

PLEASE NOTE: Agenda item 8 – “Review of Responses and Actions from South West Water” – has been deferred to a future meeting when SWW are able to send a representative.

Scrutiny Committee

Monday, 20 October 2025 at 5.00 pm
Phoenix Chambers, Phoenix House, Tiverton

Next meeting
Monday, 17 November 2025 at 5.00 pm

Please Note: This meeting will take place at Phoenix House and members of the public and press are able to attend via Teams. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

The meeting will be hybrid and an audio recording made and published on the website after the meeting.

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Meeting ID: 326 212 552 135
Passcode: tE24fW3R

Membership

Cllr L G J Kennedy (Chair)
Cllr G Westcott (Vice Chair)
Cllr C Adcock
Cllr D Broom
Cllr E Buczkowski
Cllr A Cuddy
Cllr G Czapiewski
Cllr M Farrell
Cllr C Harrower
Cllr L Knight
Cllr J Poynton
Cllr R Roberts

AGENDA

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

- 1 **Apologies and Substitute Members**
To receive any apologies for absence and notices of appointment of substitute Members (if any).
- 2 **Declarations of Interest under the Code of Conduct**
To record any interests on agenda matters.
- 3 **Public Question Time**
To receive any questions from members of the public and replies thereto.

Note: A maximum of 30 minutes is allowed for this item.
- 4 **Minutes of the previous meeting** *(Pages 5 - 20)*
To consider whether to approve the minutes as a correct record of the meeting held on 29 September 2025.
- 5 **Chairman's Announcements**
To receive any announcements that the Chairman of Scrutiny Committee may wish to make.
- 6 **Decisions of the Cabinet**
To consider any decisions made by the Cabinet at its last meeting that have been called-in.
- 7 **Freedom of Information & Environmental Information Requests - Quarters 1 & 2** *(Pages 21 - 26)*
To receive a report from the Head of Digital Transformation & Customer Engagement providing a quarterly dashboard report into the monitoring of Freedom of Information (FOI) requests and Environmental Information Requests (EIR), and to update on any decision notices that were provided in this period.
- 8 **Review of Responses and Actions from South West Water** *(Pages 27 - 50)* **PLEASE NOTE THIS ITEM HAS BEEN DEFERRED UNTIL A FUTURE MEETING WHEN A SWW REPRESENTATIVE CAN BE IN ATTENDANCE**
To review the outstanding actions following the attendance of South West Water at the Scrutiny Committee meeting on 17th March 2025.

The minutes of the 17th March 2025 meeting are attached to provide some context as is a list of some of the outstanding issues and South West Water's summary responses. A representative from South West Water will be present at the meeting to provide additional clarification where needed and where they are able to.

9 **Work Programme** (*Pages 51 - 70*)

To review the existing Work Plan and consider items for the committee's future consideration, taking account of:

- a) Any items within the Forward Plan for discussion at the next meeting;
- b) Suggestions of other work for the committee in 2025/26.

Stephen Walford
Chief Executive
Friday, 10 October 2025

Guidance notes for meetings of Mid Devon District Council

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Teams.

If the Council experience technology difficulties at a committee meeting the Chairman may make the decision to continue the meeting 'in-person' only to conclude the business on the agenda.

1. Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at Committee@middevon.gov.uk

They can also be accessed via the council's website [Click Here](#)

Printed agendas can also be viewed in reception at the Council offices at Phoenix House, Phoenix Lane, Tiverton, EX16 6PP.

2. Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership.

The Code of Conduct can be [viewed here](#):

3. Minutes of the Meeting

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting. Minutes of meetings are not verbatim.

4. Public Question Time

Residents, electors or business rate payers of the District wishing to raise a question and/or statement under public question time are asked to provide their written questions to the Democratic Services team by 5pm three clear working days before the meeting to ensure that a response can be provided at the meeting. You will be invited to ask your question and or statement at the meeting and will receive the answer prior to, or as part of, the debate on that item. Alternatively, if you are content to receive an answer after the item has been debated, you can register to speak by emailing your full name to Committee@middevon.gov.uk by no later than 4pm on the day before the meeting. You will be invited to speak at the meeting and will receive a written response within 10 clear working days following the meeting.

Notification in this way will ensure the meeting runs as smoothly as possible

5. Meeting Etiquette for participants

- Only speak when invited to do so by the Chair.
- If you're referring to a specific page, mention the page number.

