

Sewage Management - Local Plan Position Statement

Introduction

- 1.1 This Position Statement has been produced to provide clarity regarding the position of South Tyneside Council regarding the representations that were submitted in response to the consultation on the draft Regulation 18 Local Plan 2021-2039 that was undertaken in Summer 2022. Specifically this Statement is concerned with the representations that were submitted to Policy 7: Flood Risk and Water Management, Policy 8: Flood Risk Assessment and Drainage Strategy, Policy 9: Sustainable Drainage Systems, Policy 10: Disposal of Foul Water and Policy 11: Protecting Water Quality.

Role of the Council

- 1.2 The Council has no legal responsibility for the operation or regulation of the sewage system. The legislative process for regulating discharges to surface waters is outlined in law under the Environmental Permitting (England and Wales) Regulations 2016 and the Environment Agency are the appropriate agency for enforcement.
- 1.3 The Council has involvement through its capacity as Local Planning Authority and Lead Local Flood Authority.
- 1.4 In a broader context, the Council is committed to protecting and enhancing the natural environment including safeguarding the quality of our waters. This has been demonstrated through the Ocean Recovery Declaration (January 2022) where we have committed to play our part in recovering the health of the ocean. Through the recently declared Ecological Emergency (March 2023) we have committed to positive actions for biodiversity protection, enhancement and recovery. Additionally the Animal Protection Charter (January 2023) requires developers to consider risks of harming wildlife and habitats and mitigate against these risks. Further information on these documents is available at appendices 1, 2 and 3 of this Statement.

Sewage Management: Local Planning Authority (LPA)

- 1.5 The Local Plan proposes the allocation of a number of development sites. The Local Plan is supported by the Infrastructure Delivery Plan (IDP). The infrastructure provision that the IDP considers includes network capacity (the impact of additional sewerage flows generated by new development) and treatment capacity (the impact the additional flows generated by proposed development will have on the receiving Wastewater treatment works) in relation the proposed development sites in the Local Plan.
- 1.6 As part of the planning application process the Local Planning Authority (LPA) consults with Northumbrian Water, the sewerage undertaker for South Tyneside Council, on a range of development proposals that may require a connection to the sewerage network. The LPA does

not have the legal remit or access to the relevant network data to perform an informed overview function and as such the LPA would, in most cases, refer to the sewerage undertaker.

Lead Local Flood Authority (LLFA)

- 1.7 Lead Local Flood Authorities (LLFA) lead in managing local flood risks (i.e. risks of flooding from surface water, ground water and ordinary (smaller) watercourses). Under the Flood and Water Management Act 2010, LLFAs are required to:
- Prepare and maintain a strategy for local flood risk management in their areas.
 - Carry out works to manage local flood risks in their areas.
 - Undertake a statutory consultee role providing technical advice on surface water and ground water flooding to local planning authorities on major developments (10 dwellings or more, greater than 1 ha).
- 1.8 An essential part of managing local flood risk is taking account of new development in land use plans and strategies. The LPA consult the LLFA who lead in managing local flood risks (i.e. risks of flooding from surface water, ground water and ordinary (smaller) watercourses). This role is important as it identifies the discharge location controlling when surface water flows enter the sewerage system, resulting in increased capacity for foul flows. Surface water flows are controlled through the use of Sustainable Urban Drainage Systems (SuDS). SuDS slow down surface water from rainfall by utilising on site features such as basins, permeable paving and swales.
- 1.9 The surface water from these features is discharged to the most sustainable location which is practicably available to the development. This location is identified in order of preference in accordance with Building Regulations Approved Document H. The order of preference is infiltration to ground, closest watercourse, surface water sewer and as a last resort combined sewer.

Role of Northumbrian Water

The Local Plan

- 1.10 Northumbrian Water is a statutory consultee in the preparation of the Local Plan and any emerging supplementary planning documents and holds regular liaison discussions with South Tyneside Council regarding its emerging policy documents including the Infrastructure Delivery Plan. The LPA formally consults them at each stage of the Plan preparation process to receive comments on policy wording, proposed allocations and housing growth. The LPA works alongside the sewerage undertaker in the preparation of the Infrastructure Delivery Plan which identifies infrastructure needs to support development identified within the Local Plan and other projects within South Tyneside.
- 1.11 Northumbrian Water has a duty to develop and maintain an efficient supply and treatment of water across the North East. Northumbrian Water operates two wastewater treatment works which serve the majority of the administrative area of South Tyneside, namely Howdon and

Hendon wastewater treatment works. These treatment works do not lie within the South Tyneside authority boundary but are two of the largest operating in the region and have capacity to accommodate the proposed future development identified in the draft Local Plan.

