

London Waterkeeper Trustees' Annual Report

1st January – 31st December 2023

The Office Club, The Bussey Building, Unit B31	
133 Copeland Road, Peckham	
London	
SE15 3SN	
Charity number	1165862

Names of the charity trustees who manage the charity:

	Trustee name	Office (if any)	Dates acted if not for whole year	Name of person (or body) entitled to appoint trustee (if any)
1	Dee O'Connell	Chair	All year	AGM and Trustees
2	Charles Law	Treasurer	All year	AGM and Trustees
3	Sarah Saunders	Acting Secretary	All year	AGM and Trustees

Name of chief executive:

Theo Thomas

Structure, governance and management

Type of governing document	Constitution
How the charity is constituted	CIO
Trustee selection methods	As set out in the constitution, trustees shall be elected by members at the AGM. A full term is 5 years. Once a term is complete, the trustee will retire at the AGM and may stand for re-election. Vacancies so arising may be filled by members at an AGM. The members or the trustees may at any time decide to appoint a new trustee in accordance with the constitution.

London Waterkeeper's charitable objects

To promote for the benefit of the public the conservation, protection and improvement of the physical and natural environment, in particular the rivers and other water bodies within the London Watershed.

Aims for the year and activities

Sewer overflows.

With the launch of the Thames Water online, real-time sewer overflow map early in 2023 we planned to monitor its effectiveness and increase awareness of its existence. This would allow people to see how widespread the problem was and reduce the risk of coming into contact with overflows, if they used rivers recreationally.

The publication of the sewer overflow map was the culmination of a campaign we started in 2017. We called for this data to be accessible to the public, in accordance with the Environmental Information Regulations 2004, which water companies had not been complying with.

We planned to continue to press the water company on the number of unconsented sewer overflows that also had not been fitted with spill monitors. We had uncovered this issue in 2022.

Using the sewer map we would demonstrate that the wastewater network is able to cope in dry weather. It is rainfall entering the sewers that is the main reason there are overflows. We would advocate for the use of green infrastructure or Sustainable Drainage Systems, to prevent rain overwhelming sewers.

We are keen to focus on the solutions that are needed to reduce the problem of sewer overflows. Every outfall has a geographical location and the number of sewer overflows are determined by local conditions. We planned to make the problem more tangible by targeting the 'worst' overflows and asking people to make a formal complaint to Thames Water.

This Environmental Information Request would also aim to discover what plans the company had to use green infrastructure to resolve the problem. Water companies and the Government all stress how this should be the first option, rather than storage tanks. We were uncertain whether robust assessments had been carried out to identify green infrastructure options. Our concern is that concrete storage tanks will be used to reduce sewer overflows, which are not resilient options.

Stormwater pollution.

London must do much better at reducing stormwater pollution and flood risk. London has paved over green spaces 22x the size of Hyde Park over the last twenty-five years. Making the city more impervious exacerbates both of these problems.

Rain that falls onto roofs and roads goes into surface water drains which leads to rivers. This in turn results in accumulated substances like oil, heavy metals and microplastics damaging rivers. As green space is replaced by paving it also means water reaches drains more quickly, and in greater volumes, increasing local flood risk.

The Government said in 2023 it would consult on activating Schedule 3 of the Flood and Water Management Act 2010. It then planned to fully introduce the law in 2024. We have championed the activation of Schedule 3 for several years. It would make it compulsory for new developments to use green infrastructure to reduce the amount of rain leaving a site and overwhelming sewers. This would also prevent an increase in the amount of pollution washed off paved surfaces and into rivers.

Linked to this we planned to continue to explain the way that London's sewer system works and advocate for green infrastructure.

There is a misconception that the whole city's drainage was built in Victorian times and is a Combined System (where sewage and rain both go into the same drains). In fact, two thirds of London is a Separate System. Here, rain that falls onto roofs and roads goes into surface water drains which leads to rivers.

Given the loss of green space is directly linked to increased pressure on rivers and local drainage systems we were alarmed to learn that gardens and communal spaces on Council estates were being paved over to create social housing because property developers were failing to build enough affordable homes of their own.

New housing developments are meant to have at least 35% of the homes available as affordable ownership. In reality it can be as little as 10% (At Thurston Point in Lewisham, out of 406 homes, 42 will be shared ownership. At Lewisham Gateway 18% of the 649 homes will be affordable. A large

development in Tottenham Hale will have 25% affordable homes).

