



**Report of Director of City Development**

**Report to Full Council**

**Date: 11 December 2019**

**Subject: Deputation Response – Regarding the Problem of Plastics in Rivers**

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes   X No
Has consultation been carried out?	X Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes   X No
Will the decision be open for call-in?	<input type="checkbox"/> Yes   X No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes   X No

**Summary**

**1. Main issues**

- A deputation was heard at Full Council on 13<sup>th</sup> November 2019 from a group describing the problem of plastics in the rivers.
- The group described a number of issues in general terms, but also provided specific examples relating to the rivers Aire and Wharfe in Leeds. These included:
  - a. More and more plastic and garbage is entering the river from businesses and the public which in turn will have devastating effects on the life that depends on the river. Recently a van had tipped its entire contents into the river.
  - b. Regularly filming plastics and wipes and garbage flowing underwater unseen and have started documenting this
  - c. Not so long back raw sewage was being pumped in to the river Wharfe at Boston spa which they filmed
  - d. “Why can't we have an independent agency testing the water, Ilkley is having problems too with sewage issues and heard other areas are like Otley and Addingham, my concern is, how much of this sewage is passing through Wetherby where the toddlers paddle and play, how much is effecting wildlife.”
  - e. Can the public and council work to improve this and start to eradicate plastics and sewage entering the river?

- Roles and responsibilities for the issues highlighted are spread across a number of organisations and covered by various pieces of legislation. This can often lead to multiple agencies being involved in issues and discreet solutions being difficult to implement.
- The issues raised are seen across the country and indeed the world, they are being tackled on both a national and local level, more must be done but Leeds City Council are at the forefront of action to bring agencies, businesses and the public together to tackle the issues raised along the catchments described in the deputation.

## 2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- The issues raised by the group in the deputation relate to the following Best Council Plan priorities:
  - a. reducing health inequalities and supporting active lifestyles
  - b. improving the city's transport and digital infrastructure and tackling climate change risks
  - c. making Leeds the best city for children and young people to grow up in
  - d. making Leeds the best city to grow old in
  - e. improving the quality of lives and growing the economy through cultural and creative activities
  - f. keeping people safe from harm and promoting community respect and resilience

## 3. Resource Implications

- Within the Leeds & Otley Flood Alleviation Schemes the council promotes River Stewardship and we continue to address some of the issues of plastic in the river and also debris and litter on the river banks as a core part of these programmes.
- Should further investigation / research into the issues as raised this will involve staff from LCC being involved and also partners such as Environment Agency, Yorkshire Water as two examples and possibly other local regional support.

## Recommendations

- a) As these main issues are not a quick fix we would recommend that the existing working group covering the Leeds City Council area, Resilience & Stewardship Operational Group, is made aware of the issues raised and uses the information presented to help them review and prioritise the work the group facilitates..
- b) The issue of plastic pollution is an issue best tackled by promoting responsibility and good practice among consumers and producers there are existing campaigns and key messages on this topic and the council will continue to support and promote these highlighting the particular issues relating to rivers and watercourses.

## **1. Purpose of this report**

- 1.1 To provide sufficient detailed information to provide a written response to the deputation presented to Full Council on 13<sup>th</sup> November 2019. It will advise on activity already taking place by the Council and Environment Agency relative to the main issues raised, and determine what further activity / action can take place and by who to help.

## **2. Background information**

- 2.1 The Environment Agency has an overarching role in regulating, managing and improving water quality, however, organisations across the region including Yorkshire Water and Leeds City Council are playing their part to ensure clean and safe waterways.
- 2.2 Water quality in rivers and watercourses is regulated and monitored by the Environment Agency, but Yorkshire Water as well as businesses that use water as a resource and also discharge to watercourses are those predominantly regulated.
- 2.3 Waste in the form of plastic or other materials is the responsibility of the producer, therefore who ever generates the waste should dispose of it in a responsible way and in accordance with legislation. This is often not the case and when waste items are disposed of close to watercourses and as is the case sometimes, directly in to watercourses the waste can be unsightly and harmful to the environment.
- 2.4 Once waste (plastics, litter, sewage) is discarded close to watercourses and in the water itself the roles and responsibilities of agencies is complicated and can often lead to confusion and inaction by agencies. This is a national issue, but one that is well recognised in Leeds as the council are proactively working with the agencies involved to facilitate action where responsibilities are not immediately clear.
- 2.5 Waste materials left on the land away from watercourses is the responsibility of the landowner this is well known and accepted and often the EA or the council will assist in manging these items either through regular work or enforcement.
- 2.6 Waste materials in and around watercourses is also the responsibility of the landowner, but this responsibility is not as well known or accepted and often carries further practical and safety considerations that mean easy removal or management is difficult.
- 2.7 The council under the Land Drainage Act and the EA under the Water Resources Act have powers to remove items from watercourses even when on land owned by others, but the powers relate specifically to the uninhibited flow of water and to ensure no increase in flood risk is present
- 2.8 However, it is very often the case that litter and debris in watercourses and adjacent to them is not causing an immediate flood risk or impediment to flow and therefore is not an activity that is supported by the powers the agencies have. Equally resources cannot be prioritised for this same reason.