- 1.12 Northumbrian Water operates on five yearly cycles known as Asset Management Period's or AMP's. During these AMP periods NWL identifies and reviews its next business plan. By having an early line of sight of the proposed strategic development intended to be delivered within the Borough of South Tyneside, Northumbrian Water can begin to consider its infrastructure and plan for future investment.

Planning applications

- 1.13 Northumbrian Water is not a statutory consultee for standard new development planning applications. However Northumbrian Water undertakes a consultation role for applications that meet the government's definition of "major development". It does this in order to support good liaison between LPAs and developers and to ensure it has an early line of sight on new development. Where resources allow it also provides informal advice on minor applications where the LPA or LLFA have specific concerns or questions regarding drainage / flood risk issues.
- 1.14 In making any response to a local planning authority, Northumbrian Water assesses the impact of proposed development on its assets and assesses the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from future development.

Northumbrian Water - Baseline situation and position

- 1.15 South Tyneside's water comes from Northumbrian Water reservoirs located outside of the Borough's boundary as well as boreholes which tap into the Magnesian limestone aquifer.
- 1.16 There are no water supply issues identified, and Northumbrian Water has not forecast a deficit in water resource or supply in the long term. This was confirmed as part of their assessment of future development. In terms of fresh water supply, Northumbrian Water does not envisage the supply of fresh water as a constraint to the proposals in the Local Plan.
- 1.17 South Tyneside's wastewater treatment is also undertaken by Northumbrian Water at treatment works located in Howden and Hendon.
- 1.18 Howdon Sewage Treatment Works treats a combination of domestic, trade and surface water discharges from five local authorities: South Tyneside, North Tyneside, Gateshead, Newcastle and parts of Northumberland.
- 1.19 Hendon Sewage Treatment Works treats a combination of domestic, trade and surface water discharges from two local authorities: South Tyneside and Sunderland.
- 1.20 Due to historic drainage arrangements the treatment works are mainly served by combined sewers which mean they transport both foul and surface water flows to the treatment works. The presence of surface water which does not require treatment, limits the ability of the treatment works to accept additional foul flows from new developments. Therefore a key

priority has been to remove surface water where possible through new development opportunities and direct surface water away from the sewers and unnecessary treatment.

- 1.21 Northumbrian Water has now delivered the agreed Surface Water Separation schemes which were identified as part of the options study for Howdon Sewage Treatment Works at the beginning of the previous asset management period (2015-2020). The Surface Water Separation schemes were intended to reduce dry weather flow to Howdon and create headroom capacity in the short term.
- 1.22 In terms of difference in network capacity and treatment capacity, when Northumbrian Water consider what the impact additional flows generated by a new development may have on its existing wastewater system, it looks at two specific areas:
- 1.23 **Network Capacity** – This is looking at the impact the additional flows generated by new development will have on their sewerage network when a connection is required, i.e. the pipes which transfer sewage from our homes / offices to the wastewater treatment works. Northumbrian Water look to determine whether there is enough capacity within the pipes, so that flood risk is not increased by the introduction of new development. Sewer flooding occurs when sewage or foul water leaks from the sewerage system (through pipes, drains or manholes) or backs up through toilets, sinks or showers inside a building, not where it discharges into the environment from a permitted storm overflow. Insufficient infrastructure (i.e. lack of network capacity) should not be associated with treatment capacity as these are quite separate issues. Northumbrian Water have a duty under Section 94 of the Water Industry Act to ensure that their network is maintained, improved and extended to meet growth demands.
- 1.24 **Treatment Capacity** – This is looking at the impact the additional flows generated by proposed development will have on the receiving Wastewater treatment works. In the case of Hendon Wastewater treatment works, Northumbrian Water assess this by looking at flow data when the works are operating in dry weather conditions. This dry weather flow is set against the Wastewater treatment works consent which is based on population within the catchment of the treatment works (not the amount of storm water that falls within the catchment). This determines whether there is the available head room to accept growth within its catchment. Wastewater treatment works are not designed to accept / treat all surface water that enters the public sewer network. Similar to the function of storm overflow to protect properties, storm overflows are also used to protect the Wastewater treatment works from being inundated with flows, which would ultimately cause the Wastewater treatment works to stop functioning altogether. The Environment Agency regulates Wastewater treatment works by assessing the quality of the wastewater they discharge against set compliance limits. The Northumbrian Water consultation response has confirmed that they consider there is enough headroom to accept any addition foul flows generated from the development proposals in the Local Plan and therefore they do not object to the draft Local Plan on such grounds.