This now means that Councils are building homes on the grassy spaces around their blocks of flats. This is called infill. The Council owns this land and they are also the planning authority. Infill developments mean people will lose the places where they relax and children play. Stress will increase. Privacy will be lost. Local flood risk will increase as will heat islands. Biodiversity will be reduced. Many of these neighbourhoods already have a lower amount of accessible green space, losing the communal gardens on their doorstep will push them into deficit. Building on these green spaces in a climate emergency and at a time of biodiversity loss is the opposite of what we need to do. We planned to investigate this issue and establish ways for people to take action.

Achievements and performance

Sewer Overflows.

January 2023. After six years of campaigning Thames Water launched its sewer map displaying real-time overflows to rivers. They are the only water company to do this.

This decision was a vindication of our approach:

In 2013 the Secretary of State told water companies to fit monitors on all of their sewer overflows. We waited a few years and then sent an information request to Thames Water in December 2016. We asked them how many sewer overflows to the Tidal Thames there had been the previous year. This revealed that of the 36 sites that discharged they had no idea what was happening at two thirds of them. This was a surprise, but it also exposed that the company had very little data to base investment decisions on. The number of monitors gradually increased, and once it exists, this data is required by law to be available to the public on request. Our innovation was to identify a clause within the Environmental Information Regulations that required the overflows to be published online, in real-time. No one had made this connection before (organisations and individuals used a different clause that gives a public body 20 working days to reply to an information request (not much use if you want to know if a sewer is spilling now)). We checked with lawyers from Leigh Day, pro bono (via the Environmental Law Foundation) and they confirmed our interpretation of the law. It was clear that the system wasn't functioning properly, there was a lack of accountability, poor data and the law not being applied.

Our intention was to fix this by getting involved in the mechanics of the system. In some ways we are helping the authorities do their job but adding scrutiny and active citizenship to the dynamic.

In the early stages of this process Thames Water refused to engage with us.

We set up an email on our website that members of the public could send. It asked Thames Water to meet their legal obligations re data display. More than 700 people sent them and it overwhelmed their information department. This was to make the point that it would be easier for them to put the spills online rather respond to every request. Soon after that we met with their Director of Sustainability and their Director of Wastewater in 2018. They said they would do it voluntarily, but after a few years they had not, so we formally complained to the company, they responded rejecting our complaint so we complained to the Information Commissioner's Office. They backed Thames Water, so we then said we would take the company to Judicial Review. We kept asking people to send EIR requests.

When the Environment Bill was first introduced by the Government in January 2020 there was no reference to overflows having to be put online in real-time. We had been campaigning on this issue for almost 4 years, and more people were now aware of it. In June 2021 we met with the TW Director of Sustainability and Stakeholder Management and he committed to putting their overflows online.

This requirement was first added as an amendment to the Environment Bill in the September 2021 version by the House of Lords. In October 2021 the Thames Water CEO told the Environmental Audit Committee that they were going to do it by the end of 2022 (slightly delayed until the 4th January 2023).

From January 2023, once the real-time sewer was online we regularly monitored its performance and compared the number of spills with the amount of rainfall. It became clear that some overflowed after as little as 8mm of rain. These are the sewer overflows that should be prioritised for improvement as the pollution will be less diluted and therefore more damaging. We focused on some of the most frequent spillers and gave people an easy way to complain to Thames Water online. Our priority was to shift attention to what needs to be done rather than the headlines that dominate the debate. Fundamentally, we need green solutions that tackle the amount of rain allowed to enter the system rather than relying on costly hard engineering that is not able to cope with increasing intense rain

events.

Early in 2023 the Government required water companies to create Storm Overflow Action Plans for all their overflows. While they were doing this Thames Water was unable to disclose these Plans as they were unfinished, and Defra had told them they were “subject to future change and discussion”. As a result we had no evidence and little confidence that rigorous assessments of the storm overflows had been carried out, in accordance with the Storm Overflow Assessment Framework. While the water companies were still writing their Action Plans we decided to wait and see what would finally be produced. However, people would still have the ability to formally complain to Thames Water re frequently spilling sewers. These ‘pressure points’ saw us create simple ways for people to send a complaint to Thames Water and request more information in a legally binding way. They helped people understand where these sewers were and how poorly they performed. By sending a formal complaint they also elevated the status of these sewers meaning the water company would have to give them greater priority.

