

Planning for sewage – legal ways to enforce adequate capacity



An aerial photograph showing a large-scale residential development. In the foreground, a construction site is active with several excavators and piles of earth. The ground is divided into sections, some covered with white plastic sheeting. In the background, a dense cluster of modern, two-story houses with light-colored brickwork and dark roofs is visible. The houses are arranged in a grid-like pattern. Beyond the housing estate, there are green fields and some industrial buildings in the distance.

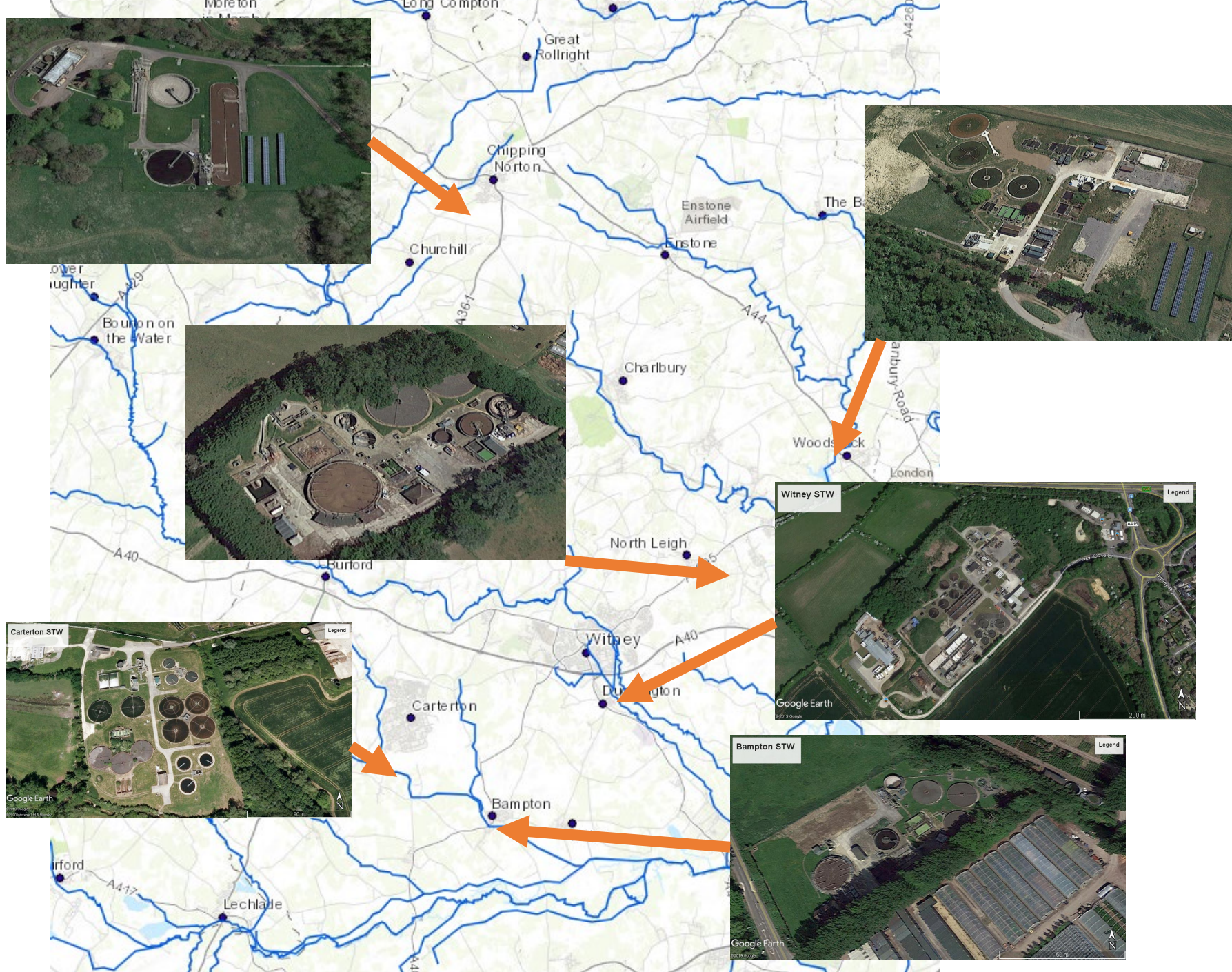
**‘Water infrastructure has not kept pace
with development growth over decades’
Defra 2021**

**100 houses = 30 tonnes of
sewage/wastewater per day**

‘There are fish everywhere, except in those places where men have been allowed to save their private pockets by poisoning public waters’ *Arthur Ransome*



	Site Name	Type of discharge	Discharge to	River Catchment	AMP5 2010-2015 Past Investment				2022 - Required FtFT (calculated l/sec)	As % of actual FtFT (permit)	AMP7 Scheme with FtFT Increase Value (l/sec)	2025 - Required FtFT (calculated l/sec)	As % of Increased FtFT	Comments
1	Witney STW	Treated Effluent	Colwell Brook	Windrush	AMP 5 - Major upgrade works at STW incl storm tank capacity increase				328.4	73%	399.0	335.7	119%	Current Actual FtFT is higher than 240l/sec, but still below the 'required' capacity Will have sufficient FtFT capacity by end Amp7
2	Carterton STW	Treated Effluent	Shill Brook	Windrush	AMP 5 - Major upgrade works at STW				132.7	87%		133.9	86%	Shortfall being reviewed as part of spill reduction planning
3	Faringdon STW	Treated Effluent	Faringdon Brook	Windrush (-?)	No Large Schemes									
4	Chipping Norton STW	Treated Effluent	Blue Brook	Evenlode	No Large Schemes				67.9	94%	73.0	72.4	101%	Will have sufficient FtFT capacity by end Amp7
5	Church Hanborough ST	Treated Effluent	Hanborough Stream	Evenlode	No Large Schemes				57.1	88%		57.0	89%	Shortfall being reviewed as part of spill reduction planning
6	Woodstock STW	Treated Effluent	Glyme	Evenlode	Wastewater Quality Project with NEP5 driver for revised Phosphorous consents in AMP6				50.0	73%		52.5	70%	Shortfall being reviewed as part of spill reduction planning
7	Lechlade STW	Treated Effluent	Leach	Windrush	No Large Schemes									
8	Bampton STW	Treated Effluent	Shill Brook	Windrush	Aston Bampton Rd SPS AMP5 Rehabilitation of the existing 150mm diameter uPVC rising main				31.6	73%	36.0	31.8	113%	Will have sufficient FtFT capacity by end Amp7



