

Yorkshire Forum for Water Customers
Minutes of Meeting
18 February 2021
Teams call

Attendees:

Andrea Cook	Chair
Chris Griffin	Independent Member
Dave Merrett	Independent Member
James Copeland	National Farmers Union
Janine Shackleton	Consumer Council for Water
Melissa Lockwood	Environmental Agency
Pam Warhurst	Pennine Prospect (in part)
Steve Foers	Citizens Advice
Tom Keatley	Natural England
Kirstin Hutchinson	Yorkshire Water
Sumayya Mahmood	Yorkshire Water
Wendy Kimpton	Yorkshire Water

Guests:

Anne Reed	Yorkshire Water (in part)
Gaynor Craigie	Yorkshire Water (in part)
Leah Humphries	Yorkshire Water (in part)

Apologies:

Tom Keatley	Natural England
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1) Welcome

- a) Members were welcomed to the meeting and apologies were noted as above.

2) Minutes and actions of the last meeting

- a) The Chair asked for any comments and amendments to the minutes. Some comments have been sent and will be reviewed before being signed off. The Forum requested the company share the research regarding their engagement with customers throughout Covid as presented at the January 2021 meeting.
- b) Actions from the last meeting were discussed as follows.

- Action 1: Ongoing, expected to be completed by April 2021
- Action 2: Ongoing
- Action 3: Ongoing, results will be shared when ready
- Action 4: Dates sent and to be confirmed
- Action 5: Ongoing
- Action 6: Ongoing, will be completed year end
- Action 7: Ongoing, item added to the July 2021 agenda
- Action 8: Ongoing, diarised for today's meeting
- Action 9: Ongoing

3) CMA update

- a) The deadline for submissions has now passed. The only further correspondence between the CMA and the main parties is the CMA issuing RFIs (request for information) to Ofwat regarding certain parts of modelling. The company will be adding one clarification note on their Living with Water proposed new performance commitment as the term internal flooding in various documents has been mixed-up with internal sewer flooding. In terms of next steps, the CMA provisional timetable is to complete at the end of February 2021 and the final date for the CMA to issue the final determination is early March 2021.
- b) Ofwat referred its final determination to the CMA, and the final determination from the CMA goes to Ofwat and no other parties, Ofwat then sends it to Defra and it is a minimum of two weeks before Ofwat circulate the final determination to the concerned companies; this is due to the fact it needs a licence change to embed the final determinations. The CMA is considering how information can be made available to the relevant Companies earlier as part of its publication to Ofwat.
- c) The Forum queried current contact with Ofwat. The company advised contact is reasonable and informed the Forum that the company have been commended in a recent publication on Board Leadership, Transparency and Governance for embedding their purpose in the culture and strategy of the business.

The company advised they are still pushing for bill stability for customers regardless of the outcome of the final determination.

4) Impact of Covid-19 on company finances

a) Confidential discussion was held between the Forum and company.

5) Education Performance Commitment (PC) and the impact of Covid-19

- a) In a regular year there are three education centres open across the region, the company endorses learning outside of the classroom, predominantly they have primary school visits, alongside secondary and university students, as well as special interest groups such as rotary and retired engineer groups. In a previous year, when shadow reporting in preparation for the PC, the company delivered 30,000 learning hours. Centre work is supported with outreach, where the company goes into schools and delivers sessions, which can include discussions about WaterAid and water usage.
- b) The company's Education PC is new for AMP7 and designed to incentivise the company to raise understanding of the value and proper use of the clean and wastewater systems. Ofwat added into the final determination the requirement to collect individual feedback, the company advised no other water company has this specific requirement. The Forum queried why, the company are uncertain why but confirmed that as this is a bespoke PC and that each company has its own specific requirements.
- c) The company discussed the current impact on education due to Covid-19. In March 2020 all visits were cancelled, as the year progressed some bookings were made, but many; were cancelled, these totalling 12,000 hours. The company advised for the first term they couldn't enter schools or open centres, and they were challenged with becoming innovative in finding new ways of working.

The company updated their website and created home learning resources. Social media shorts were designed on key themes and published across social media. The company then expanded on this by creating and producing a series of on-line lessons, including teacher notes and student worksheets.

