

GOOD LAW Project

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For immediate release

High Court dates confirmed for legal challenge over Government's inadequate sewage plan

A three day legal challenge to the Government's plan to tackle sewage dumping in England's rivers and seas will start on 4 July, the High Court has confirmed. Good Law Project is supporting co-claimants Marine Conservation Society, Richard Haward's Oysters and surfer and activist, Hugo Tagholm, in their case against the Government's [Storm Overflows Discharges Reduction Plan](#). The plan allows water companies to continue dumping sewage into rivers and coastal waters for at least another 27 years.

The Storm Overflows Discharges Reduction Plan was published by the Department for Environment, Farming and Rural Affairs (DEFRA) in August last year. It gives water companies a deadline of 2035 to reduce the amount of sewage flowing into bathing water and areas of ecological importance, but until 2050 to stop discharges elsewhere. It does not include a significant number in coastal waters with around 600 storm overflows not covered by the plan in its current form - meaning sewage could continue to be poured into our waters beyond 2050.

The claimants are aiming to force the Government to improve its plan by introducing tougher targets and significantly bringing forward the deadlines for water companies to clean up their act.

England has around [14,500 storm overflows](#) in operation to stop sewers becoming overwhelmed. They allow a mixture of surface water and raw sewage to be discharged into rivers and coastal waters - but should only be used occasionally following exceptionally heavy rainfall.

However, the latest Environment Agency [data](#) shows that storm overflows are being used with alarming regularity. In 2022, water companies in England discharged untreated sewage through storm overflows over 300,000 times for a total of 1.7 million hours.

Analysis of the data by [Top of the Poops](#) has found that coastal communities are bearing the brunt of this - showing that more than 140,000 sewage-discharges occurred across 137 constituencies on the coasts of England and Wales last year.

Emma Dearnaley, Legal Director of Good Law Project, said:

“The Government can and should act now to stop water companies from polluting our rivers and seas with huge amounts of sewage. This hearing gives us a chance to force the Government to put in place a robust and urgent plan.”

“This hearing also gives us the opportunity to revive an ancient English legal principle - called the Public Trust Doctrine - which would require the Government to take positive action to protect the environment in this case and in others.”

“We won’t stand by as our country overflows with raw sewage. We’re doing all we can to help stop this environmental scandal after decades of inaction.”

Sandy Luk, Chief Executive at the Marine Conservation Society said:

“With the confirmation of our hearing date, we’re one step closer to protecting our seas from sewage pollution.

“Our research shows that raw sewage is being uncontrollably dumped directly into English seas, home to incredible wildlife and vital habitats, like seagrass. Areas that should be protected are threatened by a harmful cocktail of pollutants.

“But it doesn’t have to be this way. With an effective plan to stop storm overflows that applies to all coastal waters and has much tighter deadlines, the UK Government can prevent further marine pollution in English waters, so that people and wildlife are safe.”

Surfer and activist, Hugo Tagholm, said:

“Despite the unequivocal evidence of systematic water company sewage pollution of our precious rivers & coastlines, the Government is failing to use the powers it already has to force immediate action.

“Why are we having to play Russian Poolette every time we surf, swim or play in areas that can be polluted. Can we trust the water companies? Why do we have to check for pollution before we go to some Blue Flag beaches? Why do we have to suffer the anxiety caused by water companies? How is it their right to pollute daily? The Government has the power to hold them to account now.”

Tom Haward, Operations Director of Richard Haward’s Oysters and 8th generation oysterman, said:

“I’m pleased the hearing is happening in the summer as it will be at a time when so many tourists will realise the scale of the devastation being caused by water companies throughout coastal communities. Our coastal futures need protecting.”

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For more information or to arrange an interview please contact:
press@goodlawproject.org or 07907 296156.

Notes

- The CrowdJustice page for the legal challenge can be found [here](#).
- The Statement of Facts and Grounds for this case, can be found [here](#).
- Good Law Practice, Marc Willers KC of Garden Court Chambers and Peter Lockley of 11KBW are instructed to appear in this case.

Good Law Practice is an independent law firm launched in 2022 by Good Law Project. It supports Good Law Project, and its partners, to bring strategic litigation in the public interest.

- The list of co-claimants in this legal challenge is:
 - **Richard Haward’s Oysters (Mersea) Ltd**
 - **Hugo Tagholm**
 - **The Marine Conservation Society:** The [Marine Conservation Society](#) is the UK’s leading ocean charity, fighting for cleaner, better-protected, healthier seas.

The charity works to highlight the importance of our ocean, and the life within it, through working with government, industry and education, to take action to restore and protect the marine environment.

- **About Good Law Project:** [Good Law Project](#) is a not-for-profit that uses the law for a better world. We hold the Government and public bodies to account and protect the interests of the public. We had a primary role in overturning the prorogation of Parliament in 2019 and, more recently, have been shining a spotlight on the Government's award of PPE contracts to their friends and associates.