Representations

1.25 This section sets out the key issues raised to the South Tyneside draft Local Plan (2022) and seeks to address concerns. Assertions that have been made include the following:

- a. The Council has been provided with legal advice that challenges the assertion that the LPA has to rely on the professional advice provided by Northumbrian Water.
- b. Northumbrian Water fails in its role as a sewage undertaker and is not a reliable consultee
- c. There is insufficient capacity in the foul drainage network
- d. Sewerage is regularly discharged into watercourses during moderate rainfall
- e. Northumbrian Water has been shown to allow numerous 'spills' from their assets in both dry weather and in light to moderate rainfall.
- f. The Environment Agency is under resourced and admit they are unable to regulate sewage discharge permits in our area.
- g. Around 821,000 tonnes of untreated sewage were discharged into the sea from the Whitburn CSO in 2021 as a result of 31 spills from that CSO covering a period of 119 hours.
- h. Hendon Sewage Treatment Works has discharged untreated sewage during 2021 on 116 occasions over 565 hours.
- i. There is a lack of capacity at the sewerage treatment works and this contravenes environmental law
- j. Raw sewerage is being unlawfully discharged by Northumbrian Water out to sea.
- k. Northumbrian Water should invest in improvements
- l. Marine life may become contaminated
- m. The health implications of exposure to the levels of sewage pollution regularly discharged into the River Tyne and on to the beaches of South Tyneside must be a material planning consideration with respect to future developments
- n. The European Court ruled the discharges illegal in 2012.

Response to (a) and (b)

1.26 It is acknowledged that network capacity and treatment capacity are material planning considerations on which South Tyneside Council, acting as the local planning authority has to take a view, whether in relation to an individual planning application or the development proposed in the draft Local Plan.

1.27 In taking a view, it is legitimate for the local planning authority to place considerable weight on the information provided by Northumbrian Water. They are a statutory consultee for planning policy formulation and this role acknowledges that they have a great deal of technical expertise in their field.

- 1.28 Whilst they are not a statutory consultee for planning applications, they are the sewerage undertaker, and it would therefore be remiss of the LPA if it did not consult with Northumbrian Water on major applications and the LPA is entitled to afford considerable weight to its consultee responses given its technical expertise in this field. LPA's can give considerable weight to the advice of statutory consultees on specialist technical issues.

Response to (c)

- 1.29 Whitburn Steel Pumping Station and Hendon Sewage Treatment Works in Sunderland handle foul sewage from the East Boldon, Cleadon and Whitburn area. The sewers from East Boldon to Whitburn and Hendon are combined sewers – i.e. they transport not only foul drainage but also surface water drainage.
- 1.30 The assertion that there is insufficient capacity in the network was also made by objectors to the planning application to redevelop part of Cleadon Lane Industrial Estate for housing. Northumbrian Water have advised that they are of the view that there is sufficient capacity in their infrastructure to accommodate foul sewage from the proposed development and therefore did not object to the planning application on such grounds.
- 1.31 Objectors have also alleged that evidence of insufficient capacity is demonstrated given alleged breaches of the Environment Agency permit at Whitburn arising from alleged untreated sewage discharges at times of little or no rainfall as well as the frequency/level of discharges from CSO's at other times. However, the Environment Agency advise that they have investigated complaints in respect of alleged permit breaches but have seen no evidence that indicates CSO's are discharging in a manner that breaches permit conditions. They further state that permits do not restrict the number or duration of untreated sewage discharges from CSO's only the conditions under which such discharges can take place (i.e. generally during or associated with rainfall events).

Response to (d), (e) and (f)

- 1.32 Representations allege that spills are taking place during periods of little or no rainfall in breach of EA permits governing such discharges.
- 1.33 It is acknowledged that people may disagree with the principle of environmental permits that allow diluted sewage to be discharged, subject to regulation by the Environment Agency. However the local planning authority has to operate within the national statutory and regulatory framework. The level of resources available to the Environment Agency is a matter outside of the LPA's remit.
- 1.34 In terms of the Whitburn system the Environment Agency have provided spill data to a number of residents and all spills have been assessed and investigated and have either been attributed to groundwater / sea water ingress or attributed to rainfall events as some of the spills recorded occurred during or after a rainfall event. Ongoing regulation and the monitoring of manholes has supported the Environment Agency view that spills are only occurring under permitted conditions. When the Environment Agency have inspected manholes and channels

as part of its investigations, it found no evidence that the spills highlighted to date have been sewage.

- 1.35 Bearing in mind the above and the comments received from the Environment Agency in relation to the planning application to redevelop part of Cleadon Lane Industrial Estate for 202 homes, regarding the operation of relevant CSO's at present in relation to their permitting regime, there is considered to be sufficient capacity in the local foul sewage infrastructure system, having regard to the regulatory framework currently governing the operation of such systems, to accept foul water flows from the proposed developments.