These online lessons were launched in July 2020, in total 100 schools have shown interest in the workshops, with only 10 so far actually being delivered by teachers. The company expressed the difficulty in engaging teachers to deliver these sessions due to the challenges of Covid.

The company also extended the offer to deliver family workshops, virtual schools' sessions, careers awareness sessions (general year groups, apprentice, and graduate entry), and an After-School Club for the children of colleagues. (Check spacing)

- d) During the pandemic, face-to face-contact has been limited and the delivery of education remotely has provided an additional challenge in obtaining individual and teacher feedback. Virtual sessions have had mixed success.
- e) The Regulation department is pulling together analysis of the impact of Covid-19 on all PCs. In a letter from Ofwat in 2020 they state they 'will consider the need for any ex post adjustments to regulatory systems following an in-the-round assessment as part of the normal reconciliation process. This will require that companies can demonstrate how their operations have been impacted by Covid-19 and how they made their decisions'.

There are a few options potentially available for the company to explore, and these will be considered. The company advised as soon as Ofwat explain how they want to manage the impact of Covid-19 they will be able to discuss this along with all the other 42 PCs.

- f) The Forum expressed their support in aiding the company with digital engagement opportunities which will be needed in the future because of Covid. The Forum were impressed with the innovation shown and the effort in trying to deliver this PC in a difficult year and offered a statement of support, which was welcomed by the company.

Action 1: Forum to provide the company with a statement of support regarding the Education PC

The Forum mentioned various businesses within the private sector in the States who have collaboratively produced a learning tool for people to understand the importance of water. The company advised they can review tools like this, but they would prefer to also look at face-to face-options and work with outdoor centres.

The Forum challenged the balance between the company's operations and the bigger picture around wider sustainability and use of water, and personal responsibility. The company informed the Forum that personal responsibility of water is discussed in every session delivered, for instance,

a standard lesson at a treatment works covers water cycle, water distribution, water treatment and water usage, noting that behaviour change work is throughout all sessions.

The Forum queried if a small monthly reward would help in obtaining returns on feedback. They also expressed their concern when analysing the social media reach and suggested obtaining more detailed statistics. The company spoke of their private YouTube account where access is requested and users are set up with their own account and suite of lessons, and the teacher completes an evaluation form to tell the company how many students have watched the lessons.

The Forum proposed that some of the terminology used in Ofsted reports regarding systems could be linked into the company's response to Ofwat. They lastly enquired if other groups, such as Scout groups, could be potential partners; , the company advised the challenge is that a lot of these groups are not meeting currently and some don't have platforms to do so, but they are building upon what they have and responding to customers' requests.

The Forum applauded the company for their resilience and adaptability in this important area.

6) Yorkshire Water Land Strategy - Land & Property Environmental partnership

- a) This is the first land strategy which was created in April 2020 and pushed the company to think about how they manage land for the future and the long-term view and vision of how the company want to be placed in the region, as well managing and changing practices. 10 objectives and initiatives were created.

Underpinned by this is the ability to make decisions on land in a focused and evidence-based approach in the future to justify to customers and Ofwat that the right choices on the land are being made based on the six capitals.

- b) The company displayed the framework for the land strategy; the external backdrop considers Climate Change, Agricultural policy, Environmental bill, Brexit, Covid-19, Ofwat, post-Covid and customer expectations. Detailed plans are being developed around 10 initiatives, and the company is pushing forwards on the delivery plans, and how to make these happen,

considering investment and the long-term strategy. As well as working in line with the Big Ambition, PCs, and various strategies.

- c) The company is trying to position itself to be able to discuss how they manage land impacts on the various PCs by building business cases to show how land can have a strong influence on business performance, and to help the incentives, such as reputational impacts, in delivery of operational performance going forwards.
- d) Within all the initiatives developed, the company are questioning what it means for their customers; they have seen an increase in numbers to their land due to the current climate, increases in anti-social behaviour have risen, and a growing number of organisations are using the open water for swimming. Insight work has begun with customers, the company is focusing on the countryside code, which is an opportunity to raise awareness and understanding.

The company advised it must be a joint effort on land management, and the importance of customers understanding the need to work together with other parties.

The company asked the Forum what they would like to see from the company regarding this work going forward. The Forum firstly commented on the ambition being a ground-breaking piece of work and noted the use of land is at the heart of the industry. The Forum advised the narrative is important and the Forum showed interest in helping to develop this.

The Forum queried the future programme and if something can be shared; the company advised the initiative delivery plans are being worked on to develop a programme over the next 2-3 years with tangible KPIs and this will be shared once ready.

The Forum displayed interest in how the work could feed into future research and customer engagement to give examples and insights that can be fed through into positive customer engagement to steer the next price review.

Action 2: Land strategy programme to be shared with the Forum at an early stage in development. .

(Check Spacing)

7) Bathing water

- a) The company were in attendance to discuss the potential bathing water closure at Tunstall and seek support from the Forum in their engagement with Ofwat. They advised the Forum that this has been presented in detail at the Environmental subgroup where feedback was obtained.

The bathing water closure at Tunstall will affect the reporting of the bathing water PC.

- b) Bathing waters are managed under the Bathing Water Directive and are given an annual classification based on their quality and several samples taken throughout the year. In Yorkshire, due to the complex influences on bathing water quality, the Yorkshire Bathing Water Partnership was established. There are 19 coastal bathing waters in Yorkshire and one newly designated inland bathing water on the River Wharfe in Ilkley.
- c) Within AMP7, the company have a PC based on the number of designated bathing waters which exceed the minimum requirements of the directive. The PC includes 18 of 19 beaches being rated as good or excellent, the underperformance penalty is £1.235m per beach per year and the overperformance is £0.636m per beach per year. There is no provision in the PC definition regarding 'closed' beaches where an in-year classification cannot be made.
- d) Tunstall is one of Yorkshire's designated bathing waters located in the East Riding of Yorkshire. It has an average erosion rate of 1.8 meters per year. Since the introduction of the directive in 2015, Tunstall has been consistently classified as excellent. However, due to coastal erosion there is no safe access onto the beach, and it was closed in 2019, therefore no samples have been taken.

The company have worked with the Yorkshire Bathing Water Partnership to look at options for Tunstall, however, reinstating safe access has not been possible, The company have reviewed the risk to the PC, and as there is no exception for closed beaches in the PC, there is a risk of facing the £1.235m penalty per year.

The company are looking to engage with Ofwat through their PC change protocol to seek an update of the definition to provide clarification on closed beaches.

The company are looking at the change control process if they want to request a change to a PC, as detailed within the Ofwat FD document.

Choice for change control engagement include:

- Errors in PCs
- Changes in third party materials
- Improvements to definitions in customer interests
- Bespoke adjustments

If a company suggests improvement to a PC definition, Ofwat expects the company to engage with its customers and relevant stakeholders to seek their views on if the new measure represents a material improvement which is in its customers interests. The company advised it has engaged with its relevant stakeholders in the East Riding of Yorkshire and within the EA, and the Environment subgroup.

The company had reviewed the customer engagement element and summarised that any question put forward would be a leading question and negates any benefit from that engagement. There is also concern that any engagement wouldn't fall in line with Ofwat's recent discussion paper.

- e) The company would like to engage with Ofwat regarding an amendment to the Bathing Water PC. They are seeking to amend the PC to bring it in line with those of Anglian Water and Southern Water i.e. if a bathing water is closed, they will use the most recent classification. The company is currently drafting a report for Ofwat which follows the formal change control protocol.

The Forum offered a letter of support, alongside that of the EA, given the difficulty of delivering this PC.

Action 3: Draft letter and report to be shared with the Forum for review and development

Action 4: Forum to provide letter of support to the company

The Forum requested a discussion regarding the impact of climate change on the PCs.

Action 5: discussion regarding climate change to be added to a future agenda

The Forum queried when the beach became inaccessible, the company advised it was at the end of 2018 into 2019.

8) The role of Occupational Health in Yorkshire Water

- a) Item to be moved to the March meeting.

9) AOB

Beaver Dyke reservoir complaint

- a) The company provided an overview of the complaint. They advised there is a permissive path which runs across the reservoir, which is closed, and the customer would like to see this opened for usage. The operational, recreational, and conservational team are reviewing this to see what the best way forward is.

