

**Minutes of a Meeting of the
Joint Overview & Scrutiny Committee of
Adur District and Worthing Borough Councils**

Queen Elizabeth II Room, Shoreham-by-Sea

16 June 2016

Stephen Chipp (Chairman)
Joss Loader (Vice Chairman)

Adur District Council:

Carol Albury
George Barton
Kevin Boram
Clive Burghard
James Butcher
Robin Monk

Worthing Borough Council:

Roy Barraclough
Keith Bickers
Nigel Morgan
Louise Murphy
Luke Proudfoot
*Bob Smytherman
Jane Sim
Steve Waight

*Absent

JOSC/16-17/1 Declarations of Interest/Substitutions

Councillor Hazel Thorpe declared her substitution for Councillor Bob Smytherman

JOSC/16-17/2 Minutes

Resolved that the Minutes of the Committee held on 17 March 2015 be approved as the correct record and be signed by the Chairman.

JOSC/16-17/3 Public Question Time

There were no questions from the public

JOSC/16-17/4 Items Raised Under Urgency Provisions

There were no urgent items.

**JOSC/16-17/5 Consideration of any matter referred to the Committee in
relation to a call-in of a decision**

There were no items.

JOSC/16-17/6 Joint Overview and Scrutiny Committee - Sewage spill 2012

Before the Committee was a report by the Director for Digital and resources, a copy of which is attached to a signed copy of these minutes as item 6. The report before Members provided a briefing to assist the Committee in reviewing the sewage spill which affected the Adur and Worthing beaches in September 2012.

Giving evidence to Members were representatives from Southern Water, The Environment Agency and the Councils' Head of Environment.

Southern Water and the Environment Agency gave presentations, the slides to which are attached as an annex to these minutes.

A Member asked about communications that had taken place surrounding the incident. The Head of Environment explained the Councils' reaction to the event and set out a timeline of events concerning the erection of signs warning people not to go into the water. Members were told that Council staff had advised over 200 individual members of the public using the beach about the incident. A representative from Southern Water told members that its key stakeholders (including the Environment Agency and the Councils') were informed of the event and updated regularly throughout. On questions regarding the use of Social media the Committee was told that Southern Water had invested heavily in Social Media communications and was now at the forefront of its use across the industry.

Those present were questioned on the danger to human health posed by the incident and whether this had extended to users of the beach. Members were informed that sewage had been spotted out at sea by council safety boats but there had been no reported sightings on beaches.

Members asked about a greater than planned increased capital spend on the East Worthing wastewater treatment plant since the incident and questioned whether Southern Water's risk register had been appropriate given the nature of the failures. It was asked whether Southern Water had underestimated the probability or severity of the incident. Southern Water stated that the company's risk assessments were robust and that the piece of equipment (a level controller) that had failed was used elsewhere by Southern Water and had not previously been known to fail. The increased capital spend was due in part to the cost of replacing pumps and failed equipment as well as including backup systems. This would mean the type of incident experienced in 2012 would not occur again.

A Member asked if Southern Water had thought about other options before taking the decision to release untreated sewage into the sea. The representative from Southern Water stated that without the release there was a risk that low lying areas of Worthing could have become flooded, an area which included Worthing Hospital. The Hospital had been flooded by rainwater several times in the past as it is located on one of the lowest lying areas in the catchment.

A Member asked the Environment Agency how serious the incident was and how often these types of event occurred. The representative from the Environment Agency stated that the occurrences were rare and that the incident had been potentially very serious but in the end had not been so serious as it could have been.

A Member asked if Southern Water had a compensation policy for business who may have been affected by the sewage spill. The Southern Water representative explained that there was a system whereby claims were investigated on a case by case basis and would be assessed on facts and evidence. He added that there had been no claims concerning the sewage spill in 2012.

Members questioned Southern Water on the problems created by people flushing unsuitable items. Members were told of the problems caused by a build up items such as fat and wet wipes that are flushed down the toilet. Members were told of misleading wet wipe packaging that claimed the items were flushable when that only meant the household system wouldn't become clogged but these wipes would go onto clog the wider system. Members were told that any help in publicising the 'keep it clean' message would be welcomed.

