

To:

**Environment Agency
Natural Resources Wales
Welsh Government**

Consultation on guidance for preparing Pollution Incident Reduction Plans and Implementation Reports (PIRPs)

Afonydd Cymru is the umbrella body for the rivers trusts in Wales. We provide a key advocacy role for Welsh Government and Natural Resources Wales. In the context of this consultation, we are a Technical Advisor on the Better River Water Quality Taskforce (BWQTF), we sit on the Welsh Government River Water Summit and we are a member of the Independent Environmental Advisory Panel for Welsh Water (IEAP).

Afonydd Cymru welcomes the opportunity to respond to the consultation on PIRPs. There has been significant challenge on the impact of water company performance and the impact to river water quality in Wales. We see PIRPs as a positive way forward to provide more transparency and monitoring of this performance and to better inform customers.

We recognise that PIRPs are a measure defined under the Water (Special Measures) Act 2025 and as such apply to water companies only. However, we think that reporting under PIRPs could be further improved in Wales and therefore provide opportunities for Welsh Government to consider in our response below.

Transparency of Reporting

We believe a key objective of this requirement should be to provide further knowledge and understanding to customers in Wales. To achieve this, there should be a requirement on water companies to make a customer-friendly facing document to present the information. In particular, the PIRP should be clear on the definition of pollution as below. Much of the PIRP requirements are already in place. Therefore, to achieve change above the existing processes focus should be on the actions and delivery.

Definition of Pollution

The definition of pollution in the consultation is ambiguous. It states *'Pollution incidents are defined in section 205A(3) of the Act as discharges of any content from the undertaker's system which may*

email: admin@afonyddcymru.org www.afonyddcymru.org

*be **harmful to health** or the quality of the environment. This does not include discharges of treated effluent in accordance with an environmental permit.'*

The consultation does not define what constitutes harmful to health or the parameters of health. It is not clear, for example, whether this relates to human health parameters (in which case water companies currently have limited in-river obligations for human health apart from parameters set at Bathing Waters) or ecological health of the river. We would ask for this to be explicitly clarified and in doing so outline the requirements needed to measure the harm and quality against which to measure from the pollution incident.

In Wales, we have adopted the concept on no ecological harm from storm overflows, as a measure to replace spill frequency. We need to be careful therefore that these terms do not become confused as the measure of harm for a chronic pollution event will be different to a measure of harm over a year. To ensure public understanding, we ask that clear definitions are provided.

The webinar suggested that pollution would be linked to incident classification categories (CIC), namely only categories C1 and C2. The consultation provides a link to the classification provided in England only which we feel is an oversight for a consultation impacting devolved activity in Wales. We also believe there are differences in the classification categories so we ask that a copy of the CIC for Wales is provided to Afonydd Cymru so we can compare outcomes for Wales to England. We are concerned that there may be a tendency for events to get recorded as C3 to reduce requirements under PIRP, therefore we ask that this is subject to an independent review.

Causes and Impact of Measures

We support the PIRP process, and the reporting elements suggested. However, the process does not acknowledge that some causes of pollution from a water company may be caused by third parties or by regulatory failure. This does not seem to be reflected in the suggested categorisation of incidents, and we feel this misses the opportunity for further enhancements to river water quality. We consider these new categories should be added to the process for England and Wales (to ensure consistency on cross-border rivers).

Whilst the Act applies to water companies only, Afonydd Cymru believes the PIRP provides a useful annual reporting mechanism against which to track water company performance. The actions identified in the PIRP should be directly linked to the correct mechanism in Wales to ensure actions are delivered, therefore again we would ask that this is considered as an amendment to the processes. For example, an issue at a storm overflow should be directed towards the existing National Environment Programme for delivery, and re-prioritised accordingly. We would expect the BWQTF to be expanded to also include water asset failure reporting. Equally, issues with drainage and runoff should become prioritised actions within the Drainage and Wastewater Management Plans. Finally, we would expect PIRPs to become a defined measure in the Water Company Environmental Performance Assessment (EPA) for both water and wastewater assets against which NRW should report annually.

To further enhance the PIRP, we would ask Welsh Government to consider an extension to the proposed consultation such that where actions are identified outside of the water company responsibility these can also be tracked to the accountable lead organisation (WG, NRW, local

authority). As an example, water companies have limited responsibilities on industrial waste from commercial premises causing blockages in the sewer – these are responsibilities that sit with the regulator. Whilst the water company can support on education and communications, we firmly consider that action on the commercial premises sits with NRW. Illegal disposal to the sewer, misconnections, reclassification of permits and drainage are also other areas where the water company is not the lead responsible organisation. Whilst they can support, we seek reassurance from Welsh Government that some of the main impacts on pollution are actioned by the correct lead organisation and that this will require a secondary process to be established in Wales, alongside the PIRP.

Extending the categories within the PIRP would provide clarity on the type, lead organisation and could identify other annual reporting requirements for ensuring pollution causes are addressed.

Types of Assets

The consultation has provided different asset types for the water company. All asset types are grey infrastructure, and we would ask that the asset type is extended to include green infrastructure/nature-based solution. This would enable the PIRP to reflect the current drivers for increased NbS delivery. It would also provide a useful evidence base for water companies and regulators on risk levels for pollution in relation to grey versus green infrastructure.

PIRP Funding and Prioritisation

The consultation document has provided no detail on how the required actions identified in the PIRP will be funded. We assume that this is part of current water company funding in terms of base maintenance, but we suspect that the reality may identify a range of causes to pollution and we are unclear whether this has been sufficiently included within funding allowances for water companies, nor whether funding and resource requirements in other bodies has been recognised. We would expect NRW to have sufficient resource to process, for example, actions identified in the PIRP by the water company which are actually regulator responsibility.

There is no reference to how actions will be prioritised for delivery nor who will set the timescales for delivery. We would urge that this is made clear before implementation of the PIRP. Afonydd Cymru would be keen to see reporting of the PIRP annually so that water company performance can be monitored and actions to be monitored at the BWQTF.

We are happy for our response to be identified and would ask that we receive a copy of the consultation response.

Afonydd Cymru, October 2025.