



From Lord Berkeley  
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### **Open letter to OFWAT and Consumer Council for Water**

18 March 2015

To Cathryn Ross, Chief Executive, OFWAT  
Tony Smith, Chief Executive, Consumer Council for Water

Dear Cathryn and Tony,

#### **Are OFWAT and CCW up to their jobs of protecting the interests of consumers?**

At a meeting of the All Party Water Group on Tuesday 17 March 2015 OFWAT and CCW presented their conclusions of the periodic review of water charges. I asked how they could be fulfilling their statutory duties of looking after the interests of their Thames Water customers, all threatened with having to pay around £80 per annum indefinitely for an unnecessary Thames Tideway Tunnel, if they had not investigated cheaper alternatives, and done so using independent advice rather than relying on Thames Water or DEFRA.

OFWAT said that they had to accept the Government's decision to build the Thames Tideway Tunnel – so much for their independence! This then is a good example of 'regulatory capture', not only by the Water Company, which is a private sector monopoly, but also by the Government! Should OFWAT not question such decisions if they have such a major impact on customers?

CCW said they had looked at alternatives some ten years ago and did not need to again, even though technology and the cleaner Thames means that the TTT is not necessary (see Prof Binnie Report). 'We are not engineers', said Tony Smith, CCW Chief Executive. Quite, but what a sad excuse for not doing their job properly and, as necessary, hiring an independent firm of engineers and other advisers to give up-to-date advice?

The next Government must review, not only the Thames Tideway Project, the need for it, its value for money and any dodgy financing arrangements (if it is still alive by then), but also the performance of OFWAT and CCW.

Yours, Tony

A handwritten signature in black ink, appearing to read "Tony Berkeley".

Tony Berkeley

*Binnie Report :<http://lordsoftheblog.net/2015/03/01/thames-tideway-tunnel-defra-refuses-to-provide-data-and-then-rejects-binnie-conclusions-due-to-lack-of-data/>*