Southern Water Local Authority Stakeholder Group

14:00 on Thursday 16 May 2024
via MS Teams

Notes of Meeting

1. Introductions (Cllr Rachel Millward) ("RM")

RM opened the meeting. She thanked everyone for attending and explained the shortlist of questions (below) that were sent to Southern Water ("SW") in advance of the meeting and which will be the main focus of their 30 minute presentation today:-

- **Emergency planning** – SW will be aware of significant flooding events in Hastings and other places, what more can SW and we all do to ensure that this is not repeated?
- **Data sharing** – At a previous meeting SW committed to a more open sharing of data with the Group. Despite us sharing contact details for every Council, SW has yet to produce a contact list for their teams. Can we have this please. How can we work to share information better to assist each other? Specifically, we would like a commitment from SW to share the following data on a regular basis with every LPA –
    - Southern Water log of planning consents granted but not yet built by local authority area
    - Current capacity of WWTW within LPA area
    - Planned works (major and minor) within local authority area
    - CSO plans by local authority area, including data on both unauthorised and authorised discharges from outfalls and the planned solution for each location
    - Investment plans over coming years, by local authority area
- **Partnership working** – How can Councils work to support SW deliver an improved service to communities, in particular through reduced spills and increased investment. What barriers are standing in your way? How can we help?
- **Tankering costs** - Southern Water must spend a considerable amount of water on temporary solutions like tankering away foul water. Could you give some examples of specific local cases where you have worked with partners (EA, Local Councils, the LLFA, others) to develop solutions even if they have yet to be implemented

This presentation will then be followed by an hour of Q&As from those Councils present, based on the above topics and any other pressing issues.

2. Southern Water presentation

John Penicud (Director of Wastewater Operations) began SW's presentation by introducing his colleagues who were also present, namely Garry Waterhouse (Programme Sponsor from the Investment planning team who are involved in the

implementation of the 5 year business plan), Nicole McNab (Strategic Comms & Partnership Delivery Lead for the Clean Rivers and Seas Taskforce), Steve Court (Senior Stakeholder Engagement Manager) and Hannah Whickham (Press and Media Officer).

They then proceeded with their presentation, the content of which included an outline of the region and its geographical challenges, their PR24 plan (which includes managing water quantity, protecting the environment, their plans for resilience and working with customers/stakeholders), their delivery plans, details of their £7.8bn overall plan for 2025-30 and an outline of the work of the Clean Rivers and Seas Task Force. **Action:** Steve Court to share this full set of slides with Kellie Eldridge for onward distribution to the Group (these slides include useful links/QR codes to further information).

Part way through the presentation RM intervened (she was conscious of the time due to the length of topics/discussions to get through). She thanked them for the presentation but highlighted that whilst it contained a lot of useful information, it did not appear to be tackling the key issues/questions of the Group that was the basis of the meeting today, the details of which were then subsequently added to the Teams chat by way of reminder. She explained that Councils want to get to a point of understanding timescales and how to approach Southern Water for that information on a regular basis. We all acknowledge that the detail will be different to each LA, but the purpose of this meeting today is to talk about how we get to that point.

A discussion then ensued as follows:-

Could the Clean Rivers and Seas Plan be split into levels for each authority? Yes – NM acknowledged it is possible to share the data potentially individually, but it would be easier to have it all in one place. JP explained that SW will be introducing local/regional forums to provide this information. This will be offered on a county by county basis to give each local organisation an overview of where SW is at as a business and will cover the issues relevant to that organisation, with the SW Stakeholder Engagement Managers also involved. The first invitations will be going out in the next few weeks. However for this to work SW will need LAs to guide their engagement (ie identifying the subject matters to make it more relevant to that particular LA). SW's website will also have access to a lot of information to make it easier to access information. This approach will enable for better partnership working (SW has some examples they can share such as the £8m invested in Hastings).

NM referred to particular storm overflow problems in certain areas (such as Whitstable, Fairlight and Dover) where they need to tackle the ground water and surface water issues now. The biggest way to overcome these issues is by SW and Councils working together, sharing data (eg to overcome the permissions on assets/land SW does not own, or looking at recreational space diversions, etc). The key here is how to cover the skills gaps and tackle some of those misconceptions collectively (without the need for finger-pointing).

Wealden - Chris Bending agreed with the data sharing point – we as a group here today have committed to sharing data and have asked this of SW on numerous occasions. However this is not happening. This Group has shared a contact list of key officers from all councils – the response from SW in return, was a couple of PR

personnel's email addresses and 2 generic email inboxes. That is not working together. Wealden has been asking for years for SW's data on planning consents so that we can validate that data with ours and ultimately work together to ensure records are accurate and up to date. When will that happen? It would be great to receive a structure chart of SW experts so that we know who we can call on with specific enquiries. **Action**: JP to follow this up and look into what data SW can share and when, in the form of a simple document.

