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Regulation 12(3) 13

Deputy Director – Water Quality
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23 May 2014

Dear

Urban Waste Water Treatment Directive Judgment

I am writing concerning action to be taken in response to the breach of the Urban Waste Water Treatment Directive (UWWTD) identified by the Court of Justice of the European Union judgment of 18 October 2012. Whilst most of the discussion in the Whitburn part of the case concerned the performance of the long sea outfall, the European Commission also raised concerns about the performance of a combined sewer overflow downstream of the Whitburn sewer catchment at St Peters.

After dialogue with the European Commission we have reached the view that increasing the capacity of the system and so reducing the intermittent discharges at Whitburn and St Peters will allow the UK to comply with the relevant parts of the judgment. The Environment Agency and Northumbrian Water Limited should now make the necessary arrangements to take this work forward.

It is vital to minimise any delay to the current estimated 2017 completion date for this work. This is because, to avoid fines, the UK is obliged to address the breach as soon as possible and it is therefore vital that the work is completed as soon as is practicable. It is also very important that we are able to demonstrate to the European Commission that there is a credible plan in place to persuade it not to take steps towards a fines action. We will need to report progress on a six monthly basis.



Meeting the breach is a legal obligation and it would therefore be appropriate to include the work in the PR14 National Environment Programme under an UWWTD driver for delivery in the AMP6 period.

I am copying this letter to [REDACTED] of NWL and [REDACTED] of Ofwat.

Yours sincerely

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Deputy Director – Water Quality