



Department
for Environment
Food & Rural Affairs

www.defra.gov.uk

Summary of responses to the consultation on “Tackling water pollution from the urban environment”

June 2013

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This document/publication is also available on our website at:

<http://www.defra.gov.uk/consult/2012/11/20/water-pollution/>

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Recap of consultation

Defra held a consultation on tackling urban diffuse water pollution from November 2012 to February 2013:

<https://www.gov.uk/government/consultations/tackling-water-pollution-from-the-urban-environment>

The consultation document explained the background to the problem and efforts already underway to improve knowledge and influence change. We sought views on how to tackle the problem through a series of questions to be answered over the consultation period.

Summary

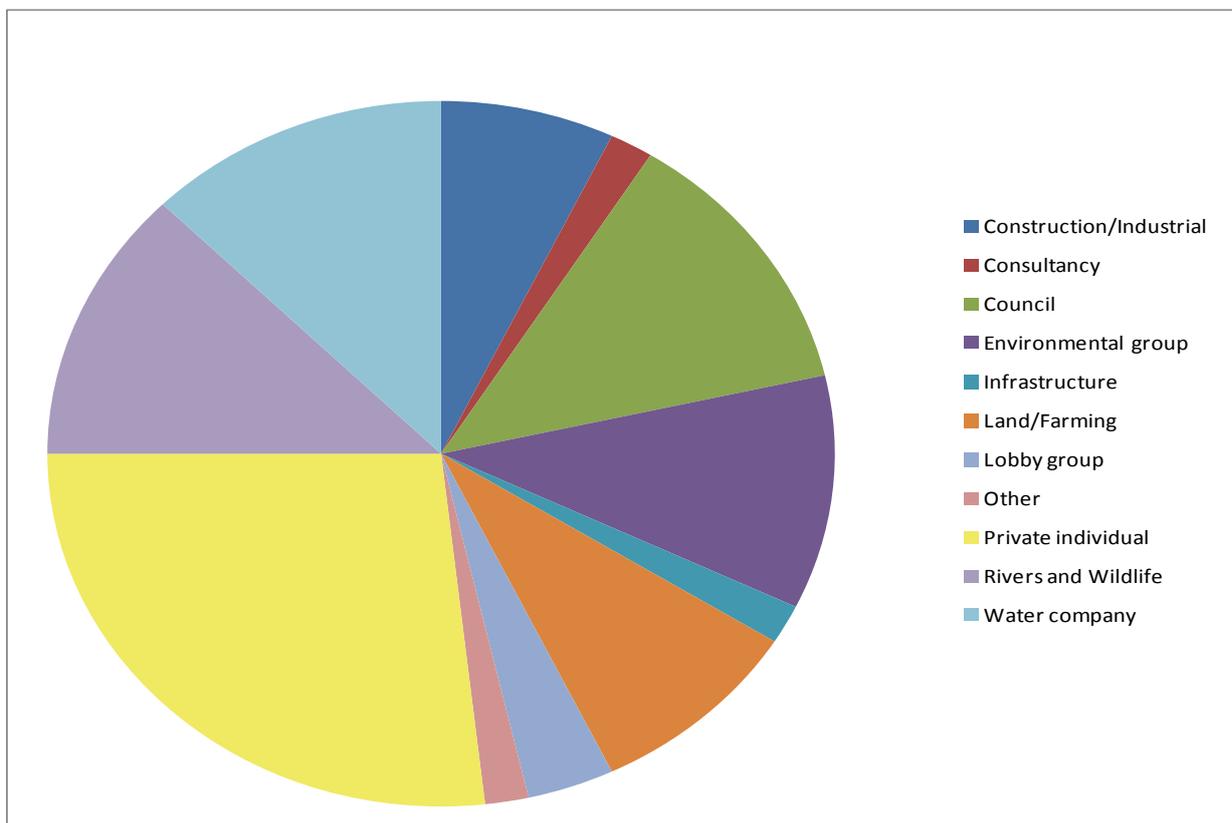
Overall the responses to the consultation are positive and in agreement with the direction proposed, over 90% of respondents think our aims are broadly correct. There is criticism of the length of time it has taken for the Government to address urban diffuse pollution and there is some commentary over what the consultation should include, what is diffuse pollution and what is small point-source. There is also competing commentary on the balance between evidence gathering and the need for action, with those who are likely to bear a share of the responsibility wishing to ensure the evidence is more robust than those whose objective is to achieve a cleaner environment, who prefer a more 'learning through doing' approach.

