
From: Roland Gilmore [REDACTED]
Sent: 02 October 2014 21:59
To: Richard Field
Subject: Consultation on Ofwat's policy relating to highways drainage.

Dear Sir,

Sections 115 and section 146(4) of the Water Industry Act 1991 require fundamental change if Ofwat are to have equitable and sustainable charging policies for highways drainage together with the necessary powers of enforcement.

The Water Industry Act 1991 is no longer fit for purpose in this modern age of sustainable drainage, green infrastructure and the many socio-economic, health, ecological and environmental benefits that result from adoption of these objectives.

Since 2003, Ofwat formed a policy recommending impermeable area charging for surface water drainage. (<https://www.ofwat.gov.uk/nonhousehold/surfacewater/fair/>) This was backed up by the same recommendation in the 2007 Pitt Review.

Since all but two sewage companies do not charge by this method but by notional methodology that bears no relationship to the service provided or its repercussions, it is obvious that Ofwat policy is ineffectual and that they must seek change and powers of enforcement.

Ofwat have a narrowly defined regulatory function that has created an environment for "silo thinking" resulting in obstruction of policies that are in the broader public interest. Without taking responsibility to ensure that the broader public interest is served, Ofwat will continue to underperform and its potential will remain unfulfilled.

To ensure sustainable measures are enacted requires the established legal principal of "the polluter pays" to be understood and adopted fully by Ofwat. Highways drainage is not foul drainage however, it may carry a variety of pollutants. In the case of Inner London, highways drainage accounts for about 45 million m³ of discharges to the combined sewer system in an average year. It is acknowledged that it is rain that causes combined sewer overflows (CSOs) to the Thames Tideway. The vast majority of these discharges are pumped into the Tideway by Thames Water yet they pay nothing for the cost to the environment and ecology of the Tideway and highways authorities pay nothing for the pollution they indirectly cause through their discharges to the combined sewer system. The combined volume of these pumped and the gravity CSO discharges, post Lee Tunnel and STW improvements were calculated by the Thames Tideway Strategic Study (TTSS) to be about 18million m³ a year. It is therefore evident that if 40% of highways drainage were attenuated, there would be no justification for building the Thames Tideway Tunnel since the problem the TTT seeks to resolve can be resolved by other means.

If highways authorities were rightly charged for the pollution their discharges indirectly cause, they would be incentivised to find solutions to that problem. Under the current legal arrangement, that can not and will not happen even though such solutions are available, sustainable and used widely in other countries throughout the developed and developing world.

As a customer of Thames Water, I am appalled that sustainable policies have not been enacted by the UK government and that Ofwat have been so ineffectual. Both the monetary and the CO₂e cost of treating surface water run off from highways at sewage treatment works is significant.

Based upon Environment Agency information, the CO2e cost of treating what would mainly be surface water runoff within the 18million m3 a year the Thames Tideway Tunnel would divert to Thames Water STWs is nearly a quarter of a million tonnes a year of operation. That is unsustainable. Similarly, there are other entities who discharge water to the combined sewer system such as London Underground who pump about 1.5million m3 a year into the Inner London combined sewers yet pay nothing.

https://www.whatdotheyknow.com/request/lul_infiltration_water_disposal#incoming-555295

Do not think for a second that this is only a matter of highways authorities not paying for drainage; it is not. I believe that Network Rail and government offices pay nothing either.

It is overdue for Ofwat to get to grips with both the sewage companies and those who do not pay for drainage services. Ofwat should be involved with incentivising sustainable solutions. The scope of the current consultation is far too narrow and insignificant when compared to the bigger picture that Ofwat have been ignoring for far too long.

Kind regards,

Roland Gilmore