Lewes *– as councils we have local knowledge and are pleased to hear SW is investing in our area. However there is an outstanding question on how SW is planning to roll out those programmes, factoring those works in with what is going on in the area locally?*

NM replied there are 2 main factors impacting surface water run offs – roofs and roads. SW is looking at ways of tackling this which include scaling up water butts/planters (currently being trialled) and talking to highways/drainage departments from all the County and Unitary Councils (SW will have met them all by mid June 2024). SW needs to understand where the flooding hotspots are, the regeneration plans for the area, etc. This needs a systematic approach – part delivery mechanisms and part where there are overlaps. The worst thing we can do is to overlap on 2 different programmes. The Taskforce has been making it abundantly clear this cannot be done without working with local councils. SW is 6 months away from more direct conversations at a district/local level. 79% of SW's investment for storm overflows has a natural/green element to the community.

A good example is at Arun, where they have a flood forum which is a good way for SW to engage.

Referring back to your presentation, do you have any plans to map your infrastructure particularly where the pipes are? It's been widely reported (and certainly this has been an issue for us locally in the Lewes District) that this information is incomplete and knowing where the infrastructure is seems an important step in terms of planning maintenance?

JP referred to legislation back in 2011 which allows for this. This is an industry wide problem – no water company is fully aware of where all their assets are. Part of SW's 2025-30 plan is to look at this.

Unanswered question from last meeting - as far as Southern Water is concerned, can planning authorities impose a planning condition on housing applicants that "in advance of construction, proof of sewer capacity and required reinforcement is provided and agreed by the planning authority"? In general Planning Regulations advise such a condition is not needed/allowed, because Southern Water has a duty to deliver new housing infrastructure"

SW advised to try the Grampian clause in the Local Plan that does not allow development that would result in deterioration of water quality as per the Water Framework Directive – try to have absolute deterioration and not 'Band' deterioration. Chris Bending advised that Wealden is adding Grampian conditions in certain

circumstances and it could be worth looking at one of their recent major applications – Chris Bending can provide details if required.

Folkestone & Hythe *- we came to meet you. We get inundated with emails from residents complaining about SW's performance. SW tend to respond in 3 ways – either by denial/excuse, blame or promises. All 3 of these responses have been heard here today. This meeting is not to attack SW but we do need answers on how we are to respond to our residents. There is nothing in SW's plan that will affect our district, which indicates to us that no difference will be made.*

JP acknowledged that 2018-202 has been a difficult time for SW, but that he and NM want to turn this around. Extensive infrastructure works to modernise the system requires money and this is set out in our investment plans (of which SW is bound by governing bodies to implement). SW is making changes over the next 5 years, to improve the network which will be in line with people's expectations. Not only are we laying down timescales, but we want to work with nature as best we can to achieve this (eg leaving surface water from a waste water perspective in the environment where it falls wherever possible). However investment is challenging for those areas where the Government targets are not driving it. We need to make sure plans are affordable/deliverable. SW's advice to customers is that the extra money proposed for investments is to enhance the network so we are resilient for the future. However the level of abuse aimed at water companies will drive people out of the industry. The language on social media can be very demoralising. People are joining SW because they want to make a change. RM acknowledged the challenges (sympathising all too well as a politician in that regard) however Councils do want to work with SW in a pragmatic way. Rather than talk about the challenges, what difference can Councils make by working with SW to achieve our combined aim?

A member of the Group suggested that residents will only be convinced by SW's actions. This is why it is so important to set out by each Local Authority/County, the actions that will happen year by year or at least every 2 years.

Tonbridge & Malling *– legislation is obviously open to interpretation – is there a discharge measurement limit of litres per second? People's views on extreme weather will vary greatly with SW's views.*

JP advised that SW operate under permits set by the EA (eg the size of tanks to treat the flows). There are very many reasons why excess rain water causes problems and each catchment can be very different. Ground water can take months and months before problems appear. SW can share data on that.

SW recently completed a project in Andover where there was a problem resulting in 30 tankers being called in every year on average. SW looked at the whole network where it transpired 45% of the network was privately owned. SW then sealed the private sewers with a successful result - no tankers were required again. A lot has changed in the last 30 years so we either challenge the permits or tackle the root of the problem.

Arun *– our Council has had a lot of engagement with SW. We would urge all Councils to set up their own forums on a district wide basis as a way for the EA/SW to*

engage with you. Our flood forum was set up by our CEOs due to flooding issues – all relevant organisations were invited and all attended and engaged.

Some members of the Group endorsed this statement. There is a surface water forum for the Romney Marsh area run by Kent County Council and attended by Southern Water, the Internal Drainage Board and the EA.

Gosport *– the sludge project. One of our concerns about the water industry is that it is not fundamentally sustainable with not all nutrients getting recycled. Encouraging nature should be the first approach. Is there a plan to be as sustainable as possible to recycle nutrients?*

SW advised that keeping nature based solutions is something SW is always considering. The issue we have is with volume – we can only apply that solution to a particularly small treatment works. We are looking to build 20 to 30 wetlands in the next 10 years with the aim to direct all the flow through it. Storm release could go into a wetland or we could use wetlands as storage capacity. We do have a broader strategy of being as energy efficient as possible. This is one of the biggest issues that our industry will be facing over the next 15 years (eg what happens within that treatment and then where does the sludge go?). We are currently looking at pyrolysis (a process of chemically decomposing organic materials at elevated temperatures in the absence of oxygen) which then leaves char that could potentially benefit the cement industry for their line of products. JP recommended the Group looks to the IED for further information on IED permits Industrial Emissions Directive (IED): environmental permits issued - GOV.UK (www.gov.uk).

