

## Sewage Pollution and the Environment Bill: Briefing for Ping Pong Stage

### Executive Summary

Government amendment 45 has strengthened the Environment Bill with new reporting and monitoring duties placed on water companies and a duty on government to make a plan to tackle sewage pollution. But, lines 7-14 of this amendment which place a legal duty on water companies not to pollute are at risk of being removed. This leaves no guarantee that immediate action will be taken to tackle sewage pollution.

**To ensure the Environment Bill provides world leading protection for rivers and restores water environments for the good of people and planet, MPs are urged to support the inclusion of lines 7-14 of Amendment 45.**

### A Legal Duty to Reduce Harm Caused by Sewage Overflows: Line 7-14 of Amendment 45:

The House of Lords, with cross party support and the backing of [96,000 members of the public](#), placed into clause 82 of the Bill **a legal duty on water companies to reduce the harm caused by sewage discharges**. They also placed a requirement on the government and regulators to use their powers of enforcement to support the goal of eliminating the harm caused by sewage pollution.

It is now clear the government is seeking to oppose this cross-party amendment by removing lines [7 to 14 of amendment 45](#). This is a mistake for a number of reasons:

- Without this legal duty there is nothing to compel water companies to take immediate action to tackle sewage pollution, meaning the state of our rivers will continue to decline indefinitely.
- This legal duty is in line with the governments stated ambition to eliminate the harm caused by storm overflows. By removing it government risk undermining this welcome commitment as well as their manifesto pledge to leave the environment in a better state than they found it.
- This duty has widespread public support with over [96,000 people signing a petition](#) in direct support of the duty.
- The duty also has widespread political support as the key objective of Phillip Dunne MP's hugely popular [Sewage \(Inland Waters\) Bill](#) which gained the cross-party support of over 130 MPs as well as the government and opposition front bench.

By accepting this legal duty, the government will help guarantee urgent action is taken by all stakeholders to tackle the harm to environmental and public health caused by sewage pollution.

It is therefore critical that lines 7-14 of amendment 45 are retained in the Bill.

For more information on the causes and effects of sewage pollution see [Surfers Against Sewage Briefing: Water Quality and Sewage Pollution](#)

To see a detailed map of sewage pollution incidents in your constituency and the wider country see [The Rivers Trust map](#)

### **New Clause Text as it appears in HL Bill 53 (as amended in Report)**

#### **Clause 82**

“ 141A Duty on sewerage undertakers to take all reasonable steps to ensure untreated sewage is not discharged from storm overflows

(1) A sewerage undertaker must demonstrate improvements in the sewerage systems and progressive reductions in the harm caused by untreated sewage discharges

(2) The Secretary of State, the Director and the Environment Agency must exercise their respective functions under this and any other Act to secure compliance with this duty.”

*The amendment amends clause 82 and places a duty on water companies to take all reasonable steps to ensure untreated sewage is not discharged from storm overflows, and requires they progressively reduce the harm caused by these discharges. The amendment also ensures that the various agencies use their powers of enforcement to support the goal of eliminating the harm caused by sewage pollution.*

This amendment was proposed by the Duke of Wellington (cross bench), Baroness Altmann (Cons), Lord Oates (Lib Dem) and Baroness Quinn (Lab) and was carried with a majority of 184 to 147 in the Lords. It is supported by: Surfers Against Sewage, The Rivers Trust, The Angling Trust.