

Reference from Council – Motion - Water Quality

Timetable	
<i>Meeting</i>	<i>Date</i>
Council	20 July 2022
Executive Meeting	26 October 2022

Wards affected	All
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Executive Summary

At the meeting of the Council held on 20 July 2022, a motion relating to water quality was moved by Councillor Jeffery, seconded by Councillor English. During the debate, the mover and the seconder said that they were willing to accept suggestions that two further paragraphs be added to the motion. At the conclusion of the debate, Councillor Jeffery moved that in accordance with Council Procedure Rule 12.9.2, the motion, as amended, be referred directly to the Executive. This proposal was seconded by Councillor English and agreed by the Council.

This reference makes the following recommendation to the Executive:

That the Executive consider the motion, as amended, relating to water quality.

Reference from Council – Motion – Water Quality

1. REASONS FOR RECOMMENDATION

- 1.1 At the meeting of the Council held on 20 July 2022, the following motion was moved by Councillor Jeffery, seconded by Councillor English:

Residents are deeply concerned about water quality and the impact of regular wastewater discharges, which include untreated sewage, into our local rivers and seas and the impacts on wildlife and on human health.

The UK has the dirtiest rivers in Europe. Here in this Borough we have two river systems, the Medway and the Stour. Southern Water reported around 42,000 hours of sewage spills into the Medway and its tributaries in 2020 and the Environment Agency reports show large sections of the river as having poor or bad water quality. River Beult's SSSI categorisation, for instance – one of the few UK examples of a lowland clay river, is consistently in a 'poor' chemical and ecological state (EA data). In addition to the Medway, the Stour rises in Lenham and becomes an important designated wildlife area after flowing through Ashford and Canterbury, yet it too has similarly poor water quality reports.

Releasing sewage into rivers is no longer an emergency-only situation occurring as a result of severe rainstorms, but an everyday occurrence even in 'normal' rainfall events, exacerbated because of new properties adding to the existing drainage infrastructure without modification or upgrading, and that we are in a situation of cumulative overload on the sewerage and wastewater treatment systems.

Whilst there are long term commitments, there are no plans in place which will address the immediate unacceptable situation either locally by Southern Water or by national government. Both the local (e.g. LPRSP14A) and national planning policy requires a robust approach to both water quality and pollution, and a recent legal opinion from the Environmental Law Firm confirms the need to consider cumulative impacts. Yet planning consultation documents show that it has not been the practice of Council planners to ask Water Companies to report on cumulative impact, i.e. whether or not one or more developments may lead to any potential increase in 'emergency' discharges into rivers through stormwater overflows (CSOs) or because of sewage treatment works' capacity constraints.

This Council resolves to:

- 1. Recognise this Council's obligation to protect its streams and rivers, including from the cumulative impacts of pollution, in line with its local planning policy and the National Planning Policy Framework.*
- 2. Recognise that there is clear evidence of deterioration of water quality due to cumulative impacts of multiple sewage discharge events or 'sewerage overload'.*

3. *Ensure that an evidence base is compiled that assesses the cumulative impact of sewage discharges so that this is factored into decisions made in new iterations of the local plan, including the overall level of future development.*
 4. *Seek to better understand the cumulative impact of wastewater discharges including untreated sewage on our local rivers, wildlife and the health of our residents.*
 5. *Continue to take a lead on addressing this issue, working constructively with other agencies and local authorities.*
 6. *Ask the Overview and Scrutiny Committee to invite the Chief Executive of Southern Water plus senior representatives from the Environment Agency and Natural England to attend a meeting to answer questions on the current levels of CSO and sewage plant discharge.*
 7. *Ask Southern Water, from this date onwards, in its planning consultation responses for major developments, to clarify which treatment works will be managing the sewerage; whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas, and if it does have this information to share it (noting that this can only be requested not required).*
 8. *Request that planning officers, from now onwards, include in all reports relating to major development a specific section on the impact on watercourses, including the potential for the development to affect sewage outflow into watercourses (i.e. cumulative impact), or to flag if this information is not fully available, so that this information (or the lack of it) is clearly and transparently set out.*
- 1.2 During the debate, the mover and the seconder said that they were willing to accept suggestions that the following paragraphs be added to the motion:
9. Request that water providers, to include South East Water and Southern Water, are consulted regarding the availability of water supply to any new major developments, or to flag if this information is not fully available, so that this information (or the lack of it) is clearly and transparently set out.
 10. Consider the whole issue of surface water and how it is disposed of.
- 1.3 At the conclusion of the debate, in exercising his right of reply, Councillor Jeffery proposed that in accordance with Council Procedure Rule 12.9.2, the motion, as amended, be referred directly to the Executive for consideration. This proposal was seconded by Councillor English and agreed by the Council.
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2. ALTERNATIVES CONSIDERED AND WHY NOT RECOMMENDED

2.1 Not applicable.

3. REPORT APPENDICES

3.1 A copy of the briefing note which was prepared to assist Members in their consideration of the original motion is attached as Appendix A.

4. BACKGROUND PAPERS

4.1 [Minute 37](#) of the meeting of the Council held on 20 July 2022: