



HOUSE OF LORDS
European Union Committee

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25 April 2018

Dr Thérèse Coffey MP
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs
Nobel House
17 Smith Square
London
SW1P 3JR

Dear Thérèse,

EM 5846/18: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the quality of water intended for human consumption (recast)

Thank you for your letter on the above Proposal, dated 27 March, which was considered by our Energy and Environment Sub-Committee at its meeting on 25 April.

We note that your department is still considering the cost of implementing the Proposal, and that you have begun informal consultation with relevant stakeholders. Please keep us updated on your assessment of the potential costs. We also note your statement that any increase in requirements on water companies could lead to an increase in customer bills.

We note you will be requesting the Proposal be changed to allow for the monitoring of perfluorinated compounds to continue on a risk-based basis, rather than requiring all water supplies to be monitored for it. Please could you clarify what the WHO's position is for the monitoring of this substance.

We note your assessment that the Proposal, as currently drafted, would require additional risk assessments to be carried out, both at abstraction points (where additional parameters would have to be included) and of domestic distribution systems (which are currently assessed on a risk based approach in the UK). We note that you are assessing whether the introduction of additional assessments would meet your objectives, but that you are minded to support domestic distribution system assessments for public buildings only. Please provide an update on your position on these proposals, and the evidence base used to reach that position.

We note that you are minded to support parameters being based on WHO recommendations, rather than the more stringent ones included for some substances in the Proposal. Please keep us updated on how your negotiations progress on this issue.

We note that you consider the UK to have an excellent record in providing water to vulnerable people but that you are still assessing whether the Proposal as drafted would result in any further action in the UK. Please keep us updated on your assessment of the impact of this aspect of the Proposal on the UK. We also note your subsidiarity concerns in relation to this aspect of the Proposal and are aware that you supported the House of Commons' European Scrutiny Committee's recommendation to issue a Reasoned Opinion. Please keep us updated on your discussions with the Commission on this matter.

We note that the Proposal, as currently drafted, would result in water suppliers and the Government being required to provide further information to consumers and to the Commission. Please clarify if you support these aspects of the Proposal.

We note your commitment that the UK's environmental standards will equal those of the EU, post-Brexit, but that the Government may not support all aspects of the Proposal as you consider them to be too constraining and potentially incompatible with a proportionate approach to managing risk. How would the Government ensure the UK's water quality equalled that of the EU's if it adopted different parameters for water quality?

We have decided to retain the Proposal under scrutiny. We look forward to a reply to this letter within 10 working days.

I am copying this letter to Sir William Cash MP, Chair of the European Scrutiny Committee, Lynn Gardner, Clerk of the European Scrutiny Committee; Arnold Ridout, Legal Adviser to the European Scrutiny Committee; Les Saunders, DExEU, and John Leach and Craig White, Scrutiny Coordinators, DEFRA.

Yours sincerely,

Tim Boswell

Lord Boswell of Aynho
Chairman of the European Union Committee