

**ENVIRONMENT AND COMMUNITIES
OVERVIEW AND SCRUTINY PANEL
13 DECEMBER 2023
18.30 – 20.02**



Present:

Councillors Brown, Cochrane, C Eberle, Ejaz, M Forster, Haffegge, Hayes MBE and Watts

Apologies for absence were received from:

Councillors McKenzie-Boyle and O'Regan

Also Present:

Richard Aylard, Sustainability Director, Thames Water

Nikki Hines, Social Housing manager, Thames Water

Dave Willis, Dave Willis, Area Environment Manager, Environment Agency, Thames Area.

Charlotte Dell from Royal Berkshire Fire and Rescue

Andrew Hunter, Executive Director: Place, Planning and Regeneration

20. Apologies for Absence/Substitute Members

Apologies were received from Cllr McKenzie Boyle and Cllr O'Regan

21. Declarations of Interest and Party Whip

Councillor Christoph Eberle declared a personal interest in Thames Water as the company he worked for meant he carried out projects for Thames Water occasionally. There were no indications that members would be participating while under the party whip.

22. Introduction from the Chair of the Panel

The Chair of the panel introduced the reasons for the review into Thames Water citing the motion raised at Council on 12 July 2023. Aims of the review were to look at ways to minimise damage for residents and reduce the frequency and impact of sewage discharges. This was to be done through several stages, identifying interfaces between Bracknell Forest Council and Thames Water. Identification of local stakeholders to engage with a cross borough forum for coordination with Thames Water.

The focus of this meeting was to address concerns of residents, to develop and maintain a more sustainable future that would be characterised by the high quality of the rivers in the Borough. The expectation was to turn the aspirations of residents, to be able to safely enjoy clean rivers and waterways, into a reality.

The Chair invited introductions from the witnesses:

- Sustainability Director from Thames Water Richard Aylard introduced himself as a freshwater biologist and environmentalist who has worked with Thames Water for twenty-one years and as a starting point, was keen to share why problems were occurring.
- Nikki Hines, from Thames Water, was responsible for stakeholder management between MP's and Councillors and was part of Richard Aylard's team.

- Area Environment Manager from the Environment Agency, Dave Willis, would provide a verbal update that would set out the role of the environment agency in protecting and improving the water environment in the Bracknell Forest area and would provide an overview of their role in regulating Thames Water.

23. Witness Session

Thames Water

The sustainability Director from Thames Water shared a presentation with the panel which covered the following points:

- Provided a visual map of the Sewage Treatment Works (STW) in Bracknell Forest with sizes of each.
- Explained the principles of how a STW works using the example of the Kintbury treatment works. It was described how the flow of sewage through the sewage works happened. From entry into the inlet works where grit and unwanted debris such as nappies and wet wipes, was screened out. From here it moved to settlement tanks, sludge was mechanically scraped and sent away. The remaining liquid moved to filter beds where it was treated resulting in clean effluent. This was moved to the final settlement tank which was then released into the river or canal. The remaining sludge from the holding tank was moved to a treatment centre, energy was generated from this and the remaining material sent to farmland as a soil conditioner.
- The issue of rain was discussed. This increases the flow arriving at a STW and as treatment can only take place at 70 litres per second if this capacity was breached storm tanks needed to be utilised. When these became full authority was given to discharge this settled but not biologically treated waste into rivers.
- Reasons for increased flow due to rain could be caused by:
 - Infiltration, cracks in pipes let water in. It was noted that finding these breaches was difficult due to the extent of pipes in the system and that they could only be identified during wet conditions.
 - Misconnections to the sewer network caused issues and are difficult to identify and rectify. There were two sewer networks, the foul sewer from houses goes to the STW. The surface water sewer for run off from roads, roofs and goes straight to rivers as clean water.
 - Inundation - the holes on manhole covers allow the sewers to breath but also let water enter in heavy rain.
 - Physical damage to pipes would cause extra water to enter the system.
- A pie chart illustrated impacts on river water quality and identified the causes of not achieving good ecological status. The three largest reasons identified were the water industry, agriculture and rural land management and urban and transport.
- A tool to report a problem was shared and it was highlighted that the sooner a problem was reported the sooner it could be rectified.
- The interactive storm discharge map, which identified when untreated sewage was discharged from a STW, was shown and it was explained that this highlighted to customers the unacceptable nature of releasing untreated sewage.
- Bar graphs illustrated the number and duration of overflows from STW from the last 4 years across the STW's in the Borough. This illustrated the extent of the issue at the Bracknell STW and supported the investment being put into improvement works there. The data also highlighted the impact heavy rain has on overflows.
- Investment taking place at each of the STW was presented with works due for completion across the sites ranging from 2024 at Ascot, 2025 at Sandhurst and

2026 at Aldershot, Camberley and Bracknell. Improvements to Sandhurst would be scheduled for the next asset planning period of 2025-2030.

