

Title of Report	WATER MANAGEMENT IN THE COALVILLE STRATEGIC GROWTH AREA – RECOMMENDATIONS OF THE COMMUNITY SCRUTINY COMMITTEE	
Presented by	Councillor Tony Saffell, Portfolio Holder for Planning PH Briefed ☒	
Background Papers	Community Scrutiny Committee Paper – 25 June 2026 Establishment of the Task and Finish Group Report	Public Report: Yes
		Key Decision: No
Financial Implications	There are no direct financial implications arising from the Community Scrutiny Task and Finish Group Recommendations.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	There are no direct legal implications arising from this report. There may be legal implications arising from the implementation of any recommendations and advice will be provided as necessary.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	No additional staffing or corporate implications. Actions related to the recommendations will be managed within existing resources.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	This report considers the recommendations and final report of the Community Scrutiny Task and Finish Group on Water Management in the Coalville Strategic Growth Area.	
Reason for Decision	To receive and then decide on actions stemming from the Community Scrutiny Task and Finish Group on Water Management in the Coalville Strategic Growth Area.	
Recommendations	THAT CABINET:	

	1. THANKS THE TASK AND FINISH GROUP FOR ITS WORK ON THIS ISSUE. 2. AGREES THE ACTIONS FOR EACH SUGGESTED RECOMMENDATION FROM THE WORK AS SET OUT IN SECTION 2 OF THE REPORT.
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1.0 BACKGROUND

- 1.1. The Task and Finish Group was established by the Community Scrutiny Committee at its meeting on 26 June 2025, the scope of the group is detailed within the committee report which is listed in the background papers above
- 1.2. The Group membership was agreed as Councillors M Ball, A Barker, T Eynon, R Morris, E Parle and J Simmons. Councillor T Eynon was appointed as Chair of the Group.
- 1.3. The Group was supported in the review by Stuart Young and Andrew Pritchard from East Midlands Councils.
- 1.4. The Group held four meetings over the period from October 2025 to May 2026, which included attendance from Council officers, Lead Local Flood Authority, local residents, ward members and Severn Trent Water who was invited to give evidence.

2.0 RECOMMENDATIONS OF THE TASK AND FINISH GROUP

- 2.1 Attached at Appendix A is the final report of the Task and Finish Group which includes a series of recommendations that were agreed at the meeting of the Community Scrutiny Committee on 25 June 2026. Appendix B contains a copy of the minute of that meeting.
- 2.2 Set out below are the recommendations from the Scrutiny Committee to Cabinet alongside a response and suggested approach to each recommendation for Cabinet's consideration and decision. For clarity each scrutiny recommendation is set out in italics with the suggested response set out in plain text.
- 2.3 As some matters relate to Planning Committee functions which are non-executive functions, these matters will need to be considered by the Planning Committee.
- 2.4 **Scrutiny Recommendation 1**
- 2.5 *We have concluded that it is legally possible for the Local Planning Authority (LPA) to reject or to impose 'Grampian conditions' on new development where it is acknowledged that a lack of sewer or water treatment capacity exists – if it has sufficient evidence from the water company. As a result, the Council should ask Severn Trent Water (STW) to review its approach to responding to full and outline planning applications in NW Leicestershire to ensure that robust technical evidence is made available which reflects STW's publicly stated view that the sewer system in Coalville is currently over capacity. The Council should ask STW to provide a full response on water infrastructure requirements through the regulation 19 Local Plan consultation process.*

2.6 Response:

- At Community Scrutiny Committee on 25 June 2026, this recommendation was supported with the request that the Council refer to the Regulation 19 Local Plan Consultation and seek engagement from STW. This is included in the recommendation to Cabinet below.
- The Task and Finish report carefully sets out the complexity of the issues in relation to the role of the Local Planning Authority and wastewater infrastructure requirements. It confirms that under the "Water Industry Act 1991", Water Companies are legally required to provide water and sewerage services to developments and developers have a right to connect drains to the main sewers operated by water companies (para 6.30). Necessary enhancements are funded by investment through the Water Companies and set out within Asset Management Plan periods (par 6.32).
- In paragraph 6.39 of the report it states in context of it being legally possible for a Local Planning Authority (LPA) to reject development that *"a planning decision relying on the evidence of a water company is overturned at appeal, it is the LPA that could be liable for costs, not the water company"*. This provides significant financial risk for a Council and legal and planning advice will be required as part of seeking further engagement with STW. This is included in the recommendation to Cabinet below.
- Officers consider that the Council through the Planning Service has sought to engage with Severn Trent Water through both Local Plan and Planning Application consultations and that historically there has been limited engagement from STW. The work of the Task and Finish Group provides the opportunity to reset and enhance engagement in line with national planning policy guidance. Officers welcome the positive engagement received from STW through the Task and Finish Group.
- Whilst the Scrutiny comments are noted in respect of Planning Committee functions, these are non-executive functions and therefore not within Cabinet's power and would need to be considered by the Planning Committee

