

Centre City Tower, 7 Hill Street, Birmingham B5 4UA
21 Bloomsbury Street, London WC1B 3HF

[REDACTED]

Our Ref: OFW0019452

15 November 2018

[REDACTED]

Your complaint against Southern Water

Thank you for your letter of 15 October 2018. I am sorry to read that you disagree with our decision not to open a case in respect of your complaint against Southern Water Services Limited (Southern Water). I have reviewed your complaint and set out our position below.

Our review: appeal against our decision not to open a case

We understand that you have asked us to review our decision as you do not feel that we have considered certain points. We set out in the table below the specific points raised in your letter and our response to these concerns.

Points raised	Ofwat's response
Albert Road is one of the only roads in Deal that consistently floods whenever there is heavy rain or Southern Water's assets fail.	Southern Water has demonstrated to Ofwat that its network is resilient to a 1:50 year storm event. This is in excess of the current standard which is a 1:30 year resilience. As outlined in the WATRS determination (made in relation to your complaint), the January 2016 sewer flooding affected 4 properties internally and occurred as a result of the sewerage network reaching maximum

[REDACTED]



<p>You consider that the reviewer failed to address the reason for the flooding event in January 2016.</p>	<p>capacity during an extreme weather event. It has been demonstrated that this was a 1:12 year event and could not be recreated as the system has already been upgraded to a 1:50 year resilience. In light of this, we consider that we do not need to investigate the January 2016 flooding incident further.</p>
<p>When there is a flooding event, sewage discharges from the manhole covers that get blown off in Albert Road.</p>	<p>As the sewerage system is now resilient to a 1:50 year weather event, it is unlikely that this will be an ongoing issue.</p>
<p>The affected part of Albert Road is the point at which numerous combined sewers feed into and that there is one 825mm sewer serving that part of Albert Road.</p>	<p>Southern Water has inspected the sewers and fitted flow meters at various points in the network to identify flow rates. There has been no evidence to suggest that the 825mm pipe does not have sufficient capacity.</p>
<p>That Southern Water would not consider bolting down manhole covers as this may push the problem further downstream.</p>	<p>Southern Water has advised that bolting down manhole covers creates a risk of the network becoming surcharged. It has also explained (in its letter to you of 9 July 2018) that it has invested heavily in the resilience of the network and assets as a more appropriate action.</p>
<p>You requested that Ofwat review the hydraulic modelling provided by Southern Water.</p>	<p>One of our engineers with significant experience in hydraulic modelling has reviewed Southern Water's model and we consider that there is nothing in the model or the results it produces which requires us to investigate further.</p> <p>We have also sought (and been provided with) further assurance from Southern Water that flood resilience of Albert Road will not be affected by the connection of the new housing estate higher up in the network.</p>

[Redacted]


Conclusion

As I explained in my letter to you 8 June 2018 Ofwat is a statutory body and our jurisdiction is set out in the Water Industry Act 1991 (WIA91). Ofwat's [approach to enforcement action in respect of sewer flooding complaints](#) outlines our role in respect of section 94 of the WIA91. Our approach has to be reasonable and proportionate. We cannot hold sewerage companies to account for flooding which occurs due to factors outside of its control such as severe weather conditions, for example.

In our preliminary assessment we asked Southern Water to confirm what contact it had received from residents of Albert Road since January 2016 and more specifically enquiries relating to sewer flooding. Southern Water provided records which confirmed that there have been no reports of internal or external flooding from this particular area since January 2016. Further, Southern Water has invested in sewerage assets in and around Albert Road in order to alleviate incidents of flooding. We understand that the upgrades done by Southern Water provide resilience to a 1:50 year weather event. From the information available, I have not seen any evidence to suggest that Southern Water is in breach of section 94 WIA91.

I hope that you agree that we have given your complaint our full consideration and although I sympathise with your situation my decision not to open a case remains unchanged.

Yours sincerely,



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[Redacted]