- The surface outfall water programme was discussed. This addressed the issue of foul water entering the surface water system. The outfall safaris identified polluted outfalls in partnership with community groups. The Environmental Protection Team would then undertake strategic long-term tracing upstream from each outfall to identify the pollution source. Property owners would be asked to rectify the issue or in some cases enforcement from local authorities would be necessary.
- A slide was shown about an education campaign of what and what not to put down the toilet and drains. Preventing blockages caused by these issues would contribute to the prevention of overflows. Another main offender identified, were fast food venues putting fats and oils into the system which was addressed by constant education of people within this industry.
- The drainage and wastewater management plan was briefly presented with a focus on the longer term picture. This strategic and statutory plan would set out how wastewater systems, and drainage networks, would be extended and improved from 2025 onwards. It was accepted that work to improve drainage required a collaborative approach from Councils, Environment Agency and community groups.

The Environment Agency

The Area Environment Manager from the Environment Agency provided a verbal update focussed on two areas. The Environment Agencies role in protecting and improving the environment. A summary of their role in regulating Thames Water. The following points were noted:

- The role of protecting and improving the environment was shaped by some key plans which included the Governments integrated plan for clean and plentiful water, published in 2023. The Thames and river basin management plan. Both set out the current status of the water environment and priority actions going forward.
- Ecological health of rivers was currently not good enough to reach the Governments 25-year plan target of 75% of water bodies reaching good ecological status. Pressures were diverse and complex and integrated action, with catchment-based partnerships, would be key for all relevant organisations.
- None of the six river water bodies in the Bracknell Forest area had reached good ecological status. Key pressures were continuous and intermittent water pollution, physical habitat modification and urbanisation.
- The Environment Agency had an important and diverse role in protecting and improving the water environment with key activities including:
 - Responding to serious environmental incidents.
 - Undertaking environmental monitoring programmes.
 - Strategic planning for water policy and resources.
 - Determining relevant environmental permits and undertaking enforcement actions.
 - Physical habitat restoration and working in partnership with catchment partnership hosts.
- Work related to regulating Thames water included planning, permitting and compliance activities.
- Regulatory farm inspections, to address diffuse water pollution, forms part of their role.

- There was a strong legacy of collaborative work with partners to restore river and wetland habitats. For the Bracknell area this included Thames 21 for work on the Cut and Southeast Rivers Trust for the River Blackwater.
- Regulation of water and sewage companies focussed on ensuring water companies delivered the environmental responsibilities and covered three primary areas:
 - Assessment and reporting of water companies' environmental performance. This covered key aspects resulting in a one (poor) to four (leading company) star rating. Thames Water received two stars on the 2022 assessment which indicated they required significant improvement on environmental performance. Concerns were the number of pollution incidents and delay to environmental improvement schemes.
 - Provides guidance on assessment of plans to protect and improve the environment. This included advice to Government on a range of water companies plans.
 - Determination of environmental permits and associated compliance of enforcement.
- The Thames Water plan for the period 2025-2030 was recently submitted to OFWAT and set out plans to improve the environment which were critical to deliver key environmental improvements by 2030. Plans also included implementation of the storm overflow discharge reduction plan. These plans were being reviewed by the Environment Agency to assess if relevant environmental obligations were included and would be concluded by December 2024.
- A range of enforcement activity was undertaken against Thames Water including successful prosecution of seventeen Thames Water sites with fines totalling more than 37 million pounds.
- Live investigations were ongoing at a local and national level including criminal investigation into potential breaches of environmental permit conditions at over two thousand STW by all water companies. Indicates serious and widespread non-compliance of permit conditions.
- There was ongoing investigation of storm overflow discharges. Event duration monitoring would be required by all storm overflows by the end of December 2024.
- A larger and more focussed workforce was being developed to focus on water company regulations.
- In summary the ecological status of rivers in the Bracknell Forest area was not acceptable and issues were complex with no simple or quick solutions. Considerable planning and investigation would be required to resolve the issues. An integrated approach to the solution would be vital.
- The Environment agency would continue to hold water companies to account to drive improvements.