Recommendations to Cabinet for Scrutiny Recommendation 1:

That Cabinet requests the Strategic Director with responsibility for Planning writes to Severn Trent Water and requests a review of their approach taken in responding to planning applications and seek further engagement between Planning Officers and STW in this matter, including the Regulation 19 Local Plan consultation commencing in July 2026.

That Cabinet notes the financial risks in relation planning applications being overturned at appeal

2.7 Scrutiny Recommendation 2

- 2.8 *Whilst we welcome STW's commitment to fix the current capacity issues through further investment by 2030, we believe the current situation in Coalville is untenable and will only be made worse when development, which already has planning permission, is built out over the next four years. The Council should ask STW to*

redouble its efforts to implement interim mitigation measures to reduce the impact of pollution on people and the local environment.

2.9 Response:

- Welcome the clarity provided by Community Scrutiny Task and Finish Group in respect of the Long-Term Strategy and Short-Term Mitigation set out in Paragraphs 6.4 to 6.45 of the report at Appendix A.

Recommendation to Cabinet for Scrutiny Recommendation 2:

That Cabinet accepts Recommendation 2 and requests the Strategic Director for Place to write to STW requesting additional interim mitigation measures to reduce the impact of pollution on people and the local environment.

2.10 Scrutiny Recommendation 3

2.11 *The Council should ask STW to provide any evidence of ingress, infiltration or misconnection relating to the operation of Sustainable Urban Drainage Schemes (SuDS) in South East (SE) Coalville to the Local Planning Authority (LPA), to enable the LPA to reach a view as to whether enforcement action against developers (or homeowners) would be justified or proportionate. In parallel, the Council should explore the use of additional planning controls to ensure that future SuDS are built consistent with the approved design, for example, through the use of conditions on any planning permissions granted.*

2.12 Response:

- Welcome the clarity provided by Community Scrutiny Task and Finish Group in respect of Sustainable Drainage Systems (SuDS) for South-East Coalville and set out in Paragraphs 6.46 – 6.54.
- Although the Lead Local Flood Authority provides advice at the planning application stage, they have no responsibility for checking the completed work or adopting the management of SuDS. The Local Planning Authority neither have the expertise or capacity for checking SuDS (Paragraph 6.53). This is a current issue where the system is not working and considered by Community Scrutiny Task and Finish Group in Recommendation 4.
- Subsequent discussions with the Planning and Development Team have identified the potential to consider additional planning conditions that require a Developer to provide the submission of a Validation Statement confirming the implementation of SuDS systems in accordance with the approved plans. This could be dealt with by Planning as part of the discharge of condition process and consideration given to providing independent external assessment. A recommendation to Cabinet is included below in this respect.
- Whilst the Scrutiny comments are noted in respect of Planning Committee functions, these are non-executive functions and therefore not within Cabinet's power and would need to be considered by the Planning Committee.

Recommendation to Cabinet for Scrutiny Recommendation 3:

That Cabinet requests the Planning and Development Team to engage with Severn Trent Water.

2.13 Scrutiny Recommendation 4

2.14 *The Council should make political representations through the local MP to press for the enactment of Schedule 3 of the Flood and Water Management Act 2010, consistent with the commitments made by Ministers in post in 2023. This would enable SuDS Approval Bodies (SABs) to be designated and for SuDS to be adopted as public infrastructure, ending the current ambiguity around their status and ongoing maintenance.*

