



**Agenda for Extraordinary Scrutiny Committee
Thursday, 15th February, 2024, 7.00 pm or at the
conclusion of the preceding meeting whichever
is the later**

Members of Scrutiny Committee

Councillors: I Barlow, J Brown, F Caygill, M Chapman, B Collins,
R Collins, M Goodman (Chair), A Hall, J Heath, V Johns, J Kemp
(Vice-Chair), D Mackinder, S Smith, A Toye and J Whibley

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(or group number 01395 517546)

Wednesday, 7 February 2024

1 Apologies

2 Declarations of interest

Guidance is available online to Councillors and co-opted members on making
[declarations of interest](#)

3 Public speaking

Information on [public speaking](#) is available online

4 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including the press) have
been excluded. There are no items which officers recommend should be dealt
with in this way.

5 To agree the minutes of the virtual consultative meeting held on 1 February 2024
and to ratify the recommendations contained therein (Pages 3 - 7)

RECOMMENDATIONS TO BE RATIFIED BY THE SCRUTINY COMMITTEE

1. That a meeting be arranged between South West Water and EDDC Environmental Health Officers.
2. That a meeting be arranged between South West Water and EDDC Planning Officers, to possibly include the Chair of the Planning Committee, the Chair of the Strategic Planning Committee, the Leader of the Council and Cllr Mike Howe, to discuss planning matters.
3. That a Task and Finish Forum be scoped to consider sewerage issues.
4. That the Corporate Lead for Communications works with South West Water to put in place a communications process to enable EDDC Members to be fully informed and obtain information relating to their wards.
5. That South West Water be invited back to a Scrutiny Committee meeting in six months' time.
6. That the Leader of the Council lobbies central Government with regard to sewerage issues.

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chairman has the power to control public recording and/or reporting so it does not disrupt the meeting.

Members of the public exercising their right to speak during Public Question Time will be recorded.

[Decision making and equalities](#)

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL

Minutes of the consultative meeting of Scrutiny Committee held Online via the Zoom app on 1 February 2024

Attendance list at end of document

The meeting started at 6.00 pm and ended at 8.55 pm

71 Declarations of interest

Minute 76. Report from South West Water on current issues affecting the District. Councillor Andrew Toye, Affects Non-registerable Interest, Member of Exmouth Town Council.

Minute 76. Report from South West Water on current issues affecting the District. Councillor Ian Barlow, Affects Non-registerable Interest, Member of Sidmouth Town Council.

Minute 76. Report from South West Water on current issues affecting the District. Councillor Joe Whibley, Affects Non-registerable Interest, Member of Exmouth Town Council.

Minute 76. Report from South West Water on current issues affecting the District. Councillor John Heath, Affects Non-registerable Interest, Member of Beer Parish Council.

Minute 76. Report from South West Water on current issues affecting the District. Councillor Mike Howe, Affects Non-registerable Interest, Member holds shares in South West Water.

72 Matters of urgency

There were no matters of urgency.

73 Confidential/exempt item(s)

There were no confidential / exempt items.

74 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 by Members for scrutiny.

75 Public speaking (30 minutes)

No members of the public had registered to speak.

76 Report from South West Water on current issues affecting the District

The Chair welcomed representatives of South West Water to the meeting; Alan Burrows, Director of External Liaison, Mark Worsfold, Director of Asset Management, Hazel Tranchant, Senior Asset Manager and Sarah Sharpe, Community Engagement Officer.

Twelve questions had been sent in advance to South West Water (SWW). Responses to those questions had been published with the agenda. The Chair invited Mr Burrows to speak to the responses and to update the Committee on the current situation with regard to improvements.

Questions were taken in order with the following points highlighted and discussed:

Question 1

- Pollution Incident Reports are issued by the Environment Agency (EA), in response to notification by SWW. Information regarding Pollution Incident Reports is held on the EA website.
- SWW is legally required under some of its permits to report shellfish reportable incidents. It was noted that on two occasions reportable incidents had not been reported. SWW proposed to meet with EDDC officers to discuss this matter.
- The offer of a meeting was welcomed by the Assistant Director, Environmental Health, to ensure that EDDC Environmental Health (EH) received the correct notification in a timely way and appropriate format. EDDC has a number of responsibilities, and it would greatly assist to have earlier notification of pollution incidents directly from SWW, rather than wait for the legal notification from the EA.
- It was suggested that the meeting between SWW and EDDC EH should also include a representative from the EA to ensure clarity on the duties and roles of the various agencies involved.
- Councillors would welcome earlier notification over and above the legal requirements.
- SWW advised that alerts are issued via the WaterFit Live system on the SWW website and that these are above the minimum legal requirement for notification of pollution incidents. EDDC officers also receive WaterFit Live alerts direct from SWW.

Question 2

- With regard to the pollution spill at Exmouth on 5 and 6 January 2024, a WaterFit Live alert had been in place since 30 December 2023 and covered the period to 8 January. SWW is confident that it had done as much as possible to work with the community and Town Council in Exmouth to provide information regarding the spill. Further meetings are planned shortly in Exmouth regarding this issue.
- Councillors suggested that a further alert would be helpful where an incident is on-going or a new incident has occurred during a period already covered by an existing alert. This is also a matter of how such a situation is managed within EDDC.

It was agreed that there is a need to learn from mistakes and to find ways to improve working together going forward.

Question 3

- Reports of incidents to SWW often do not contain sufficient information from customers such as a photograph which would assist SWW to respond.