Havant *– it would be helpful if SW could clarify the method it uses for assessing the capacity for waste water treatment works. The guidance is geared more towards permitting than development. We have policies to make sure surface water is separated out. However the guidance does seem to allow for significant infiltration of a new development site. How does SW assess that?*

NM replied this is a complex issue to cover in this meeting, but very briefly explained this tends to be based on dry weather flow. **Action**: NM to provide a more detailed answer outside this meeting.

Brighton & Hove *– referring back to your presentation, there is an implication that there will be a steady increase in bills over the coming years. Is this regularly reviewed given SW are looking to work more sustainably?*

JP acknowledged this is regularly reviewed but is done based on quite complex factors (which OFWAT reviews every year). SW needs to borrow to invest, so the answer is not as simple as it may seem.

3. Minutes & Actions of last meeting – 19 January 2024 (Cllr Rachel Millward)

Amendment to typo on minutes - Chichester “City” Council to be changed to Chichester “District” Council.

4. Next Steps

- MP letter (Chris Bending)
- Options for next main meeting (Chris Bending)

CB referred to the recent Working group (the minutes of which have previously been circulated) which focused on the next steps for this Group.

CB referred to the letter sent to Steve Barclay MP before Christmas 2023, of which we received a subsequent reply from Robbie Moore MP on 6 February 2024. Given there are further questions we would want to put to the Minister, he suggested that the next natural step would be for the Group to write to Mr Moore inviting him to join the next Stakeholder Group meeting where he can present his answers to our questions raised. **Action**: CB to invite Robbie Moore MP to address the group.

RM thanked everyone for their time today and asked SW for the full set of their slides (including those they did not have time to go through today, particularly in relation to nature based solutions), as well as a comprehensive summary of SW's key contacts and the data they would like from LAs in the interests of partnership working.

JP ended the conversation by advising that Steve Court is committed to data sharing and will be doing more locally. In the meantime should anyone need particular urgent assistance, JP would be happy to assist.

5. Date of next meeting (TBC)

Chris Bending/Kellie Eldridge will be in touch with a date for the next meeting.

Attendees (in organisation alphabetical order)

Cllr Jude Harvey	Adur & Worthing Councils
Cllr Sue Wallsgrove	Arun District Council
Karl Roberts	Arun District Council
Cllr Kate Tuck	Basingstoke & Deane
Andy Hill	Brighton & Hove City Council
Cllr Theresa Fowler	Brighton & Hove City Council
Cllr Tim Rowkins	Brighton & Hove City Council
Cllr Trevor Muten	Brighton & Hove City Council
Mita Patel	Brighton & Hove City Council
Natasha Bridge	Brighton & Hove City Council
Fjola Stevens	Chichester District Council
Marc Dorfman	Eastbourne & Lewes Councils
Matthew Hitchen	Eastbourne & Lewes Councils
Cllr Jim Martin	Folkestone & Hythe District Council
Cllr Stephen Scoffham	Folkestone & Hythe District Council
Owen Devine	Gosport Borough Council
Cameron Morley	Hastings Borough Council

Cllr Grainne Rason	Havant Borough Council
Mike Allgrove	Havant Borough Council
Nadeem Din	Lewes & Eastbourne Councils
Cllr Emily O'Brien	Lewes District Council
Tom Gilbert	Maidstone Borough Council
Cllr Simon Curry	Medway Council
Gabby Bussley	Medway Council
David Illsley	New Forest District Council
Dean Brunton	New Forest District Council
Cllr Teresa Killeen	Rother District Council
Craig Steenhoff	Rother District Council
Carlyn Kan	Sevenoaks District Council
Garry Waterhouse	Southern Water
Hannah Whickham	Southern Water
John Penicud	Southern Water
Nicole McNab	Southern Water
Steve Court	Southern Water
Tom Jones	Tandridge District Council
Cllr Dave Davis	Tonbridge & Malling Borough Council
Julian Ling	Tonbridge & Malling Borough Council
Annemarie Field	Wealden District Council
Chris Bending	Wealden District Council
Cllr Rachel Millward	Wealden District Council (Chair of meeting)
Kellie Eldridge	Wealden District Council (note taker)

Apologies

Catherine Hutchins	Adur & Worthing Councils
Cllr Bill Brisbane	Chichester District Council
Cllr Jim Murray	Eastbourne Borough Council
Cllr Judy Rogers	Hastings Borough Council
Eleanor Evans	Hastings Borough Council
Cllr Elizabeth Lloyd	Havant Borough Council
Cllr Lynn Lambert	Horsham District Council
Thom Hoang	Maidstone Borough Council
Dave Harris	Medway Council
Robert Thain	New Forest District Council
Ben Hook	Rother District Council
Ria Hotchin	Tonbridge & Malling Borough Council