

A CIWEM – CMS Conference

Rethinking Water *Emerging challenges for Regulation and Legislation*

10 December 2009: SOAS London

The Floods and Water Management Bill has highlighted the need for legislation covering non-flooding water issues. The aim of this conference is to focus on water issues, competition, innovation, regulation, sustainability and climate change that may arise in future primary legislation. Of particular interest will be the Cave and Walker reviews and the operation of the Water Industry with regard to the periodic review process and WFD.

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Sponsorship: If you are interested in sponsoring this event please contact Lauren Goozee lauren@ciwem.org or Justin Taberham justin@ciwem.org or ring them on 0207 831 3110

Please circulate to colleagues who may be interested

A conference organised by CMS - Communications and Management for Sustainability
in partnership with CIWEM

Rethinking Water - Emerging challenges for Regulation and Legislation

10 December , SOAS, London

Introduction The Floods and Water Management Bill has prompted considerable debate from stakeholders concerned about the wider water agenda and not just about floods or SUDs. The Bill falls at a difficult point in the current Parliament and with an election to be held by June it seems the Government's intention to get a Bill through will only allow an 'emergency' measure that attracts all party support. The 'drivers' outlined below suggest that there will be an ongoing debate about the many issues in the wider water agenda that should be considered for primary legislation. The possibility of a White Paper prior to new legislation in the new Parliament has also been raised.

Legislation and aspirations The debate prompted by the Bill has reminded many stakeholders that primary legislation on water is long overdue and that there is an extensive range of issues that need to be addressed. It is a number of years since the last significant 'water and environment' Acts – the Environment Act 1995 and Water Act 2003 - and these Acts only cover some of the issues that we now need to address.

New legislation could also include the outcomes of the Cave Review, The Walker Review, changes to the way water companies and stakeholders operate the periodic review process and responses to implementing the Water Framework Directive. It is likely that an incoming Government would wish to see many of the issues raised by the reviews in particular taken forward into legislation. It is likely that the enabling legislation will be published by the date of the conference and so some evaluation of its scope to meet the wider aspirations of water stakeholders will be possible.

Cave Review The Cave Review interim report was published on 18th November 2009 and it sets out proposals on a range of measures for increasing competition and encouraging innovation in the water industry. The review's recommendations are the subject of a consultation that will close on the 18th December: www.defra.gov.uk/environment/water/industry/caverreview

Walker Review The Walker Review looked at charging for household water and sewerage, at the effectiveness and fairness of current and alternative methods of charging from the social, environmental and economic perspective; it also covered charging for water, metering, tariffs, affordability, bad debt in the industry and water efficiency. Further information is available at: <http://www.defra.gov.uk/environment/quality/water/industry/walkerreview/index.htm>

Periodic review and the operation of the privatised water industry The periodic review process has now become a well established and entrenched planning cycle for the water industry and its stakeholders, providing a mechanism that aims to integrate social, environmental and economic drivers. On deeper analysis, however, there are key questions about the way the cyclical process is constrained and the perverse incentives the privatisation legislation imposes on operations not least in working against water efficiency and low carbon innovation.

The seemingly unsustainable nature of the current regulatory process, seeking to make water a 'cheap' resource, acts against the implementation of sustainability and the requirements of long term planning, investment, and climate change with less energy intensive, low-carbon futures.

Water Framework Directive The implementation of the Water Framework Directive (WFD) has been a long and complicated process and has highlighted a number of deficiencies in the primary legislation that need to be addressed in time for implementation and the next planning cycle. There is a very widespread concern in relation to the emphasis being placed upon inadequate cost-benefit analysis methodologies for both periodic review planning and WFD.

Whilst there is a concern to promote many water issues in new legislation, there is also a concern that changes will be pushed through without adequate time for reflection or review; for example neither

the Cave nor the Walker Review outcomes were subjected to pre-legislative scrutiny when the draft Bill was reviewed by the EFRA committee.

Aim and Objectives The Floods and Water Management Bill has highlighted the need for legislation covering non-flooding water issues. The aim of this conference is to focus on water issues, competition, innovation, regulation, sustainability and climate change that may arise in future primary legislation. Of particular interest will be the Cave and Walker reviews and the operation of the water industry with regard to the periodic review process and WFD. **The objectives** of the conference are to:

- Consider the main drivers for primary water legislation, being aware of the current status of F&W Management Bill and Cave Review consultation
- To provide a platform for a wide range of stakeholders to share their views
- Consider the nature of legislative changes that might be promoted in the next parliament
- To collect views for a Scoping Report for delegates that supports CIWEM's work stream on sustainable regulation of the UK water industry

Programme

Bold confirmed **The speakers to be announced** means that the organisations have confirmed but are yet to name their speaker

- 9.45 **Welcome & Chairman Ken Shapland** Severn Trent Water
9.50 **Keynote** **Trevor Bishop** Head of Water resources, Environment Agency
- 10.10 Session 1: **Cave Review**
Stakeholder 1 **David Jones** Defra
10.20 Stakeholder 2 **Julien Harou** UCL Environment Institute London
10.30 Stakeholder 3 **Jeanne Golay** Water UK
10.40 Discussion – points from audience
- 11.10 Session 2: **Walker Review**
Stakeholder 1 **Deryck Hall** CCW
11.20 Stakeholder 2 **Gaetane Suzenet** Operations Director, Waterwise
11.30 Stakeholder 3 **Mike Pocock** Veolia Water
11.40 Discussion – points from audience
12.10 Break: Sandwich buffet and refreshments
- 12.55 Session 3: Chair **David Balmforth** MWH Global
Water Framework Directive and the Natural Environment
12.55 Stakeholder 1 **Rob Oates** Thames River Restoration Trust
13.05 Stakeholder 2 **Amanda Craig** Natural England
13.15 Stakeholder 3 **Rob Cunningham** RSPB & BluePrint for Water
13.25 Discussion – points from audience
- 13.55 Break: Sweets and refreshments
14.35 Session 4: Chair **Chris Ryder** Defra
Periodic Review and privatisation
Stakeholder 1 **Dr Mike Keil** Ofwat
14.45 Stakeholder 2 **Janet Wright** Water UK
14.55 Stakeholder 3 **Chris Barker** MWH
15.05 Discussion – points from audience
- 15.35 **Key points to future water legislation** Rapporteur Role
Summary pointers **Bob Sargent** Hyder Consulting (5 mins)
16.00 Finish and refreshments