There is a clear request that Government departments have an integrated approach, particularly in relation to planning for future development and there is a clear message on the need to achieve multiple benefits, from actions like river restoration and sustainable drainage systems.

Total number of responses

We received 56 responses, mostly from organisations but also from private individuals.

Are you responding on behalf of an organisation?		
	Response Percent	Response Count
No I'm a private individual	27%	15
Yes	73%	41



Note: Although there were 56 responses, not everyone answered every question, hence why many answers do not total to 56.

List of respondents

ACO Technologies plc	Ribble Rivers Trust
Amenity Landscaping Environmental	Royal HaskoningDHV
Anglian Water Services Ltd	Severn Trent Water Plc
Aylesbury Vale District Council	South West Water
Bolton Council	Surfers Against Sewage
British Marine Federation	Technical Advisory Group FCERM
Canal & River Trust	Thames Anglers' Conservancy
Car Wash Association	Thames Water Utilities Ltd
Chartered Institute of Environmental Health	Thames21
Crop Protection Association	The Cancer Prevention & Education
East Herts Council	The Home Builders Federation
Environmental Protection UK-Land Quality	The Landscape Institute
Forest Group UK	The Wildlife Trusts
Hertfordshire County Council	United Kingdom Environmental Law
London Borough of Lambeth	United Utilities
Natural England	Warwickshire Wildlife Trust
Network Rail Infrastructure Limited	Wessex Water
Newcastle City Council	Wilder Associates
NFU	Willmott Dixon
Non Ferrous Alliance	Worcestershire County Council
Northumbrian Water Ltd	

There were also a number of individuals who responded.

Question 1 Do you agree with the aims listed in the “Proposed aims” chapter of the consultation?

The responses broadly agree with the aims, prioritisation and actions suggested in the consultation.

Do you agree with the aims listed in the consultation?		
	Response Percent	Response Count
I agree	92%	48
I disagree	8%	4

Aim	Rank
Improved quality of water environment	2.3
Public bodies, organisations and communities understand their roles and responsibilities	4.5
Current initiatives and processes will be joined-up to achieve multiple benefits	4.5
Improved understanding of the problem	4.4
First seek to reduce source of pollutants before addressing the impacts	6.4
Improved understanding of how improvements can be achieved through delivery of multiple benefits	7.2
Applying ‘polluter pays’ and beneficiary pays principles	6.3
Improve the resilience of our water environment	7.7
Communities will feel empowered to lead in the clean-up of urban watercourses	5.8
Government regulation in this area will be supportive of sustainable development	6.6
Other - if you suggested another aim in your response above	10.5

Ranking: respondents were asked to rank aims, 1 being the highest and in this case 11 being the lowest, the score for each was averaged according to number of respondents.

This section presents a narrative, more detailed summary of the responses.

Broadly most respondents agree with the aims. However there are several comments that the aims are not specific aims but outcomes. Some respondents also note that the document lacks detail in how the aims will be accomplished, and in the description of the overall target to be achieved.

The aim of improving understanding is controversial. A large proportion of parties agree that improved understanding is essential; however many of these respondents

also warn that careful consideration of how money is split between research and action is required. Other parties disagree with the aim entirely and feel either that there is already enough information to justify action, or that the best way of increasing understanding of the issue is by implementing and monitoring schemes. The split tends to be between those with potentially fiscal responsibility for action and those with a responsibility to improve the water environment.

There is strong support for the polluter pays principle as a primary funding source. The concept of the beneficiary pays receives mixed responses. Many parties see this as a positive step for identifying funding sources when the polluter pays principle cannot be applied. However, others question our ability to do this and the practicality of identifying beneficiaries, e.g. due to the distributed nature of the problem would we be able to value the benefits and distribute them fairly among the beneficiaries? There is also concern that this does not dissuade people to pollute.

Utilities companies and organisations who own land near watercourses are concerned about funding sources for identifying and managing problems, especially given the lack of cost benefit information. There is also concern about who is responsible for the long-term maintenance of schemes.

There is strong support for joined-up initiatives that provide multiple benefits because this can make it easier to justify action and open-up more sources of funding. Respondents are clear this requires all parties to clearly understand their roles and responsibilities to enable effective partnership working.

