

Committee: Scrutiny

Agenda Item

Date: 18 October 2013

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Title: Management of foul drainage from rural properties

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Summary

1. This report reviews the types of systems serving council owned properties and former council houses, and current issues with these systems.

Recommendations

2. The report be noted

Financial Implications

3. None associated with the above recommendation.

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

- 5.

Communication/Consultation	
Community Safety	
Equalities	
Health and Safety	The characteristics of the plants and their maintenance poses particular risks which need to be managed
Human Rights/Legal Implications	
Sustainability	
Ward-specific impacts	With the exception of the plants in Saffron Walden Castle ward and Littlebury, all the

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	plants are in the southern part of the district
Workforce/Workplace	

Situation

6. The Committee requested at its last meeting a report on septic tanks to enable it to:
 - understand how many septic tanks are Council owned and where they are located.
 - ascertain how many private owners and how many council tenants use a Council owned septic tank.
 - establish when/ if the Council owned tanks will need to be renovated or replaced.
 - understand how often the current tanks are serviced and what the associated costs are.
 - understand septic tank provision and associated potential impacts on residents.

7. Very few council owned properties or former council houses are actually served by septic tanks, so the starting point for this report is to explain the difference between septic tanks, cesspools and small sewage treatment plants. It is believed that the Committee is really interested in the latter.

8. Appended is a publication by the water industry to which there is a link from the council’s website. In summary, septic tanks treat foul drainage through settlement and discharge treated effluent into the ground through weeper drains but require periodic pump outs to desludge the tank and drains, cesspools are sealed tanks that hold foul drainage and require regular emptying, and treatment plants treat the foul water from a number of properties through biological/ mechanical means/ settlement and discharge treated effluent into the water course system. They too may require periodic pump out of sludge.

9. The council no longer directly provides a cesspool/septic tank pump out service to residents in the district. It ceased this service at the end of FY2011/12. From 1 April 2012, the budget for emptying, inspection and maintaining council owned plants was transferred from the general fund to the HRA. The council uses a private contractor for periodic de-sludging pump outs of these council owned septic tanks and plants.

10. The HRA sewerage net budget for 2013/14 is £52,952, which includes £52,520 direct income from fees and charges. Principal direct costs are salary for a maintenance operative, disposal costs and business rates payable for the plants. The 2013/14 capital programme includes provision for £5,000 investment in sewage treatment plants.

11. After recharges, the net expenditure for emptying, inspection and maintenance work is met from the Housing Revenue Account.

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12. There are 143 properties served by small rural sewage treatment plants maintained by the council. There are 75 accounts through which the current owners of former council houses and other privately owned dwellings are billed for sewerage charges. The balance of the properties remains occupied by council tenants on social rents, who are also liable for sewerage charges.
13. The distribution of these 143 properties is shown in the appended table. The position has remained relatively stable since mains drainage was provided in Great Hallingbury, which resulted in a significant number of homes being switched from small treatment plants to mains sewer connection. Apart from 26 homes at Petlands Little Walden and 4 at Catmere End, they are in the southern half of the district.
14. The water companies have been approached on several occasions to see if they would agree to take over the running of the remaining council owned plants, however they have been unwilling to take over this service. The main reason for their decision is the uneconomical nature of the plants due to the fact that they serve only small groups of rural dwellings.
15. The council has an obligation in the deeds to the owners of those properties connected to small treatment plants originally constructed as social housing and sold under right to buy, to continue to treat their foul drainage, a service for which charges are payable.
16. Charges are calculated individually for each treatment plant. The basis for charging varies from property to property depending on the terms of the particular deeds applied at the date of sale into private ownership.
17. Only the costs incurred by the council are recharged to the owners and council tenants of the properties benefiting from the service. There is no mark up on any costs involved, as the council do not run the plants for the purpose of making any profit.
18. Small sewage plants, serving less than 6 properties, can be relatively expensive to operate and by definition have only a few users from whom the expenses can be recovered. However, the council is committed to taking all practical steps to minimise costs and recharges relating to these plants, whilst ensuring that discharge standard acceptable by the Environment Agency are met.
19. In the past there have been concerns from residents over the charges they have to pay, however all residents accept some liability to contribute towards the service costs for the sewage treatment plants. The key point raised by residents is that such charges need to be reasonable and proportionate – especially given differing household sizes/perceived usage.
20. Officers are keen to address concerns regarding future charges for service and maintenance costs (including repair and renewal) of the sewage treatment works and how such costs will be apportioned between the properties.