We continued to press Thames Water on its unmonitored, unpermitted sewer overflows. This culminated in them appearing on their sewer map in December 2023. While the monitors were not switched on the greyed-out icons showed their exact location, making the problem more tangible. This confirmed that London has almost double the number of sewer overflows than previously thought. We will be persistent in holding Thames Water to account on this issue as we want these sewer overflows to be issued with strong permits that protect rivers. Through this work it has become apparent that there is still much to know and we are in the early stages of this. Thames Water doesn’t yet know enough about its own network to make sure its investment plans are as effective as they could be. This risks expensive schemes being commissioned, potentially in the wrong places. The likelihood is that they would not be resilient but rely on traditional engineering solutions, costing bill payers more. The background research required to reveal these systemic problems consumes much of London Waterkeeper’s time and resources.

Stormwater pollution.

As mentioned above until Schedule 3 is activated we risk river pollution increasing and flood risk worsening. We have consistently highlighted how important this part of the Flood and Water Management Act 2010 is. This law is on the statute books, having been passed by Parliament. As such it should be in force. Successive Government’s have held public consultations, and the responses have been overwhelmingly in favour. Unfortunately, Schedule 3 still isn’t in force. Not only would its full introduction reduce the impact of new development we believe it will encourage the retro fitting of green infrastructure to existing areas of paving and roads. On its own the pollution washed off non-porous surfaces is enough for all of London’s rivers to fail water quality standards.

The damage this pollution causes was made clear when there was a large fish kill in the River Lea in East London. June 2023 was a hot month which saw the river less able to hold dissolved oxygen. On the 19/20th of June it rained and the accumulated contamination from 80 square miles of paved surfaces was washed in. However, it stopped raining shortly afterwards, so it wasn’t diluted. Thousands of fish died. We worked to explain exactly what happened as some were blaming ‘hot weather’ or ‘low pressure’. Understanding of this issue is still too low. Despite the promise of a Government consultation on Schedule 3 in 2023, it never happened, casting doubt on whether it would be activated.

We began extensive research into the failure of developers to meet their social housing targets which sees Councils build on their own land next to existing estates to compensate. This was complex work determining the ownership of developments and understanding the planning process.

Other work.

Trustees and staff held an ‘Away Day’ planning session in February 2023.

London Waterkeeper maintained its involvement with Waterkeeper Alliance as our CEO was elected to their Board of Directors. The charity also attended the conference for Waterkeeper organisations from Africa, Europe and the Middle East.

We took part in Thames Water’s sessions to develop its online sewer map and pollution response. As part of the EndSewagePollution we helped develop the manifesto for the Coalition, in the run up to the General Election. CIWEM invited London Waterkeeper to join the Steering Committee of ‘A Fresh Water Future’ a high-level policy initiative to carry out an independent review of water sector

performance and governance and develop a public vision for future water management in the UK. London Waterkeeper was invited to the Patagonia Grassroots Activists conference near Bath.

Public Benefit.

We can confirm our trustees do have regard to the Charity Commission's public benefit guidance when exercising any powers or duties to which the guidance is relevant. They are aware of the guidance and have taken it into account when making decisions to which it is relevant. In terms of our work, there is a direct public benefit. For example, we focus on the worst sewers, of which many pollute rivers in public parks.

Financial review

The charity's policy on reserves:

The trustees consider that three months reserves are appropriate and are working to maintain that level of reserves.

Details of any funds materially in deficit

None

Financial activities for the year ending 31st December 2023:

We were awarded grants from the Network for Social Change and the Robbins Family Charitable Fund. Individual donations held steady for the year.

Funds held as a custodian trustee on behalf of others

No funds were held as a custodian trustee.

Exemptions from disclosure

None.

Declaration

The trustees declare that they have approved the trustees' report above.

Signed on behalf of the charity's trustees

Signature(s)



Full name(s)

