



Environment Scrutiny Committee	
Report Title:	Motion 864 – restoring our rivers: roles and responsibilities summary
Meeting Date:	To be confirmed
Chairman:	Cllr Rob Bird
Presenting Officer:	James Blockley
Purpose of Report:	To inform members of the respective roles and responsibilities regarding watercourse pollution between Gloucestershire County Council (as Lead Local Flood Authority) and the Environment Agency
Background documents:	Council Motion 864
Appendices	None
Recommendations	To note the summary and inform debate associated with the motion.

1. Background

- 1.1. Motion 864 – Restoring Our Rivers was presented to Council on 9th September 2020. Proposed by Cllr Paul Hodgkinson, and seconded by Cllr Bernard Fisher.
- 1.2. The motion highlighted damage caused to aquatic ecosystems resulting from sewage discharge and recommended certain actions to be undertaken by Gloucestershire County Council (GCC).
- 1.3. Clarity was subsequently required on which organisations have a pollution control remit and the respective roles of GCC and the Environment Agency (EA).

2. Roles and responsibilities surrounding watercourse pollution: GCC as Lead Local Flood Authority

- 2.1. Gloucestershire County Council (GCC) is the statutory Lead Local Flood Authority (LLFA) for Gloucestershire. GCC, as LLFA, has responsibility to manage flooding from 'ordinary watercourses, surface water and groundwater'.
- 2.2. It also has a role as statutory consultee to the planning process for major developments, with respect to drainage and water management (e.g. Sustainable Drainage Systems – SuDS), although this is simply to advise the local planning authorities (i.e. the District Councils) who carry the decision making responsibility.
- 2.3. In addition, GCC as LLFA has a role to manage consents for works in or adjacent to ordinary watercourses and to take enforcement action on unpermitted works to these watercourses that can increase flood risk. GCC also has flood-related roles as Highway Authority, such as road drainage clearance and management.
- 2.4. GCC has no statutory responsibility in relation to water quality or watercourse pollution.

3. Roles and responsibilities surrounding watercourse pollution: Environment Agency

- 3.1. The EA has similar responsibilities to the above, but with respect to main rivers.
- 3.2. They also have responsibility to control pollution on all watercourses, including ordinary watercourses.
- 3.3. The EA has a statutory duty to maintain and improve the quality of surface water, rivers, groundwater and coastal water. As part of this duty, it monitors the quality these waters on a regular basis. Much of this information is required by law under the provisions of various European Directives and national legislation.
- 3.4. Monitoring is also carried out by the EA of many discharges to the aquatic environment including sewage effluents, trade and agricultural.
- 3.5. The EA use various enforcement and sanctioning options, with the aim to:

- Stop illegal activity from occurring or continuing
- Put right environmental harm or damage, also known as restoration or remediation
- Bring illegal activity under regulatory control, and so in compliance with the law
- Take action against an offender and deter future offending by the offender and others.

ENDS