

**3. How did South West Water engage with contractors and at what stage? Could this have been carried out earlier (i.e. before the contract was awarded)?**

There was no consultation with SWW during the tender process. The first time that SWW knew about the proposed work was following a phone call to our Streetworks Manager by a Highway Inspector asking if we had been informed on the 21<sup>st</sup> February.

Following this telephone call SWW were advised by email on 21<sup>st</sup> February 2013 by South West Highways (SWH) that work was due to start on 25<sup>th</sup> February. At this time SWW confirmed that it was not agreeable to the proposed loads being placed on the pipe until a complete assessment had been made.

SWH sent some temporary works structural calculations to SWW on 22<sup>nd</sup> February 2013 but on review it was confirmed to SWH that SWW was not satisfied that the integrity of the wall had been correctly assessed and asked that SWH review their proposed working method.

On 27<sup>th</sup> February 2013 SWW asked whether the Council's structural engineers had checked the integrity of the seawall to cope with the load that the crane would impose. It was also noted that the structural engineers drawing provided to SWW confirmed that "further investigation of the seawall design is necessary to ensure surcharge forces from position of crane does not cause damage".

Due to the lack of confidence on SWW's part that the necessary structural checks had been undertaken SWW emailed SWH on 27<sup>th</sup> February 2013 to confirm that it was not prepared to allow the works to proceed as it posed a significant risk to the rising main

Over the course of the next couple of weeks there was a significant amount of liaison between SWW's consultants and SWH to agree the method statements for undertaking the work over the public rising main before agreement was given on 21<sup>st</sup> March 2013.

**6. Do you believe the community could have been better advised about the spill? Why was there no general release of information as to whether swimming was safe?**

It is important to point out that the decision to operate the screened overflow discharge from Hopes Nose outfall (which was the original discharge and level of treatment for Torquay prior to Clean Sweep) was not taken lightly. In the absence of any other practical alternative and with a real and imminent threat to the pumping main SWW had no alternative, given that it was supporting part of the road. The diversion to the Hopes Nose outfall significantly alleviated the risk to water quality in the bay by limiting it to the discharge of sewage that was retained in the pumping main when that finally failed.

This action was undertaken in agreement with the EA and Torbay in light of the conditions on site and in full knowledge that this discharge location provided the best protection for bathing water quality within the bay (based on the evidence from historic

water quality and the oceanographic modelling of the bay) despite the event occurring one month before the start of the bathing season (1<sup>st</sup> May – 30<sup>th</sup> September). Given this and in the absence of any data at this time to the contrary, precautionary signage about possible risks to water quality were posted by Torbay on those beaches not directly affected by the collapse itself. This form of response/advice is what is advocated in the Revised Bathing Waters Directive for such events.

Whilst there is no routine 'out of season' sampling of the bathing waters samples were taken on 4<sup>th</sup> and 8<sup>th</sup> April 2013, once the Hopes Nose discharge was operational. These samples confirmed that water quality was well inside the mandatory standards for water quality although Torbay felt, quite rightly, that it was appropriate to maintain signage at some beaches during this period given the Hopes Nose discharge.

SWWL's responsibility in respect of this event, and as qualified under the Revised Bathing Waters Directive, is to provide asset performance information to Torbay and the EA on which they can then make reasoned and informed decisions about advising the public of potential risks. Whilst it remains Torbay's responsibility to advise the public of the risks this communication process was co-ordinated where appropriate to ensure consistent messaging by all parties.

In respect of the division of communications I would support the report's findings that this was well co-ordinated between Torbay, EA and South West Water. This included updating SWWLs public Beach Live system on 3<sup>rd</sup> April 2013, in agreement with Torbay, with beach specific messages on the reasons for Torbay's precautionary signage at those beaches potentially affected as well as SWW's own media communications on the situation and repair updates.

**7. Who took responsibility for informing the public about the sewage in the water? Were both South West Water and the Council clear about those responsibilities?**

Yes the division of responsibilities was clear and well understood. Torbay took the lead on informing the public and this action follows the beach management principles adopted under the Revised Bathing Waters Directive. Each organisation's responsibilities and the distribution of shared messages where necessary was well co-ordinated between the relevant parties. SWW communicated the sewerage related repair aspects of the events as well as why the Hopes Nose outfall had to be utilised through several written articles in the press and through live interviews on Radio Devon, Spotlight and ITV Westcountry.

**8. Why did the Council not inform the public of the consequences of the decision to turn off the sewage pumps in the press release issued on the Tuesday following the collapse (2 April 2013)?**

See 6 and 7 above. It is important to appreciate that the very limited risks to water quality in the bay from the action taken to divert to the Hopes Nose outfall was discussed and well understood by Torbay, the EA and SWW prior to this action being taken, despite there being no practical alternative.