



*The Cam Valley Forum is an
unincorporated association,
registered with HMRC as a charity.
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Response to the Consultation on the Government's DEFRA Storm Overflow Discharge Reduction Plan

This paper sets out the Cam Valley Forum's response to the Consultation document issued in March 2022. We do so as the on line survey has no designed space for saying what you need to hear!

Broadly, we welcome the paper, but lament the fact that this government has been so slow in recognising the mess we are in and for which they must have considerable responsibility.

We respond now in the expectation that DEFRA will take on board, much more seriously, some of the points we have already made to EA staff and rethink some of the underlying assumptions that we still question. The Cam Valley Forum's concerns are that DEFRA needs to fundamentally address the unsustainability and full ecological impacts of its and the water companies historic operations. This requires recognising more fully the nature of many aspects of the operation of our local water industries and their failures to protect the environment. We do, however, recognise the positive motivation now displayed on more environmental matters than was the case formerly.

We have engaged for 20 years in local consultation on the Cam catchment. Please view our comments in the light of the fact that the Cam Valley Forum is an active member of Water Resources East, of our local (CABA) water catchment partnership, Cameo, and of our networking with other conservation and sustainability organisations locally.

Our principal concern is that there has been a long term neglect and decimation of the regulatory and monitoring framework locally and that nationally the powerlessness of OfWat to better the environmental situation has no better illustration than the parlous state of our rivers in Cambridgeshire.

Our Registration details are above and we would be pleased to be kept informed by e-mail.

Specifically we comment on:-

- **Our own Cam catchment**
- **Sewage operations in the context of natural recycling.**
- **Anglian Water's performance and Cam catchment sewerage and sewage treatment**
- **Storm overflows**
- **Environment Agency law enforcement and performance**
- **Our Own Can Valley Forum Water Monitoring Programme**
- **Regulating Storm Overflows: The Plan**

The Cam Catchment

Our catchment is not helped by having several water companies. The Cambridge Water Company (now owned by South Staffs) supplies the local drinking water whilst Anglian Water manages the area's sewage effluents. Affinity Water takes groundwater out of catchment to Essex. The Cambridge Water Company's ground water dependency is admittedly not your greatest concern here but it is very relevant to our levels of river pollution, as is explained below.

Both the drinking water supply and the continued survival of our local Chalk streams are intertwined as both draw solely on the same limited - and arguably fast diminishing - groundwater resource. Cambridge Water is, in our view, already running an unsustainable business model. This means that our springs are too dry and our river is largely treated effluent in the summer and so does not benefit from any great effluent dilution. Thus the Upper Cam in 2016 had a 'poor' water classification. We are ashamed of our Cam river's management! There is ample evidence for the plight of our Chalk Streams if you talk to your local Environment Agency staff (or consider the recent Stantec Report that is guiding the Greater Cambridge partnership). The EA are calling now for a 60-70% reduction in ground water abstraction on the present levels of demand. This is to address the needs for adequate river and stream flow, most of which are greatly depleted and are hence we get our badly polluted Chalk Streams as a result.

Groundwater abstraction is at present limited by licences (that have never been revised downwards) There is also, added to this, a very real national and indeed global climate emergency and an accelerating local demand for human population to increase. The non-resilience of the Chalk aquifer is made worse by these collected factors. There is huge popular demand for this to be better recognised. The antipathy felt in Cambridge and South Cambridgeshire towards the Water Companies is a direct result of the erosion of monitoring and protection of our environment. (see our report 'Cam Valley Forum calls for OFWAT and the water companies to deliver effective action to protect and enhance Chalk streams' 15 October 2021. <https://camvalleyforum.uk/reports-consultations/>)

Sewerage operations in the context of natural recycling.

The sewerage system that we have today has indeed evolved from well before Victorian times, but there has been a desperate lack of appreciation of the scale of the ecological remediation management needed to keep it in good operation. Human waste recycling is something that, at very low population density, is naturally remediated by the physical and biotic environment. At higher density of living it fails. What is naturally decomposed and recycled to effectively 'disappear' accumulates and then contaminates the environment. When the density of living space increases these 'contaminants' begin to cause harm - so mere contaminants then become 'pollutants'. Much of our present troubles are due to severe overloading of the natural systems that would have been fully adequate at much lower scale. After 60 years of better design (with dual waste systems) the older systems are still showing their problems. An added difficulty is the rapid run-off from the increasing number of man-made hard surfaces and the CSOs therefore result more often.

Anglian Water's performance and Cam catchment sewerage and sewage treatment

In the Cam catchment we have a well managed large urban water recycling system (Cowley Road STW, Cambridge) but the numerous small village sewage works are often totally overloaded. These are no longer fit for purpose and have failed to prevent sewage pollution of our Cam, Rhee and Granta rivers, upstream and down stream of Cambridge. Population increase beyond the design capacity of the plant is the cause. Many STW sites do not deserve to be permitted by the EA. Here we just point to both the poor regulation by OfWat of the system and the hazard of having insufficiently monitored businesses. Price review periods are certainly seen as hurdles between prolonged spells of inaction on this front.

Storm overflows

You state '*A growing population, an increase in hard surfaces and more frequent and heavier storms because of climate change have increased pressure on the system, bringing the frequency of discharges to an unacceptable level.*' We would not disagree with this. Storm sewage should only be discharged in exceptional circumstances – that is the existing law. This law (originally from the EC European Freshwater Directive has been on our statutes for decades and remains so now in English Law. Why has more not been done before hand?

