



Saxilby with Ingleby Parish Council

Non-confidential

New Burial Ground

Report to: Full Council 25-02

Report by: Clerk

Power/duty which decision falls under:

- Open Spaces Act 1906, subsections 9 and 10 - Power to acquire and maintain burial grounds
- Links to Environmental Permitting Regulations

Which council objective(s) it falls under:

- Maintain and improve community facilities and amenities
- Protect and enhance our green spaces and street scene
- Preserve and enhance heritage assets, environmental assets and wildlife
- Improve the well-being of residents
- To recognise the climate and biodiversity emergency and consider as the basis of all decision and policy making

Public Sector Equality Duty

Consider how policies/decisions affect those protected under the Equality Act)
N/A.

Duty to conserve and enhance biodiversity

Consider how the policy/decision will contribute to conserving or enhancing biodiversity
Seeking to protect land from pollution.

Consideration on carbon reduction:

-

Consideration of risk management in relation to the proposal¹

It is impossible to list every risk faced by a local council. Risk, in the general sense, means the likelihood of an event happening, and the severity of the negative consequences. The insurance industry regards risk as representing loss or damage. Risk always involves uncertainty. When protecting a local council effectively, it is important to consider if risk is present in the following areas (SLCC AN241)[Tick]

Decision making

Finances

✓Property – council land

✓Staff – staff health

Events

✓Legal – pollution

Inspections

Written/verbal communication

Insurance

Does the report consider any new activity? If ‘Yes’, has a risk assessment, including risk management proposals, been included for consideration and adoption by the council? (Financial Regulation 17b) N/A.

¹Risk areas to consider - strategic/operational, likelihood/impact, add to risk register? Any contingency planning needed?

REPORT

Investigations on what appears to be foul water discharge onto the new burial ground, have been undertaken to seek to identify the source of the issue and to resolve it. Due to how quickly the hole is filling up with 'foul' water, the exact source has yet to be identified – with investigations on-going.

The area smells of sewerage and water is pooling. These are signs of pollution (see below) and do not seem comply with the rules regarding septic discharge²:

“Rule 4: do not cause pollution of surface water or groundwater
The sewage must not cause pollution – find out how to [check for pollution](#).”

“Check for pollution

You must check the area where you release sewage once a month for signs of pollution.

If you release sewage into the ground, check for:

- Sewage smells
- Signs that your sewage isn't draining properly (for example, pools of water in the area where you release sewage)”³

Based on local knowledge, it is understood this may be from a septic waste overflow discharge pipe from a local house that runs onto what is now the council's land.

This has been reported to WLDC Environment Protection for advice, as they are the authority who has the legal power to investigate complaints regarding problems with drainage systems:

“If there is a problem that requires work to be carried out, we will explain people's responsibilities and try to agree a way forward to ensure that the drainage system is restored. If works are required and we cannot get informal agreement from the people who are responsible then we can use the law, serving notices requiring action within a specified time period. If the work is still not carried out then we can seek a legal prosecution or do the work and claim the costs back, including the extra costs of our involvement.

Our role is to ensure that the people who are legally responsible for remedying a defective drainage system take the appropriate action within a reasonable time period which in turn ensures the protection of public health.”⁴

² <https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-a-surface-water#rules-that-apply-to-all-discharges>

³ <https://www.gov.uk/guidance/comply-with-septic-tank-and-sewage-treatment-plant-permits#check-for-pollution>

⁴ <https://www.west-lindsey.gov.uk/environment-climate/environment/drainage-sewers/septic-tanks-other-systems>

Below are some images where holes have been dug, which are then immediately filling up with the dirty foul smelling water:



In order to prevent continued contamination onto the new burial ground a timely resolution is required.

RECOMMENDATION(S):

To work with WLDC and those responsible to resolve the issue.

To contact those who may be responsible regarding the matter.

To consider taking pro-active action on the council's land to prevent continued pollution, such as seeking to identify the source of the leak e.g. capping off a discharge pipe if found to be on council land.

Further information:

- <https://www.west-lindsey.gov.uk/environment-climate/environment/drainage-sewers/septic-tanks-other-systems>
- <https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-a-surface-water>
- <https://www.gov.uk/government/publications/small-sewage-discharges-in-england-the-general-binding-rules/general-binding-rules-for-small-sewage-discharges-ssds-with-effect-from-2-october-2023>