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Double defeat for Government over river pollution plans

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The Government has suffered a second defeat in a protracted legal fight to restore a river in North Yorkshire. Facing a further judicial review, the Department for Environment, Food and Rural Affairs (Defra) last week conceded that new measures devised by the Environment Agency to restore the Costa Beck were ineffective and unlawful and would not resolve pollution and other issues that have left the river devoid of fish for decades.

The concession follows a case won by Fish Legal and the Pickering Fishing Association in the Court of Appeal last month. They argued that the Agency's previous plans to restore the Costa Beck were too vague and lacked the meaningful actions needed to tackle sources of pollution: there was therefore no chance that they would actually work. The Court agreed. The case sets a significant precedent and has implications for river improvement plans across the country.

In parallel to defending the government's Court of Appeal action, Fish Legal and the angling club began a second judicial review against the Environment Agency's supposedly updated restoration plan from 2024, calling into question whether revised measures specifically for the Costa Beck complied with what the law requires to meet legally binding targets for rivers by 2027.

Andrew Kelton, Fish Legal Solicitor said:

"We were gearing up to go into battle once again over the Costa Beck, so we are glad that the Government seems to have accepted that it has failed to properly implement the law in this case, after its humiliating loss in the Court of Appeal last month."

Martin Smith said:

"The Costa Beck used to be a jewel in the crown for our fishing club but decades of pollution have all but wiped out the trout and grayling that once thrived."

He added:

"With Fish Legal's support we went to court to force the regulator to do something to stop the silt and sewage pollution that is choking the life out of our beleaguered river. We're relieved that the Government has finally accepted that it got the law wrong. What we need now is a complete change in attitude and effort from the Environment Agency on the bank. The silt and sewage pollution entering this river has to stop."