For those joining the meeting virtually:

- Mute your microphone when you are not talking.
- Switch off your camera if you are not speaking.
- Speak clearly (if you are not using camera then please state your name)
- Switch off your camera and microphone after you have spoken.
- There is a facility in Microsoft Teams under the ellipsis button called “turn on live captions” which provides subtitles on the screen.

6. Exclusion of Press & Public

When considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act. If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed. They will be invited to return as soon as the meeting returns to open session.

7. Recording of meetings

All media, including radio and TV journalists, and members of the public may attend Council, Cabinet, PDG and Committee meetings (apart from items Media and Social Media Policy - 2023 page 22 where the public is excluded) you can view our Media and Social Media Policy [here](#). They may record, film or use social media before, during or after the meeting, so long as this does not distract from or interfere unduly with the smooth running of the meeting. Anyone proposing to film during the meeting is requested to make this known to the Chairman in advance. The Council also makes audio recordings of meetings which are published on our website [Browse Meetings, 2024 - MIDDEVON.GOV.UK](#).

8. Fire Drill Procedure

If you hear the fire alarm you should leave the building by the marked fire exits, follow the direction signs and assemble at the master point outside the entrance. Do not use the lifts or the main staircase. You must wait there until directed otherwise by a senior officer. If anybody present is likely to need assistance in exiting the building in the event of an emergency, please ensure you have let a member of Democratic Services know before the meeting begins and arrangements will be made should an emergency occur.

9. WIFI

An open, publicly available Wi-Fi network is normally available for meetings held in the Phoenix Chambers at Phoenix House.

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MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 29 September 2025 at 5.00 pm

Present

Councillors: L G J Kennedy (Chair)
G Westcott (Vice-Chair), C Adcock,
D Broom, E Buczkowski, A Cuddy,
G Czapiewski, M Farrell, C Harrower,
L Knight and R Roberts

Also Present

Councillors: S Robinson and G Duchesne

Also Present

Officers: Stephen Walford (Chief Executive), Richard Marsh
(Director of Place & Economy), Maria De Leburne
(Director of Legal, People & Governance (Monitoring
Officer)), Mike Lowman (Operations Manager for Housing)
and Angie Howell (Democratic Services Officer)

Councillors

Online: J Buczkowski, J Lock and L Taylor

34 APOLOGIES AND SUBSTITUTE MEMBERS (00:04:34)

There were no apologies.

35 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:04:46)

No declarations were declared under this item.

36 PUBLIC QUESTION TIME (00:05:03)

Paul Elstone

Regarding Agenda Item 9

Question 1:

Agenda Item 9 Housing Repairs and Maintenance makes full reference to monitoring home safety i.e. the internal living conditions of social homes. This in terms of recommended minimum and maximum temperatures and maximum CO2 levels.

The minimum internal temperature being 18 Degrees Celsius
The maximum internal temperature being 26 Degrees Celsius

The maximum internal CO2 being 1,000 parts per million.

I have provided all Mid Devon District Council Members with a copy of a report prepared by the University of the West of England and for a ZED PODs modular development in Bristol. A modular development with exact comparisons to Shapland Place.

A low temperature of 17 degrees or 1 degree below the minimum being measured in this development. This with heating switched on.

A high temperature of 36 degrees measured 10 degrees above the maximum. A temperature with real safety issues for the young, elderly and the vulnerable.

CO2 measured in excess of 1000 PPM and with ventilation switched on and with known impacts to resident's health and wellbeing.

A Shapland Place resident with a young child has already reported an internal temperature of 32 degrees and this was not even during a heat wave. A Member of this Committee and at a recent Tiverton Town Council meeting made reference to the high internal temperatures affecting a ZED POD development and saying that these high temperatures were in part due to windows not being opened. It is a matter of fact that windows are being fully opened but windows that should have restrictors on them but not and therefore are not in compliance with a planning condition this to prevent overlooking.

There is further and ample evidence to warrant a proper investigation into the suitability and integrity of the MDDC ZED POD contract awards. Will this Scrutiny Committee do exactly that?

Question 2:

I have once again had my integrity questioned in the answer to a public question this time suggesting I was being "*deleterious*" when challenging the credibility of the Shapland Place Energy Certificates this including the energy consumption and CO2 savings quoted.

To put the record straight. During repeat engagements with more than one Elmhurst Energy Technical expert and with Elmhurst Energy being the very company who provided accreditation to the Energy Assessor used by ZED PODs the experts confirmed my position.