No part of the UK has been free of criticism in this respect. We would ask you to note that Cambridgeshire has been afflicted by such poor performance with respect to overflows and Haslingfield STW is one of the

worst offenders. The harmful pathogens are just one element for concern to water users. High levels of nitrate and phosphate, low dissolved oxygen and high ammonium ion are of great concern to ecological health. Large sewage discharge to depleted flow rivers exacerbates the pollution effect. We are ashamed to have such a 'poor' river.

Environment Agency law enforcement and performance

You list the role of the EA very clearly but you just have not explained the reasons for its past failure! We have been distressed by the inability of the EA to act in accordance with its mandate to protect the environment. What was regular monitoring has lapsed due to huge staff cuts and funding cuts. Staff have left disillusioned. You have lost good staff and (frankly bullied) staff who would stick up for the environment! There is therefore a deficit of trust in successive government performances. What is now needed is a huge increase in independent inspection and monitoring of rivers and of sewage treatment works. Since the Water Industry Act of 1991 the duty has been on the water companies to up performance and there has just not been the enforcement of the Law. Anglian water has a long history of trying to wriggle out of culpability for such things as fish kills - where the cause has been sudden anoxia occasioned by increasing BOD and collapsing natural oxygenation. It has often seemed that the EA will not back a water company prosecution when the existing Law is already clear.

Our Own Cam Valley Forum River Water Monitoring programme

For over a year, since autumn 2020, Cam Valley Forum has been determined to get to the bottom of the matter with respect to bathing water quality. We have monitored *E.coli*, coliforms and *Enterococci*. Our studies show that sewage treatment works run by Anglian Water are the greatest source of faecal pathogens in the River Cam. We have also shown that CSO events at the Haslingfield STW, at least, contain more faecal pathogens than treated effluent despite the dilution that might be expected in rainy weather.

The Water companies are indeed the solution to the problem. We would like to emphasise that our work in this respect is supported by and aided by Anglian Water as well as being paid for as a Citizen Science project by our members. We do want them to succeed. Our work on water is fully in the public domain see:- <https://camvalleyforum.uk/reports-consultations/>

Our greatest concern for our local Chalk Stream conservation and survival is probably the very high phosphate levels in the Rivers. This phosphate is there largely from STW and not agricultural sources. The Chalk streams in the UK are internationally important in the conservation of biodiversity. The UK has about three-quarters of the world total. For reasons of long standing environmental abuse in the Cam Valley these streams are not among the best (on account of low flows and widespread pollution) but, despite the impacts of over-abstraction, pollution and channel modifications, they are still valued highly for their lowland scenery and for their provision of recreation and well-being for local people.

Regulating Future Storm Overflows: The Plan

You comment...OfWat is the independent economic regulator of the water companies. Ofwat holds water companies to account for the delivery of affordable, secure and resilient water services. Ofwat has a range of enforcement powers that it can use to ensure storm overflow discharges comply with the law. These include enforcement orders to ensure water companies take all appropriate steps to ensure compliance. Ofwat can also impose financial penalties on water companies to a maximum of 10% of their turnover (in a relevant year) if they are in breach of their statutory duties or licence conditions. All financial penalties are borne by shareholders rather than customers.

We are encouraged by this comment and the listed measures that are new in the Environment Act 2021 (described in your consultation paper) namely:-

- *a new duty directly on water companies to secure a progressive reduction in the adverse impact of discharges from storm overflows.*
- *a requirement for government to produce a report setting out the actions that would be needed to eliminate discharges from storm overflows in England, and the costs and benefits of those actions. Both publications are required by 1 September 2022.*
- *a new duty directly on water companies and the Environment Agency to publish data on storm overflow operation on an annual basis.*
- *a new duty directly on water companies to publish near real time information on the operation of storm overflows.*
- *a new duty directly on water companies to monitor the water quality upstream and downstream of storm overflows and sewage disposal works.*
- *a new duty directly on water companies to produce comprehensive statutory Drainage and Sewerage Management Plans (also known as Drainage and Wastewater Management Plans) setting out how they will manage and develop their drainage and sewer system over a minimum 25-year planning horizon, including how storm overflows will be addressed through these plans.*
- *a power of direction for the government to direct water companies in relation to the actions in these Drainage and Sewerage Management Plans.*

These are all needed and welcomed. However, if these are to happen as fast as is needed we feel that your time frame is depressingly unambitious. It will be costly but why should we have to wait 30 years for completion? It will be expensive also but the Water Company shareholders should take the hit much more than the consumer. For any Government to evade that is to evade the *Polluter Pays Principle*. Privatisation of the industry has not been a great success, in this respect, and to fail to act will accelerate the pressure for a different model of ownership.

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In conclusion, Cam Valley Forum would like to see the following.

- Greater evidence of trust worthiness by both government and the water industries
- Assiduous implementation of existing Environmental Law (much rightly adopted from the EU)
- The prioritising of endangered Chalk Streams for pollution prevention.
- No weakening of any Environmental Law in the Environment Act.
- Infrastructure improvement of all water treatment works especially, here, the smaller rural ones.
- Corrective investment now by Government in such needed infrastructure.
- Ofwat directives to the water companies to pay a full share of these costs.
- Greater recognition of our national Natural Capital depletion by successive governments
- Greater equity in spreading the cost to those who can afford to pay - that is not the low paid.

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