Dee O'Connell

Position

Chair

Date

31.. October 2024


Charles Law

Treasurer

31.. October 2024



Receipts and payments accounts

CC16a

For the period
from

Period start date
01/01/2023

To

Period end date
31/12/2023

Section A Receipts and payments

	Unrestricted funds to the nearest £	Restricted funds to the nearest £	Endowment funds to the nearest £	Total funds to the nearest £	Last year to the nearest £
A1 Receipts					
	-	-	-	-	-
Donations	27,792	-	-	27,792	59,980
Grant	-	-	-	-	7,559
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
	-	-	-	-	-
Sub total (Gross income for AR)	27,792	-	-	27,792	67,539
A2 Asset and investment sales, (see table).					
	-	-	-	-	-
	-	-	-	-	-
Sub total	-	-	-	-	-
Total receipts	27,792	-	-	27,792	67,539
A3 Payments					
Salary	36,788	-	-	36,788	35,675
NI	6,519	-	-	6,519	6,388
Pension	3,158	-	-	3,158	2,836
Suppliers	972	-	-	972	500
Accommodation	4,800	-	-	4,800	4,704
Insurance	155	-	-	155	179
General Expenses	1,300	-	-	1,300	2,880
Mobile Phone	279	-	-	279	300
Travel	1,183	-	-	1,183	1,509
Membership and fees	80	-	-	80	86
Postage & Stationary	-	-	-	-	-
Technology	2,718	-	-	2,718	2,780
Interest	(49)	-	-	(49)	(23)
Charges	60	-	-	60	93
VAT	(1,350)	-	-	(1,350)	(1,267)
Sub total	56,613	-	-	56,613	56,640
A4 Asset and investment purchases, (see table)					
	-	-	-	-	-
	-	-	-	-	-
Sub total	-	-	-	-	-
Total payments	56,613	-	-	56,613	56,640
Net of receipts/(payments)	(28,821)	-	-	28,821	10,899
A5 Transfers between funds	-	-	-	-	-
A6 Cash funds last year end	44,142	-	-	44,142	33,243
Cash funds this year end	15,321	-	-	15,321	44,142

Section B Statement of assets and liabilities at the end of the period

Categories	Details	Unrestricted funds to nearest £	Restricted funds to nearest £	Endowment funds to nearest £
B1 Cash funds	CAF	15,321	-	-
			-	-
		-	-	-
	Total cash funds	15,321	-	-
	(agree balances with receipts and payments account(s))			

OK

OK

OK

	Details	Unrestricted funds to nearest £	Restricted funds to nearest £	Endowment funds to nearest £
B2 Other monetary assets		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-
		-	-	-

	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
B3 Investment assets			-	-
			-	-
			-	-
			-	-
			-	-

	Details	Fund to which asset belongs	Cost (optional)	Current value (optional)
B4 Assets retained for the charity's own use			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-
			-	-

	Details	Fund to which liability relates	Amount due (optional)	When due (optional)
B5 Liabilities				
			-	
			-	
			-	
			-	

Signed by one or two trustees on behalf of all the trustees

Signature

Print Name

Date of approval


C Law

C Law

D O'Connell

27/10/24
29/10/24



Section A

Independent Examiner's Report

Report to the trustees

LONDON WATERKEEPER

On accounts for the year
ended

31 DECEMBER 2023

Charity no
(if any)

1165862

Set out on pages

1 & 2

Responsibilities and
basis of report

I report to the trustees on my examination of the accounts of the above charity ("the Trust") for the year ended **31 / 12 / 2023**.

As the charity's trustees, you are responsible for the preparation of the accounts in accordance with the requirements of the Charities Act 2011 ("the Act").

I report in respect of my examination of the Trust's accounts carried out under section 145 of the 2011 Act and in carrying out my examination, I have followed all the applicable Directions given by the Charity Commission under section 145(5)(b) of the Act.

Independent
examiner's statement

[The charity's gross income exceeded £250,000 and I am qualified to undertake the examination by being a qualified member of [insert name of applicable listed body]]. *Delete [] if not applicable.*

I have completed my examination. I confirm that no material matters have come to my attention in connection with the examination (other than that disclosed below *) which gives me cause to believe that in, any material respect:

- the accounting records were not kept in accordance with section 130 of the Charities Act; or
- the accounts did not accord with the accounting records; or
- the accounts did not comply with the applicable requirements concerning the form and content of accounts set out in the Charities (Accounts and Reports) Regulations 2008 other than any requirement that the accounts give a 'true and fair' view which is not a matter considered as part of an independent examination.

I have no concerns and have come across no other matters in connection with the examination to which attention should be drawn in this report in order to enable a proper understanding of the accounts to be reached.

** Please delete the words in the brackets if they do not apply.*

Signed:

Date:

14 / 10 / 2024

Name:

AMRIT MOORE

Relevant professional
qualification(s) or body

ACA, BFP

(if any):

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Address:

24 ROYLE CLOSE

CHALFONT ST PETERS

SL9 0BB

Section B

Disclosure

Only complete if the examiner needs to highlight material matters of concern (see CC32, Independent examination of charity accounts: directions and guidance for examiners).

Give here brief details of any items that the examiner wishes to disclose.

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