Response to (g) and (h)

- 1.36 Northumbrian Water challenge the accuracy of the untreated sewage discharge volume figures provided by local residents and groups and also state that such discharges are generally heavily diluted.
- 1.37 The Environment Agency in their consultee response to the planning application to redevelop part of Cleadon Lane Industrial Estate for 202 homes, also refer to discharges being heavily diluted and also concur with Northumbrian Water that discharge volume figures are based on worst case scenario assumptions and therefore may not be entirely accurate. It should be noted that the redevelopment at Cleadon Lane Industrial Estate has surface water separated from foul flows, providing a betterment to the arrangement before development and to the local NWL network and the treatment works at Hendon.

Response to (k)

- 1.38 As the statutory undertaker for sewerage, Northumbrian Water are obliged to make whatever investments are required to fulfil this role and function.

Response to (i)

- 1.39 It is accepted that such discharges of untreated sewage are undesirable and in this regard the Council have made representations to Central Government expressing concerns and seeking action to reduce such discharges. However, at this present time these discharges are not in themselves unlawful in certain circumstances. Whilst theoretically a foul sewage system could be specified to fully treat all foul sewage entering that system prior to any discharges to the wider environment taking place, such a scenario does not generally apply across the UK at present due to the age of foul drainage infrastructure and the level of investment that would be required to bring it up to a standard where all foul sewage could be fully treated before being discharged to the wider environment.
- 1.40 As such under the regulatory permitting regime operated by the Environment Agency such discharges of untreated sewage into the sea or watercourses are at present permitted under certain circumstances via Combined Storm Overflows (CSO's) – i.e. during or as a result of rainfall events. These discharges are permitted because if they did not take place there would be increased risk during and shortly after rainfall events of sewer flooding within properties and settlements as a result of sewage backing up within the system.

- 1.41 However, the Government published in August 2022 a 'Storm Overflows Discharge Reduction Plan' (SODRP) which follows on from provisions in the Environment Act 2021 and defines targets that water companies will need to meet in the coming decades to 2050 to progressively reduce discharges of untreated sewage from CSO's and reduce the harmful health and ecological impacts of discharges. Water companies such as Northumbrian Water will need to ensure going forward that capacity is provided for new development within their drainage infrastructure networks whilst also ensuring that discharges from CSO's meet the above-mentioned Government's targets, otherwise they may be liable to enforcement action from the Environment Agency or Ofwat. In this regard water company infrastructure investment is planned in 5 year cycles with the next Northumbrian Water infrastructure investment plan due to be published in due course for the period 2025-2030.
- 1.42 Under the aforementioned Environment Act 2021, water companies will also have to produce Drainage and Wastewater Management Plans forecasting a minimum 25 year period and looking at current and future capacity, pressures and risks to the network including climate change and population growth.
- 1.43 Pulling all of these matters together, whilst officers share the concerns of objectors regarding the discharge of untreated sewage into the sea and local water courses, such discharges are at the present time lawfully permitted under certain conditions by the Environment Agency regulatory regime that governs these. Notwithstanding this, the Government have recently published their Storm Overflows Discharge Reduction Plan for water companies to progressively reduce the number of such discharges and their harmful impact on health and biodiversity in the coming decades to 2050, following on from the provisions of the Environment Act 2021.
- 1.44 NPPF paragraph 188 advises that the focus of planning decisions should be on whether a proposed development is an acceptable use of land rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively and the Environment Agency in their comments on the application do not raise concern that their regulatory regime (as it exists at present) is not operating effectively in the context of the foul drainage infrastructure catchment area that serves the application site and the current regulatory framework governing CSO discharges.

Response to (l) and (m)

- 1.45 Objectors are concerned that untreated sewage discharges are harmful to human health and due to nutrient nitrification are also harmful to the ecological value of the marine environment, with the coastal areas bordering South Tyneside being internationally designated sites of ecological value.
- 1.46 In response to objector concerns around pollution of the coastal environment by untreated sewage discharges, Northumbrian Water make reference to bathing waters at Seaburn and Roker meeting Defra's excellent standards and also refer to the coastal areas adjacent to South Tyneside as not being within catchment areas identified by Natural England as being of concern in terms of the matter of nutrient enrichment. The Environment Agency also state

that their incident reporting system has no record of any pollution incident reports being received in relation to sewerage litter in the Whitburn area since 2012. They further state that the bathing water results for the area have also been excellent for a number of years. Given the local interest in this issue, they would expect that if these spills had been non-compliant with the permit, they would have seen evidence of sewerage litter on the surrounding beaches and they would have received a large number of reports informing them of an issue. They continue by stating that the absence of any physical evidence and / or pollution reports support their view that the spills are in line with permit conditions.

