



Department
for Environment
Food & Rural Affairs

Rebecca Pow MP
Minister for Environmental Quality and Resilience

2 Marsham Street
London
SW1P 4DF

T: +44 (0) 3459 335577
E: correspondence.section@defra.gov.uk
W: gov.uk/defra

Cllr Martin Tett
Leader
Buckinghamshire Council
The Gateway, Gatehouse Road
Aylesbury, HP19 8FF
martin.tett@buckinghamshire.gov.uk

Our ref: PO2023/02206/RL

27 February 2023

Dear Cllr Tett,

Thank you for your letter of 25 January to the Secretary of State about the Environment Agency (EA) and foul water connections. I am replying as the Minister responsible for this policy area.

I can confirm that the EA is carrying out an investigation into the Category 2 (significant) incident that occurred at Little Marlow sewage treatment works (STW) in March 2021 and is continuing to progress. In addition to the incident itself, the investigation also encompasses further permit non-compliance in relation to a numeric sample failure following a formal sample taken in May 2021 in response to a further reported incident.

The EA has been unable to progress the investigation more rapidly due to the complexity of such investigations and significant response to further Category 1 and 2 incidents in the Thames Area since the March 2021 incident. Many of these investigations are complex criminal investigations, which the EA is unable to discuss with third parties.

The EA has a proven track record of holding responsible parties to account for causing pollution. It has prosecuted Thames Water Utilities Limited, in relation to sewage pollution offences over 30 times in the past 10 years. The various legal actions that have been taken has driven multiple improvements and helped to protect the environment in the Thames Area and continues to do so.

You are no doubt aware of the previous enforcement action taken specifically in relation to pollution arising from Little Marlow STW, including during the period 2012-2013, resulting in operational improvements and an £8 million fine handed down at Aylesbury Crown Court in March 2017. The EA has ongoing concerns about the operation of site and are continuing to simultaneously regulate and investigate, with a view to reducing risk to the environment and ensuring the River Thames is well protected in the long-term.

Once the investigation into the incident and permit non-compliance in question is fully complete the EA will then consider the enforcement response in accordance with its Enforcement and Sanctions Policy which can be found [here](#). The EA cannot comment further on the details of this investigation at this time because doing so could prejudice any potential future legal proceedings.

The EA has extended its apologies for the delay in its planning responses to Buckinghamshire Council. Its local Planning Team has been experiencing a high volume of planning consultations and enquiries alongside facing resource pressures. This has resulted in delays to both planning advisory agreements and statutory consultation response timeframes for the EA's 26 Local Planning Authorities (LPAs) and other customers across the Thames area.

To mitigate this, the EA has and continues to recruit new staff into its Sustainable Places team and implemented temporary measures to prioritise the highest risk applications and focus on formal statutory consultations from LPAs.

Unfortunately, due to heavy diary commitments, I am unable to meet with you at this time but the department and the EA will continue to engage with you, and I am very much looking forward to working with you on these important issues in future.

Thank you once again for taking the time to contact me about this important issue.



REBECCA POW MP