

Cynulliad Cenedlaethol Cymru  
Y Pwyllgor Newid Hinsawdd,  
Amgylchedd a Materion Gwledig  
Memorandwm Cydsyniad  
Deddfwriaethol (MCD) mewn  
perthynas â Bil Amgylchedd y DU  
NHAMG (5) EB07  
Ymateb gan Hafren Dyfrdwy

National Assembly for Wales  
Climate Change, Environment and  
Rural Affairs Committee  
Legislative Consent Memorandum  
(LCM) in relation to the UK  
Environment Bill  
CCERA(5) EB07  
Evidence from Hafren Dyfrdwy

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In February 2017, Dee Valley Water became part of the Severn Trent group. In May 2018, Ofwat approval was received to align the boundaries of Severn Trent and Dee Valley Water to the national boundaries of Wales and England. In line with this approval, we launched our new Welsh water company, Hafren Dyfrdwy on 1 July 2018.

Hafren Dyfrdwy is a water and wastewater company which provides around 58 million litres of water per day, to a population of approximately 220,000 in the area of mid and north east Wales. Our customers comprise approximately 97,000 households and 8,000 business customers.

### Draft UK Environment Bill – summary position

We are grateful for the opportunity to inform the Climate Change, Environment and Rural Affairs Committee’s work on the draft UK Environment Bill.

We believe the Environment Bill contains many positive measures, including measures to enshrine new standards for water and air quality. It also includes actions that have already been made law in Wales – the collection of household food waste, for example.

Whether any of the measures in the Environment Bill would add to the steps already taken by the Assembly – enacting the Environment (Wales) Act and Wellbeing of Future Generations Act, for example – is a political judgement. From the narrow perspective of a water company, we would welcome uniformity across the jurisdictions where it can strengthen the impact of implementation, for example producer responsibility. We accept, however, that the Committee will also have to consider the impact of the Bill proposals on established Welsh Government policy.

## Detailed response

### *Environmental governance (part 1)*

Part 1, Chapter 2 of the draft Bill proposes the establishment of an Office of Environmental Protection (OEP). We understand that the OEP is intended to replace the relevant duties and powers of the EU Commission following the UK's exit from Europe and we would welcome this move to hold Government to account to ensure continued protection of our environment. However, the draft Bill as currently written provides a vague interpretation of what the OEP's role and objectives will be, and how it will interact with other regulators and ombudsmen. It is particularly unclear as to whether water companies are included in the definition of 'public authority' in this instance, and if they are, how this would impact Hafren Dyfrdwy as a wholly Welsh company.

Section 28 – which deals with failure of public authorities to comply with environmental law – also requires clarification. We already have environmental regulators in place (Environment Agency in England and Natural Resources Wales in Wales) and it is unclear how this proposed function of OEP would sit alongside their enforcement duties. Again, this section also raises the question of our status as a public authority under the Bill definition. The majority of our functions are now fully devolved, and being a water company wholly based in Wales we have aligned our investment and management plans with Welsh Government policies. We would welcome reassurances from the Committee as to how they see Welsh Government interacting with the OEP and how this could impact Welsh public authorities.

### *Waste and Resource Efficiency (part 3)*

Part 3 of the draft Bill deals primarily with waste and resource efficiency proposals. We welcome the proposals relating to producer responsibility – in particular we recognise that these could provide the water industry with additional leverage when working with manufacturers of wet wipes and other commonly flushed items with potential to cause blockages. Likewise, we welcome the proposals in relation to resource efficiency information, deposit schemes and charges for single use plastic items as a step forward to achieving increased reuse and recycling and reducing waste to landfill. These proposals appear to sit well with those set out in Welsh Government's circular economy strategy currently out for consultation and this is a policy area that will greatly benefit from having a consistent approach across UK and devolved governments.

## *Water (Part 5)*

We are disappointed to note that the draft Bill does not include targets or proposals specifically related to water efficiency. There are several sections of the Bill where action could be taken – environmental target setting, producer responsibility (targeting manufacturers of white goods) for example – and we would welcome any attempts by the Committee to influence stronger commitments on water efficiency.

It is encouraging to see a proposal for statutory drainage and wastewater management plans; however, the change of terminology to ‘drainage and sewerage management plans’ is concerning as it has the potential to narrow their scope from that currently being explored. We would encourage the Committee to look at the proposals set out in the Water Strategy for Wales and the work that was undertaken by the industry through Water UK’s 21st Century Drainage Programme on drainage and wastewater management plans (DWMPs) in support of the original terminology agreed with Defra and all other stakeholders in development of these provisions.

We are committed to the continued improvement of environmental water quality, both through improvements to our own assets and working with farmers and landowners through our catchment management schemes. We therefore support the proposal to strengthen Welsh Ministers’ powers in relation to protection of water quality as set out in section 82 of the draft Bill.