



### What does the Bill do?

We are taking key steps through the Environment Bill to address the harm caused by storm overflows.

The Bill includes:

1. A new duty on Government to produce a **statutory plan to reduce discharges from overflows** and the harm this causes by September 2022, and report to Parliament on progress.
2. A new duty on water companies and the Environment Agency to **publish data on storm overflow operation** on an annual basis.
3. A new duty on government to produce a **report setting out the actions that would be needed to eliminate storm overflow** in England and the costs and benefits of those actions. This report will provide Parliament, the public and the water industry with up-front, clear and comprehensive information on the feasibility and cost of elimination. Between the Government plan on storm overflows and the new elimination report, we will set out transparently and precisely how far we can go in tackling storm overflows.
4. A new duty on water companies to publish **near real time information** (within 1 hour) of the commencement of an overflow, its location and when it ceases.
5. A new duty on water companies to continuously **monitor the water quality** upstream and downstream of a storm overflow and of sewage disposal works.
6. A new duty on water companies to produce comprehensive statutory **Drainage and Sewerage Management Plans** setting out how the company will manage and develop its drainage and sewerage system over a minimum 25-year planning horizon and how storm overflows will be addressed through these plans.
7. The Bill also requires us to set and achieve **at least one new target to drive progress in the priority area of water**. In our policy paper published in August 2020, we set out the objectives for targets currently under consideration. For water, these include reducing pollution from agriculture, wastewater, and abandoned metal mines, and reducing water demand.

We are also taking action on this issue outside the Bill:

8. Between 2020 and 2025, water companies will invest **£7.1bn** on environmental improvements in England. Of this, £3.1 billion will be invested in storm overflow improvements.
9. We have made our expectations crystal clear in our **draft Strategic Policy Statement to Ofwat**. For the first time, the Government will be telling the industry's financial regulator that we expect water companies to take steps to "significantly reduce storm overflows", and that we expect funding to be approved for them to do so.

10. We have committed to undertaking a **review of the case for implementing Schedule 3** to the Flood and Water Management Act 2010 in England. This Schedule would set mandatory build standards for sustainable drainage schemes on new developments, to help to reduce the pressure on combined sewer systems from surface water runoff, as well as providing multifunctional benefits such as for flood prevention and for nature.
11. All of these measures are informed by the work of the **Storm Overflows Task Force**, which Defra established in August 2020 to bring together key stakeholders from the water industry, environmental NGOs, regulators, and Government in order to drive progress in reducing sewage discharges. The Taskforce has agreed a long-term goal to eliminate harm from storm overflows.

## What would Section 141A of the Lords' Amendment 45 do?

Amendment 45, with the exception of section 141A, has been designed and put forward by the government. Section 141A places a new duty on sewerage undertakers in England and Wales to demonstrate progressive reductions in the harm caused by discharges of untreated sewage. It requires the Secretary of State, the Director of Ofwat, and the Environment Agency to ensure compliance with the duty through any legislation available to them.

## What is the Government's position on the Lords' Section?

- **The government does not support this part of amendment 45, and as such will be amending it to leave out lines 7 to 14.** The government has listened carefully to Parliament and has confidence that the provisions in this Bill will indeed deliver progressive reductions in the harm caused by storm overflows.
- The Bill already places a duty on water companies to produce Drainage and Sewerage Management Plans setting out how the company will manage and develop its drainage and sewerage system. Government has been clear that we expect storm overflows to be addressed through these plans and is explained also in the Explanatory Note to the Bill.
- The age of our sewerage systems means that the complete elimination of storm overflows would be extremely challenging. Initial assessments suggest elimination would cost more than £150 billion. With such amounts, customer bill increases and trade-offs against other water industry priorities would likely be unavoidable.
- We need to understand what such trade-offs might be, as Government cannot place a duty on water companies amounting to signing a blank cheque on behalf of customers.