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## Parliamentary Briefing 27 April 2022

# Defra's Storm Overflows Discharge Reduction Plan

### Summary

The government's [Storm Overflows Discharge Reduction Plan](#) is out for consultation until May 12<sup>th</sup>. The plan is required under the Environment Act, and it should indicate how the government will progressively stop pollution from untreated sewage releases via 'storm' overflows. The plan has been met with widespread disappointment across the environmental sector<sup>1</sup>, who see it as **too little, too late**, because:

- The plan is **too narrow** in its scope, only giving targets for water companies;
- The timeline for action **lacks ambition** and is out of step with other proposed government environment targets on pollution reduction and nature's recovery;
- Under the plan half of storm overflows would still be spilling untreated sewage in 2040;
- It lacks **targets for the government** to implement enabling legislation and regulations as recommended by MPs on the Environmental Audit Committee (EAC) and by the Defra Taskforce on Storm Overflows.

The government's plan has failed to draw on the ample guidance and recommendations on Storm Overflows and does not respond to the call from citizens and NGOs to ensure that the Environment Act delivers a healthy environment for all.

### The Problem

Combined sewer overflows, or storm overflows, (CSOs / SOs) are contributing to the failure of at least 12% of our rivers to achieve Good Ecological Health. Storm overflows should only be used as a safety valve to release mixed untreated sewage and storm water during exceptionally heavy rain events.

Evidence submitted to the EAC showed that storm overflows are routinely used too frequently. In their January 2022 [report](#) MPs on the EAC concluded that the poor state of water quality in English rivers was due to '*chronic underinvestment and multiple failures in monitoring, governance and enforcement*'. The government's plan fails to address these multiple points of failure, nor does it implement the 11 recommendations given by MPs on sewage specifically.

In 2021, untreated sewage was released from storm overflows for over [2.6 million hours](#) on 372,533 occasions in England, rising to 3.1 million hours in England and Wales. The government's [Strategic Priority Statement to Ofwat](#) states that the top strategic priority for the water industry should be to 'protect and enhance the environment' - yet the Storm Overflows Plan fails to support that.

The problem of CSO discharges is complex and involves how our towns and roads are planned and drained, what ends up in our toilets, how well houses are built, and how our climate is changing.

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<sup>1</sup> RT <https://theriverstrust.org/about-us/news/wheres-theres-muck> WCL: <https://www.wcl.org.uk/stem-tide-of-sewage-pollution.asp> SAS: <https://www.sas.org.uk/news/governments-plans-on-sewage-pollution-revealed-we-need-action-now-not-tomorrow/> AT: <https://anglingtrust.net/2022/03/31/good-plan-but-far-too-slow/>



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We want to see:

- A **broader scope** of the plan that addresses the root causes of the problem.
- Targets for **government action** with more detail on how different government departments will implement the plan in an integrated way.
- Much greater **ambition and urgency** in the targets set for water companies, with a higher and more immediate action to reduce harm by 2030.

The government's plan therefore needs to tackle:

- under-investment in sewage infrastructure (financial regulation / corporate governance) by water companies;
- lack of enforcement of existing regulations by the Environment Agency and by OfWat;
- blockages caused by Fats Oils and Greases (FOGs), plus wet wipes and other 'un-flushables';
- the lack of options to separate waste water and the automatic 'right to connect' to sewers;
- the lack of uptake of sustainable urban drainage (SuDs) designs by Local Authorities, Highway Authorities and developers to help slow the flow of stormwater into sewers.

### What is needed

The development of the plan gives the government a timely opportunity to explicitly align and streamline planning processes and regulations, while accelerating enforcement and implementation.

That is urgently needed if we are to make up for past failures and to reach a position where rivers are fit for all our citizens to enjoy, fit for nature, and resilient enough to provide the country with clean and plentiful water in a more difficult future of climate extremes.

The plan needs to respond to the many recommendations that have been made to the government:  
**Accelerated targets for water companies:**

- Target 1 - 100% of SOs in priority areas not causing ecological harm by 2030;
- Target 3 – 70% by 2035 and 100% by 2040 of all SOs not exceeding ten spills per annum under exceptional rainfall events. Plus all SOs must be included in Target 3, including all SOs in transitional and coastal waters which are currently not included.