2.15 Response:

- Paragraphs 6.55 to 6.58 of the Community Scrutiny Task and Finish Group report sets out further the issues in relation to SuDS. Paragraph 6.55:
“Given their importance, we were concerned to hear that there is no single public body responsible for SuDS infrastructure. In addition, the SE Coalville Strategic Growth Area is being delivered by multiple developers in different phases, rather than by a single entity. As a result, surface water drainage arrangements are typically dealt with on a site-by-site basis. There are questions about the quality of construction by developers of SuDS. and their ongoing maintenance by private management companies”
- The additional part of Recommendation 3 to Cabinet above to consider the use of additional planning conditions may deal with part of the system problem identified by Community Scrutiny.
- The report refers to the previous Government review in 2023 which concluded that:
“...there were no specific checking regimes in place to ensure that SuDS had been constructed as agreed, leaving concerns about unsatisfactory standards of design and construction, and of difficulties of ensuring proper maintenance once the developer has left the site”. As a result, then Ministers committed to implementing Schedule 3 of the 2010 Floods & Water Management Act which would have designated the County Council as the “SuDS Approval Body (SAB)”. The SAB would formally adopt SuDS which have been designed and constructed to appropriate standards.
- The Community Scrutiny Task and Finish Group has recommended that the Council makes political representations to support the implementation of SAB. Officers support the principle but recommend concerns are raised in respect of ensuring adequate resourcing to councils to undertake this role and fund the ongoing liabilities. This could include the consideration of Developer commuted sum payments for maintenance of SuDS over the long term.

Recommendation to Cabinet for Scrutiny Recommendation 4:

That Cabinet supports Recommendation 4 and requests the Chief Executive Officer to write on behalf of the Council to the local MP setting out the findings of the Community Scrutiny Task and Finish Group and makes representation in respect of the enactment of Schedule 3 of the Floods and Water Management Act 2010.

That Cabinet requests officers to carefully consider ongoing SuDS liabilities and raises these matters with the MP when making representations on Schedule 3 and the implementation of SAB.

2.16 Scrutiny Recommendation 5

2.17 *We have seen evidence of sanitary products, condoms and nappies being discharged via storm overflows. Regardless of the capacity of the sewer system in Coalville, this material should not be present in foul water flows. The Council should work with STW to reinforce public messaging about what is acceptable/unacceptable to dispose of down the lavatory.*

2.18 Response:

- Paragraphs 6.59 to 6.61 set out Community Scrutiny Task and Finish Group response to Partnership Working and Communication following the positive engagement with STW. The Group welcomed STW's stated willingness to improve partnership working through earlier engagement in the planning process and clearer communications with the Council.
- It is recommended that efforts should be made by the Council and STW to raise awareness of appropriate sewer use and the impact of household behaviour on flooding and pollution.
- Officers consider that there is an opportunity for North West Leicestershire's Communication Team to work with STW and explore opportunities to re-inforce/align public messaging and explain the impact on our communities.

Recommendation to Cabinet for Scrutiny Recommendation 5:

That Cabinet supports Recommendation 5 and requests the Council's Communication Team to engage with STW and explore opportunities to reinforce public messaging.

3.0 FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications resulting from the five Scrutiny recommendations and any staffing implications will be managed within existing resources.
- 3.2 The key financial risk identified in paragraph 2.14 relates to Recommendation 4 and the request for political representations to support the implementation of the SuDS Approval Body (SAB). The recommendation to Cabinet asks officers to consider ongoing SuDS liabilities when making representations, to mitigate this risk.

Policies and other considerations, as appropriate	
Council Priorities:	Planning and regeneration Communities and housing
Policy Considerations:	Local Plan Zero Carbon Roadmap
Safeguarding:	No issues identified.
Equalities/Diversity:	The review has been prompted by complaints made by local residents about levels of sewerage pollution along the River Sence from storm overflows, linked to the impact of new housing development and sought to make recommendations to reduce pollution.
Customer Impact:	The Task and Finish Group makes recommendations to seek to reduce sewerage pollution along the River Sence for the benefit of residents in North West Leicestershire.
Economic and Social Impact:	The Task and Finish Group makes recommendations to seek to reduce sewerage pollution along the River Sence. If successful, this will have social benefits to public health and create improved water quality.
Environment, Climate Change and Zero Carbon:	The work of the Task and Finish Group has sought to provide recommendations that will reduce the pollution of water environments, support biodiversity and enhance the appearance of the District.
Consultation/Community/Tenant Engagement:	Engagement with external community partners was undertaken as part of gathering evidence to inform recommendations.
Risks:	No risks identified.
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