

Annex 3 – Environment Agency Response

- **An outline of EA role in dealing with water pollution, including our legal powers**

The Environment Agency (EA) is the main regulator responsible for protecting and improving water quality in England, operating under legislation such as the Environment Act 1995 and the Water Resources Act 1991. Its role is to prevent, reduce, and control pollution while supporting sustainable development. The EA carries out this role by issuing environmental permits under the Environmental Permitting Regulations 2016, which set legal limits and conditions on discharges to water. It also monitors water quality, inspects regulated sites such as wastewater treatment works, and responds to pollution incidents by investigating causes, collecting evidence, and assessing environmental harm.

To ensure compliance, the EA uses a range of legal powers through a risk-based and proportionate enforcement approach. These powers include issuing and enforcing environmental permits, requiring information and access to sites, and serving formal notices such as Enforcement Notices, Suspension Notices, and Stop Notices to control or halt harmful activities. Where breaches occur, the EA can apply civil sanctions, including monetary penalties and enforcement undertakings, or take criminal action, prosecuting offenders in court where serious pollution has occurred. In practice, these powers are used to stop pollution, restore environmental damage, and deter future offences, with recent legislation further strengthening the EA's ability to take swift action and hold both organisations and individuals accountable.

- **specifically including an outline of EA role in tackling diffuse pollution from agricultural sources and what, if any, targets exist in this regard**

The Environment Agency's agriculture report 2026 is the first time we have reported in detail on agriculture. Its purpose is to inform our customers, partner organisations and the wider public on how we work with farmers and share our insights on the performance of the sector, with the aim of reducing the impact of agricultural activity on the environment. You can find it here:

<https://www.gov.uk/government/publications/agriculture-and-the-water-environment-2026-report/agriculture-and-the-water-environment-2026-report>

We'd like to share the following additional information with you to provide some further detail and context on our role and some examples of how we have been working to improve water quality and ecology in CYC area.

EA role in WINEP

*You will find further details on the EA's role in the Water Industry Natural Environment Programme (WINEP) **attached**.*

EA role as a statutory consultee

As a statutory consultee, we provide advice and guidance within the planning system and plan-making process on protecting and improving water quality and by influencing decisions about appropriate uses of land. For example, we can support the LPA in using available evidence (such as water business plans) to anticipate future demand for wastewater treatment and investment that may be required. This can help justify Development Plan (DP) policies that link the rate of planned development to the available capacity of wastewater treatment infrastructure and support a case for further investigation, for example through a water cycle study.

River basin management plans (RBMPs) set the legally binding locally specific environmental objectives that underpin water regulation (such as environmental permitting) and planning activities. Regulation 33 of the WFD regulations (2017) places a duty on each public body, including the EA and local authorities, to 'have regard to' RBMPs when exercising their functions.

The EA is the competent Authority for implementing the WFD in England and we work to ensure that WFD requirements are considered and supported through spatial planning. As mentioned, public bodies (including LPAs) are required to 'have regard to' RBMPs when exercising their functions (Reg 33 of the Water Environment (WFD) Regs 2017). Therefore, EA will seek to promote and support the consideration of RBMPs and incorporation of requirements into the DPs policies and supporting evidence base. Additionally, we protect waters by working with LPAs and developers through the planning system to ensure groundwater and aquifers are protected.

As an environmental regulator, we routinely measure, monitor and report on the water situation across England. We work to protect and improve the water environment by monitoring pressures, investigating sources of water pollution and manage water resources. We issue environmental permits for some activities/developments as lead regulatory under the Environmental Permitting (England and Wales) Regulations 2016 to control water discharge and groundwater activities (including permitting which protects surface waters and groundwater from pollution). We also work to influence the efficient use of water through our regulation of the water industry and through abstraction licensing. Furthermore, we work directly with water companies to ensure that effective plans are in place to secure water supply and minimise environmental impacts, for example reviewing Water Resources Management Plans.

Partnership work

- *The EA has been working on a number of projects to improve water quality and ecology in the CYC area.*
 - *We have worked with YWT to fund the delivery of the Foss Project [Foss Catchment Project](#) | [Yorkshire Wildlife Trust](#) that is a partnership project working with the Foss IDB and land owners to address issues of diffuse pollution from agriculture and improvements to riparian habitat.*
 - *We have worked with the Foss IDB to improve operational practices that contribute to improved habitat and reduce the impact of sedimentation on the Foss.*
 - *We support the work of the River Foss Society to assist where required with their water quality and ecology citizen science monitoring.*
 - *We are an active member of the AQUA project [AQUA \(Action for Quality Aquatic Environments\)](#) | [SEI](#) working with multiple partners that include York University, the River Foss Society and Yorkshire Water to support citizen science effort across Yorkshire. One of the workstreams involves 'outfall safaris' on the Foss to investigate and better understand sources of pollution.*
- *The EA administers the funding for Catchment Partnerships across Yorkshire. These partnerships bring together local organisations, charities and businesses to make collective decisions about our rivers and to work together to improve quality and ecology. North Yorkshire CC through the LNP are members of the DVRN and Derwent Catchment Partnerships.*
 - *[DVRN - Yorkshire Dales Rivers Trust](#)*
 - *[Yorkshire Derwent Catchment Partnership](#) | [Yorkshire Wildlife Trust](#)*
- *The DVRN has recently formed a Foss and Ouse subgroup to focus on issues in this area.*
- *The EA is a partner in the Ousewem project that is delivering natural flood management (NFM) and nature-based solutions (NbS) across the Swale, Ure, Nidd and Upper Ouse*

catchments in York and North Yorkshire. Combining advance modelling with practical delivery, the project is working with landowners to address flood risk in ways that are also beneficial to water quality such as tree planting or pond creation that reduce the sediment impact on our rivers.

- *Welcome to Ousewem – Ousewem*
 - *We have also supported the Ousewem project and provided advice for the development of the York Rivers Trail.*
- *The EA has worked with the Friends of St. Nicks and the Foss IDB on the York Urban Becks project to renaturalise sections of Osbaldwick / Tang Hall Beck to improve ecology. The improved ecology of the becks has contributed to reduce sediment input and helps to filter pollutants.*
- *Recommendations/suggestions:*
 - *Consideration to be given by CYC to reference*
 - *Foss IDB - given that large parts of the Foss are under IDB control.*
 - *CYC obligations to deliver the Local Nature Recovery Strategy for North Yorkshire, which includes many components related to water quality and ecology.*