- 1.47 Objectors have challenged the credibility of bathing water data, alleging that this does not accurately reflect the sporadic nature of untreated sewage discharges but no alternative data regarding bathing water quality at Whitburn/Seaburn/Roker has been supplied to the Council as Local Planning Authority. Reference has also been made by objectors to a decline in bathing water quality at Marsden and South Shields beaches to the north of Whitburn, although Marsden currently retains a 'Sufficient' standard and South Shields a 'Good' standard. However, Northumbrian Water have advised that investigation work they've undertaken shows that the deterioration in bathing water quality at Marsden is not related to discharges from their assets and they have no assets that would have a direct impact on bathing water quality at South Shields. However, they advise that they remain committed to working in partnership with the Council and the Environment Agency to improve environmental quality.
- 1.48 Furthermore, even when discharges of untreated sewage into the wider environment via CSO's do take place under the auspices of the present Environment Agency regulatory regime, it is not considered that these would be worsened to such an extent by foul sewage discharges from the proposed developments, nor that demonstrably greater harm to human health and ecological value would arise and in this regard it is noted that no concerns have being raised concerning human health or ecological impacts of the proposed allocations by Northumbrian Water, the Environment Agency, Natural England, The Marine Management Organisation or the Council's Environmental Protection team.

Response to (n)

- 1.49 Objectors have referred to a European Court of Justice judgement from 2012 which found that sewage discharges at Whitburn were in breach of the European Union's Urban Waste Water Treatment Directive as a failure to treat urban wastewater cannot be accepted under usual climatic and seasonal conditions.
- 1.50 In terms of the 2012 European Court of Justice judgement the Environment Agency advised that in response to this judgement an improvement scheme was completed by Northumbrian Water at Whitburn in 2017. The Environment Agency are currently monitoring the performance of this improvement scheme with the findings of monitoring being reported to the European Commission via Defra but advise that they will need 10 years of data to statistically show whether or not the improvement scheme has been successful.

South Tyneside Position

- 1.51 As outlined, South Tyneside Council, the Environment Agency and Northumbrian Water have defined roles in relation to water resources and sewage management. The Council has no legal responsibility for the operation or regulation of the adopted sewer network but is involved in its capacity as Local Planning Authority and Lead Local Flood Authority. The Environment Agency regulate discharges to the environment and they are responsible for assessing the quality of designated bathing waters. Northumbrian Water is South Tyneside Councils Water and Sewerage undertaker and is responsible for the management of its infrastructure. They are a statutory consultee in the preparation of the Local Plan and a non a statutory consultee for new development planning applications.
- 1.52 It is acknowledged that there are significant concerns among residents and community groups in relation to the operations of Northumbrian Water and their regulation by the Environment Agency. However for the reasons set out in the responses to the representations, the Council considers that it is legitimate to place considerable weight on the professional advice of both of these organisations. This applies both in relation to the emerging Local Plan and also in relation to planning applications.
- 1.53 Regarding the emerging Local Plan, Northumbrian Water has advised that it has sufficient network and treatment capacity to support the proposed development allocations. Additionally they have a legal duty under Section 94 of the Water Industry Act to ensure that their network is maintained, improved and extended to meet growth demands. The Environment Agency has not raised any concerns regarding the proposed development allocations.
- 1.54 As noted in the 'Role of the Council' section of this Statement, South Tyneside Council is committed to protecting and enhancing the natural environment. However the Council is not responsible for the operation or the regulation of the adopted sewer network. Its role as LPA and LLFA is to liaise with Northumbrian Water to ensure that NWL do not have any capacity concerns regarding proposed development allocations. Regulation of NWL in connection with sewerage capacity is ultimately the responsibility of the Environment Agency.

Appendix 1: South Tyneside Council's Ocean Recovery Declaration

Below is the motion that was approved at the meeting of Full Council on 13 January 2022.

Motion 2 – “Motion for the Ocean”

Local Context

South Tyneside Council is leading the way in tackling the climate emergency and has recognised the value of the ocean in both helping us meet our commitment to being carbon neutral by 2030 and in protecting our beautiful coastline. We are lead partners on the Stronger Shores project, which is pioneering the use of nature-based solutions for coastal protection and carbon storage, restoring marine habitats in order to protect the coast and communities of the North East.