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21. The council could devise a policy, applicable to all residents, which based charges on the local water authority's rates if the houses were attached to the mains sewers. Having such a policy in place would provide a uniform method of charging sewage costs to all residents and ensure fairness and transparency. However, the sewage charge needs to cover all expenditure incurred by the Council for the emptying, inspection and maintenance costs of the works. The Council would need to be sure that the local water authority's equivalent service charges would actually cover the Council's costs in full.
22. Deeds vary quite considerably and consideration of each conveyance/transfer will be necessary to establish both the legal and factual position for each connected property before implementing any changes to the way properties are charged for sewage costs.
23. Individual owners would also need to agree to any changes in the way sewage charges are calculated and re-charged and, if necessary, their title deeds varied to reflect the changes. This is likely to be an expensive process and the Council may find the residents would seek to recover their individual legal costs. In addition, there is a risk that not all residents would be able to come to an agreement on this matter and the council could still end up without a uniform agreement in place with all residents. It would be inevitable that some residents could see themselves as being in a worse position than before and they may refuse to enter such an agreement.
24. There have been fewer complaints about the cost for providing the sewage service as charges have remained stable in recent years and in some cases have become comparable to those paid to Anglian Water/ Thames Water for sewerage services to properties connected to mains drainage. This has partly been enabled through efficiencies.
25. The ability to maintain such parity of charges depends on whether exceptional capital costs need to be incurred in a particular system, although the terms of deeds may constrain the council's ability to pass on such exceptional costs through charges.
26. The council periodically consults owners as to their wish to continue with shared arrangements. In some circumstances, subject to approval from the Environment Agency, it is possible by mutual agreement to decommission treatment plants and to replace them with individual septic tanks for each property. The owner would be expected to meet the capital costs of their own septic tank and would then be responsible for on-going emptying, inspection and maintenance. The cost of each tank for a tenanted council property is met through the HRA capital programme.
27. The small treatment plants generally are ageing and the risk of significant capital costs is moderate. In 2005, the council had a policy of replacing all plants with modern lower maintenance units within 3 years. However, it became apparent that the cost of de-commissioning the old plants would be significantly higher than envisaged and at the time the capital programme did not have the capacity to deliver the policy. Accordingly, a revised policy of

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repair of plants was instigated with only plants requiring more significant work being replaced.

28. The largest plant at Petlands, Little Walden is a replacement for two smaller plants. It was installed in 2007 at a cost of approximately £65K. A replacement plant to serve smaller groups of properties than Petlands, of for example 7 or 8 homes, could cost in the order of £30K.

29. The relatively new plant at Petlands is not functioning as it should however, with discharge quality not compliant with the consent. The issue is actively being pursued with the installers to identify a solution. There is a current problem with the plant at Brick End Broxted which is likely to require replacement of a common connection pipe at a potential cost of £5K.

Risk Analysis

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Risk	Likelihood	Impact	Mitigating actions
Ageing plant leads to non compliant discharge quality	2 A comprehensive programme of repairs was implemented in 2007. Problems needing attention arise.	3 Persistent failure to meet discharge consents could result in the council being prosecuted	Regular inspection and sampling regime Ad hoc works as part of the capital programme budget
Dishwashers, washing machines, power showers etc place demands on the capacity of small plant that were not anticipated at time of installation	2 Some plants exhibit problems	3 As above	As above

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

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UDC SMALL SEWAGE TREATMENT PLANTS

Address	Settlement	No of Properties Attached
Collins Green	Aythorpe Roding	4
Gunners Green	Aythorpe Roding	2
Keers Green	Aythorpe Roding	4
Roundbush Villas	Aythorpe Roding	4
New House Villas	Barnston	4
Brick End Villas	Broxted	9.5
Crix Green Villas	Felsted	6
Brickhouse Villas	Good Easter, Margaret Roding	1
Middle Barn Villas	Great Canfield	4
Bishops Green Villas	Great Dunmow	4
School Villas/Whitegates	Lindsell	12
The Styles	Little Bardfield	16.5
Howe Close	Catmere End, Littlebury	4
High Cross Villas	Little Canfield	7
Windmill Villas	Little Canfield	4
Petlands	Little Walden	26
School Villas/Burnt House Villas	Takeley	12
Bury Villas	Takeley	8
Bardfield End Villas	Thaxted	7
Chickney Hall Villas	Broxted	4
TOTALS		143

Notes:

Properties connected at Brick End Broxted include a pub which is deemed to be the equivalent of 3.5 properties

Properties connected at Little Bardfield include small almshouses which are deemed to be the equivalent of 0.5 of a property

The plant serving 1 council property at Brickhouse Villas in Margaret Roding parish is a septic tank. Previously 4 properties in this location, 3 of which were private, had been served by a small plant. The 3 private properties now each have their own septic tank.