Question 4

- Pumps at Exmouth had been uprated in September 2022 as part of SWW's strategy to improve spill performance in the Exmouth area. The risk of a burst had not increased by the uprating and the burst had occurred due to a defect in the pipe which was not pressure related.

Question 5

- SWW plans to double capacity at the Maer Lane treatment works to deal with storm events. Work is on-going through schemes to remove the non-foul flows from the combined sewer.
- Concern was expressed regarding capacity and spills occurring during good weather, rather than storm events, in the Clyst St Mary area.
- Concern was also expressed regarding the length of time taken to report some incidents.
- SWW advised that they are held to account by the EA regarding reporting times.

Questions 6 - 10

- SWW is committed to its WaterFit programme. The strategy involves removing surface water from the sewer system which will enable SWW to better manage the system.
- Event Duration Monitors (EDM) have to be maintained and the EA requires SWW to have the EDMs operable for 90% of the time, although SWW aims at 98% operability. OfWat is looking to introduce penalties where EDMs are inoperable.
- Under SWW's permits, storm overflows are required to have screens to remove solid matter.
- It was noted that there may be times when it is unsafe for the EA to collect water samples, particularly during winter months.
- E.Coli and Enterococci bacteria may have come from sources other than human waste.
- Regarding separation of surface water from the combined sewer system, various options are considered for different areas in order to install surface water separation schemes.

Question 11

- SWW has identified a future capacity issue at the Countess Wear treatment plant as part of its Drainage and Waste Management Plans which are now becoming a legal requirement. A new treatment plant, east of the Exe, will be required to deal with future development, with the exact location yet to be determined and completion likely to be 5 to 10 years away.
- Concern was raised with regard to waiting times for issues to be resolved such as the recent spill in the Cranbrook Country Park and what measures are being taken to prevent a similar occurrence. SWW would provide a response to this issue.
- SWW wants to work with EDDC regarding future housing development needs and to take these into account.
- There needs to be clarity with regard to the use of the term 'capacity' as SWW is not exceeding its dry weather flow on any development sites.
- Regarding the 2010 water study, all options were considered for east of East Devon prior to the development of Cranbrook. Flow and load surveys determined that there was headroom at the Countess Wear plant at that time. It is noted that further capacity to the east of Exeter will be required in the future.
- The community at Clyst St Mary is seeing increased sewage spills and it is of real concern that planning applications are being approved for development under the new Local Plan. This situation results in Councillors questioning SWW's information regarding capacity.
- SWW advised that there is an issue with surface water between Clyst Honiton and Clyst St Mary and further work is needed to address this issue which contributes to the problem at Clyst St Mary.
- SWW has offered to meet with EDDC regarding future housing development. EDDC has acknowledged the offer of a meeting and is currently awaiting the water cycle report which is due imminently and will help to inform the discussion on future development capacity issues.
- Regarding a question on capacity at the Fluxton treatment plant, SWW would respond to EDDC in due course as the relevant information was not available at the meeting.
- Regarding a question on capacity to the east of Exeter and how this will be impacted by the proposed new town, SWW advised that it would be more appropriate to discuss this at the planning meeting with EDDC when data specific to this issue would be available.
- Councillors would welcome having a specific contact at SWW when issues arise in their wards. SWW would advise the most appropriate contact following the meeting.

- In response to a question regarding the fact that a potential sewage treatment plant at Cranbrook had not been built, SWW advised that issues in other parts of East Devon, such as those at Clyst St Mary and Exmouth, were not linked to the process of treating sewage from Cranbrook at the Countess Wear treatment plan.
- Responses to questions raised during the meeting would be circulated to all Councillors.
- Concern was expressed regarding pressure on drinking water due to climate change and further housing development.
- SWW is currently updating its Water Resources Management Plan and looking at options such as moving water more easily around the southwest area.
- In response to a question regarding flushing, SWW advised that the water supply would not normally be interrupted during flushing as the purpose is to remove deposit build up in pipes. Residents would normally be advised if their water supply is to be interrupted.

The Chair thanked Alan Burrows, Mark Worsfold, Hazel Tranchant and Sarah Sharpe for attending the meeting and for their contributions.

The meeting was adjourned for a 10 minute break to enable Members to formulate recommendations.

On the resumption of the meeting, the following recommendations were agreed for ratification at the next Scrutiny Committee meeting.

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6. That the Leader of the Council lobbies central Government with regard to sewerage issues.

Attendance List

Councillors present:

I Barlow
J Brown
M Chapman
B Collins
R Collins
M Goodman (Chair)
A Hall
J Heath
V Johns
J Kemp (Vice-Chair)
D Mackinder

S Smith
A Toye
J Whibley

Councillors also present (for some or all the meeting)

G Jung
D Ledger
E Rylance
T Olive
P Arnott
O Davey
P Fernley
N Hookway
M Howe
R Jefferies
K Blakey
K Bloxham
P Faithfull
S Hawkins
J Bailey

Officers in attendance:

Andrew Hopkins, Corporate Lead - Communications, Digital Services and Engagement
Sarah James, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)
Matthew Blythe, Assistant Director Environmental Health
Ed Freeman, Assistant Director Planning Strategy and Development Management
Tracy Hendren, Director of Housing, Health and Environment
Melanie Wellman, Director of Governance & Licensing (Monitoring Officer)

Councillor apologies:

F Caygill

Chair

Date: