

CHRIS WESTON
THAMES WATER UTILITIES LIMITED

SUMMARY OF OFFENCES

Legislation applied with regard to the offence of Public Nuisance to a total of 5 counts against Chris Weston, Chief Executive Officer of Thames Water Utilities Ltd. Date of appointment January 2024 to current date.

COUNT 1 - [UNSAFE INFRASTRUCTURE] Knowingly putting the public at risk through the operation of unsafe infrastructure

COUNT 2 - [UNSAFE DRINKING WATER] Knowingly risking the provision of unsafe drinking water

COUNT 3 - [ILLEGAL DISCHARGE OF SEWAGE] Pollution of rivers by virtue of illegal sewage spills

COUNT 4 - [MISMANAGEMENT OF CUSTOMER FUNDS] Profits and bonuses over vital infrastructure investment

COUNT 5 - [DERELICTION OF STATUTORY AND ENVIRONMENTAL DUTIES] Failing to ensure essential environmental protection

EVIDENCE IN SUPPORT

APPENDIX

Count 1

Statement of Offence

Intentionally or recklessly caused a public nuisance,
contrary to section 78 of the Police, Crime, Sentencing and Courts Act 2022

Particulars of Offence

CHRIS WESTON, Chief Executive Officer of Thames Water Utilities Ltd on various days between the **1st day of FEBRUARY 2024** and **18th day of MARCH 2025** did do an act, namely, **of knowingly putting the public at risk through the operation of unsafe infrastructure** and that created a risk of or caused serious harm to the public or a section of the public, and obstructed the public or a section of the public in the exercise or enjoyment of a right that may be exercised or enjoyed by the public at large, intending or being reckless that it would have such a consequence.

Count 2

Statement of Offence

Intentionally or recklessly caused a public nuisance, contrary to section 78 of the Police, Crime, Sentencing and Courts Act 2022

Particulars of Offence

CHRIS WESTON, Chief Executive Officer of Thames Water Utilities Ltd on various days between the **1st day of FEBRUARY 2024** and **18 MARCH 2025** did do an act, namely, **of helping to perpetuate a working culture such that staff were limited in their ability to ensure the provision of safe drinking water in the course of their work** and that created a risk or caused serious harm to the public or a section of the public, and obstructed the public or a section of the public in the exercise or enjoyment of a right that may be exercised or enjoyed by the public at large, intending or being reckless that it would have such a consequence.

Count 3

Statement of Offence

Intentionally or recklessly caused a public nuisance, contrary to section 78 of the Police, Crime, Sentencing and Courts Act 2022

Particulars of Offence

CHRIS WESTON, Chief Executive Officer of Thames Water Utilities Ltd on **10 DECEMBER 2024 and days and dates from the start of employment, namely 1st day of FEBRUARY 2024 and the 12th day of SEPTEMBER 2024** at least did an act, namely, **allowing the release of sewage into rivers without permit and polluting them to the extent** that it created a risk or caused serious harm to the public or a section of the public, and obstructed the public or a section of the public in the exercise or enjoyment of a right that may be exercised or enjoyed by the public at large, intending or being reckless that it would have such a consequence.

Count 4

Statement of Offence

Intentionally or recklessly caused a public nuisance, contrary to section 78 of the Police, Crime, Sentencing and Courts Act 2022

Particulars of Offence

CHRIS WESTON, Chief Executive Officer of Thames Water Utilities Ltd on **10 DECEMBER 2024** (and on other days between that date and the **1st FEBRUARY 2024** and **18th day of MARCH 2025** did an act, namely, **by virtue of publication of this and other Company Annual Report(s) and interim financial results, did knowingly mis-manage Thames Water Utilities Ltd funds to the extent that spending on vital asset maintenance programmes required to ensure safe provision of clean drinking water and safe, sustainable infrastructure had been deliberately deprioritised in favour of profits and bonuses** and that created a risk or caused serious harm to the public or a section of the public, and obstructed the public or a section of the public in the exercise or enjoyment of a right that may be exercised or enjoyed by the public at large, intending or being reckless that it would have such a consequence.

Count 5

Statement of Offence

Intentionally or recklessly caused a public nuisance, contrary to section 78 of the Police, Crime, Sentencing and Courts Act 2022

Particulars of Offence

ALISTAIR COCHRAN, Chief Financial Officer of Thames Water Utilities Ltd on various days between the **1st day of FEBRUARY 2024** and **18th day of MARCH 2025** did do an act, namely, **actively taking the decision to de-prioritise essential environmental improvements** and that created a risk or caused serious harm to the public or a section of the public, and obstructed the public or a section of the public in the exercise or enjoyment of a right that may be exercised or enjoyed by the public at large, intending or being reckless that it would have such a consequence.

EVIDENCE IN SUPPORT - ALL COUNTS

1.0 COUNT 1 - [UNSAFE INFRASTRUCTURE] - EVIDENCE IN SUPPORT

1.1 WITNESS STATEMENT 1

- 1.2** Excerpt from TMS15 Asset Health Deficit Report [4](#)
- 1.3** Anna Isaac, Guardian article 17/11/24 [3](#)

6 Asset Health deficit assets no longer capable of reliably performing their function 6.1 Biogas Digesters – inspection and cleaning. Failure to Manage Digesters and Biogas in Waste Treatment is currently our highest safety risk (PR11.01.01). The main contributor to this risk score is the overdue statutory inspections of 33 digester tanks, out of our total asset fleet of 128 across 25 sites. Our standard requires that these digesters are physically and structurally inspected every 10 years. Our original AMP8 planning assumed that our inspections in AMP7 were on track and that we would deliver a further 33 inspections over AMP8, totalling £27.5m. However, we now forecast that we need to deliver 67 inspections in AMP8 and based on recent evidence in AMP7, the unit costs have increased and so the cleaning programme is forecast at £117.7m. In addition, £39.3m has been allocated for maintenance works on digester roofs. Therefore, our end of AMP7 asset health deficit on biogas digesters is £129.5m (netting off our original run rate assumption of £27.5m).

2.0 COUNT 2 - [UNSAFE DRINKING WATER] - EVIDENCE IN SUPPORT

2.1 WITNESS STATEMENT 2

- 2.2** DWI Enforcement Policy and clean drinking standard [Report 2023](#)
- 2.3** Anna Isaac, Guardian article 17/11/24 [3](#)

3.0 COUNT 3 - [ILLEGAL DISCHARGE OF SEWAGE] - EVIDENCE IN SUPPORT

- 3.1** Report of surge in sewage incidents. See [here](#)
- 3.2** 16,990 TW sewage discharges reported in 2023 over 8015 in 2022. Serious pollution events up from 331 to 350 (*Michael Bow, Telegraph 07/07/24*)[1](#)
- 3.3** National Incident Reports System records of sewage pollution reports and categorisations (1/2/3) 12/09/23-12/09/24. See [here](#)
- 3.4** Interim results (reference to known upsurge in spills). See [here](#)

In summary there were 147 in this period - four of which were classified as category one, at least on initial report, 53 as category two and 90 as category three. Category being the least serious of polluting events.

3.5 Pertaining to 3.3 above. There is no data as yet to confirm the status of these events in terms of further investigation, confirmed breach, conviction of offence or fine applied. However The number of enforcement cases by the EA since 2017 is also likely to be a significant underrepresentation of the extent of Thames Water's contraventions. Evidence presented by Professor Peter Hammond to the Industry and Regulators Committee's inquiry into the work of Ofwat (see [here](#)) concluded as follows:

"In November 2021, I published a report cataloguing 735 non-compliant spills of untreated sewage between 2017 and 2020 from 14 STWs operated by Thames Water[3]. In contrast, EA records for 2010-20, for 6,000+ STWs, describe 174 similar permit breaches and of those only 33 involved Thames Water. Therefore, less than 5% (33/735) of non-compliant spills were reported by Thames Water or recorded by the EA. Hence, the annual

environmental performance assessments of Thames Water for 2017-20, using data provided by the EA, were grossly inaccurate and undermined Ofwat's regulation of Thames Water, financial or otherwise.

In January 2022, I published a report recording a further 2,405 days with non-compliant spills between 2017 and 2021 from 44 different STWs operated by 7 WaSCs in England and Wales[4]. These non-compliant spills suggest that the annual environmental assessments for 2017-21 of Southern, South West, Thames, Welsh, Wessex and Yorkshire Water and United Utilities, were grossly inaccurate and undermined Ofwat's regulation of each company.

In summary, information which the EA obtains regarding the extent of sewage discharges, and therefore whether the section 94 obligations are being complied with is deficient in a number of respects. Ofwat appears to rely entirely on information provided by the EA. Neither Ofwat nor the EA has been proactively monitoring the extent of discharges (nor, in Ofwat's case any of the matters directly raised by the UWWT obligations), both compliant and non-compliant." (see [here](#))

3.5 Spills rose to 17,564 between January and September 2024, compared with 12,428 in the same period the previous year. See [here](#)

4.0 [COUNT 4](#) - [MISMANAGEMENT OF CUSTOMER FUNDS] - EVIDENCE IN SUPPORT

4.1 Ofwat Report - [Dividend Rules Breach](#)

4.2 Thames Water - [Interim Results 2024-2025](#)

5.0 [COUNT 5](#) - [DERELICTION OF STATUTORY AND ENVIRONMENTAL DUTIES]

6.1 Link to relevant Guardian article regarding Ofwat investigation launched as a result of journalist investigation. See [here](#)

APPENDIX

1.1 WITNESS STATEMENT 1

WITNESS STATEMENT 1

WITNESS NAME: [REDACTED]

POSITION IN COMPANY: [REDACTED]

COMPANY: THAMES WATER UTILITIES LIMITED

DATE OF STATEMENT: NOVEMBER 2024

OPERATIONS HAVE BEEN HOLLOWED OUT AND CUT TO THE BONE.

