

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Scrutiny Committee held Online via the Zoom app on 7 April 2022**

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

The meeting started at 6.04 pm and ended at 7.28 pm

#### **58 Public speaking**

The Chair welcomed Cllr Joe Whibley and Cllr Tony Woodward as new members of the Committee.

There were no members of the public registered to speak.

#### **59 Minutes of the previous meeting held on 3 March 2022 and the Extraordinary meeting held on 17 March 2022**

The minutes of the meeting held on 3 March 2022 and the minutes of the Extraordinary meeting held on 17 March 2022 were received and accepted.

#### **60 Declarations of interest**

There were no declarations of interest.

#### **61 Matters of urgency**

There were no matters of urgency.

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

There were no confidential / exempt items.

#### **63 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.

#### **64 Forward Plan**

The Chair noted that at the Extraordinary meeting held on 17 March 2022, the Committee had decided that it would like to invite South West Water (SWW) back for a series of meetings, with each meeting to have a particular topic, initially identified as planning, beach water and river water.

The purpose of this item on the Forward Plan was to continue the discussion started at the Extraordinary meeting on how best to progress future meetings with SWW. The Chair acknowledged that some Members were disappointed that their questions had not been covered during the meeting but noted that the meeting had been to address the specific issue of sewage entering rivers and water courses. Concerns regarding SWW were wider than that and the Forward Plan could set out a timetable to deal with those

wider issues. The Forward Plan published with the agenda papers suggested one way to proceed.

Discussion on this Forward Plan item included the following points:

- Sewage discharge and agricultural run-off is an East Devon wide issue and a working group could be set up to co-ordinate a complete response. A working group could include knowledgeable local residents, and, although EDDC is not the lead body on pollution, the Council could act as facilitator towards finding solutions.
- The Exe Estuary is a protected area and there was concern whether sewage discharge is illegal, and if not illegal, whether there are any actions the Council can take.
- Serious concerns had been raised at the Strategic Planning Committee regarding the River Axe catchment following the report from Natural England and the requirement for mitigation to offset pollution from both agriculture and development, which could have a potentially serious impact on the grant of planning permissions. The question of future grey water discharge in the Axe Valley should be put to SWW.
- The purpose of the discussion was to consider a way forward for meetings with SWW which could include monthly meetings on consecutive months with questions for SWW being submitted by Members two weeks in advance of meetings. Rather than include a presentation, the meeting should be used to provide answers. The SWW Group Chief Executive Officer, Susan Davey, should be specifically invited to attend one of the meetings.
- Members were reminded of the Clean Sweep Programme from 1992, which started in Exmouth in 1997 and, despite significant investment, had not delivered a system fit for purpose due largely to continuing development in Exmouth.
- It was important for on-going dialogue with SWW to be conducted in a respectful manner. Members were made aware that issues, including those with anaerobic digesters, were being considered at a high level through Team Devon and that other bodies such as the Environment Agency (EA) were also involved.
- There was a need to separate out issues such as 'policing', which is the responsibility of the EA, from other inter-connected responsibilities.
- Issues such as SWW not being a statutory consultee and concerns regarding the lack of beach water testing during the winter should also be addressed and other agencies such as DEFRA may need to be involved as well as local MPs.
- The EA and DEFRA should be invited to a future meeting.
- The suggested Forward Plan included EDDC officers attending meetings to inform Members on the interaction and connected responsibilities of EDDC with other bodies.
- The complexity of the issues involved meant that solutions would take time.
- Cabinet should call a high level meeting at the earliest opportunity and include all relevant organisations such as SWW, EA, DEFRA, farming representatives and local MPs to discuss concerns and ascertain what actions SWW will take.
- As sewage is being transported to Exmouth, the Forward Plan could include transport as a separate topic.
- Confirmation was awaited of the implementation of year round testing of bathing water.
- The main priority for East Devon residents is that of SWW sewage discharge into waterways. A high level meeting with Cabinet should not preclude the Scrutiny Committee from scrutinising SWW and this work should continue in parallel and independently.

### **RECOMMENDATION TO CABINET**

That, at the earliest opportunity, Cabinet sets up a high level meeting with all relevant organisations and agencies, to discuss serious concerns relating to pollution and the lack of enforcement capability.

The Committee agreed that future meetings with South West Water should proceed as set out in the Forward Plan.

It was noted that Cllr Ranger had submitted a proposal form regarding a database of assets owned by the Council. The Deputy Monitoring Officer advised that an asset register exists but not currently in a form easily accessible by Members. The Service Lead for Place, Assets and Commercialisation and the Portfolio Holder for Economy and Assets could be invited to attend a future meeting to consider how best to make the information available more widely.

Members also requested that they be kept informed of staff leavers and joiners, an organisation chart showing key contacts and the size of each team and job vacancies. The Communications Consultant would facilitate the circulation of the information and welcomed suggestions for any additional items from Members they would like included in a monthly newsletter.

With the inclusion of the above the Forward Plan was agreed.

### **Attendance List**

#### **Councillors present:**

T Wright (Chair)  
V Ranger (Vice-Chair)  
J Bonetta  
C Gardner  
S Hawkins  
J Kemp  
T McCollum  
H Parr  
E Rylance  
J Whibley  
T Woodward

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

P Arnott  
J Bailey  
F Caygill  
S Chamberlain  
B De Saram  
I Hall  
N Hookway  
V Johns  
G Jung  
D Manley  
A Moulding  
M Rixson

#### **Officers in attendance:**

Wendy Harris, Democratic Services Officer  
Andrew Hopkins, Communications Consultant  
Sarah Jenkins, Democratic Services Officer  
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

#### **Councillor apologies:**

M Allen

A Bruce  
M Chapman  
O Davey

Chair .....

Date: .....