

Centre City Tower, 7 Hill Street, Birmingham B5 4UA  
21 Bloomsbury Street, London WC1B 3HF

By email

8 July 2016

Environmental Information Regulations (EIR) 2004- Request For  
Information

Reference: EIR 88072016

Dear 

Thank you for your email in which you request confirmation that Ofwat have stated that Southern Water are required to install a nitrate project on a local pumping station at The Cottage, Shoreham Pumping Station, Steyning Road, Shoreham by Sea, West Sussex.

Firstly I would like to confirm that your request for information falls outside of the scope of the Freedom of Information Act (FOIA) and the Environmental Information Regulations (EIR) 2004, however I am happy to provide you with the following information which may help you.

The scheme you refer to is a water quality issue and as such investment is required at this specific site to meet the current drinking water standards. Southern Water has seen background nitrate levels rise in the raw water sources which it uses to supply its customers with drinking water. Rising nitrate levels in drinking water sources are linked to the intensive use of nitrate fertilisers/manures in the catchment area and are slow to respond to the changing use of fertilisers. Therefore stopping fertiliser use won't stop the nitrate levels increasing for many years to come and are therefore not in the direct control of the water company.

For your information there are some details on the Drinking Water Inspectorate (DWI) site concerning the current drinking water standards [here](#). This includes the fact that nitrates measured at the customer's tap should not exceed 50mg/l.

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Southern Water has DWI support to undertake the work it put in its Price Review 2014 (PR14) business plan to deal with the deterioration of raw water quality issues, including nitrate. Ultimately it is the company's choice about how it meets its drinking water volume and quality requirements, but its plan provided evidence of the proposed solutions being the best and most efficient for its customers.

So the precise scheme is not an "order" from Ofwat, but it may actually be an "order" from DWI and it may be of further benefit for you to redirect your request to the DWI to enquire of them whether this work has to be done.

Southern Water's PR14 [business plan](#) holds further information including the following statement:

**"We confirm that subsequently the DWI supported the inclusion of the six nitrate projects in PR14. Their letter confirming support superseded the previous letter that was part of the CCG report, and was submitted to the Company, the CCG and Ofwat on 23rd December 2013. A copy of the letter for each scheme is provided in Appendix 2 – DWI Letter of Support December 2013. In preparation for delivery and the formalisation of the legal instruments, draft Notices were submitted to the DWI on 31st March 2014. Our engagement with the DWI has continued and in our meeting on 2nd May 2014 the DWI confirmed that they were comfortable with the six nitrate schemes, with the Notices expected to be finalised by the DWI before 30th June 2014."**

Exactly what the scheme looks like will ultimately be the company's choice, but there may be some scope for customers to request a more appropriate aesthetically pleasing facility if there is scope within the project.

It may help you to know that both Southern Water and the DWI are also subject to the Environmental Information Regulations 2004 if you wish to request further information specific to this issue and I have included their details below:

DWI - [dwi.enquiries@defra.gsi.gov.uk](mailto:dwi.enquiries@defra.gsi.gov.uk)

Southern Water - [dataprotection@southernwater.co.uk](mailto:dataprotection@southernwater.co.uk)

If you have any queries or concerns with regard to the content of this email please feel free to contact me further.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of the decision, please contact:

Freedom of Information/EIR Provide the Information

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21 Bloomsbury Street, London WC1B 3HF  
Programme and Project Management Office  
Ofwat  
Centre City Tower  
7 Hill Street  
Birmingham B5 4UA  
[mailbox@ofwat.gsi.gov.uk](mailto:mailbox@ofwat.gsi.gov.uk)

If you are not happy with the outcome of that review you can ask the Information Commissioner's Office to consider your complaint. Generally, the ICO will not make a decision unless you have exhausted Ofwat's complaints procedure. The ICO can be contacted at:

<https://ico.org.uk/>

or

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow

Yours sincerely,

Christine Manise  
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Ofwat  
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