

COUNCIL – 5 SEPTEMBER 2023

QUESTIONS AND ANSWER SESSION

QUESTION FROM MR PALMER TO COUNCILLOR T SAFFELL

“My name is Stephen Palmer and I live in Donington Le Heath. In our Parish of Hugglescote and Donington Le Heath and running through the villages we have a very small river, the River Sence. This is little more than a stream, locally referred to as the ‘brook’ and more and more regularly it smells of sewage.

Severn Trent’s EDM (Event Duration Monitoring) data for 2022 shows 361 deliberate discharges of raw sewage with a total duration of 2,466 hours into the River Sence. Children play in this water and it runs through two nature reserves.

These are not spills and neither are they storm discharges.

The increasing incidence of deliberate discharges has less to do with the weather but more to do with the huge increases in the Parish (and beyond) of both residential and industrial development with zero new infrastructure.

Can the Portfolio Holder explain what powers the LPA has ensure that waste from old, new and proposed dwellings is treated and disposed of properly and to halt new and future developments until Severn Trent can give assurances that sufficient infrastructure is in place to enable all sewage to be treated properly and not deliberately discharged into our villages’ waterways?”

REPOSENSE FROM COUNCILLOR T SAFFELL TO MR PALMER

“Responsibility for ensuring that waste flows from housing that is connected to mains sewers are disposed of correctly lies with the relevant sewage undertaker, Severn Trent Water (STW) who, under the Water Resources Act 1991, have a legal duty to comply with its sewage treatment works and storm overflow discharge permits, issued by the Environment Agency (EA). Failure to comply with Permit conditions can result in enforcement action being taken by the EA.

The essence of STW’s legal duty to provide and extend our sewerage network and sewage treatment capacity is laid out below.

Severn Trent Water has a general duty under section 94 (cluses 1a and 1b) pf the Water Industry Act 1991:

- (a) To provide, improve and extend such a system of public sewers (whether inside its area or elsewhere) and so to cleanse and maintain these sewers and any lateral drains which belong to or vest in the undertaker as to ensure that the area is and continues to be effectually drained; and*
- (b) To make provision for the emptying of those sewers and such further provision (whether inside its area or elsewhere) as is necessary from time to time for effectually dealing, by means of sewage disposal works or otherwise, with the contents of those sewers.*

In effect, this places an absolute obligation upon STW to provide such additional capacity as may be required to treat additional flows arising from new domestic development.

In terms of the Local Plan Review, the Council will consult with STW as part of the wider consultation on site allocations. It will be then be for STW to identify any issues on specific sites. More generally STW was also consulted as part of the Infrastructure Delivery Plan baseline study for the Local Plan Review. This identified some capacity issues at the Snarrows Waste Water Treatment Water Works which serves Coalville and also Kegworth, but notes that STW has indicated that schemes will come forward to address these, as per their requirements stated above. If necessary, allocation policies in the Local Plan Review could include criteria to ensure that new development is phased and aligned with mains and waste water infrastructure provision.

For the determination of planning applications, under the Town and Country Planning (Development Management Procedure) (England) Order 2015, STW is not a statutory consultee in respect of applications for new housing, but the Local Planning Authority will nevertheless normally consult STW on any new major full or outline housing applications, and as such, there would be an opportunity for them to draw attention to any issues relating to sewage treatment capacity. My officers can't recall any instances where STW have responded to a planning application consultation for development on sites in the Parish of Hugglescote and Donington le Heath to indicate that there is not sufficient capacity at the receiving waste water treatment works."