The Forum queried the extent of wider consultation with customers who would have a more significant interest in the area. The company advised once the team have established the best way forward, they can conduct that customer engagement.

The Forum queried why the permissive path is closed, with one member advising the company's website advises it will be closed for two years. The Forum noted it is perhaps more of a customer experience complaint than a land strategy complaint. The customer has been particularly complimentary about the help and support she has received from the Forum's Technical Adviser.

Action 6: Company to seek information as to why the pathway is to be closed for 2 years

The Forum queried the lessons learnt, with consideration to balancing the environmental aspect and the significant use of public money, and suggested signage to customers when areas of public use are to be closed.

Effluent complaint

- a) An overview was provided to the Forum regarding the complaint. The company are investigating this, and it is been given a highest priority, however Forum members agreed that it was no appropriate to become involve because of the possibility of legal proceedings,

Next meeting

18 March 2021, Microsoft teams meeting

Actions

Summary of actions: 14 June 2018

No	Action	Comment
4	<p>Company to project the level of investment and timescales to display how discolouration will be reviewed to help the Forum understand the plan and resources.</p> <p>Post meeting update 06/06/2019: To be reviewed when received Final Determination (FD).</p>	Ongoing

Summary of actions: 13 November 2019

6	Forum member to work with the Company to review and update webpage as discussed	Ongoing
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Summary of actions: 19 March 2020

3	<p>Company to assess setting up specific engagement Forum regarding land strategy</p> <p>Post meeting update Company to attend the Forum in December 2020</p>	Complete
9	<p>Company to investigate river pollution</p> <p>Post meeting update Yorkshire Water cleared the debris from the River Ouse on 14 and 15 April 2020, investigation on going into reported debris in the River Aire</p>	

Summary of actions: 23 April 2020

3	<p>Company to discuss land and property and environmental partnerships and feed back to the Forum</p> <p>Post meeting update Company due to attend to discuss at the February 2021 meeting</p>	Complete
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Summary of actions: 22 October 2020

1	<p>Company to report on Avoiding Drain Blockages Campaign at November Forum meeting.</p> <p>Post meeting update Meeting cancelled, to be rescheduled</p>	
2	<p>Company to report on Stakeholder engagement at a future Forum meeting.</p>	
5	<p>Chair to amend the draft response to the CMA, circulate and submit on behalf of the Forum.</p>	Complete

Summary of actions: 21 January 2021

1	<p>Company to circulate output from the Jury when complete</p> <p>Post meeting update Updated expected in April 2021</p>	Ongoing
2	<p>Company to feedback on Ofwat session</p>	Ongoing
3	<p>Affordability and Vulnerability subgroup to arrange a team meeting</p>	Ongoing
4	<p>Company to share research results regarding the support tariff with the Forum</p>	Complete
5	<p>Company to provide feedback</p>	

6	<p>Company to involve the Forum on the community engagement pilot</p> <p>Post meeting update Meeting arranged for 8 March 2021.</p>	Ongoing
7	Additional feedback on how industry spend on communications compares across various companies to be shared with the Forum	Ongoing
8	End of project reports to be shared with the Forum at the end of the year	Ongoing
9	<p>Company to attend the July 2021 meeting to provide an update on the complaint's tracker</p> <p>Post meeting update Added to the July future agenda</p>	Ongoing
10	<p>Colleague support during Covid to be presented at the next meeting, specifically regarding Occupational Health</p> <p>Post meeting update Company attending the February 2021 Forum Rescheduled for March 2021 meeting</p>	Ongoing
11	<p>Internal review of subgroups and memberships across all, including Forum</p> <p>Post meeting update Planned for March meeting.</p>	Ongoing

Summary of actions: 18 February 2021

1	Forum to provide the company with a statement of support regarding the Education PC	
2	Company to share the Land Strategy programme to be shared with the Forum once developed.	
3	Bathing water report and draft letter to be shared with the Forum for review and development	Complete

4	Discussion regarding climate change to be added to a future agenda	
5	Company to seek information as to why the pathway at Beaver Dyke is closed for 2 years	Complete