Many respondents like the idea of local community involvement, but are concerned about the availability of knowledge and expertise to drive and facilitate change. From this point many highlight the need for access to guidance, tools and demonstrations of best practice as well as the need for partnership working.

There is no opposition to ensuring the schemes are sustainable and resilient to climate change or for reducing the source of pollutants before tackling the impacts, which a number felt was an important approach in dealing with diffuse pollution.

Additional aims put forward by respondents:

‘To fully understand and articulate the benefits of improvements and to understand the remediation costs and how these might be distributed among stakeholders/beneficiaries.’

‘To determine the value of promoting the enforcement of current legislation.’
Alternatively ‘to improve our regulatory system’. Several respondents are concerned there is not enough attention given to enforcing current legislation and that this strategy has the danger of being too lenient on polluters.

Question 2 Do you broadly agree with our prioritisation of pollution sources?

Do you broadly agree with our prioritisation of pollution sources		
	Response Percent	Response Count
I agree	83%	38
I disagree	17%	8

Source	Rank
Urban runoff	1.0
Misconnections	1.1
Trading (light industrial) estates	1.3
Abuse of drainage systems	1.5
Septic tanks & non-mains sewage systems	1.6
In-situ contaminated river bed sediment	1.7
Contaminated land	1.7
Mine waters (from abandoned metal mines)	1.7
Pesticides and fertilisers	1.8
Mine waters (coal)	1.9
Transient commercial car washing	2.0
Rural road runoff	2.1
Airports	2.3
Railways	2.4
Discharges from boats and other craft	2.5

Ranking: respondents were asked to rank sources high, medium or low. 1 being high, 2 medium and 3 low, the score for each was averaged according to number of respondents.

There is general agreement with the pollution sources and their prioritisation. However, some respondents articulate concern about the ranking system because it focuses on solutions that provide the maximum benefit for the least cost. Thus, some argued that easy wins might be missed where the scale of the problem is not that great. Some respondents are concerned this will lead to highly polluting sources not being tackled because of the high costs involved, or equally smaller solutions that could be implemented not being considered worthwhile. Two respondents also noted that the relative importance of pollutant sources will be catchment dependent and therefore ranking may be more appropriate at this scale.

Urban runoff:

- Many respondents explicitly welcome the prioritisation of urban runoff.
- However one respondent believes the recent data coming from Water UK's research arm – UK Water Industry Research (UKWIR), shows urban runoff to not be a major impact on a catchment.

Misconnections:

- Utilities companies generally welcome the inclusion of this category as a high priority.
- There is a suggestion this should also include misconnections of surface to foul sewers because this can contribute to premature overflow during storms. Two other respondents ask if this has been considered or whether it is included elsewhere.
- Another respondent thinks it is unlikely this is widespread or significant enough to be considered a high priority.

Trading estates:

- Whilst there is no explicit commentary it was voted as a high priority and a number of those carrying out projects in the field are focussing on trading estates
- Again, one respondent thinks that currently the data UKWIR's chemicals investigation programme has identified this as smaller scale source at the catchment scale, and therefore should have a lower priority.

Mine waters (from abandoned metal mines):

- Some respondents feel this is non-urban diffuse pollution and therefore should not be included. However, as the consultation explained, the government may focus on urban sources but the strategy is likely to address other non agricultural sources of pollution too.
- Some respondents think that it should not be ignored due to cost, as the impact is clear and often acute.

Septic tanks & non-mains sewage:

- Some felt it was neither an urban nor a diffuse pollution issue and should not be included. As noted previously the strategy will look at all non-agricultural sources of pollution, it also depends on the definition of what diffuse pollution is (as opposed to small point source). For the purposes of this consultation we have decided to include this source within the list and it is considered a medium priority.
- One respondent considered this source key to protecting a number of protected areas.

Contaminated land:

- Many respondents feel that this should be a higher priority and again there was debate over the definition, for clarity we consider this term includes sites such as landfills.

Abuse of drainage systems:

- Most utilities companies think this should be a high priority not a medium priority because addressing it could provide easy wins at low costs. Some would like to go further and to include abuse of the sewage network as this can cause sewer blockage and overflow.

Rural road runoff:

- Some respondents consider this out of scope and an agricultural issue.