Members discussed the intention for Southern Water to invest in seven areas to raise the bathing water quality to excellent. The representative from Southern Water explained that Worthing was shortlisted under the scheme and the successful beaches would be progressed to intervention in early 2017.

Members discussed the period in which bathing water was tested and asked the Environment Agency why bathing water was not tested outside of the bathing water season. The representative from the Environment Agency explained to Members that the testing was dictated by both EU legislation and its own resources, Members were told that the tests could be conducted by other organisations should they wish to do so. The Committee discussed the use of the bathing water and noted that the popularity of watersports meant that it was used all year round. It was agreed that a recommendation be put to investigate Council testing of bathing water in the off season.

Resolved: That the readings of the 2012 incident be supplied to the Committee

Recommendations:

- i) that moving forward there be a commitment to closer working relations between the Councils and Southern water and better use of Social Media;
- ii) that the Councils' be kept updated on the quality of bathing water quality;
- iii) that it be recommended that the Councils' do as much as it can to publicise the 'keep it clear' campaign;
- iv) that it be recommended that subject to budget constraints we look into the viability of testing water samples in non bathing season months.

Before the Committee was a report by the Director for Digital and Resources, a copy of which was sent to all Members and a copy of which is attached to the signed copy of these minutes. The report outlined progress on the work contained in the 2016/17 Work Programme.

Members discussed the forthcoming item on Southern Rail and were told by the Policy Officer that Southern Rail had not responded to requests to attend the Scrutiny to give evidence. Members were minded to keep the item on the work programme because of its importance to residents and would 'empty chair' Southern Rail should they not respond to future invitations.

The Committee investigated a request to scrutinise the Ferry Road Car Park improvement schemes and damage to the bridge. The Committee agreed that the item should be added to the work programme.

Members accepted the request to add the financial outturn report to the work programme.

Resolved: that the work programme be amended as agreed.

The meeting was declared closed by the Chairman at 9.37pm it having commenced at 6.30pm.

Chairman



**Adur and Worthing Councils
Joint Overview and Scrutiny Committee
June 16, 2016**

Southern Water



Our customer supply region



About Southern Water



Water



Wastewater



East Worthing Wastewater Treatment Works



- Serves more than 130,000 people in Worthing and the surrounding area.
- On average treats 30 million litres of wastewater every day – rising to more than 71 million litres during wet weather.
- Designed to fully treat up to 830 litres of wastewater a second.
- During storms or emergencies, anything over this amount (up to 2,290 litres a second) can be diverted to sea via the 5km Long Sea Outfall, after being screened to remove solids.
- To prevent flooding of homes and businesses, further excess flows can be diverted to sea via the 1km Short Sea Outfall.

