

This Report will be made public on 17 April 2023

Report Number **OS/22/13**

To: Overview and Scrutiny Committee
Date: 25 April 2023
Status: Non-Key decision
Responsible Officer: Ewan Green, Director of Place

SUBJECT: SOUTHERN WATER PRESENTATION - STORM WATER OVERFLOWS

SUMMARY:

This report presents background information to support the committee in consideration of matters that will be covered in a presentation on storm water overflows.

REASONS FOR RECOMMENDATIONS:

The matter has been referred to this committee in response to a Motion from Councillor Whybrow at the Council meeting of 28 September 2022.

RECOMMENDATIONS:

1. To receive and note report OS/22/13.
2. To consider the report and presentation from Southern Water.
3. To make recommendations to the Council as appropriate.

1. BACKGROUND

1.1 At the Council meeting of 28 September 2022 the following Motion was put forward by Cllr Whybrow:

“ From Councillor Whybrow (Green Group)

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

Releasing sewage into our seas and rivers is no longer an emergency-only situation occurring as a result of severe storms, but an everyday occurrence even in ‘normal’ rainfall, and that we are in a situation of cumulative overload on the sewage and wastewater system.

According to the Rivers Trust in 2021 there were 20 spills in our district over a period of 164 hours.

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 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 impact. 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 development may lead to any potential increase in ‘emergency’ discharge into rivers and seas.

1.2 Following debate Council agreed the following actions:

1. Recognise this Council’s obligation to protect its rivers and seas, including from the cumulative impacts of pollution.
2. That Southern Water be invited to attend a meeting of the Overview and Scrutiny Committee in order to find practical ways to address the issue, and that the matter be referred to an appropriate working group, whether that be a new group or existing one.
3. Seek to better understand the cumulative impact of wastewater discharge including untreated sewage on our local rivers, wildlife and the health of our residents.

4. To take a lead on addressing this issue, working constructively with other agencies.
5. Ask Southern Water, from this date onwards, in its planning consultation responses for major development, to clarify which treatment works will be managing the sewage; 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).
6. 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”.

Further details of the item can accessed via:

<https://service.folkestone-hythe.gov.uk/moderngov/ieListDocuments.aspx?CId=122&MId=5142&Ver=4>

- 1.3 In response to action 2. above, representatives from Southern Water have agreed to attend this meeting to provide Members with a presentation on solutions being implemented to reduce the frequency of storm water overflows and wastewater discharges.
- 1.4 Southern Water describe storm water overflows as operating when during heavy rain, local sewer networks can struggle to cope with the amount of water entering pipes and storage tanks. When they fill up, they use pressure relief valves built into the network – known as storm overflows – to stop homes and businesses from flooding. These overflows release excess water through outfalls into rivers and the sea. Storm overflows are part of the design of the sewers and are regulated by the Environment Agency. They are used in areas where the sewers were built to carry both wastewater from homes and businesses, and rainwater from roofs, gardens and roads.

Further background can be found in the Appendix or via the following link:

<https://www.southernwater.co.uk/our-performance/storm-overflows/what-are-storm-overflows>

2. SCOPE OF THE SCRUTINY REVIEW

- 2.1 The use of storm water overflows and combined storm water sewage releases have predominantly impacted on the Folkestone and Hythe coastal areas and are a source of real concern for the Council, Town and Parish Councils and residents across the district. This is in addition to ongoing concerns related to water quality and the state of the current wastewater infrastructure across the district and wider East Kent area. Key

amongst concerns is the increasing frequency of such storm water releases, the potential public and environmental impact these may have and ensuring that there is no damage to our district's reputation as a high-quality coastal destination for residents, visitors and businesses.

2.2 It is suggested that the scope of the scrutiny review includes the following:

- What is the scale of the issue affecting Folkestone & Hythe district (e.g. how often are storm water overflows typically used?).
- What assurances can be given that storm water overflows are safe and leave no lasting impact for residents or the environment?
- Has Southern Water recorded any data on economic or environmental impacts of storm water overflow usage?
- What plans in the short, medium and long terms are in place to improve infrastructure in order to negate the use of storm water overflows?
- Ineffectiveness of communication about storm water events (and bathing water quality issues generally) is a concern raised by the Council, Town and Parish Councils and residents - what can be done to improve communication?

3. RISK MANAGEMENT ISSUES

3.1 There are no direct risk management implications to note.

4. LEGAL/FINANCIAL AND OTHER POLICY MATTERS

4.1 Legal Officer's Comments (NM)

There are no direct legal implications to note.

4.2 Finance Officer's Comments (RH)

There are no direct finance implications to note.

4.3 Diversities and Equalities Implications (GE)

There are no direct diversity and equality implications to note.

4.4 Climate Change Implications (EG)

There are no direct climate change implications to note.

5. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

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The following background documents have been relied upon in the preparation of this report: None

Appendix - Southern Water Storm Water Overflow FAQ's