Commercial car washing:

- One respondent feels that the evidence is strong enough to justify this being a high priority issue
- One respondent argued this should be a subset of 'abuse of drainage systems' and doesn't need to be explicitly mentioned.

Railways:

- Generally it is felt that these should be higher priority because although the scale may not be great they are less complex than other issues to resolve, in so much as there is only one organisation in charge

Airfields:

- Some respondents feel these should be a higher priority because they are less complex than other issues to resolve. De-icer was thought to be the main issue.
- However other respondents feel they should be lower as there is likely to be measures already in place to regulate airports. Or because they are normally regulated as point source discharges.

Pesticides and fertilisers:

- A number of respondents involved in this topic area feel they should be a higher priority because they are less complex than other issues to resolve as they are mainly controlled through local authority contracts. Also there have been recent indications that there are increasing quantities in rivers due to local authority use.

Discharges from boats and other craft:

- Whilst it was accepted the scale may be low, some respondents feel this is relatively easy to tackle through license conditions and that it could be important in some recreationally valuable parts of rivers.

Respondents put forward the following sources that they felt should be included:

- Sources of metals other than mining. For example, – non-commercially viable mineral rich outcrops, unlined historic industry waste tips, historic unlined municipal waste tips and former mine spoil heaps. However apart from the outcrops this is a definition issue. Waste landfill sites will be covered under contaminated land, and soil heaps under mining.

Road salt from gritting is not considered and is a destructive and pervasive urban pollutant. Again this had not been excluded and will be covered as an element of urban runoff.

Question 3 Are you taking part in any initiatives where one of the principal objectives is reducing non-agricultural diffuse water pollution?

Are you taking part in any initiatives where one of the principal objectives is reducing non-agricultural diffuse water pollution?		
	Response Percent	Response Count
Yes	69%	33
No	31%	15

Many respondents are involved in or know of projects that, as part of their aims, tackle non-agricultural diffuse water pollution. The two most common initiatives mentioned are those that identify and resolve misconnections of foul sewers to surface water sewers, and awareness-raising initiatives that seek to engage and educate local communities to help them take action to protect and maintain local watercourses. Many respondents have detailed information about these initiatives and express willingness to provide more information.

Other types of initiatives mentioned include:

- Identifying and controlling non-compliant car washes.
- Producing technical guidance and national standards for SUDS.
- Practical schemes tackling runoff from contaminated land, housing communities, highways and rural roads.
- Projects delivering sustainable multipurpose solutions.
- Engineered wetlands to treat surface water runoff.
- Manufacturing of products to remove pollutants from water.
- Producing and implementing catchment management plans.
- Studies into sediment contamination
- Minimising the impact from building sites.
- Modelling, building and monitoring SuDS projects.
- Measures to prevent pollution through boat licensing.
- Awareness-raising of weed and pest control.

Question 4 Are you in a catchment-based initiative?

Are you in a catchment-based initiative?		
	Response Percent	Response Count
Yes	42%	20
No	58%	26

A majority of respondents are not in catchment-based initiatives. Organisations outside of county councils, utilities companies and rivers and wildlife trusts are often unaware of catchment-based initiatives and therefore an invitation to be involved is the most likely thing to encourage them to contribute. This gap may indicate that current partnerships and stakeholder engagement miss organisations in the land and building sectors, as well as smaller environmental groups. Another common answer was integration of this issue into the objectives of other catchment initiatives, such as river basin management plans. Reasons for this are that it will help to deliver schemes that provide multiple benefits and reduce the number of initiatives organisations need to participate in.

Cost/benefit data is another key factor for respondents, particularly among those who may bear some of the responsibility for delivering schemes. Further to this, access to funding and resources (both information and personnel) to help deliver schemes is important. Some respondents are concerned that current funding methods do not allow schemes that provide multiple benefits, and that some sources are not available if commercial organisations are involved in a project. The final common response is that the creation of partnerships is extremely important and that possible members need to be actively sought to ensure a large variety of potential stakeholders are involved.

Other responses include:

- Ensuring organisations that own land are not burdened with too many different initiatives because of land and watercourses crossing catchment boundaries.
- Identification of a responsible advisor/enforcement body that will also provide improved regulation.
- A clear mechanism for reporting and dealing with pollution problems.
- Consideration of ownership and maintenance responsibilities of assets resulting from partnership schemes.

Question 5 Are you aware of guidance about urban diffuse water pollution?

