



22.1.2010

NOTICE TO MEMBERS

Subject: Petition 0884/2009 by D.D. (British), on behalf of the Residents of St Kingsmark Chepstow, on alleged negligence by Welsh Water plc with regard to sewerage problems in St Kingsmark and resulting odours

1. Summary of petition

The petitioner expresses concern at serious sewerage problems affecting two residential areas since 2001, resulting in an intolerable stench, particularly in the summer and in certain cases a backflow of sewage effluent into homes. The petitioner regards this as an inadmissible nuisance for those seeking an acceptable quality of life as well as being a public health hazard. Welsh Water plc, which has a monopoly on the supply of water and sewage services in the area concerned, is, according to the petitioner, refusing to take action to remedy matters. The petitioner, a member of the regional council, has spared no effort to make Welsh Water take measures but has been unsuccessful and is now, as a final resort, seeking the assistance of the European Parliament.

2. Admissibility

Declared admissible on 20 October 2009. Information requested from Commission under Rule 202(6).

3. Commission reply, received on 22 January 2010.

The petition:-

- describes nuisance from the sewerage system at Chepstow (Monmouthshire County, Wales, UK), i.e. a regular stench, and in certain cases a backflow of sewage into residents' houses;
- requests action to ensure that the waste water services company (Welsh Water) takes action to address the problems described.

Comments by the Commission on the petition

The applicable elements of EU environmental legislation are the Urban Wastewater Treatment Directive¹ and the Waste Framework Directive².

The Urban Waste Water Treatment Directive:

- sets out an obligation for waste water collection and waste water treatment in settlement areas ('agglomerations') as a rule of more than 2 000 inhabitants or the equivalent in waste water pollution ('population equivalents', p.e.);
- provides, inter alia, criteria for waste water collection: "The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding
 - volume and characteristics of urban waste water,
 - prevention of leaks,
 - limitation of pollution of receiving waters due to storm water overflows."

In this directive there are, however, no specific provisions regarding odour or stench.

However, the provisions of the Waste Framework Directive apply to waste waters where these are not covered by other Community or national legislation. This directive requires the avoidance of odour nuisances in the treatment of waste including waste waters.

It appears that in the time between the submission of the petition (19 June 2009) and its reception by the Commission (26 October 2009), the responsible authorities have commenced action to address the problems, as documented by Monmouthshire County Council in its minutes of the meeting of 21 October 2009.

Conclusions

The Commission was not previously aware of the problems linked to the sewerage system at Chepstow (Monmouthshire County, Wales, UK) as described in the petition.

¹ Directive 91/271/EEC, OJ L135 of 30.5.1991

² Directive 2006/12/EC, OJ L114 of 27.4.2006, article 4(1) "Member States shall take the necessary measures to ensure that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment, and in particular . . . (b) without causing a nuisance through noise or odours; . . ."

³ Full text of the minutes is available at :

http://www.monmouthshire.gov.uk/downloads/6_Mor_Hafren_Various_Updates_21stOctober_2009.pdf