That it is a statutory requirement for the secondary infra-red space heaters installed at Shapland Place to be recorded on the Energy Certificate. Therefore the energy consumption and CO2 savings stated on the Energy Certificate must be different. A situation further justifying a proper investigation. Again, will this Committee do exactly that?

The Chair explained that all questions would be answered in writing within 10 working days.

37 MINUTES OF THE PREVIOUS (00:09:08)

The Chair explained that an amendment had been requested since the publication of the draft minutes at minute number 32, under the discussion that took place, bullet point 6 to read as: "More detailed information was requested about the different types of anti-social behaviour (ASB) and the reporting arrangements so that trends and progress could be better monitored".

The minutes of the last meeting held on 8 September were approved, to include the amendment as noted above, as a correct record and **SIGNED** by the Chair.

38 CHAIR'S ANNOUNCEMENTS (00:10:15)

The Chair had no announcements to make.

39 DECISIONS OF THE CABINET (00:10:21)

The Committee **NOTED** that none of the decisions made by the Cabinet on 2 September 2025 had been called in.

40 DEVON HIGHWAYS - JUNCTION 28 OF THE M5 (00:10:33)

The Committee received and **NOTED** a verbal update from the Director of Place and Economy regarding proposed improvements to Junction 28 of the M5.

The following was highlighted: -

- Devon County Council was the Highways Authority and the lead entity and bidder in relation to the J28 scheme.
- Funding had already been secured to support the delivery of Cullompton Town Centre Relief Road (CTCRR).
- The CTCRR highways scheme supported various initiatives within the town including improvements to air quality and addressed elements of congestion.
- It also enabled the next phase of housing delivery in Cullompton.
- There was a requirement for the upgrading of Junction 28 of the M5 which was termed as a strategic enhancement in order to support the delivery of subsequent phases of housing and Culm Garden Village.
- The requirement for upgrading the motorway junction was supported and substantiated through the Local Plan and was also supported by Highways England.
- The strategic outline business case was submitted to the Government in May 2024 to secure funding in order to enable its delivery. A decision from the Government was required in order to allow the scheme to progress.
- It was hoped that a positive decision on funding for J28 would be taken through the Comprehensive Spending Review during summer 2025. However, this was not the case.
- Instead, Government included the J28 scheme in a long list of schemes which required further information to support future Government decision making during the autumn of this year.

- Further information had now been submitted to the Government, specifically to the Department of Transport and Treasury and that information was now under review.
- Devon County Council would continue as the lead bidder and would raise queries with the Department of Transport and Treasury to ensure they had the necessary information in order to support the decision-making process. This would also offer the opportunity to engage with decision makers to explain and demonstrate the dependencies that existed in relation to J28 in terms of the linked housing growth that required the upgrading of the junction. This being particularly relevant given the Government's keenness to see housing schemes unlocked and delivered.
- It was hoped that a decision or an outcome would be announced by the end of 2025 although a decision may take longer.

41 **S106 (AND INFRASTRUCTURE LIST) REVIEW (00:16:39)**

The Committee had before it and **NOTED** a *report from the Director of Place and Economy outlining the approach adopted by the Council in identifying items for inclusion within the Infrastructure Funding List and how the Council sought to ensure or facilitate delivery of those items.

The following was highlighted within the report:-

- The report responded to a request from the Scrutiny Committee to explain the process undertaken in identifying items to include in the Infrastructure List.
- The report also outlined the legislative and policy framework as well as the review process that was currently being undertaken.
- To support further Member engagement, the Infrastructure List had also been highlighted within a report to the Planning, Environment and Sustainability Policy Development Group.

Discussion took place with regard to:-

- Whether the Infrastructure List was published on the Council's website? It was confirmed that it was published on the Council's website and that it included all of the projects that were expected to support delivery or development within the District.
- Who assessed the priorities and what was the criteria for their allocation? It was explained that the priorities were set out within 3 tiers of; high importance; important; and desirable. It was a rounded view from officers following discussions with Members in terms of cruciality.
- Who had the final sign off for the Infrastructure List? It was explained that the Infrastructure List would be signed off by the Cabinet via a recommendation from the Planning Policy Advisory Group (PPAG) where it would be reviewed in more detail.
- Whether Town and Parish Councils would be consulted? It was explained that there would be no expectation to consult with Town and Parish Councils as the list was populated and supported by the adopted Planning Policy which was referenced back to either the Local Plan or adopted Neighbourhood Plans.