Are you aware of guidance about urban diffuse water pollution?		
	Response Percent	Response Count
I agree	36%	16
I disagree	64%	28

The most commonly mentioned guidance related to the Yellow Fish Campaign, Connect Right and information on the EA website. The EA website is considered useful as a source of background information, but lacking in detail or actions that can be taken. The Yellow Fish campaign is thought to be an excellent awareness raising tool, but lacks any information on potential follow-up activities, which limits its usefulness. The Connect Right website is thought to provide a good overview of the topic as well as useful information, but is not particularly user-friendly. Several respondents were involved in guidance of some variety. These include misconnections programs and providing advice for boaters.

Overall respondents asked for more detailed information and guidance about possible actions, rather than purely awareness raising documents. In particular, the need for more emphasis on SuDS and green infrastructure is mentioned as an important part of the solution. Respondents in the building and land sectors identified the need for guidance documents as well as practical advice to allow this issue to be tackled from the earliest stages of development planning and building.

The biggest issue with available information is that there is no single source where it can be found online. Many respondents called for a web-based resource that collates guidance, evidence and best-practice examples, along with useful links and technical support to aid tackling this problem.

Question 7 Are the suggested actions in the “Actions being considered” chapter the right ones to achieve our aims?

Are the suggested actions the right ones to achieve our aims?		
	Response Percent	Response Count
I agree	77%	34
I disagree	23%	10

Ranking of actions	Average Ranking
Improve the evidence base (action 1)	3.4
Understand physical ways in which urban diffuse could be controlled cost effectively (action 4)	4.1
Use a monitored catchment(s) to understand how urban diffuse pollution impacts ecosystems (action 3)	4.6
Establish roles and responsibilities (action 6)	4.6
Build on achievements from existing initiatives (action 2)	4.8
Set out who has a role to play in making a difference (action 7)	5.9
Review the regulatory framework (action 5)	6.1
Set out other opportunities for multiple environmental benefits (action 9)	7.0
Embed work within River Basin Management Plans (action 8)	7.7
Understand which behavioural and community-based work is most effective (action 10)	8.4
Other action if you have entered one in question above (action 11)	9.5

Ranking: respondents were asked to rank aims 1 being the highest and in this case 11 being the lowest, the score for each was averaged according to number of respondents.

The most common response is that the actions are too high-level and do not provide details of exactly what will be done to reduce the diffuse pollution problem. Some respondents argued that the actions do not explain the sorts of policy changes that will need to be made and that these intended changes are not linked back to Water Framework Directive targets. Some respondents argued that the actions provide a purely long-term strategy and not a short-term template that will instigate fast and effective action.

Actions 2, 8 and 9 (build on achievements, embed work within River Basin plans and set out opportunities where there are multiple benefits) are strongly supported without alterations. Action 10 (understand which behavioural and community-based work is the most effective) is not specifically commented on and therefore is assumed to be supported. Several pertinent comments were made about Action 9. Firstly, that a strong policy steer will be required if this issue is to be incorporated into other initiatives and that this may require some form of incentive to be offered. Secondly, the idea of a system to publicise guidance, collate data and provide information on good practice is noted again. Finally, that no regrets measures should be encouraged wherever possible through schemes that provide multiple benefits.

Actions 3, 4, 5, 6 and 7 are generally agreed with, but slight alterations have been suggested. Action 3 (use a monitored catchment to understand how urban diffuse impacts) is disagreed with by some who are against further research; however a majority of respondents who comment on this action think detailed data from pilot projects would be extremely useful information and could help with calculating the costs and benefits. Action 4 (understand the physical ways urban diffuse can be controlled cost effectively) has some opposition because it is deemed to focus on research rather than action. There is also concern that it fails to consider the source of money within this action. The alternative suggestion to Action 5 (review regulatory framework) is that regulation should be enforced better and some utility companies think they should be given greater powers to enforce disconnection resolutions on private land. Greater integration with development planning system should be considered. A couple of respondents also stressed the need to scrutinise the current regulatory approach to ensure it is capable of protecting against the problems being addressed. Actions 6 and 7 (establish roles and responsibilities and set out who has a role to play in making a difference) are only criticised for being very similar. Several respondents think these could be joined together. One respondent also notes that the source of financial assistance for completing projects needs to be established.

Action 1 (improve evidence base) is agreed with by some and strongly disagreed with by others. There has been a split between respondents who think there is enough information for the Government to act and those who think it would be useful to collect more information, particularly on the costs and benefits.