Royal Berkshire Fire and Rescue Service

The following points were raised around how contaminated water affects the front-line role of this service:

- Water rescue training can no longer take place in rivers or County Lock due to the contamination and sickness caused by being in this water. They are now forced to rent out clean water sites such as Lee Valley or Cardiff to undertake training. This affects all stations across Berkshire.
- If they have attended incidents involving open water sources equipment cleanliness and hygiene was an issue. All equipment would need to be thoroughly cleaned and decontaminated resulting in that appliance being out of action until completed. This would therefore block availability for any other call outs until cleaning was completed.

In response to the presentations by witnesses the following questions were asked:

Question: Data from The Rivers Trust shows the Bracknell STW spilled 42 times in 2022 for a total of 463.5 hours. Do Thames Water agree with these figures? Up until December 2023 there were a total of 39-40 spills for over 500 hours, is this correct.

Answer: The response from Thames Water was that the 2022 figures were correct. The data they had for 2023 showed 430 hours and 23 spills but it was acknowledged that the recent rainfall could have impacted this. The opportunity was taken to comment that these spills were the reason behind the planned improvement works at the Bracknell STW. This was expanded on and it was confirmed that the work would include an inlet work and storm tank upgrades, additional primary and secondary settlement tank and associated pipe modifications. This would respond to the additional increase in housing within the area and significantly reduce the need to discharge untreated sewage in wet weather.

Question: Would this result in a significant reduction of sewage discharges?

Answer: Thames Water acknowledged that yes from 2026 but it was also a heavily weather dependent factor and therefore if there was a dry year data would look favourable but if it was a very wet year it could impact the discharges.

Question: Is there a focus to improve STW in response to issues with specific rivers or is the work a general upgrade in response to compliance?

Answer: The Environment agency set the standards that Thames water would need to comply to. In addition to a focus on wet weather discharges it was important to focus on dry weather discharges. There was a balance on which area to improve on. How much the river load can cope with was part of the Environment Agencies policy setting process.

Question: Concern was raised over the timeframe of 2026 for work to be completed.

Answer: Thames water explained that improvement works were complex and in addition to this the STW had to remain operational throughout. Supply chain capacity was also an issue due to the number of similar works taking place. It was also confirmed that this was permitted works and in line with planning.

Question: Was it correct that the environmental quality of the Cut was maintained by the Environment Agency who then set licensing conditions for Thames Water to comply with?

Answer: The response from the Environment Agency was that the current management plan set out the status for all six water bodies in Bracknell Forest. None of these were reaching good ecological status with the focus on continual discharges and they would be looking at ways to improve this. Other diffuse sources from urbanisation were also an issue. In terms of policy there was a focus on driving down discharges through the storm overflow plan and improve dry weather flow from the STW's. There was a scheme at Easthampstead STW to improve phosphorus limits, one of the main aspects affecting river quality and ecological status.

Question: In response to the news in the press regarding finance issues around Thames Water could they confirm that the improvement plans presented wouldn't be affected?

Answer: Thames Water confirmed that these wouldn't be affected as the improvements presented fall under the current business plan. It was acknowledged they could be delayed. Beyond the current business plan was the draft plan for the next five years, 2025-2030, that was with the regulators who would respond and then a final plan would be produced.

Question: In relation to fat entering the drains have they looked at scheme in co-ordination with waste disposal to provide safe disposal of fats?

Answer: Thames water confirmed that this had been investigated within some London authorities, but it was more cost effective to run awareness campaigns. The extent of the problem remained with commercial fast-food establishments rather than households.

Question: Sandhurst residents had raised issues with their local councillor around storm overflows, whilst recognising these occur how do they know when it is safe to enter the water? Horseshoe lake, fed by the Blackwater, provided open water swimming, was cited as a site where people and dogs had fallen sick due to contaminated water. How do they protect themselves from this issue?

