

## **WORSHIPFUL COMPANY OF WATER CONSERVATORS (WCWC) THOUGHTS ON A SUGGESTION FOR A WATER COMMISSION FOR ENGLAND**

**Edition 1 This Thinkpiece was produced first in February 2023 as part of a dialogue with Defra (Paras 1-8)**

**Edition 2 But much has happened since then, so this second Edition produced in July 2024 reflects further comments made in submissions to consultations and the intense focus on river quality and sewage discharges (Paras 9-13)**

1 The WCWC has observed that there are different views on the current situation of environmental water quality in England and what needs doing. There is a diversity of attitudes on causes, and, particularly, on what steps should be taken in evolving the future of water services. It has suggested some changes to the basic model of water service delivery, which underpinned privatisation in 1989 and has also suggested how the contributions to river qualities can be linked better to the needs of river uses, including the maintenance of a flourishing ecosystems; and in doing so develop better systems of classifying river quality.

2 It is aware from a historical perspective, that at moments of intense national debate, one way forward has been to create national commissions, of one sort or another, to recommend a framework for resolving differences by drawing on the knowledge, experience and aspirations of all parties involved. This has the advantage that, by having a 'common hymn sheet', this minimises the risk of conflicting attitudes being expressed in public. Debate is welcome, confusion is not. It helps with agreement on prioritisation and with the balance of resources and needs.. The debate on the future of water services is surely a candidate for such an approach

3 The WCWC reaffirms its suggestion for discussion that there would be great value in having a national Water Commission. Its purpose would be to recommend to Government a commonly agreed framework for managing water in England; it would be accountable to the SoS for EFRA and have core membership of relevant government departments and regulators as well as those sectors responsible for the delivery of the objectives, such as water companies, agriculture and industry. It could also have membership of the most populous relevant NGOs, but clearly membership of the Commission will be an exacting decision. It would take independent expert advice. The notion of a Commission in such circumstances is not novel.

4 As a starting point in understanding what the place that such a Commission might be in the fabric of how water is managed, it is suggested that the Commission should focus on principles not detail, although it may well be that as the idea develops, it is agreed that the Commission should delve into more detail.

5 Clearly this is going to create some debate but the WCWC suggests that there are two immediate, and interconnected, issues, which could be addressed:

- Confirming recommendations for the changes to the current overall model of effective water service delivery including such matters as the balance of Appointment Letter and Price Review processes.

- Confirming recommendations for a streamlined approach to the integration, regulation, planning and delivery of river management within catchments and basins.

6 It would be appropriate for the Commission to look at the creation of a national river quality and use strategy, leaving each government department and regulator to define its own route of implementation. The WCWC does not foresee the Commission engaging in the detail for instance in how the WFD UK TAG might refine the criteria used to plan, monitor and report on river quality.

7 The WCWC understands that the pace of such a Commission might mean that its output might only affect, PR29, not PR24, but nevertheless, if this could be established as quickly as possible in 2023, it would be a helpful enabler in creating the maximum empathy for any changes in the streamlining of legislation particularly that arising from the Retained EU Law (Revocation and Reform) Bill 2022.

8 Possible focus areas for a Commission on Water & Sewerage

**1. Creating a National Water Strategy:**

- National, cross-sectoral, outcome-based targets
- Stronger statutory role for the NIC in defining priorities
- Reforms to the planning regime so that new developments adopt an integrated water management approach, ensures SuDS standards are met, and that new homes achieve the highest standards in relation to water efficiency
- Ending the automatic right to connect to the sewerage system
- Making water companies statutory consultees on major planning applications

**2. Reviewing the structure and regulation of the sector:**

- Keep basic structure of sector including private ownership and economic regulation
- Require all water companies to embed social and environmental purpose within their constitutions, underpinned by a change to companies' Licences
- Purposeful companies then enable regulatory reform, allowing for more effective, efficient and targeted regulation from both economic and environmental regulators

**3. Understanding and improving River Water Quality:**

- Establishing a common evidence base on the multiple factors that contribute to river water quality issues. The water sector is responsible for around 20% of the reasons why water bodies are not achieving Good Ecological Status. The remaining 80% is for other reasons, including agricultural pollution, highways run off, and industrial emissions
- Reviewing what the system should be for setting the target water quality of individual rivers and ensuring that those who use and benefit are involved
- Adopting an outcomes-based approach to environmental regulation, so that all sectors that contribute to the problem are required to take proportionate actions to address the overall problem
- Focus on reducing harms at source and changing behaviours that currently cause problems in rivers

- e. Encouraging collaboration, catchment-based approaches and nature-based solutions
4. **Increase resilience to drought and flood:**
- a. A review of Ofwat's resilience duty to ensure it is focused on operational resilience solely, and that this links to priorities set out in the National Water Strategy
  - b. A change to the assessment of future capital maintenance needs, recognising that assets are aging and that levels of maintenance that may have been appropriate in the past will not be fit for purpose in the future, given climate change impacts
  - c. Building on the work of RAPID and the National Framework for Water Resources to ensure a twin track approach of demand management and swift delivery of new water resources is taken forward as a matter of urgency
  - d. Use the learning from the Norfolk Strategic Flood Alliance, chaired by Lord Dannatt, to implement similar collaborative, multi-agency approaches to reducing the impacts of flooding in all regions of the country

February 2023

9 The WCWC are not alone in making suggestions , for example similar proposals have been made by CIWEM.

10 The intense focus on the impact of sewage discharges on river quality is redolent of the debates at the end of the 19<sup>th</sup> Century. At that time the government response was the establishment of a Royal Commission on Sewage Disposal in 1898 ; this focussed on well defined remits and produced 10 reports culminating in the final one in 1915 . The eight report (Cd. 6464), published in 1912, dealt with the standards that should apply to sewage discharges to rivers and tidal waters and specified concentrations of constituents that should not be exceeded. These standards are still at the very heart of effluent regulation, including the EU Urban WasteWater Treatment Directive

11 Thus the WCWC now suggests that there would be an advantage in the proposed Commission being a Royal Commission . The most recent Royal Commission on Environmental Pollution was highly regarded but disbanded along with other Royal Commissions 2010 .Its final Report on the impact of demographic changes on the environment is still relevant to current debates

12 There would be a number of ways in which this could proceed ,but a primary task would be to address Sewage Disposal .It would not take twenty years to report , as the knowledge basis is massively larger than it was in 1898 .And it could be given a target of reporting back on this topic within one year . A rapid establishment of such a Commission would be an iconic signal of intention..

13 The WCWC suggests that there is a decision to be made on where such a Commission would sit in the framework of progress. In the 2023 submission summarised above it was recognised that the output from the Commission might only be relevant to PR29 .The PR 24 process is already well advanced and is being debated as this updated Thinkpiece is being produced , this started in July 2022 when the Ofwat methodology was published .Thus it would be appropriate for any outputs from a Commission to be presented to government by

July 2026 so that they can be taken into account ready for the methodology announcement in 2027 .However, there will some immediate tactical decisions, which can be blended into the strategic outputs from the Commission.

July 2024

The Worshipful Company of Water Conservators ('WCWC') is a City of London Livery Company focussed on the long-term health of our water resources and the broader environment. Our members include senior professionals from water, environmental and related industries and regulators, along with others who share our concern for water and the environment. Our experience and knowledge ranges from the complexities of environmental sciences, through the application of engineering to deliver the goals identified by those sciences, and the subsequent management of the assets created. The WCWC's purpose is *promoting a diverse and sustainable environment.*

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