

# Response ID ANON-7F9V-23WQ-S

Submitted to Consultation on the Government's Storm Overflow Discharge Reduction Plan  
Submitted on 2022-05-12 10:27:31

## Foreword

## Background

### Tackling storm overflow discharges

#### Part 1: Developing the Storm Overflow Reduction Plan

#### Part 2: Responding to this consultation

1 Are you responding as

A water company

2 Do you know who provides your water and sewerage service?

Not applicable

3 If you answered yes, please select the company that provides your water and sewerage service

Wessex

4 Would you like your response to be confidential?

No

5 If you answered yes to the above question, please give your reason

Explain why you would like your response to be confidential:

#### Part 3: Storm overflow reduction targets

##### Reduction targets

##### Delivery timelines

6 Do you agree or disagree with the level of ambition of the ecology target?

Agree

7 Do you agree or disagree with the level of ambition of the public health in designated bathing waters target?

Strongly disagree

8 Do you agree or disagree with the level of ambition of the rainfall target?

Strongly disagree

9 Do you agree that this package of targets as a whole addresses the key issues associated with storm overflows?

Strongly Disagree

##### Package of targets as a whole

10 Can you explain why you do not agree with this package of targets as a whole?

Explain why you do not agree with the package of targets as a whole:

##### Question 6 Ecology target

We note that page 9 of the Urban Pollution Management Section 2 'Regulatory Aspects' states that "the Fundamental Intermittent standards should only be used for design purposes and not for compliance assessment based on observed data."

We are strongly supportive of the outcome approach that considers local adverse ecological impact. However, the consultation is not clear how 'no local adverse ecological impact' will be measured. Until this clarity is provided, we cannot be strongly supportive of the target though we are supportive.

As we set out in our report on Outcome based environmental regulation, our suggestion is that this should be measured using the appropriate river environmental quality standards (e.g. phosphorus levels as they relate to good ecological status) through local measurement and monitoring. (The biggest single reason (using current data) why rivers affected by storm overflows do not meet Good Ecological Status is due to levels of nutrients in the water).

This should be backed up with more localised river water quality standards such as ammonia and dissolved oxygen and varying times of exposure to different levels.

We do not think we should not incentivise RNAGs directly as that is likely to drive perverse incentives as a company who has £Xm to spend would be incentivised to spend it on a small improvement that just removes an RNAG, rather than a big improvement that doesn't quite remove an RNAG.

Question 7: Public health target.

The targets are not outcome targets.

We don't believe that there is sufficient evidence of the public health risk that is being addressed by these targets and no stated ambition to improve this knowledge.

The necessary solution to meet the output targets as they are stated would be to build grey infrastructure at huge cost to bill payers in the midst of a cost of living crisis, at significant environmental detriment through embedded and operational carbon footprint in the midst of a climate emergency, for no or little measurable benefit to public health risk.

The targets take no account of impact. For example, if we imagine that all discharges are of similar quality, then 10 discharges a bathing season from a 1km outfall is likely to have far less public health risk than 2 discharges/bathing season to a stream next to a bathing water. Under the proposed targets the former will need improvements whereas the latter will not. Levels of harm are the outcome we should monitor and incentivise to address.

The surrogate outcome measure currently used for public health is Bathing Water classification. These classifications seem to be being ignored in these targets. Even then, the Bathing Water regulations as they stand are insufficient to inform water users of actual real-time public health risk. There is no stated ambition in the consultation to review these regulations to implement changes that will actually reduce public health risk through better information.

Question 8: Rainfall target

The targets are not outcome targets.

The consultation states that storm overflows were originally designed and intended to operate in unusually heavy rainfall events. Storm overflows existed long before the Urban Wastewater Treatment Directive (2000) which is where the "unusually heavy rainfall" exception comes from. Note that the stated purpose of the Directive is "to limit pollution from storm water overflows". Computer hydraulic models were developed long after storm overflows were constructed in the network, so it is not necessarily true to say they were originally designed to only operate in unusually heavy rainfall as that information was not available when the sewers were constructed.

Whilst discharge numbers are a good metric to be used in design assumptions, we do not consider them to be a good metric for regulation. Once designed (using calibrated but imperfect hydraulic models) and improvements implemented, performance is then strongly affected by the weather (rainfall and groundwater levels) and customer behaviour (blockages) – neither of which are in the control of the asset operator.

In the early years there will be much focus on impact on the environment (Target 1) – which is good (although the broader environment needs to be considered – see comments below). This would lead to a multi-billion-pound investment programme and contribute significantly to discharge hours.

We are of the strong view that target 3 (the rainfall target) should be retracted until such a time as lessons have been learnt from progress with delivering target 1. Otherwise, we, as a society, will find ourselves committing to unintentionally destroying the broader environment for no water environment improvements. In our opinion this would be short-sighted and very unwise.

Other comments:

The challenge now for the Government and regulators is to design policy and regulation to enable water companies to deliver environmental benefits in the most efficient way possible. We must ensure that targets are set at an outcome level, or we will deal with individual outputs at the expense of other outcomes (e.g. carbon and affordability).

Whilst there is a section in the consultation on holding water companies to account, there is no such target on other organisations who have responsibilities for surface water management which affect storm overflow operation. Surface water management is not just a water company responsibility.

For instance, local councils have duties to ensure planning permission is sought for paving over permeable areas. This existing duty is not enforced. With the growth of domestic vehicular charging arrangements, pressure to park cars closer to properties will exacerbate the problems resulting from increased impermeable areas.

Current legislation and regulation do not encourage, enable, or incentivise better environmental solutions (i.e. rainwater separation at source). If there are no changes to legislation and regulation that make progressive separation the 'go to' solution, then the environmental impact of the solutions that will be delivered (attenuation) will be worse than the environmental impacts being tackled. This would be short-sighted bearing in mind the climate crisis we are in.

We are of the view that there should also be targets set on the Government and regulators to address these blockers. The legislative issues to address are

detailed in the Storm Overflow Legislation Review. Regulators need to ensure they incentivise solutions that have a net positive benefit on the environment rather than a net negative impact.

Finally – we recommend that the Plan is named the Storm Overflow Improvement Plan not the Storm Overflow Discharge Reduction Plan. This is for two good reasons:

1. Solutions won't necessarily be about discharge reduction. As the consultation states, treatment is going to be one of the solutions available
2. The current plan title is very negative. There is enough negativity surrounding this topic and river water quality in general. Renaming the plan to an 'improvement' plan is positive terminology and more correct than the current terminology.

Eliminating storm overflows

Achieving the targets

Holding water companies to account

Government actions

Public support

Deliverability and costs

11 Would you be willing to pay more in your monthly water bill in order for water companies to tackle sewage discharges as outlined in this consultation?

Not applicable

What happens next

Consultee feedback on the online survey

12 Overall, how satisfied are you with our online consultation tool?

Very satisfied

Please give us any comments you have on the tool, including suggestions on how we could improve it. :