**Additional targets for the government** to address the root causes of excess storm overflows:

- Milestones to implement Schedule 3 of the Flood and Water Management Act by 2023;
- An assessment of the recommendations of the EAC report and responses with targets;
- Sufficient resourcing of the EA to ensure follow-through on the investigation of 2,200 sewage treatment works currently underway and to monitor progress and compliance with the Water Act and Environment Act in the next decade as we attempt to clean up our rivers;
- A clear roadmap with milestones and targets for implementing overdue integration of Drainage Water Management Plans with other planning mechanisms to accelerate our climate adaptation, recovery of nature with SuDs and Nature Based Solutions, access to green and blue spaces. (As per Defra's own review – Jenkins, 2020);
- A clear plan for the implementation of water companies' duties to publicly report on discharges in near real-time and to share the results of water quality monitoring upstream and downstream of discharge points (storm overflows and sewage treatment works);
- Clear targets to increase the number of river bathing waters to ensure inland water users are given access to the same water quality public health standards as those on the coast.



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### The Plan under Consultation

Part 5 (Water) Chapter 4 (Storm Overflows) of The Environment Act requires the Secretary of State to present a plan to parliament by September 2022, with the goal of: '(a) reducing discharges from the storm overflows of sewerage undertakers whose area is wholly or mainly in England, and (b) reducing the **adverse impacts** of those discharges.'

The Plan gives quantified targets for Water and Sewerage Companies to achieve a progressive reduction in harm from storm overflows.

- **Target 1 deals with stopping ecological harm**, for 75% of prioritised sites by 2035 and for all sites by 2050. Where WaSCs are still discharging, they must demonstrate there is no ecological harm caused.
- **Target 2** deals with reducing pathogens at bathing water sites, and **protecting human health**. There should be a reduction in the number of spills (to two or three in the bathing season) or treatment.
- **Target 3** ensures that all inland CSOs, and those near to bathing waters, operate as originally designed and **only release during heavy rainfall** events, which should be less than ten times per annum, by 2050.

Year	2030	2035	2040	2045	2050
% of high priority site storm overflows improved	38%	75%	87%	100%	100%
% of <b>total</b> storm overflows improved	14%	28%	52%	76%	100%
Indicative spill reductions <sup>2</sup>	44,000	84,000	160,000	240,000	320,000

The timeline to meet the targets is by 2050, with half of the improvements being achieved by 2040, and 75% of priority sites by 2035, as shown in the table.

The prioritisation of protection for priority sites such as Sites of Special Scientific Interest, Special Areas of Conservation, and chalk streams is welcome, but given that the current situation includes unlawful practice and illegal pollution, this should be happening much faster.

High priority sites account for only 20% of CSOs in England. 32% of those are already spilling ten times a year or less (complying with target 3) so to take 18 years to deal with 87% of those by 2040 is unacceptable. The EAC report required '*The first round of these plans should clearly indicate significant ambition, by setting a stretching timetable for progressive reductions in the use of overflows.*' That has not happened.

We are not starting from a baseline of zero compliance. In 2021, 40% of all CSOs discharged ten times or less per year. The government's plan aims to improve only 28% of CSOs by 2035, in 13 years' time. And in 18 years' time the plan will have addressed only slightly more than half (52%).

Some water companies are themselves setting much more ambitious targets than the government. For example, [Anglian](#) Water's aim is that by 2030 there will be no rivers in its area failing ecological health as a result of its activities (including CSOs). [United Utilities](#) has committed to reducing its spills by a third by 2025. This government's plan does not address the upstream issues, nor does it put in place a road map for enabling legislation and regulations, as recommended by the EAC report on water quality and Defra's Taskforce on Storm Overflows report on legislative options.

#### For more information contact:

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<sup>2</sup> Wildlife and Countryside Link is a coalition of 65 organisations working for the protection of nature. Together we have the support of over eight million people in the UK and directly protect over 750,000 hectares of land and 800 miles of coastline.