

NOTICE OF MOTION REGARDING WATER SUPPLY AND TREATMENT

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| Council: | 08 September 2022 |
| Report Author | Nick Hughes, Committee Services Manager |
| Portfolio Holder | Councillor Ashbee, Leader of the Council |
| Status | For Decision |
| Classification: | <i>Unrestricted</i> |
| Ward: | All Wards |

Executive Summary:

This Council will consider a notice of motion requesting that the Council will question those with the direct and indirect responsibility for water supply and treatment, in order for joint action to be taken to provide a sound future basis for development and progress.

Recommendation(s):

With reference to the options in section 2.0 of the report, Council is invited to consider the motion.

Corporate Implications:

Financial and Value for Money

There are no financial implications arising directly from this report.

Legal

Council Procedure Rule 3.7 states that: "the Member whose name appears first on the notice will move the motion during his or her speech and call for a seconder. If seconded, a Member from the controlling political group will be entitled to a reply, after which the motion shall stand referred without further discussion to the Cabinet or appropriate committee for determination or report unless the Council decides to debate the motion in accordance with Rule 16" (*rules of debate*)

Corporate

Council Procedure Rule 3 provides the opportunity for Councillors to give advance notice of motions to be put to Council.

Equality Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

There are no specific equalities issues arising from this report.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- Communities

1.0 Introduction and Background

1.1 The following motion has been received from Councillor Smith in accordance with Council Procedure Rule No. 3:

“According to the outgoing CEO of Southern Water, “Thanet is the most water-stressed area in the UK”.

Southern Water has discharged sewage on Thanet’s coastline repeatedly for more than a decade and continues to do so. In recent years public pressure and court action have brought this situation to the fore, but TDC does not yet have a systematic approach to addressing how this impacts the supply and treatment of water.

Our current planning systems assume that existing water supply and treatment infrastructure will meet any needs arising from new developments. Adopting this motion will ensure TDC is provided with specific data that will help officers and members to determine whether we have suitable infrastructure to manage mains water supply, sewage discharges and weather-related run-offs from planned developments.

Loopholes in national planning rules mean we face steep rises in new housing development. Yet as it stands the link between development and sewage overload is not made visible when it comes to planning. To date we have not been able to respond as robustly as we might wish to sewage discharges and mains water

supply problems. Adopting this motion will change this by allowing planning decisions to be much better informed.

Southern Water's outgoing CEO was very public in apologising for the 6,971 illegal spills and accepting Court findings that his company dumped an estimated 21 billion litres, or 7,400 Olympic-sized swimming pools of untreated sewage into the environment by deliberate actions, negligence and undermining of investigations.

Adopting this motion will test Southern Water's newfound honesty and openness by inviting the company and regulators into an active partnership with TDC. We have seen some signs that Southern Water has improved, but it is vital that they collaborate by providing accurate and timely data that will support more effective strategic planning by the Council.

This motion asks the Environment Agency to issue a position statement. They have done this on water quality issues in West Sussex which directly affected planning decision-making as infrastructure plans were found to be inadequate.

Overall, this motion will allow councillors to ask questions of those with direct and indirect responsibility for water supply and treatment, so that constructive ways can be found for joint action, providing a sound future basis for development and progress.

Proposed motion:

This Council resolves to:

1. Act upon TDC's duty to protect its coastline from immediate and cumulative impacts from pollution, in line with its local planning policy and the National Planning Policy Framework (NPPF).
2. Acknowledge that water quality has deteriorated and continues to do so due to the cumulative impact of multiple sewage discharge events ('sewage overload').
3. Seek to better understand the cumulative impact of wastewater discharge, including untreated sewage, on the District's coastline, wildlife and the health of its residents.
4. Take a lead on addressing this issue, working constructively with other agencies.
5. Write to the Environment Agency requesting a position statement that sets out its understanding of the cumulative impact of sewage discharge on Thanet District's rivers and seas.
6. Ask relevant national agencies (Natural England, Environment Agency, etc) to provide up to date assessments of Thanet's SSSI's.
7. Ask the Overview and Scrutiny Committee to invite the Chief Executive of Southern Water plus senior representatives from the Environment Agency and Natural England to attend a future meeting to answer questions on the current

levels of sewage discharge, the capacity of the existing infrastructure to manage sewage and waste/storm water and their understanding of how climate change will affect this.

8. Ask Southern Water, in its planning consultation responses from this date onwards, 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 and not required).”

2.0 Options

2.1 A Member moves the motion and when it gets support from another Member, the motion stands referred to Cabinet without debate as this relates to an Executive/Cabinet function.

2.2 Members may choose not to support or second the motion, in which case it falls.

3.0 Decision Making Process

3.1 It is for Council to refer a motion to Cabinet if the subject matter is about an executive function or decide whether or not to debate the motion, if it relates to Council function.

Contact Officer: Nick Hughes, Committee Services Manager

Reporting to: Sameera Khan, Interim Head of Legal and Monitoring Officer

Annex List

There are no annexes with this report.

Background Papers

There are no background papers with this report.

Corporate Consultation

Finance: Matthew Sanham (Acting Director of Finance and Operational)

Legal: Sameera Khan, Interim Head of Legal and Monitoring Officer