Answer: Thames Water responded explaining that the discharge map was designed to show where discharges had occurred and it advised waiting 48 hours from this point before re-entering the water. They also recognised that even treated effluent wasn't 100% clean and that open bodies of water were also at risk of contamination from other sources such as e coli from cattle, horses, foxes, seagulls etc. Leptospirosis spread by rats would also be found. Swimmers would need to take personal responsibility for hygiene in open water regardless of sewage discharges.

Question: Are there Application Programme Interfaces (API's) that could monitor and inform residents of water quality and inform them through a direct channel?

Answer: Thames Water explained that water samples needed to go to a lab to be analysed however, it was explained that some people have started to look at Artificial Intelligence which would look at historic data to predict safe water quality, but this was in the early stages. The Environment Agency added the point that the Government are promoting more designated bathing areas and there were an increasing number of these being approved. If there was evidence of significant use of an area for bathing an application could be made and then the Environment Agency would need to undertake weekly samples to ensure water quality was safe. Thames Water confirmed they would be happy to work with Bracknell Forest on working towards bathing water status if this was of interest, but there would need to be 100-150 people per day for this to be considered.

Question: Regarding parking tanks at STW's, why can the number of these not be increased?

Answer: The ideal way of dealing with increased sewage at the STW's would be to reduce the flow. If a STW was too large it wouldn't work as efficiently in dry weather. More storage tanks would address the issue of increased flow by storing more. However, the sewage needed to be treated within a certain time frame so simply holding more would not address the issue of increased flow.

Question: How do you collaborate with other sectors responsible for pollution of water?

Answer: Thames Water work with the catchment partnerships, all organisations work with their catchment host to collaborate.

Question: Who monitors the plan sent to OFWAT and ensured agendas were adhered to?

Answer: The Environment agency confirmed that OFWAT were the primary lead and responsible for regulating compliance of plans being delivered. The Environment Agency were responsible for regulation of complying with environmental permits.

Question: What would qualify an enforcement from the Environment Agency?

Answer: The Environment Agency confirmed that this could be a wide range of sanctions from warning letters to criminal prosecution. Types of offence included organisations causing serious environmental impact.

Question: If one site is offending more than others can you limit the amount of sewage they can treat?

Answer: Environmental permits can be varied but the position with water companies on poor performance would require appropriate investment to improve performance rather than modify permits.

Question: According to the DEFRA Storm Overflows Discharge Reduction Plan (Sept 2023), in Annex 4 Thames Water has made a 2025 commitment to reduce discharges to an average of 24 per overflow per year. It also has a river quality commitment of reducing discharges to an average of 17 per overflow per year. Could you explain the differences/meaning behind these 2 commitments? Also, using the average number of discharges is a bit unspecific, so are you able to provide an explanation of the expected maximum number of discharges for an overflow?

Answer: Thames Water confirmed that these two commitments were the same. It was explained that it was in line with the path to reaching the Government target of 10 discharges per year and ultimately the aim to reach zero. The issue of 'the average' was discussed. As all overflows were regarded as equal, there was no differential between the environmental and community impact of discharges at different sites.

A comment was made regarding the Cut being the most polluted waterway in the lower Thames region. This was disputed by Thames Water who referred to the ecological status of the water which identified two chemicals, PFOS and PVP and high levels of phosphorus. The chemical failure was of more concern than sewage. It was however acknowledged that this wasn't acceptable and the encouragement of citizen science in monitoring water quality was praised.

Question: It was understood that Oxfordshire had agreed with Thames Water that developments of 12 houses or more would need to be agreed from Thames Water regarding sewage capacity and any upgrade before the planning application is registered. Can Thames Water provide context to this arrangement?

Answer: This area has a particular problem with groundwater and infiltration and this idea was pioneered to amend planning to address this. They would be happy to discuss this approach with Bracknell Forest Council.

Question: Were there opportunities for local building control to ensure storm water drains do not go into main sewers?

Answer: Developers have an automatic legal right to connect surface water to foul water pipes. This is an issue that the Government is required to resolve and there is a consultation on this matter due to be completed by Autumn 2024.

Question: Does Thames Water offer support to correlate new developments with effects on discharge frequency?

Answer: Thames Water are consultees on local plans, but not individual applications, and therefore can schedule in time to ensure STW's can cope with increase in demand.

24. **Questions from the public**

There had not been any questions received directly from the public.

The Chair thanked all witnesses for attending and contributing and answering questions and the meeting was closed.

CHAIR