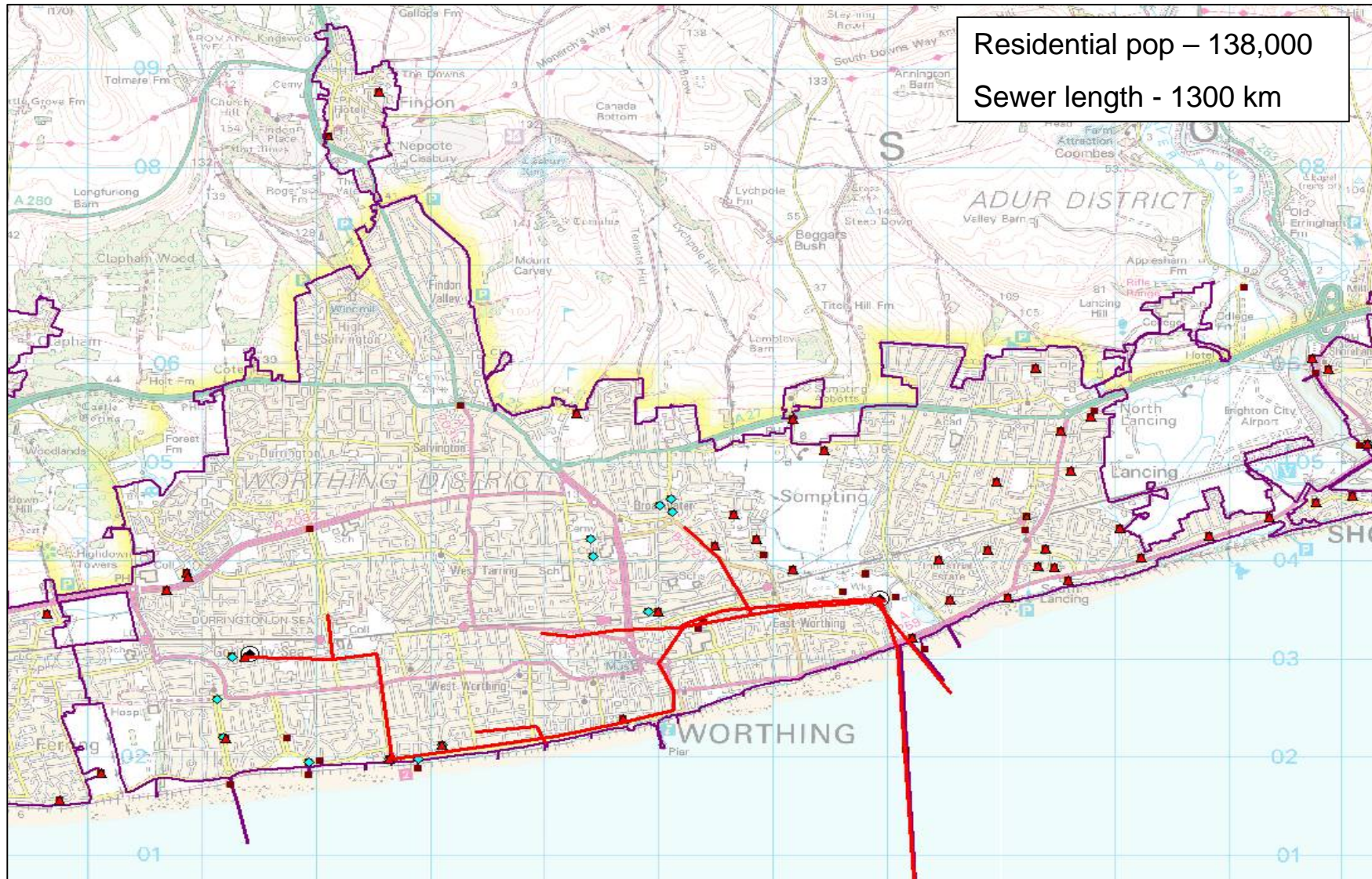


Removing wastewater
effectively






Looking after
the environment

Catchment layout

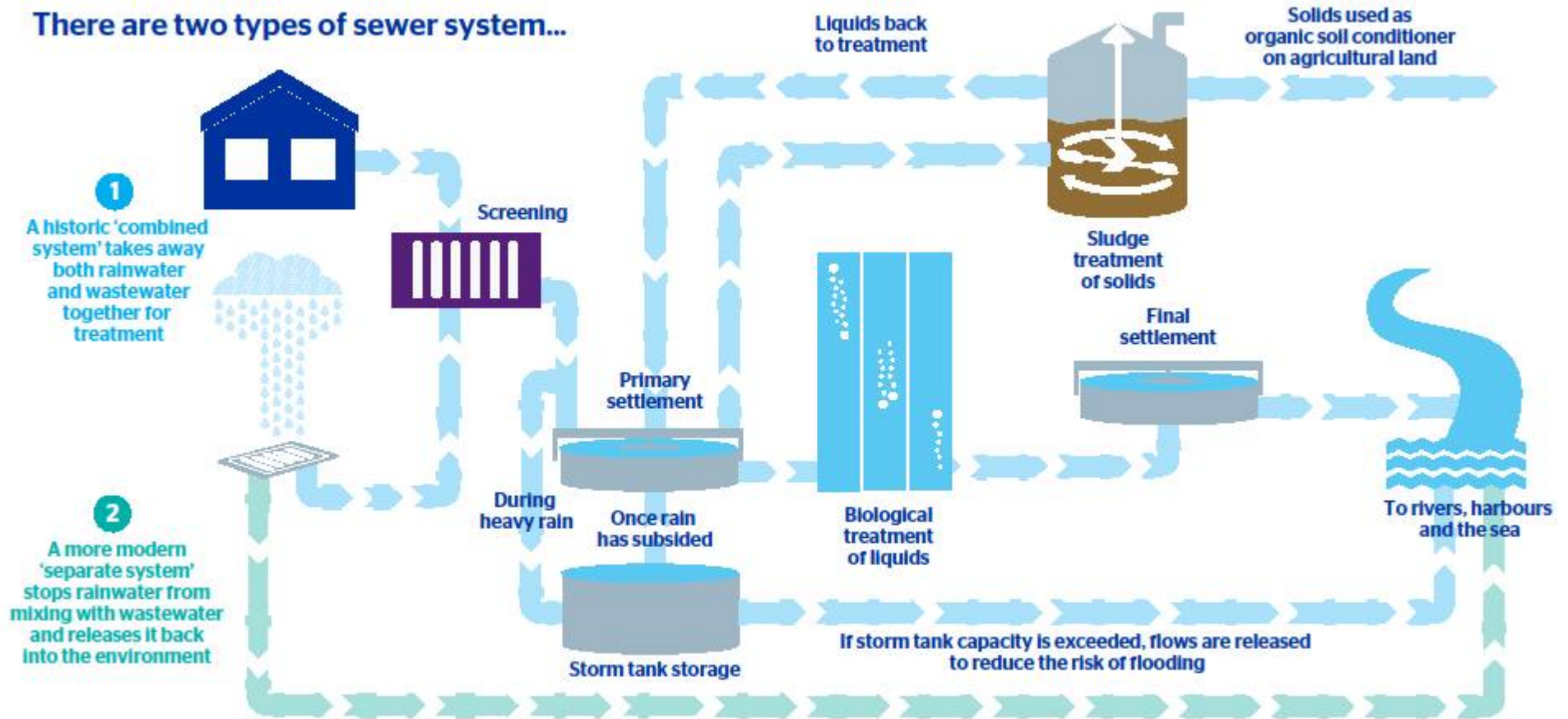


Residential pop – 138,000
Sewer length - 1300 km

- Trunk sewers 
- Pumping station (30) 
- Operational Overflows (6) 

The wastewater treatment process

There are two types of sewer system...



What happened in September 2012?



- The pollution, on September 1, 2012, was caused by mechanical and electrical issues in the final stage of the treatment process.
- A level controller, which measures the amount of treated wastewater in a tank, failed. This meant the three pumps which transport treated flows down the Long Sea Outfall ran dry, overheated and two of them stopped working completely.
- This led to wastewater, which flows into the site 24 hours a day, backing up in the system and in danger of flooding Worthing Hospital and nearby homes.
- To protect the Hospital and properties in the area from flooding, we took the tough decision to deliberately release wastewater out to sea.
- The Hospital has been flooded by rainwater several times in the past as it is one of the lowest lying areas in the catchment.
- We were concerned that the building could be flooded if the sewer was overwhelmed by the backed-up wastewater.

Our response to the emergency



- We put into place a full emergency response and worked hard to minimise the environmental impact as much as possible.
- The third pump continued to operate partially allowing the site to continue treating some wastewater as normal and returning it to the sea via the Long Sea Outfall.
- Half of the remaining flows entering the site were either treated or stored on site or taken away by a fleet of more than 30 tankers for treatment elsewhere.
- The other half was released to sea through the Short Sea Outfall, unscreened, to prevent flooding.
- We worked around the clock and, by September 3, a temporary set-up enabled all flows to be treated and released as normal through the Long Sea Outfall.
- We kept the council, other local stakeholders and the media updated.
- The council put up warning signs on beaches between Ferring and Shoreham on September 3. These were removed four days later when tests confirmed the water had returned to bathing water standards.

Improvements at the site



A comprehensive £8 million refurbishment programme was already under way when the 2012 incident occurred.

This programme was subsequently expanded to include new areas of the site and to reduce the risk of a repeat incident. The investment now totals £20 million.

