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High Court grants hearing for landmark case on sewage dumping backed by Good Law Project

The High Court has given permission for a hearing against the Government's [Storm Overflows Discharges Reduction Plan](#), which allows water companies to continue dumping sewage into rivers and coastal waters for another three decades. Good Law Project is supporting the legal action, being brought by the Marine Conservation Society, Richard Haward's Oysters, and Hugo Tagholm, a surfer and activist.

The hearing at the High Court will challenge the Secretary of State for Environment, Food and Rural Affairs, Thérèse Coffey, over her department's plan.

The Storm Overflows Discharges Reduction Plan was published in August last year and gives water companies a deadline of 2035 to reduce the amount of sewage flowing into bathing water and areas of ecological importance, but until 2050 to stop dumping sewage elsewhere.

The claimants want the Government to improve its plan and bring forward the deadlines for water companies to act and include stronger protections for coastal waters across the country.

England has around [14,500 storm overflows](#) in operation to stop sewers becoming overwhelmed. They allow a mixture of surface water and raw sewage to be discharged into rivers and coastal waters - but should only be used occasionally following exceptionally heavy rainfall.

The latest Environment Agency [data](#) shows that storm overflows are being used with alarming regularity. In 2021, storm overflows discharged untreated sewage 372,533 times over a period of 2.7 million hours.

The date for the hearing at the High Court has yet to be decided.

Jo Maugham, Director of Good Law Project, said:

"This could be the most consequential environmental law case in recent history. We contend - and the High Court now agrees the point is arguable - that the English common law contains a principle that the natural environment must be protected, must be held in trust, for future generations."

Sandy Luk, Chief Executive of Marine Conservation Society, said:

"We're now one step closer to compelling the Government to re-write its Storm Overflows Reduction Plan, so that the ocean and its inhabitants really are protected from untreated sewage dumping. Raw sewage will continue polluting our seas until action is taken. Being granted permission to

proceed with this case is an important milestone in achieving our vision for a cleaner, better protected and healthier ocean.”

Tom Haward, Operations Manager of Richard Haward’s Oysters and 8th generation oysterman, said:

“Having clean and safe waterways is something we shouldn’t have to fight for or even ask the courts to consider.

“But, in 2023, we are in that position. I’m happy the High Court has given permission for the case to be heard and I hope it will be another step toward making water companies accountable - truly accountable - for their actions”.

Surfer and activist, Hugo Tagholm, said:

“The sewage scandal is now headline news. The writing is on the wall for water companies. Their pollution that was for so long hidden in our rivers and streams now flows in full view of the public. A sign of decades of neglect and complacency. The blue spaces so important for wildlife, people and communities should not be treated as dumping grounds for these corporations. We should be free to swim, surf and enjoy our rivers and coastline without fear of sewage pollution.”

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For more information or to arrange an interview please contact: press@goodlawproject.org or 07907 296156.

Notes to Editors

1. The Statement of Facts and Grounds for this case, which has been submitted to the High Court can be found [here](#).
2. Good Law Practice is an independent law firm launched in 2022 by Good Law Project. It supports Good Law Project, and its partners, to bring strategic litigation in the public interest.
3. Good Law Practice, Marc Willers KC of Garden Court Chambers and Peter Lockley of 11KBW are instructed to appear in this case.
4. The CrowdJustice page for the case can be found [here](#).
5. About this case:

The list of co-claimants is:

- Richard Haward's Oysters (Mersea) Ltd
- Hugo Tagholm
- The Marine Conservation Society

The [Marine Conservation Society](#) is the UK's leading ocean charity, fighting for cleaner, better-protected, healthier seas. The charity works to highlight the importance of our ocean, and the life within it, through working with government, industry and education, to take action to restore and protect the marine environment.

6. About Good Law Project: [Good Law Project](#) is a not-for-profit that uses the law for a better world. We hold the Government and public bodies to account and protect the interests of the public. We had a primary role in overturning the prorogation of Parliament in 2019 and, more recently, have been shining a spotlight on the Government's award of PPE contracts to their friends and associates.