We are founding partners of the SeaScapes scheme, the first of its kind in the UK, which is better connecting local communities with our maritime heritage, improving ocean literacy (understanding of the relationship between people and the ocean) and inspiring people and businesses to play their part in protecting it. We work towards more sustainable fisheries management as members of the North Eastern IFCA.

Our Economic Recovery Plan places the environment and green growth front and centre of our plans to create an inclusive, sustainable economy. We are active in the Tyne Estuary Partnership which has already delivered one project to extend carbon-storing saltmarsh habitats within the Borough, with other nature-based solutions in the pipeline.

South Tyneside Council is leading the way nationally too. We are lead authority for the Local Government Association's Coastal Special Interest Group and are championing better coastal policy and funding for the benefit of all England's coast and its communities.

It is natural that we would be one of the first local authorities in the country to declare an urgent need for ocean recovery.

Why is this declaration needed now?

The health of our ocean is inextricably linked with our climate and with human health, wellbeing and prosperity. A healthy ocean is fundamental in regulating the global climate system and is an essential ally in our fight against climate change. The ocean absorbs more than 90% of the excess heat in the climate system as well as absorbing around 20% of annual carbon dioxide (CO₂) emissions generated by human activity.

However, decades of irresponsible marine exploitation and pollution have led to significant levels of degradation, and this together with the detrimental impacts of our changing climate on marine ecosystems has led to national and global recognition that the world ocean is in crisis. An unhealthy ocean does not absorb or store carbon as effectively as a healthy one, further worsening the impacts of the climate crisis.

The UK government's recent Marine Strategy assessment confirms that our marine environment is not healthy. An ocean in crisis is not only bad news for our climate, but also for our local fishing and tourism industries and for our health, wellbeing and prosperity in our local communities.

In South Tyneside, like the rest of planet, we are witnessing the ocean crisis first-hand. Fish stocks continue to collapse from permitted and illegal overfishing and poor water quality is impacting seafood and safe bathing. Our beaches are covered in litter with each tide, much of it plastic, though

this is just the tip of the iceberg of the amount of litter in our oceans. Marine microplastics have been found in all marine environments and in the bodies of many species, including humans and the species of fish we regularly eat.

Our residents are on the frontline of climate change and are being disproportionately impacted relative to inland communities. The impact of the climate crisis on the ocean is profound, from rising water temperatures and changes in ocean chemistry, to sea level rise and increased storminess, including in our local waters. This is changing what seafood is caught locally, accelerating the erosion of our coastline - increasing the risk to infrastructure and properties, and increasing the risk of flooding and storm damage.

Urgent action is needed to halt these devastating changes and recover the health of our ocean to enable it to deliver the full range of benefits, including climate regulation, carbon storage in coastal and marine habitats, coastal protection, a thriving local economy, clean safe recreation and happy, healthy coastal communities. We must play our part in recovering the health of the ocean.

In South Tyneside, the ocean is at the heart of our heritage and economy. From the expertise of South Shields Marine school and clusters of maritime and marine expertise around the Port of Tyne, to the millions of visitors who come to the borough to experience the sight, sound and feel of the ocean. The ocean can play a vital role in our economic recovery and we must strive to develop a sustainable and equitable blue economy that delivers both ocean recovery and local prosperity. We must ensure that ocean recovery is embedded in our relevant strategic decision-making, policymaking and budget-setting; as well as being considered in future strategies and plans, including those seeking to improve the health and wellbeing of our residents.

At present, not everyone has the opportunity or means to access and enjoy the ocean. Even within the borough, there are people of all ages who have never experienced the joy of our ocean. First-hand experience of the ocean is essential if people are to be motivated to play their part in protecting it, whether that is through disposing of their litter responsibly, recycling what they can or volunteering in ocean conservation with local organisations. Helping individuals develop their ocean literacy (understanding of the relationship between people and the ocean) is an essential part of this motion, as is individual and collective marine citizenship (promoting and demanding an ocean recovery through local, national and international policy changes).

Local authorities cannot solve the ocean crisis alone, but we can – and must – play our part.

This Council declares an urgent need for Ocean Recovery.

We recognise that we need ocean recovery to meet our net zero carbon targets, and we need net zero carbon to recover our ocean.

This Council pledges to:

1. Report to Full Council within 12 months on the actions and projects that will begin an ocean recovery in South Tyneside.
2. Consider ocean recovery in all strategic decisions, plans, budgets and approaches to decisions by the Council (particularly in planning, regeneration, skills and economic policy), aligning with climate change mitigation and adaptation requirements, and considering ocean-based solutions in our journey towards a carbon neutral and climate resilient future.

3. Promote closer working between the South Tyneside Council and the Marine Management Organisation and embed strong links between the Local Plan and the North East Marine Plan to support ocean recovery.
4. Ensure that the Local Nature Recovery Strategy strives to support ocean recovery.
5. Work with partners locally and nationally to deliver increased sustainability in marine industries and develop a sustainable and equitable blue economy that delivers ocean recovery and local prosperity.
6. Grow ocean literacy and marine citizenship in the borough, including ensuring all pupils are given the opportunity to experience the ocean first-hand before leaving primary school- striving to include home-schooled children - and promote equitable access to the ocean through physical and digital experiences for all residents.
7. Work with South Shields Marine School and South Tyneside College to continue to embed marine, maritime and blue carbon training at the heart of training provision.
8. Subject to available resources and other priorities, create an online portal of the Council website to update on ocean recovery progress, signpost to ocean literacy development opportunities, and marine citizenship pledges.
9. Write to the Government asking them to put the ocean into net recovery by 2030 by
 - a) Ensuring Inshore Fisheries and Conservation Authorities and Natural England have the resources they need to effectively research and monitor our growing number of marine protected areas, and to set and enforce appropriate fishing levels that support local economies and deliver environmental sustainability.
 - b) Ensuring coastal communities have a meaningful say in the development of marine policy to ensure it delivers equitable and sustainable outcomes.
 - c) Appoint a dedicated Minister for Coastal Communities.
 - d) And by listening to marine scientific advice, including marine social science, to update the Marine Policy Statement and produce a national Ocean Recovery Strategy which will:
 - i. Enable the recovery of marine ecosystems rather than managing degraded or altered habitats in their reduced state.
 - ii. Consider levelling up, marine conservation, energy, industrial growth, flood and coastal erosion risk management, climate adaptation and fisheries policy holistically rather than as competing interests.
 - iii. Develop a smarter approach to managing the health of the entire ocean that moves beyond Marine Protected Areas and enables links to be made across sectors towards sustainability.
 - iv. Establish improved processes for understanding the benefits of ocean recovery, leaving no doubt the links between this and human lives, livelihoods, and wellbeing.
 - v. Stop plastic pollution at source by strengthening the regulations around single-use plastics and set standards for microfibre-catching filters to ensure that all new domestic and commercial washing machines are fitted with a filter that captures a high percentage of microfibres produced in the wash cycle.

Appendix 2: South Tyneside Council's Animal Protection Charter

The Full Council meeting of 12 January 2023 considered and endorsed the proposed Animal Protection Charter which sets out commitments and intentions with regards to leveraging Council functions to uphold standards of animal welfare and promote the protection of animals, wildlife and biodiversity. The Full Charter is available with the details of the meeting on the Council's website at <https://southtyneside.gov.uk/article/13613/committee-meeting?a=9096&p=>

It states in respect of the Council's statutory powers and functions that:

The Council recognises that changes to the natural environment through land use changes or new development can directly or indirectly affect wild animals, including by adversely affecting the ability of habitats to sustain viable populations of wild animals and plants. To mitigate the negative impacts of this, the Council will ensure its development frameworks require developers to consider risks of harming wildlife and habitats and mitigate against these risks appropriately and will work to provide supplementary guidance to support developers to consider different wildlife enhancement features. In line with its Ocean Recovery Declaration (January 2022), the Council is committed to considering the ocean when making decisions and ensuring that economic opportunities associated with the sea are developed in a sustainable way.

Appendix 3: South Tyneside Council's Ecological Emergency Declaration

The Full Council meeting of 9 March 2023 was presented with an ecological emergency declaration and associated action plan. Both documents are below:

The ecological emergency is the decline of nature all around us – there are fewer species and less abundance of natural life due to our actions. The ecological crisis, and the resulting collapse of vital life-support systems that nature provides through clean air, clean water, pollination, food and natural resources, also therefore threatens the human race. Restoring nature is critical and action is needed now to reverse this decline. Existing legislation protects particular species and designated areas and the Environment Act 2021 requires the publication of a Local Nature Recovery Strategy, for all new development to achieve a minimum 10% net gain in biodiversity and for public authorities to take action to conserve and enhance biodiversity.

This Ecological Emergency Declaration is intended to complement the Council's statutory requirements regarding biodiversity and nature recovery. The Council, together with residents and partners, can and must be active in reversing the ecological crisis by making a difference at a local grassroots level. Nature is resilient and given the right conditions, it can recover quickly.

