



DRINKING WATER INSPECTORATE

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8 July 2016

Information Letter 06/2016

To: Board Level and Day to Day contacts of Water and Sewerage Companies and Water Companies in England and Wales

Dear Sir/Madam

CATCHMENT MANAGEMENT UNDERTAKINGS

Background

1. Protection of the source from which water is drawn is a sustainable, effective and an efficient means which takes a proactive approach to reducing risk and treatment. The Inspectorate supports an integrated catchment management approach to reduce or eliminate contamination such as that caused by pesticides and other parameters. To achieve this requires the co-operation of a number of parties including water companies, the Environment Agency and users of products in the catchment together with control strategies and monitoring. These might include for instance: incentives, product regulation or substitution; abstraction, blending and storage or campaign strategies.
2. Please note that, although the decision by the British public to leave the European Union may bring about change in the long term, there will not be any immediate changes. Until the UK formally leaves the EU, it still has a legal obligation to comply with the EU Drinking Water Directive and all its rules and regulations will apply. After this time, the status of the EU Drinking Water Directive will depend on the outcome of the negotiations during the leaving process.

Purpose

1. This letter provides information on the continuing consideration of catchment management measures during the remainder of AMP6 and looking forwards to PR19. The continuing actions for existing legal instruments for individual parameters are explained by the following:

Pesticides

1. In 2014, we reviewed Undertakings for pesticides in the light of our PR14 guidance and company's Regulation 28 risk assessments. The revised Undertakings continue the strategy of companies working with the Environment Agency and other stakeholders to identify catchment actions that would halt or slow the pesticide contamination trends in each catchment prior to the installation of additional treatment.
2. As an interim step to securing compliance, and in acknowledgement that outcomes from catchment measures are uncertain, these Undertakings generally include a reporting step as follows:

“Provide a report to DWI on the progress to date and outcomes of the catchment measures included in this Undertaking, and proposals for any further measures required, to secure or facilitate compliance. Include in this report proposals for demonstration of delivery of the required outcomes in the period to 31 Dec 2019.”

3. This step will enable companies to assess the ongoing risk to wholesomeness (as a result of a deteriorating or continuing pesticide contamination trends) and therefore the need (or otherwise) for additional measures (e.g. further catchment management, enhanced abstraction management, blending in distribution or, as a last resort, treatment where advances in technology may become a sustainable option).
4. The date for this report in the Undertakings was set at 31st March 2018 to fit with the plans, as far as they were understood at the time, for OFWAT's PR19 process whilst allowing companies as many growing seasons as possible prior to their review.
5. However, in the interim the PR19 timetable has been significantly advanced and it is evident that this date of March 2018 is no longer appropriate, for either the PR19 process or the Environment Agency's NEP process. Thus, in the interests of 'Better Regulation', to prevent duplication of reporting by companies and to ensure as far as possible that the Inspectorate and other stakeholders work effectively together to develop the programme for AMP7, it is sensible to amend the timescales for this reporting requirement. Therefore, to, we will be bringing this deadline forward by 12 months. **We now require this step of the undertaking(s) to be completed by 31 March 2017.**
6. The existing Undertakings will be revised accordingly, and we will write to individual companies shortly regarding this.
7. We are also currently liaising with other stakeholders to determine proposals to put to Ministers regarding any regulatory measures that might be appropriate to support water companies in their catchment management programmes.

8. We will publish further guidance on the required content of these reports in the autumn of 2016. To ensure an integrated approach we will consult with the Environment Agency prior to the publication of the guidance.

Other parameters (e.g. Nitrates, THMs)

1. There are a small number of Undertakings and Notices for other parameters that include catchment management actions; we are currently not proposing any changes these programmes. However, we are open to individual or collective company approaches to consider proposals for amendments.

Any enquiries about the content of this letter should be referred to Caroline Knight, Inspector, email address caroline.knight@defra.gsi.gov.uk.

This letter is being sent electronically to Board Level and day to day contacts. Please acknowledge receipt by email to dwi.enquiries@defra.gsi.gov.uk. Hard copies are not being sent but the letter may be freely copied.

Copies of this letter are being sent to Michael Roberts, Chief Executive, Water UK; Catherine Harrold, Water Resources Management, Efficiency, Innovation, Drainage & Sewers, Department for Environment, Food and Rural Affairs; Eifiona Williams, Water Management Team, Welsh Government; Sue Petch, Drinking Water Quality Regulator for Scotland; David O'Neill, Drinking Water Inspectorate for Northern Ireland; Tony Smith and Chairs of the Regional Consumer Council for Water; Nicci Russell, Ofwat; Paul Hickey, Environment Agency; Liz Stretton, Food Standards Agency; and Stephen Robjohns at Public Health England.

Yours faithfully



Milo Purcell
Deputy Chief Inspector of Drinking Water