



Department
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Dame Meg Hillier MP
House of Commons
London
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Your ref: MH74772
Our ref: MC2022/01382/MP

27 January 2022

Dear Dame Meg,

Thank you for your email of 20 January on behalf of your constituent, [REDACTED], about the discharge of sewage from storm overflows.

I have made it crystal clear to water companies that they must significantly reduce sewage discharges from storm overflows as a priority. We're the first Government to set an expectation on water companies to significantly reduce sewage discharges from storm overflows through the draft Strategic Policy Statement for Ofwat. We have enshrined this expectation in legislation as a new duty in the Environment Act 2021.

This world-leading Act includes a raft of measures to deliver progressive reductions in the adverse impacts of sewage discharges from storm overflows on the environment and on public health.

The following key duties have been made law:

- a new duty on Government to produce a statutory plan to reduce discharges from storm overflows and their adverse impact, and report to Parliament on progress.
- a requirement for Government to produce a report setting out the actions that would be needed to eliminate discharges from storm overflows in England, and the costs and benefits of those actions. Both publications are required by 1 September 2022.
- a new duty directly on water companies and the Environment Agency (EA) to publish data on storm overflow operation on an annual basis.
- a new duty directly on water companies to publish near real time information on the operation of storm overflows.
- a new duty directly on water companies to monitor the water quality upstream and downstream of storm overflows and sewage disposal works.
- a new duty directly on water companies to secure a progressive reduction in the adverse impact of discharges from storm overflows.
- a new duty directly on water companies to produce comprehensive statutory Drainage and Sewerage Management Plans, setting out how they will manage and develop their drainage and sewerage system over a minimum 25-year planning horizon, including how storm overflows will be addressed through these plans.
- a power of direction for the Government to direct water companies in relation to the actions in these Drainage and Sewerage Management Plans. We will not hesitate to use this power of direction if plans are not good enough.

These legally binding obligations on water companies and Government will reduce pollution in rivers protecting wildlife and public health. Elsewhere, there are several other commitments Government has taken in this space including:

- Between 2020 and 2025, water companies will invest £7.1 billion on environmental improvements in England. Of this, £3.1 billion will be invested in storm overflow improvements specifically.
- In August 2020 we established the Storm Overflows Task Force to bring together key stakeholders from the water industry, environmental NGOs, regulators, and Government in order to drive progress in reducing sewage discharges. The Taskforce has agreed a long-term goal to eliminate harm from storm overflows.
- We have committed to reviewing the case for implementing Schedule 3 to the Flood and Water Management Act 2010 in England, which would set mandatory build standards for sustainable drainage schemes on new developments, and which many have called for. This action has the potential to markedly reduce quantities of water unnecessarily entering the sewerage system.

Storm overflows are a last resort in modern sewer design, but the age of our sewerage systems means their complete elimination would be extremely challenging and costly and require full separation of pipes across the country, alongside other additional infrastructure changes. The recently published Storm Overflows Evidence Project Report considers a wider range of policies and scenarios to reduce storm overflows. Initial cost estimates show that the lowest cost scenario, which would cost between £4 and 6 billion, would only achieve a spill limit of 40 per overflow per year nationally using solutions with high-carbon costs, while the upper bound figure of £600 billion would be the cost of separating the combined sewer network. It is right that we consider the findings carefully to achieve the maximum benefits for the environment and human health whilst minimising the impact on the public's water bills, as well as minimising the carbon emissions and the damage they do to our planet.

If water and sewerage companies are breaking the law, we will not hesitate to bring the strongest enforcement action. Since 2015 the EA has brought 48 prosecutions against water companies, securing fines of over £136 million. On 9 July 2021, Southern were handed a record £90 million fine after pleading guilty to thousands of illegal discharges of sewage which polluted rivers and coastal waters in Kent, Hampshire and Sussex. The EA led the successful prosecution, which is the largest criminal investigation in its 25-year history. The fine will be paid solely from the company's operating profits, rather than customer bills.

New information has recently come to light, suggesting that some water companies in England may indeed not be complying with their permits, resulting in excess sewage spills into the environment, even in dry periods. On account of this, we have announced a major EA/Ofwat investigation. This latest finding is shocking and wholly unacceptable. If proven, water companies will be in breach of their permits and failing to meet their legal duties. Government, along with the sector's regulators, will not hesitate to hold companies to account if this is the case.

There should be no doubt about the Government's ambition and determination to tackle this issue. We fully recognise that the current failure of water companies to adequately reduce sewage discharges is unacceptable and that much more must be done to protect our rivers.

I am grateful to your constituent for the work he has been doing to pick up litter in his local area. It is encouraging to see that there are a growing number of public-spirited individuals and community groups tackling litter all over the country. We have been proud to support and endorse national clean-up days such as the Great British Spring Clean, and the Great British Beach Clean, and we will continue to use our influence to encourage as many people and businesses as possible to participate in these types of events again, whilst following Government guidance on staying safe outside the home.

Earlier this year, Ministers took part in a litter pick in support of Keep Britain Tidy's 2021 Great British Spring Clean, encouraging everyone to get involved. By doing so, we are showing that litter is not acceptable, and that people care deeply about protecting their local environment.

Thank you once again for taking the time to contact me about this important issue.



REBECCA POW MP