

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Scrutiny Committee held Online via the Zoom app on 6 October 2022**

#### **Attendance list at end of document**

The meeting started at 6.00 pm and ended at 8.59 pm

#### **27 Public speaking**

There were no members of the public registered to speak.

#### **28 Minutes of the previous meeting**

The minutes of the previous meeting held on 8<sup>th</sup> September 2022 were accepted.

#### **29 Declarations of interest**

There were no declarations of interest.

#### **30 Matters of urgency**

There were no matters of urgency.

#### **31 Confidential/exempt item(s)**

There were no confidential / exempt items.

#### **32 Decisions made by Cabinet called in by Members for scrutiny in accordance with the Overview and Scrutiny Procedure Rules**

There were no decisions made by Cabinet called in for scrutiny.

#### **33 Planning for waste water, water supply and water quality**

The report by the Service Lead Planning Strategy and Development Management had been introduced at the previous meeting. The Service Lead provided a re-cap of the report which referred to Government policy and guidance and the role of the Council as Local Planning Authority in delivering the Government's objectives, as well as the role of South West Water. The report also referred to the work that had been commissioned on a water cycle study to inform production of the new Local Plan. The Service Lead noted that South West Water are consulted on planning applications and are good at responding. South West Water have yet to raise any substantive issues regarding development at Cranbrook.

In response to questions and concerns, the following points were made:

- South West Water does respond to planning applications, although there are no detailed explanations of their thinking or modelling.
- If the Planning Committee is minded to refuse a planning application due to concerns regarding waste water capacity, the decision must be based on evidence, obtained either from South West Water or from external consultants.
- The water cycle study will assist with decision making.

- Historic drainage systems which combine foul water and surface water drainage are contributing to the problem.
- Modern developments include sustainable drainage and attenuation systems to ensure surface water is stored on site until the storm event has passed.

The report was noted.

### 34 **Beach and river water quality**

A report on the Council's remit with regard to beach and river water quality, and private water supplies, had been circulated with the agenda papers. The Council has a duty to provide bathing water quality information to the public, specifically if short-term pollution is predicted as a result of the forecasting system or actually present, and (if appropriate) to provide information advising against bathing for a recommended number of days. Electronic signs erected by StreetScene at each site are automatically updated daily to display real-time water quality information. With regard to river water quality, the Environment Agency are primarily responsible for maintaining and improving the quality of fresh, surface and underground waters within East Devon.

Additional information, including proposals, had been submitted by Cllr Jung, Portfolio Holder for Coast, Country and Environment.

Questions and comments included the following points:

- It was noted that two of the eight bathing water sampling points were rated as 'Good' rather than 'Excellent'.
- The Council has a statutory duty to display bathing water quality information, although this only applies to the summer season, May to September.
- Concern was expressed that bathing water quality information should be available all year round due to the popularity of bathing regardless of the season.
- All year real-time data should be available on the South West Water website as currently information is only made available in response to a Freedom of Information request.

The Monitoring Officer advised that the information and proposals submitted by Cllr Jung would require officer assessment, with particular regard to resources within the Council and likely outcomes.

### **RECOMMENDATION TO CABINET**

1. For the District Council to liaise with the various local groups, Rivers Trusts, and the Environment Agency to help set up local volunteer group networks to carry out "Citizen Science monitoring" of our rivers and watercourses to provide the best possible data throughout the district.
2. For the District Council to liaise with landowners and farmers, the EA and Flood Resilience groups and other stakeholders to provide nature-based solutions.
3. To work with SWW on a strategy that will aid understanding and provide a clear direction of travel to reduce pollution and protect our beaches and clean our rivers.
4. For the District Council to request that South West Water provide real time data on their website.

### 35 **Portfolio Holder Annual Report - Economy and Assets**

The Portfolio Holder for Economy and Assets, Cllr Paul Hayward, presented his annual report.

In response to questions and comments the following points were made:

- The biggest issues facing businesses include non-domestic business rates, lack of footfall, the working population changing to better paid employment and fear and worry on the part of customers due to the economic climate.
- Work on a streamlined version of the Council's asset register is underway which would enable land and building assets to be accessed on the website. A report on progress is due to be made at the meeting of the Asset Management Forum in November.
- The Economic Development and Planning Policy Teams work closely together with regard to developing strategic planning policy. Information would be presented to the Strategic Planning Committee on 7 October 2022 regarding economic development aspects to be included in the new Local Plan.
- A wider debate on the potential tension between utilising land for food production versus green energy generation would be welcomed.
- It was noted that capacity within the Economic Development Team had increased in recent years, but that the issues with recruiting to the Employment & Skills post were symptomatic of the wider state of the labour market.