The Council resolves to:

- 1. Declare an Ecological Emergency*
- 2. Set up an Ecological Emergency Working Group to help elected members and council officers address this emergency and develop the Councils approach to nature protection, recovery and enhancement*
- 3. Incorporate ecological implications alongside environmental sustainability considerations in committee and council reports*
- 4. Conduct a cross service review to understand the ecological impacts of Council operations and identify opportunities that will benefit biodiversity*
- 5. Ensure that all council strategic decisions, policies and strategies consider and maximise nature recovery*
- 6. Commit to positive actions for biodiversity protection, enhancement and recovery*
- 7. Maximise partnership working opportunities to deliver nature recovery in South Tyneside*
- 8. Develop Member Champions for biodiversity to advocate for and influence positive actions, whilst supporting nature protection, recovery and enhancement across the council and beyond*
- 9. Increase eco-literacy across South Tyneside to engage, inspire, enable and empower others to take positive actions for biodiversity with the council leading by example*
- 10. Call on the leader and chief executive to lobby the Government to pass the necessary legislation and provide the powers and resources necessary to deliver our nature recovery goals and seek local MP support*

11. Report to Full Council annually on the progress against the declaration and an evolving action plan

Ecological Emergency Declaration – Action Plan

Ref	High Level Action	Activity
1	<i>Declare an Ecological Emergency</i>	<ul style="list-style-type: none"> • Declaration to be taken to Place Select Committee in January 2023, Senior Leadership & Full Council to seek approval to declare an Ecological Emergency.
2	<i>Set up an Ecological Emergency Working Group to help elected members and council officers address this emergency and develop the Councils approach to nature protection, recovery and enhancement.</i>	<ul style="list-style-type: none"> • Establish the Terms of Reference of the Cross-Party Working Group and a chair. • Ensure coordinated and ongoing development of the Ecological Emergency Action Plan in response to the Ecological Emergency Declaration. • Establish links with internal complementary groups.
3	<i>Incorporate ecological implications alongside environmental sustainability considerations in committee and council reports and processes.</i>	<ul style="list-style-type: none"> • Develop policy and guidance to embed and inform decision making across the organisation. • Lead by example on our asset programmes, development, place-making and regeneration projects.
4	<i>Conduct a cross service review to understand the ecological impacts of Council operations and identify opportunities that will benefit biodiversity.</i>	<ul style="list-style-type: none"> • Set up an Officers working group. • Establish a baseline. • Set up a review process - baseline, actions, monitor & evaluate.
5	<i>Ensure that all council strategic decisions, policies and strategies consider and maximise nature recovery</i>	<ul style="list-style-type: none"> • Develop relevant eco-literacy resources. • Develop a programme of in-house training and workshops on biodiversity legislation, the ecological emergency and maximising nature recovery. • Identify a lead in each relevant dept for liaison. • Ensure that ecological implications are considered in the corporate governance process. • Explore opportunities to embed eco-literacy training in the new staff induction process.
6	<i>Commit to positive actions for biodiversity protection, enhancement and recovery</i>	<ul style="list-style-type: none"> • Identify and implement ecological enhancements in new capital projects. • Explore opportunities for ecological enhancements across the council estate. • Review and strengthen planning policies to consider green and blue infrastructure. • Promote projects and activities that enhance the habitat, ecological and biodiversity value of our green and blue spaces.
7	<i>Maximise partnership working opportunities to deliver nature recovery in South Tyneside</i>	<ul style="list-style-type: none"> • Work in partnership to identify and develop areas for ecological enhancement and creation, examples include the existing Tyne Estuary & Stronger Shores Partnerships.

8	<i>Develop Member Champions for biodiversity to advocate for and influence positive actions, whilst supporting nature protection, recovery and enhancement across the council and beyond</i>	<ul style="list-style-type: none"> • <i>Develop relevant eco-literacy resources and deliver training/workshops to improve understanding of members.</i> • <i>Explore opportunities to embed eco-literacy training in the new member induction process.</i>
9	<i>Increase eco-literacy across South Tyneside to engage, inspire, enable and empower others to take positive actions for biodiversity with the council leading by example</i>	<ul style="list-style-type: none"> • <i>Identify appropriate channels for communicating the value of nature, exploring opportunities, listening to concerns and work in partnership with community stakeholders to achieve this.</i>
10	<i>Call on the leader and chief executive to lobby the Government to pass the necessary legislation and provide the powers and resources necessary to deliver our nature recovery goals and seek local MP support</i>	<ul style="list-style-type: none"> • <i>Ensure the Councils position and support for the relevant legislation is communicated to government.</i> • <i>Ensure the Council responds to relevant government consultations.</i>
11	<i>Report to Full Council within 12 months on the progress against the declaration and action plan</i>	<ul style="list-style-type: none"> • <i>Report back to Place Select Committee as required.</i> • <i>Opportunities to review this action plan in line with up and coming legislative priorities/requirements.</i>