

**Report to:** Policy and Performance Advisory Committee

**Date:** 11 July 2023

**Title:** Consideration of a Southern Water Policy and Performance Advisory Committee Panel

**Report of:** Head of Democratic Services

**Ward(s):** All wards

**Purpose of report:** For the Policy and Performance Advisory Committee to consider the establishment of a Panel that will work with Southern Water and other stakeholders in monitoring Southern Water's progress in dealing with waste-water discharge into the District's rivers and seas.

**Officer recommendation(s):**

- 1) That the Committee considers the report;
- 2) Agrees the appointment and membership of a Policy and Performance Advisory Committee Panel; and
- 3) Agrees the terms of reference for the Panel and its duration.

**Reasons for recommendations:** The recommendations are a response to the request of the Policy and Performance Advisory Committee at its meeting on the 3 November 2022, following discussion with Southern Water representatives.

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## **1 Introduction**

- 1.1 This report asks Members to consider the appointment of a Policy and Performance Advisory Committee Panel which will work with representatives from Southern Water and other stakeholders, to monitor Southern Water's progress in dealing with wastewater discharge into the District's rivers and seas. Members are also asked to agree the appointment of members to the Panel and agree its terms of reference and the frequency of meetings.

## **2 Background**

- 2.1 The issue of wastewater discharge into the District's seas and rivers was highlighted by Lewes District Councillors as a serious area of environmental concern and as a public health risk for residents. Representatives from Southern Water attended a Policy and performance Advisory Committee meeting on the 3 November 2022, following a resolution by Full Council that included the following request... 'Ask the Policy and Performance Advisory Committee to invite the Chief Executive of Southern Water plus senior representatives from the Environment Agency and Natural England to attend a Lewes District Council Policy and Performance Committee meeting to answer questions on the current levels of sewage discharge'.
- 2.2 The Southern Water representatives responded to a number of questions provided by Members ahead of the meeting, and further questions asked at the meeting itself. Following discussion, the Committee resolutions included agreement that a panel would be appointed and Southern Water representatives would attend Panel meetings, along with invitations to other stakeholders, such as Highways England, Natural England, East Sussex County Council and the Environment Agency

## **3 Setting up and appointment to the Panel and duration**

- 3.1 The Constitution allows for the appointment by the Policy and Performance Advisory Committee of a panel of 3 or 5 Councillors and the Panel should be politically proportionate. The Panel will also be entitled to appoint up to two people as non-voting co-optees. The Panel will appoint its own Chair. In their responses at the 3 November meeting, Southern Water representatives stated that the organisation had plans in place to move from a one-star to a three-star rating by 2025. While it is not suggested that the Panel would be in place for this entire period, it is an indication of the length of time that could be needed before the Council is satisfied that the concerns originally expressed have been addressed. The frequency of meetings will partly be determined by the availability of relevant representatives from Southern Water and other stakeholders.
- 3.2 The Panel will provide its conclusions to the Cabinet or Full Council as appropriate and it is recommended that the Panel reports back to the Policy and Performance Advisory Committee on at least an annual basis, or sooner if required.

## **4 Terms of reference for the Panel and areas of focus**

- 4.1 The terms of reference and the scope for the Panel is to be agreed by Members and the Panel. During the 3 November meeting, the Southern Water representatives highlighted a number of areas that the Panel may wish to focus on:
- The Environment Act requires Southern Water to install water monitoring equipment over the next investment period.

- The separation of rainwater and sewage infrastructures in key areas will be needed. This will involve significant investment.
- The recommendation from the Office of Water Services (Ofwat) asked for an extensive retraining programme for Southern Water, as well as a cultural review and wholesale changes in procedures.
- The work of the Storm Overflow Taskforce is considered a key area for the monitoring of Southern Water's progress in the District.
- The importance of the working relationship between Southern Water, highways authorities and the Environment agency has been highlighted.
- A potential review of the monitoring system measurement and matrix for flood releases was discussed at the 3 November meeting.

4.2 In terms of stakeholders, the Environment Agency and highways authorities are already working the water industry and their views should be sort. Natural England and the Environment Agency provided a written response to the issue prior to the Committee's November meeting and may have further views. The Panel may wish to seek the views of local farmers, landowners and planners, as well as local interest groups and residents.

## **5 National and global issues that impact in this area.**

- 5.1
- A number of local authorities and organisations have scrutinised or are currently scrutinising the issues of wastewater discharges, flooding and the responses of water companies to these issues. There has also been recent parliamentary discussion on the issues. Common themes have been highlighted.
  - Climate change/increased rainfall – there has been an increase in the frequency of periods of intense rainfall which has impacted on the 'combined' sewer system in the South-East (it should be noted that Sothern Water responses included a statement that the frequency of wastewater discharges had not increased in their areas of responsibility, whereas the frequency of reporting the discharges had).
  - Reduction in permeable surface (housing and business development/non-permeable drives, extensions) – there has been a 'creep' in the permeable surface available for rainwater run-off as a result of housing and business development, permitted development in the form of extensions, and the paving over of garden areas.
  - Drainage infrastructure (nationally and locally) – the drainage infrastructure system in the UK requires modernisation. Government estimates are between £350 - £600 billion to provide separate sewage and rainwater systems, with significant disruption. Sothern Water have committed to an overall investment of £6 billion between 2020-2025, in the South-East.

- Public awareness and understanding of flood issues – communication and engagement with residents and local authorities affected by and at risk of future flooding events, was highlighted as an area that needed improvement.

## **6 Financial appraisal**

5.1 There are no direct financial implications as a result of this report

## **7 Legal implications**

6.1 There are no legal implications arising from this report.

## **8 Risk management implications**

7.1 There are no direct risk management implications as a result of this report

## **9 Equality analysis**

8.1 There is no direct impact on equality issues as a result of this report

## **10 Environmental sustainability implications**

9.1 The Council is committed to supporting the natural environment in the District and ensuring that the health and wellbeing of residents is protected. The continued scrutiny of Southern Water is a piece of work that will support these aims. The discharge of Wastewater into rivers and seas is recognised as both a local and national issue.

## **11 Background papers**

[Full and Annual Council, Lewes District Council Full Council - Monday, 23rd May, 2022 6.00 pm](#)

[Lewes District Council Policy and Performance Advisory Committee - Thursday, 3rd November, 2022 2.30 pm](#)