## **3. Main issues**

- 3.1 A deputation was heard at Full Council on 13<sup>th</sup> November 2019 from a group describing the problem of plastics in the rivers.
- 3.2 The group described a number of issues relating to the issues in general terms but providing specific examples relating to the rivers Aire and Wharfe in Leeds. These included:

- 3.2.1 More and more plastic and garbage is entering the river from businesses and the public which in turn will have devastating effects on the life that depends on the river. Recently a van had tipped its entire contents into the river.
- 3.2.2 Regularly filming plastics and wipes and garbage flowing underwater unseen and have started documenting this
- 3.2.3 Not so long back raw sewage was being pumped in to the river Wharfe at Boston spa which they filmed
- 3.2.4 “Why can't we have an independent agency testing the water, Ilkley is having problems too with sewage issues and heard other areas are like Otley and Addingham, my concern is, how much of this sewage is passing through Wetherby where the toddlers paddle and play, how much is effecting wildlife.”
- 3.2.5 Can the public and council work to improve this and start to eradicate plastics and sewage entering the river?
- 3.3 Roles and responsibilities for the issues highlighted are spread across a number of organisations and covered by various pieces of legislation. This can often lead to multiple agencies being involved in issues and discreet solutions being difficult to implement, this was described further in section 2.
- 3.4 The issues raised are seen across the country and indeed the world, they are being tackled on both a national and local level, more must be done but Leeds City Council are at the forefront of action to bring agencies, businesses and the public together to tackle the issues raised along the catchments described in the deputation. Further detail is given below:

## **River Stewardship**

- River stewardship is an integral part of the Leeds Flood Alleviation Scheme and is a unique opportunity to enhance the natural environment whilst preparing the river Aire for the next stage of flood management works.
- This programme managed vegetation, Invasive plant species and litter and debris along the river Aire from its border with Bradford at Apperley Bridge to Thwaite Mill south-east of the city centre.
- It also supports a lasting legacy of improvement following the devastating floods of 2015 through community engagement and partnership working and links in to work being done by others in upstream and downstream areas.
- Leeds City Council are working with communities along the river to remove litter from the river Aire’s watercourse and embankments.
- Between March and August this year, 34 volunteer days have taken place which has resulted in an average of eight bags of rubbish being removed from the river.
- In September this year, Leeds City Council also joined partners at three locations on the river Aire to remove litter in aid of World Clean-up Day
- River Stewardship events have also formed a core part of the build up to the Otley Flood Alleviation Scheme on the river Wharfe, at this stage further areas along the Wharfe in Leeds don’t have established River Stewardship programme.
- Although an established stewardship programme is not in place along the length of the river Wharfe, the council are working with other agencies to understand if funding could be sought to develop one. Funding sources could include the Regional Flood and Coastal Committee local levy.
- While events like these made a big difference to the river, we can all help keep our rivers clean by responsibly disposing of rubbish, recycling more or reducing our use of single use items all together.

## **Fly tipping**

- We do not tolerate fly tipping in any part of the city and take action as and where we can identify the people responsible so as to try and prevent this type of activity occurring.
- We know how this kind of illegal activity can blight local communities and therefore have maintained the council's resources to carry out enforcement and prevention work over the last few years and into the future, even during times when budgets are being squeezed.
- In calling upon residents and businesses not to unknowingly fly tip their waste and to help identify the people they see committing this crime, we can all help keep Leeds, and our rivers, clean.

## **Sewage**

- Managing river sewage is not within the Council's remit, however, we have contacted the Environment Agency and this is their response:

*Re sewage in the Wharfe at Wetherby:*

*An Environment Agency spokesperson said: "We periodically assess operations at the Wetherby Waste Water Treatment Works against the conditions of its environmental permit, which is designed to protect people and the environment.*

*"The works operate in a similar manner to most other wastewater treatment works across the country. It is permitted to discharge treated sewage effluent to the River Wharfe subject to conditions relating to the quality and volume of the treated effluent.*

*"Once the works capacity to treat is exceeded the permit allows the discharge of untreated sewage. This usually happens due to prolonged rainfall but more commonly short burst of heavy rain, rapid snow melt and in emergency conditions. This process is an essential means of preventing the overloading of the sewage system as a whole, preventing sewage backing up within the system and resulting in flooding of homes and properties with sewage.*

*"Under storm conditions, the sewage being received at the works is significantly diluted by rainfall and the flows in the river are also increased. This means that during storm events, the impact of storm discharges on the water quality in the river are short lived.*

*"We have not received any pollution incident reports recently regarding the site.*

*"We would encourage anybody who sees untreated sewage in any part of the river to report it to our incident hotline number 0800 80 70 60 so that we may investigate."*

## **4. Corporate considerations**

As a council we are very aware of the main key issues as advised, and have strategic departments and staff who day by day look to combat these unfortunate

circumstances. Allied to this we have partner organisations who are responsible for elements of these issues, with who we look to share information for direct action. Fly tipping requires vigilance and to possibly capture information about the culprits and eventually prosecution. Sewage pollution needs to be addressed again with our partner organisations in order to identify the issue at source, and seek to stop this happening.