WE'RE PUTTING THE PUBLIC AT RISK BY FAILING TO INVEST IN THE MOST BASIC NEEDS.

MANAGEMENT HAS NOT MOVED QUICKLY ENOUGH TO ADDRESS PROBLEMS SUCH AS WEAKENING EXPLOSIVE INFRASTRUCTURE, CONTAINERS HOLDING THE GAS PRODUCED BY SEWAGE [BIOGAS DIGESTERS] AND CRACKS IN RESERVOIRS.

THE [THAMES WATER] MANAGEMENT ALONG WITH OFWAT [THE WATER REGULATOR] HAVE BEEN TOO SLOW TO ADDRESS THESE PROBLEMS, ALLOWING THEM TO ESCALATE.

2.1 WITNESS STATEMENT 2

WITNESS STATEMENT 2

WITNESS NAME: [REDACTED]

POSITION IN COMPANY: [REDACTED]

COMPANY: THAMES WATER UTILITIES LIMITED

DATE OF STATEMENT: NOVEMBER 2024

THE ONLY WAY TO KEEP CLEAN WATER FLOWING WAS TO PROCEED WITHOUT APPROVAL [FROM MANAGEMENT TO PURCHASE THE NECESSARY CHEMICALS].

Public Nuisance

The definition of Public Nuisance according to Police, Crime, Sentencing and Courts Act of 2022 [6](#) Section 78

Intentionally or recklessly causing public nuisance

- (1) A person commits an offence if—
(a) the person—

(i) does an act, or

(ii) omits to do an act that they are required to do by any enactment or rule of law,

- (b) the person's act or omission—

(i) creates a risk of, or causes, serious harm to the public or a section of the public, or

(ii) obstructs the public or a section of the public in the exercise or enjoyment of a right that may be exercised or enjoyed by the public at large, and

(c) the person intends that their act or omission will have a consequence mentioned in paragraph (b) or is reckless as to whether it will have such a consequence.

(2) In subsection (1)(b)(i) "serious harm" means—

- (a) death, personal injury or disease,
(b) loss of, or damage to, property, or
(c) serious distress, serious annoyance, serious inconvenience or serious loss of amenity.

(3) It is a defence for a person charged with an offence under subsection (1) to prove that they had a reasonable excuse for the act or omission mentioned in paragraph (a) of that subsection.

(4) A person guilty of an offence under subsection (1) is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding [F1 the general limit in a magistrates' court], to a fine or to both;
(b) on conviction on indictment, to imprisonment for a term not exceeding 10 years, to a fine or to both.

(5) In relation to an offence committed before the coming into force of paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (increase in magistrates' court power to impose imprisonment) the reference in subsection (4)(a) to [F2 the general limit in a magistrates' court] is to be read as a reference to 6 months.

(6) The common law offence of public nuisance is abolished.

(7) Subsections (1) to (6) do not apply in relation to—

- (a) any act or omission which occurred before the coming into force of those subsections, or
(b) any act or omission which began before the coming into force of those subsections and continues after their coming into force.

(8) This section does not affect—

- (a) the liability of any person for an offence other than the common law offence of public nuisance,
(b) the civil liability of any person for the tort of public nuisance, or
(c) the ability to take any action under any enactment against a person for any act or omission within subsection (1).

(9) In this section “enactment” includes an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978.

Legislation applied

(1) A person commits an offence if—

(a) the person—

(i) does an act, or

(ii) omits to do an act that they are required to do by any enactment or rule of law,

(b) the person's act or omission—

(i) creates a risk of, or causes, serious harm to the public or a section of the public, or

[Failure to maintain, upgrade and thereby ensure safe existence and use of Biogas Digesters - Count 1]

(ii) obstructs the public or a section of the public in the exercise or enjoyment of a right that may be exercised or enjoyed by the public at large,

[Clean, safe drinking water - Count 2]

[Clean, safe rivers to swim in and generally enjoy as a public amenity - Count 3]

and the person

is reckless as to whether it will have such a consequence.

[Prioritisation of shareholder interest, profit, bonus payments - Count 4]

(2) In subsection (1)(b)(i) "serious harm" means—

(a) death, personal injury or disease,

[Count 1, Count 2, Count 3]

(b) loss of, or damage to, property, or

[Count 3, Count 4, Count 5]

(c) serious distress, serious annoyance, serious inconvenience or serious loss of amenity.

[damage to publicly owned amenities, such as but not limited to

rivers through pollution and the inability of the public to safely swim in them

flood risk by virtue of leading to loss of amenities, businesses and opportunities to serve the public, enjoyment and use of buildings, homes and gardens]