The work included:

- Replacing the faulty ultrasonic level monitor system with a new radar system with a hard-wired backup.
- Refurbishing the three treated effluent pumps and four dry weather flow pumps.
- Replacing one of the site's nine-ton, 45ft long screens and refurbishing the other two – keeping one on site as a spare.
- Installing extra screens to remove debris from the wastewater that enters the site which can cause blockages.
- Installing a permanent extra pump on site to ensure the works continues to be able to release stormwater to sea during heavy rain to prevent flooding.
- A new control system and penstocks at the inlet, where wastewater enters the site, to better manage its flow through to the treatment process.
- Clearing a build-up of around 2,000 tons of wet wipes, sanitary products and other material from the main trunk sewer leading to site.

Some of the improvements at the site



The court case



- The Environment Agency prosecuted us for breaching our environmental permit.
- While we freely admitted that the wastewater was released, we pleaded not guilty as it was done to protect customers.
- We argued a Section 40 Environmental Defence – which allows for a breach of permitting regulations to avoid danger to human health.
- We maintain this defence was appropriate as the Hospital was at risk of being flooded with wastewater.
- The case took some time to progress through court. We were eventually sentenced in September last year and fined £160,000.
- Two further charges relating to the maintenance of our site and equipment were dismissed by the judge.

Bathing water quality

Worthing is one of 21 bathing waters being investigated as part of our Bathing Water Enhancement Programme.

It will bring water quality at a further seven beaches up to “excellent” by 2020.

Investigations are being carried out this year to better understand the various sources and pathways of pollution affecting water quality and what interventions may be required.

We are already working closely with the council on this project.

The investigations will reveal which of the 21 bathing waters, and the communities they serve, would benefit most.

Seven will be progressed to intervention in early 2017.

The work is the first stage in our aim of bringing all 83 coastal waters at bathing beaches in the region up to the standard required to achieve Blue Flag status by 2040. We will work with other agencies, communities and landowners to achieve this.



Our Keep It Clear campaign



More than two-thirds of sewer blockages are caused by items like wet wipes and sanitary products flushed down toilets and cooking oils put down kitchen sinks.

We encourage customers to protect their own pipes and the public sewers by only flushing the three Ps – pee, poo and paper. Everything else should go in the bin.

We are holding workshops at Worthing secondary schools this autumn which will focus on sewer blockages and the impact of “unflushables”.

We would welcome further assistance from the council to help us spread the messages of this campaign – a reduction in blockages brings benefits for all.



www.southernwater.co.uk/keepitclear

In summary



- We apologise for the failure which, although unforeseeable, caused the pollution.
- We deliberately released wastewater to sea to protect the Hospital and other properties from flooding.
- We worked hard to minimise the impact of the release.
- We have invested a significant amount of time and money to ensure the particular circumstances of the incident cannot happen again and to improve resilience.
- Releases from the site, like thousands of others across the country, will always be required to prevent flooding during heavy rain.
- These stormwater releases, which are permitted by the Environment Agency, are diluted with rainwater and screened.
- We take our environmental responsibilities seriously and take great pride in providing a high quality, essential service to our customers.
- We welcome the opportunity to present to you today and to reassure the councils and our customers of our continued efforts to protect the communities we serve.



East Worthing STW Incident Response Date

Name
Job title
Date

Duties & Powers

- Permits issued will have conditions that must be met .
- Any breach of a permit can result in enforcement Action.
- Any investigation must follow procedures set down in the Police & Criminal Evidence Act.
- Enforcement - Warning Letter, Formal Caution, Prosecution , Fine, Custodial Sentence

Managing the Incident

- Environment Agency Area Incident Room opened for several days
- 10 Environment Officers involved
- 240 hours spent initially investigating the incident
- Samples gathered and sent for laboratory analysis
- Liaison with Adur & Worthing Borough Council
- Media and press interest local and national
- Enquiries from members of the public
- Liaison with Southern Water

Post Incident

- Case file preparation
- Collecting and gathering evidence
- Taking/writing witness statements
- Legal discussions with EA legal Team
- Court attendance
- Other staff involved required included , Sampling and Collection , Marine , Customer and Engagement, Press Office,