning applications of potential strategic importance bypassing local planning authorities, the ability to proactively grant planning permission through Mayoral Development Orders, and the option to raise funds for community infrastructure. This more strategic and holistic proposed approach to planning presents opportunities to ensure water and wastewater projects help meet national and regional growth targets.

The Prime Minister has said that mayors should have a greater role in shaping the future of water which will be set out in the Clean Water Bill. As policies emerge, we recommend there is close engagement between the Ministry of Housing, Communities & Local Government and Department for Environment, Food & Rural Affairs to ensure there is alignment between water sector regulatory and planning reforms.² It is Water UK's view that aligning spatial planning with water infrastructure capacity is essential to unlock economic growth.

The water sector is committed to providing the necessary infrastructure for communities to thrive; however, the current system of infrastructure delivery requires improvement. We have set out wide-ranging short- and longer-term reforms to unlock project delivery.³ Water UK is therefore supportive of

¹ HM Government (2026), [Local Planning Authority Dataset](#)

² Prime Minister Andy Burnham (2026), [Andy Burnham's speech to Labour Party Conference 2026](#)

³ Water UK (2026), [Barriers to project delivery](#)

the policies set out in this consultation to empower mayors to decide upon planning applications as part of a wider package of policies to speed up the delivery of critical projects designed to foster growth and support the environment. However, to support this government must integrate water and wastewater into the planning process at the earliest stage and treat it with the same strategic importance the consultation affords to other utilities like energy to meet ambitious government housing targets⁴ and data centre ambitions⁵, as well as be responsible stewards of the environment.

Local economies are currently constrained because housing developments are being delayed and businesses are being blocked from starting or expanding in water-stressed regions. Public First warns that water scarcity is constraining business growth by £8.5bn to £13bn depending on whether government targets or OBR forecasts are met during this Parliament.⁶ Public First also estimate that if reductions in water demand and leakage follow recent trends rather than ambitious targets, there is only sufficient water for 420,000 of the 1.5 million homes the government plans to deliver by the end of this parliament.⁷

Mayoral powers alongside other reforms have the potential to help unlock local economic growth, deliver homes and build resilience against climate change. We have not responded to every consultation question on the technical detail and implementation of further planning powers for mayors and have instead focused on two core areas: defining the use of potential strategic importance; and Mayoral Development Orders.

Powers in relation to the application of potential strategic importance

Expanding powers to water and wastewater to unlock growth

Currently, depending on size or complexity, water and wastewater projects are consented through the Nationally Significant Infrastructure Projects (NSIP) or the Town and Country Planning Act systems. NSIP schemes are decided by the Secretary of State for Environment, Food & Rural Affairs but can take more than two years to advance. Ultimately the outcome of this process can be beneficial, however, it is not appropriate for smaller and often less contentious schemes which could obtain consent from their local authority within six months under the Town and Country Planning Act. Small and medium sized water and wastewater schemes can and do provide major benefits at regional level, and there is a potential risk of local authority objections to housing or individual small schemes, such as a wastewater treatment works, which could deliver benefits to the wider region. Therefore, Water UK supports empowering mayors in England stepping in to approve water and wastewater projects to unlock growth, build resilience and manage the environment.

Annex A of the consultation, which sets out proposed developments qualifying as potential strategic importance (PSI) identifies solar development, onshore wind and battery storage development up to 100MW in addition to electricity network projects as projects which a regional mayor could 'call in' if

⁴ Ministry of Housing, Communities & Local Government (2024), [Planning overhaul to reach 1.5 million homes](#)

⁵ Department for Science, Innovation & Technology (2025), [Delivering AI Growth Zones](#)

⁶ Public First (2025), [The Economic Cost of Water Scarcity](#), P19

⁷ Public First (2026), [The Risk of Water Shortages](#), P4

there are objections from a local authority. There is no reference to water infrastructure despite it being essential to any future household or non-household development. Annex A also references waste development, but wastewater treatment should be included as a PSI application enabling the mayor to call-in to progress these projects.

In response to questions one and two, just as major energy and transport projects are considered of strategic importance, water assets such as wastewater treatment, major trunk mains and pumping stations beneath the threshold of NSIP should be designated as PSI applications. Mayors should have clear call-in powers to progress water and wastewater treatment works, service reservoirs and storm tanks or projects enabling a major housing development of more than 200 homes. These strategic water projects should be added as a fourth Major Infrastructure category alongside transport, waste and energy in and outside of London. This is critical to provide parity with energy projects, and to ultimately support housing and economic growth. By giving mayors explicit call-in powers for water projects outside the scope of the NSIP system, the government ensures Strategic Authorities can unblock local planning delays that stall local housing delivery.

Crucially, mayoral intervention must focus strictly on facilitating delivery. The mayoral role is not to act as an environmental or economic regulator, nor should mayors re-litigate water resource positions such as demand forecasts and environmental flows that have already been agreed with current or future statutory regulators (Ofwat, the Environment Agency, Natural England and the Drinking Water Inspectorate) under the Water Resources Management Plan and Drainage and Wastewater Management Plan processes or future processes as part of the anticipated Clean Water Bill. Instead, as outlined within Policy W1 of the recently updated National Planning Policy Framework⁸, Spatial Development Strategies should align with and be informed by these plans led by water companies including input from regulators and ultimately signed off by the Government.

Scoping of mayoral powers in respect to growth

Mayors should use their call-in powers to intervene and accelerate the determination of these critical water and wastewater projects when they face local-tier planning delays, thereby directly enabling housing delivery. In response to questions four and five, as a Spatial Development Strategy takes shape it should assist mayors better understand the area's needs to ensure planned development progresses. Therefore, it is logical to further unlock the scope of call-in powers including water and wastewater infrastructure once a Spatial Development Strategy is in place. Given the stated government policy of building 1.5 million new homes this parliament, and the fact water and wastewater facilities are critical to meeting this target, it is important mayors' decisions to direct refusal or call in a PSI application is justified in respect to growth.

Excluding Urban Development Corporations and New Town Development Corporations

In response to question eight, when there is a centrally-led Urban Development Corporation or New Town Development Corporation established by government we would expect those areas to be excluded from

⁸ Ministry of Housing, Communities and Local Government (2026), [National Planning Policy Framework](#), P48

the mayor's powers. This is the same approach used for the London Thames Gateway Urban Development Corporation and the Olympic Delivery Authority used for London 2012. Otherwise, it would become very difficult for these nationally important developments to smoothly progress.

Mayoral Development Orders

Involving water and sewerage companies

Mayoral Development Orders (MDOs), used to provide upfront planning permission bypassing the local planning authority, must not be prepared in isolation from existing and planned water and wastewater infrastructure. When a mayor uses an MDO to proactively permit large-scale developments, they should consult water and sewerage companies at the earliest drafting stage to ensure adequate water supply and wastewater capacity can be expanded as necessary to support the development. We recommend that mayors have the power to use MDOs proactively to grant planning permission for the strategic water and wastewater network upgrades required to support designated growth areas e.g. sustainable drainage systems, reducing delivery timelines for developers.

In response to question 10, Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 covers large-scale projects including wastewater treatment plants with capacity exceeding 150,000 population, groundwater abstraction of 10 million cubic metres or above, or dams storing more than 10 million cubic metres of water.⁹ Due to the scale and strategic nature of these projects listed in Schedule 1 it remains most appropriate for them to be considered out of scope of Mayoral Development Orders. In response to question 13, it is essential that alongside local planning authorities, mayors should consult water and sewerage companies as outlined in the consultation.

⁹ HM Government (2017), [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#)