The Committee thanked the Economic Development Team for their excellent work and thanked the Portfolio Holder for his report.

## 36 **Reviewing economic development policy in rural areas - report by the Chair**

The Chair introduced his report on reviewing economic development policy in rural areas which was accompanied by a presentation.

Discussion included the following comments and points:

- The definition of what constitutes either rural or urban areas was unclear.
- The report would be better considered by the Strategic Planning Committee as part of the Local Plan process.

The Service Lead for Growth, Development and Prosperity advised that the guidance for the Rural England Prosperity Fund was clear in that the whole of East Devon was classified as a rural area, with the exception of Exmouth which has a population above 30,000. It was noted that a report on the Rural England Prosperity Fund would be going to the Cabinet meeting on 2 November 2022.

Further discussion included the following:

- Ideas in the report were welcomed and should be discussed further.
- The Council has the ability to place shape and support local businesses.
- There is already support for small business units, businesses attempting to diversify and employment land and these issues are discussed frequently in Planning Committee meetings.
- Some of the information in the report was out of date.
- There is currently no policy to support rural businesses and the debate should be about whether the Council should have a policy which brings together the work which is already being done across various areas of the Council.
- If the whole district of East Devon is deemed to be a rural area, with the exception of Exmouth, all of the Council's policies can be considered to be rural policies.

The Monitoring Officer advised that there had been no officer input to the report and that the key question was whether there is a policy gap which needed to be filled. If so, that would need to be subject to further reports which should be from officers. Alternatively, the Committee, having discussed the report, could decide that there was no gap in policy as existing policies were already addressing the issues raised by the report.

It was agreed that the report be noted, with no further action required.

37 **Quarterly performance report**

The quarterly performance plan for the first quarter of 2022/23 was noted.

38 **Forward Plan**

Two proposal forms had been submitted for consideration as follows:

1. Agricultural land – food production v energy production
2. East Devon's health strategy

With regard to the proposal form for agricultural land, discussion and comments included the following points:

- There are major concerns regarding energy and there is a need for a debate on where solar farms should be sited.
- Any discussion should include input from experts in the issues.
- Land given over to solar farms may not necessarily have been used for food production.
- All forms of renewable energy should be included in any discussion, rather than just solar.

It was agreed to add consideration of the use and provision of all forms of renewable energy across the whole district to the Forward Plan.

Regarding the proposal form for the health strategy, the Strategic Lead for Housing, Health and Environment advised that the One Devon approach is a relatively new collaboration between the NHS, local councils and the voluntary sector to provide a single joined-up health system and that this will have an impact on EDDC's public health strategy. The One Devon approach is a work in progress with the integrated care strategy due to be finalised by the beginning of December. There is a noticeable absence of reference to public and environmental health in the current approach.

The Strategic Lead also advised that the Council's public health strategy is due for review in 2023 and that the timing of any work on this review should fit well with the emerging One Devon approach.

It was noted that the proposal form refers to a recent presentation of the integrated care strategy approach which is available for Councillors.

It was agreed to add this item to the Forward Plan.

The Forward Plan was noted. It was agreed to proceed with the proposed meeting with Mid Devon District Council Scrutiny Committee regarding a joint review into the planning controls and regulatory requirements associated with the bio-energy industry with Devon, in particular anaerobic digesters.

**Attendance List**

**Councillors present:**

M Allen (Chair)

J Bailey  
A Bruce  
M Chapman  
O Davey  
J Kemp (Vice-Chair)  
D Key  
H Parr  
E Rylance  
J Whibley

**Councillors also present (for some or all the meeting)**

M Armstrong  
P Arnott  
P Hayward  
N Hookway  
G Jung  
D Ledger  
J Loudoun  
D Manley  
P Millar  
A Moulding  
M Rixson  
P Skinner

**Officers in attendance:**

Tim Child, Service Lead - Place, Assets & Commercialisation  
Ed Freeman, Service Lead Planning Strategy and Development Management  
John Golding, Strategic Lead Housing, Health and Environment  
Henry Gordon Lennox, Strategic Lead Governance and Licensing (and Monitoring Officer)  
Wendy Harris, Democratic Services Officer  
Sarah Jenkins, Democratic Services Officer  
Andrew Wood, Service Lead - Growth Development and Prosperity

**Councillor apologies:**

S Hawkins  
T Woodward

Chair .....

Date: .....