**Most of West
Oxfordshire
covered by the
undercapacity
STW's**

- **CHURCH HANBOROUGH STW: A QUICK CASE STUDY**

- Church Hanborough STW has been non-compliant, potentially since 2009. It dumped raw sewage into the Evenlode 'early' on a regular basis
- EA and OFWAT told of non-compliance by WASP in 2019
- Despite admitting to ECP/WASP/WODC on a site visit and in internal documents that it was dumping untreated sewage early, Thames Water misrepresented the facts in replies to a WODC councillor and WASP, claiming that it was compliant with its permit
- EA site assessment in 2018 revealed serious failures at the site. A repeat visit in 2023 showed that this issue had not been addressed, recorded early dumping of untreated sewage at only 70% of the required flow to full treatment and identified a number of other serious issues at the works
- Despite this, there is no evidence of any meaningful enforcement action between 2018 and the present
- Upgrade works to ensure legal compliance will not be completed until April 2025 at the earliest
- **AND THIS IS WHY WE CANNOT TRUST EITHER THAMES WATER OR THE ENVIRONMENT AGENCY TO ENSURE LEGAL OPERATION OF SEWAGE TREATMENT WORKS**



It is hard to trust TW's forward investment plans...

- Phosphorus stripping committed for 13 Evenlode STWs starting in 2025.....
....pushed back to investment period ending 2035

Upgrade to Broadwell STW (Stow on the Wold) committed for completion 2025.....
....pushed back to investment period ending in 2030

Moreton in Marsh STW committed for completion early 2025
....pushed back to investment period ending in 2030

A total of 105 projects pushed back from 2020-2025 to
2025-30 with an additional cost of £1.13 billion attached

THIS LACK OF TRUST WAS THE KEY REASON FOR ECP SEVERING ITS LINKS
WITH THAMES WATER'S SMARTER WATER CATCHMENT

And similar commitments made by TW to our MP Robert Courts in March 2023 have been broken

<https://www.robertcourts.co.uk/news/thames-waters-local-infrastructure-upgrades>

- At Bampton STW, we are upgrading the works, including increasing treatment capacity from 23 litres per second to 36 litres per second. Completion is *imminent* **NOW 2025- 2030**
- At Chipping Norton STW we are upgrading the works, including increasing treatment capacity to ensure robust compliance with the permit level of 73 litres per second. The works is planned to finish in **September 2023**. **NOW 2025**
- At South Leigh STW we will be upgrading the site to ensure robust compliance with permit conditions and also reducing phosphorus concentrations in the treated effluent. The work will start early in 2024. Planned completion dates are in **late 2024** for both projects, which will be delivered together to minimise disruption at this sensitive site. **NOW 2025-30**
- At Stanton Harcourt STW we will be reducing phosphorus concentrations in the treated effluent. The work is planned to start early in **2024** and to be complete by December **2024**. **NOW 2025-30**

Even our MP cannot ensure prompt upgrade and legal operation of Thames Water's sewage treatment works in West Oxfordshire

So – WASP AND ECP looked at planning route to help control sewage

West Oxfordshire sewage works' undercapacity 'hidden' at plan appeal

15th November 2022

ENVIRONMENT

LOCAL GOVERNMENT

WITNEY



By Miranda Norris
Senior reporter



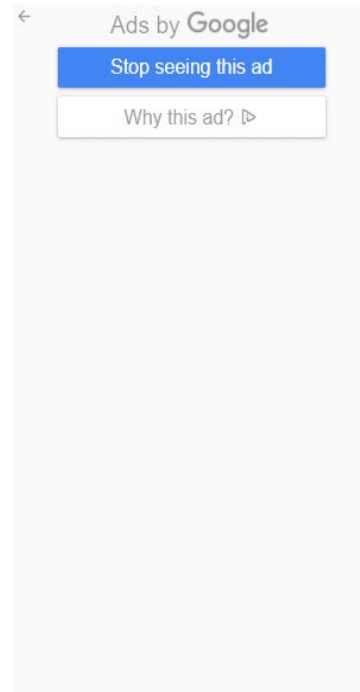
7 Comments

Thames Water did not tell the truth about sewage works' undercapacity in its response to a planning appeal, say campaigners.

Worked with WODC to understand impact of Development on lack of capacity at STWs

Encouraged Thames Water to recommend imposition of 'Grampian' Conditions for proposed developments in non-compliant sewage work networks

Despite this, TW showed a reluctance to ask for suitable conditions to be placed on all proposed developments in affected network areas



- Obtained counsel's opinion from Landmark Chambers regarding the use of Grampian conditions to ensure adequate sewage capacity prior to development
- Engaged Leigh Day solicitors to produce 'tool kit' for local water quality campaigners and local planning authorities
- Opinion is that the use of Grampian conditions to restrict the commencement of development until adequate and legal sewage treatment capacity is provided by water companies is lawful

Leigh Day

**Landmark
Chambers**

And a final
thought.....