Additional actions suggested:

- To understand fully the costs and benefits of remedial action and to identify where and how funding might be secured to deliver improvements.
- Create a reward system for good practice and making voluntary contributions.
- Collate current information in one location and to ensure this includes the latest academic work.

- Provide a service that gives free advice on action that could be taken to mitigate this problem as well as information about funding opportunities.
- Encourage actions that prevent further deterioration, as well as reducing the existing problems.
- Work across government departments to ensure greater effectiveness

Question 8 Do you have costs/benefits evidence for any of the actions, including for any new suggested actions?

Do you have costs/benefits evidence for any of the actions, including for any new suggested actions?		
This question was opened ended asking for any information available		Response Count
	answered question	24
	skipped question	31

There was no additional cost/benefit information submitted for any of the actions proposed or suggested. Some costs were provided in a previous section asking what initiatives the consultees were involved in (but no benefits). One respondent highlighted the Cambridgeshire Council pilot scheme called Lamb Drove that produced a lot of evidence on how SuDS can contribute to ecosystem services. And one of the utilities noted that this sort of information is difficult to find because it is hard to quantify the benefit to the environment. Therefore they suggest the benefit could be measured by the cost of avoided infraction proceedings against the UK by the EU Courts for non-compliance with the Water Framework Directive.

Question 9 ‘Polluter pays’ vs. ‘Payment for ecosystem services (PES)’

‘Polluter pays’ and ‘Payment for Ecosystem Services’ (beneficiary pays) are approaches used to drive environmental improvement. Do you have evidence on the degree to which either approach is more cost effective for the control of urban diffuse water pollution?		
	Response Percent	Response Count
Yes	20%	9
No	80%	37

No respondent could provide any monetary evidence for or against either approach. A number of other comments were made in relation to advantages and disadvantages of each of these systems, which are summarised below. Many respondents commented that there is not enough information about how either

approach would be applied to be able to reasonably comment on which may be more effective.

Polluter Pays:

Several respondents felt this was a more fair system to use than PES. One respondent commented that a polluter should always be identifiable (except in relation to historic pollution) and therefore failure to apply this system is due to failures in regulations or a lack of resources. In contrast, two other respondents highlighted that the consultation document attributes this problem predominantly to small, dispersed events that have a large impact when combined. As a result a large amount of resources may be required to identify the perpetrators of a small proportion of the problem, which suggests PES may be more effective.

Payment for Ecosystem Services:

Many respondents want more information about how ecosystems would be valued, how beneficiaries would be identified and how the value of a resource to the beneficiary would be decided. A point was raised about applying the system because it is not legally established. A water company asked for more information about how this methodology could be incorporated into future planning cycles.

Some respondents feel the system could be unfair simply because they are not the perpetrators of the problem, but also because beneficiaries are already asked to survey, report, monitor and volunteer labour to solve these problems. One respondent identified a problem that beneficiaries of improvements in urban areas could be very remote from the source and therefore identifying beneficiaries and splitting costs could be very difficult e.g. beneficiaries of improved bathing water standards. Finally, another respondent is concerned that cost effective solutions could still be expensive for the organisations, groups and individuals that would derive the benefit.

Additional commentary supplied by respondents

Funding comments:

- Need a transparent system that makes it clear how money from fines is spent.
- If the environment is the significant beneficiary, will DEFRA, the EA and Natural England provide the funding?
- A positive incentive mechanism is likely to be beneficial because it would increase understanding and awareness, which is likely to drive a change in behaviour.

Other systems/case studies:

- Adopt the Scottish approach: criminal – enforce, chancer – educate, careless – enable, confused – engage, compliant – recognise, champion – reward.
- Adopt the Scottish system of General Binding Rules that allow for more effective enforcement against polluters.
- We should adopt the approach used in Melbourne, Australia to improve stormwater quality.

Next steps

We will take account of both the responses we received to this consultation and the feedback received as part of the Environment Agency's river basin planning consultations: <http://www.environment-agency.gov.uk/research/planning/33248.aspx>

(In reciprocation, the urban diffuse consultation responses received will also feed back into the Agency's river basin planning process.)

The Government will work with stakeholders, using this feedback, to develop a strategy to tackle urban diffuse water pollution with a view to publishing it in 2013/14.