



Llywodraeth Cymru
Welsh Government

POLICY AND STRATEGY, DOCUMENT

Environmental regulation of overflows: action plan

A plan to ensure water companies effectively manage and operate their network of sewers.

First published: 5 July 2022

Last updated: 24 October 2023

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/environmental-regulation-overflows-action-plan-html> for the latest version.

Get [information on copyright](#).

Contents

[Overview](#)

[Our commitments](#)

Overview

To ensure water companies effectively manage and operate their network of sewers, changes to current regulatory approaches and strengthening of environmental regulation have been examined.

NRW is reviewing and implementing changes, where appropriate, to the current regulatory framework to ensure clear guidance, processes, and regulatory tools for improving poorly performing assets are in place to ensure that all storm overflows operate within the parameters of their permit.

We will ensure that overflow data is easily accessible and understandable to a wide range of stakeholders and the public, building on the current methods of reporting data.

Our commitments

Our Commitments: The actions being taken forward within this workstream are all aligned to the Welsh Government Programme for Government 2021-26 and the Wellbeing goals of:

- Building a stronger, greener economy as we make maximum progress towards decarbonisation.
- Make our cities, towns, and villages even better places in which to live and work.
- Embed our response to the climate and nature emergency in everything we do.
- Begin to designate Wales's inland waters for recreation, strengthening water quality monitoring.

It is acknowledged that as part of the action plan around regulation there may be instances where changes to current legislation or direction from Welsh Government will be required. Any changes to current requirements will be discussed and progressed via the 'Better River Water Quality' taskforce

Lead Organisation	Action	Why?	By When	October 2023 Update
CCW	We will contribute to designing and implementing a single assistance scheme that targets the most financially vulnerable to help generate headroom for environmental resilience investment.	More effective support for those customers who struggle to pay, this could mean that further and quicker investment could be acceptable as the most financially vulnerable customers will have greater protection.	Ongoing	The government social tariff consultation and publication of additional reports has been delayed. We will continue to support and promote solutions to affordable water bills and investment that addresses environmental issue that customers tell all of us matter to them. The Wales PR24 Forum strategic Steers to companies emphasise the important of environmental and climate resilience investment whilst being open minded and collaborative in new affordability solution approaches.
NRW	We will review	We recognise a	December	Findings from the

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/environmental-regulation-overflows-action-plan-html> for the latest version.

Get [information on copyright](#).

Lead Organisation	Action	Why?	By When	October 2023 Update
	our existing use of data, assessment tools and internal guidance to ensure our officers are able to carry out regulatory checks and actions at storm overflows.	need to restore the confidence others have in NRW to deliver its regulatory duty. We will demonstrate our response through the actions in response to storm overflow management.	2023	evidence review will be used to identify suitable tools and approaches for displaying SO performance.
NRW	We will implement improvements to our regulatory tools and guidance to improve our regulatory response.	We recognise a need to restore the confidence others have in NRW to deliver its regulatory duty. We will demonstrate our response through the actions in response to storm overflow management.	October 2023	Guidance has been produced and is currently under review. It is expected to be published October 2023.
NRW	We will complete our programme of work to ensure all unpermitted	We have identified and put in place a process for bringing unpermitted	October 2023	Guidance has been produced on pre-application advice for unpermitted storm overflows and is

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/environmental-regulation-overflows-action-plan-html> for the latest version.

Get [information on copyright](#).

Lead Organisation	Action	Why?	By When	October 2023 Update
	assets are brought under the Environmental Permitting Regulations.	assets into our regulatory control. We are working with water companies to ensure that when issued these assets do not pose harm to the environment.		currently under review. It is expected to be published October 2023.
Ofwat	Ofwat will continue and conclude its investigation into the actions of all Water and Sewerage Companies in Wales (and England).	Ofwat is currently investigating concerns around the management and operation of companies' wastewater network and treatment works.	Ongoing	Ofwat continue to work internally and with Water Companies and fellow regulators on taking the investigation forward.
Ofwat	Ofwat will consider long term resilience in assessing the business plans in 2024.	The taskforce recognises that changing climate and population will further drive companies to prioritise long term solutions and investment.	December 2024	Ofwat has released consultations for PR24 which also cover resilience, an industry working group is also looking at resilience as part of the PR24 process.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/environmental-regulation-overflows-action-plan-html> for the latest version.

Get [information on copyright](#).

Lead Organisation	Action	Why?	By When	October 2023 Update
Ofwat	Ofwat will consider the specific circumstances in Wales when assessing the business plans from 2024 and beyond. Ofwat will take these specific circumstances into account when determining the most appropriate and affordable actions.	To ensure that the specific circumstances in Wales are considered. This shall include the provisions laid out in The Well-being of Future Generations (Wales) Act (2015) and The Environment (Wales) Act. Ofwat will encourage the Welsh water companies to include customers and wider stakeholders in co-creating their solutions and shall prioritise nature-based solutions where appropriate.	December 2024 and subsequent price reviews (currently every 5 years)	
CCW	We will continue to ask that regulators and companies consider CCW,	Customers (and citizens generally, not just bill payers) help shape regulatory	Complete	The targets were published April 2023.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/environmental-regulation-overflows-action-plan-html> for the latest version.

Get [information on copyright](#).

Lead Organisation	Action	Why?	By When	October 2023 Update
	company and other customer evidence to inform storm overflow response/regulatory action and future investment.	response, Wales National Environment Programme and future Ofwat decisions so these can deliver environmental improvements they expect. CCW's 2021 Environment research 2021 shows that water customers recognise the need to look after the environment and expect water companies to take meaningful action.		
NRW	We will review and increase our audit activities around Operator Self-Monitoring and Operator Management Assessments.	Ensuring the water companies maintain assets is key to guarding against poor operation. Likewise ensuring that water company management procedures are in	Complete	NRW's regulatory inspection programme for 23/24 financial period has been issued. Operator Management Assessments scheduled for November and December 2023.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/environmental-regulation-overflows-action-plan-html> for the latest version.

Get [information on copyright](#).

Lead Organisation	Action	Why?	By When	October 2023 Update
		place and audited form part of building trust with the public and stakeholders.		
NRW	NRW will look to integrate regulatory datasets and make information on storm overflows and spills easily accessible to the public and stakeholders.	We recognise the need to be open and transparent on the data provided as part of permit requirements. We will ensure that data provided is accurate and timely for all users.	Complete	An overview of storm overflow performance will be included in the Annual Water Company Performance Report, published August 2023. Future assessments will be included in an annual standalone storm overflow report .
NRW	We will provide an annual report on the performance and regulation of storm overflows.	Responding to concerns by stakeholders and the public, we will produce a report on the performance of storm overflows and any associated action for improvement, including any enforcement response where	Complete	The first standalone storm overflow report was published August 2023 . The report will be issued annually.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/environmental-regulation-overflows-action-plan-html> for the latest version.

Get [information on copyright](#).

Lead Organisation	Action	Why?	By When	October 2023 Update
		relevant.		
Taskforce	Welsh Government report on Storm overflows. The taskforce will review the outputs of the independent study (due Summer 2022) to set achievable and affordable short-, medium- and long-term targets for the prevention of ecological harm of our riverine waters. Agreed targets will then be published within the Regulation Roadmap Action Plan.	We recognise the need to put plans in place to ensure no storm overflow causes environmental harm of the ecological status of our rivers.	Complete	To be published autumn 2023.

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/environmental-regulation-overflows-action-plan-html> for the latest version.

Get [information on copyright](#).

This document may not be fully accessible.

For more information refer to our [accessibility statement](#).

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/environmental-regulation-overflows-action-plan-html> for the latest version.

Get [information on copyright](#).