#### **4.1 Consultation and engagement**

- 4.1.1 Consultation and engagement concerning these main issues have been researched both internally within Leeds City Council and partner organisations such as the Environment Agency and Canal Rivers Trust relevant to activities that are addressing aspects of this query, resulting in the background information as reported.
- 4.1.2 Elected members with the relevant portfolios are regularly briefed on the progress of the River Stewardship and fly-tipping prevention activities.
- 4.1.3 Active and direct engagement with communities, volunteers and businesses is a core and ongoing part of the River Stewardship programme and supported by social media.

#### **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 This aspect may be considered within our Stewardship volunteering programme, as we are able to invite organisations such as Skill Mill who are a Not for Profit Social Enterprise providing employment opportunities for young people aged 16-18. They acquire knowledge and skills by working alongside local private contractors and partners. Follow on employment opportunities with partner organisations and the wider labour market are sought for each employee. Just one example of how we are able to progress this aspect.

#### **4.3 Council policies and the Best Council Plan**

- 4.3.1 The issues raised by the group in the deputation relate to the following Best Council Plan priorities:
  - a) reducing health inequalities and supporting active lifestyles
  - b) improving the city's transport and digital infrastructure and tackling climate change risks
  - c) making Leeds the best city for children and young people to grow up in
  - d) making Leeds the best city to grow old in
  - e) improving the quality of lives and growing the economy through cultural and creative activities
  - f) keeping people safe from harm and promoting community respect and resilience
- 4.3.2 The council is a Lead Local Flood Authority under the Flood & Water Management Act (2010) and therefore takes a lead to work collaboratively across the city to reduce the risk of flooding to properties and people and manages flood risk on Ordinary watercourses.

## Climate Emergency

- 4.3.3 The council declared a Climate Emergency in March 2019 as well as setting a target of being a net zero city with respect to carbon emissions we now actively promote measures that reduce the impacts of climate change on the city. Reducing the impacts of climate change through better care of our rivers and promoting community action against plastic pollution are core parts of the councils work to respond to the Climate Emergency.

### **4.4 Resources, procurement and value for money**

- 4.4.1 Procurement activities are predominantly managed through our Watercourse Maintenance Contract with a strong partnership approach working with established community groups and the third sector. Fly tipping is resourced from the council if on council land. Otherwise this is a riparian issue and the land owners are alerted of this issue and advised that it is their responsibility to clear the tipping. Follow up will occur to ensure the tipping is cleared to a satisfaction.

### **4.5 Legal implications, access to information, and call-in**

- 4.5.1 Fly tipping has legal implications being possible prosecution for anyone who is caught in the act or from the contents they tip such as a name and address contact details can be found. Access to information can be obtained providing the correct protocols are followed, and data protection is observed.

### **4.6 Risk management**

- 4.6.1 Any potential risk must be confined by using the correct guidelines / policies and may be specific to each activity that is carried out. Within the Stewardship work we mitigate this by utilising framework contractors and observing specific health and safety rules when working on or by the river and its banks, ensuring any potential hazards are identified and reported to the volunteering manager on the day. Strict council guidelines are available to operatives of the council, and members of the public if involved in activity or involving members of the public.

## **5. Conclusions**

- 5.1 The issues raised are seen across the country and indeed the world, they are being tackled on both a national and local level, more must be done but Leeds City Council are at the forefront of action to bring agencies, businesses and the public together to tackle the issues raised along the catchments described in the deputation.

## **6. Recommendations**

- 6.1 As these main issues are not a quick fix we would recommend that the existing working group covering the Leeds City Council area, Resilience & Stewardship Operational Group, is made aware of the issues raised and uses the information presented to help them review and prioritise the work the group facilitates.

6.2 The issue of plastic pollution is an issue best tackled by promoting responsibility and good practice among consumers and producers there are existing campaigns and key messages on this topic and the council will continue to support and promote these highlighting the particular issues relating to rivers and watercourses.

**7. Background documents<sup>1</sup>**

7.1 None.

**8. Appendices**

8.1 Appendix A - Canal Rivers Trust – Tackling Plastics in Leeds

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<sup>1</sup> The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.