- Whether the Infrastructure List could be sent each year to Town and Parish Councils for their input and suggestions? It was confirmed that this could be implemented moving forwards.

The following actions were agreed:-

- (i) The current Infrastructure List would be emailed to the Members of the Scrutiny Committee.
- (ii) The Infrastructure List would be sent to Town and Parish Councils each year moving forward for their input and suggestions by the relevant officer.

Note: *Report previously circulated.

42 MID DEVON HOUSING REPAIRS AND MAINTENANCE (00:29:44)

The Committee had before it and **NOTED** a report from the Head of Housing and Health with an update on Mid Devon Housing repairs and maintenance.

The Operations Manager for Housing presented the report.

The following was highlighted:-

- The report outlined Mid Devon Housing repairs and maintenance.
- All registered providers must provide an effective, efficient and timely repairs and maintenance service for their homes and communal areas for which the Council was responsible.
- The report detailed some of the challenges, both old and new that the Council were currently dealing with.

Discussion took place with regard to:-

- Palmerston Park play area.
- How long would the four properties near Cheriton Fitzpaine be empty for? It was explained that planning permission was being sought for six new properties to replace the four empty properties as they were at the end of their life.
- The different categories of housing that the Council were responsible for. It was explained that the report outlined the Council's social housing. The Council did have other properties within their ownership which would fall under different legislation.
- How did the social housing property management systems "Integrator" and "AICO" help look after residents and ensure that money was being spent wisely? It was explained that "Integrator" was an asset management programme that listed every detail about the Council's housing stock which fed back into the Council's housing system which was called Orchard MRI. This was where all work was raised and also held personal details of the residents. AICO was an external company that produced smoke and carbon monoxide alarms and all of the Council's alarms were provided by AICO.

- A system called “Gateway” had the ability to environmentally monitor properties which included humidity, temperature, dust mites, damp and mould and carbon monoxide. All of those details were monitored live to ensure that if metrics reached a certain level an alarm would be activated for any issues that were critical or high risk.
- The percentage of properties that had the monitors? It was explained that there were a total of 174 systems in place. The Council could not monitor properties without the tenant’s permission and a disclaimer form must be signed by them giving permission for their information to be used.
- Whether voids were included in the compliance figures and further understanding of the 60% electrical compliance figures. It was confirmed that voids were included within the compliance figures. Electrical testing in social housing would become legislation. Currently 99% of properties had an inspection but it was not in line with legislation that would begin in two weeks. This would be carried out over a period of 5 years to become 100% compliant.
- How did Mid Devon Housing assess against the decent home standard? It was confirmed that there was an internal process for the decent home standards. A stock condition survey was carried out every 11 years and from that the Council modelled a 30 year maintenance programme. Every aspect of a property had a life cycle which was monitored. The Council were 99% compliant. The reason why it was not 100% compliant was due to tenants declining any offers of works.
- Section 4.4 of the report stated that during 2024/25 a total of £70,000 was issued in recharges to outgoing tenants. How much of that was written off? It was explained that a lot of the charges could be from damage made from current tenants so the charges were not always written off. Tenants could be stopped from moving properties or carrying out a mutual exchange if there was a default on their account.
- The construction of homes in Beech Road and homes in St George’s Court. It was explained that with regard to Beech Road there were 6 properties complete with a further 2 properties which were not complete. There were issues with utilities that could not be disclosed. For St George’s Court, the first number of flats were advertised several weeks ago. Six new tenants had signed contracts for the flats. The 11 houses were fully occupied. Six flats out of the first wave were allocated and another 8 flats would be advertised this week. All works had been carried out.

Note: *Report previously circulated

43 LOCAL GOVERNMENT REORGANISATION AND DEVOLUTION (00:51:14)

The Committee received and **NOTED** an *update from the Chief Executive on Local Government Reorganisation (LGR) and Devolution and the results of the public engagement exercise undertaken over the summer.

The following was highlighted:

- Despite the ministerial changes the Council did not expect any significant changes of policy direction.
- The deadline for submissions remained the 28 November 2025. Following that, the expected timetable would be that near Easter 2026 the Government would formally consult on all of the proposals it considered viable. This would give everyone an opportunity to express their views for the Devon Local Government system, following which a decision could be potentially made in autumn 2026.
- Across the 11 Councils in Devon there were still differences of opinion. It was possible that 4 or 5 proposals would go forward in November 2025.
- Full details of the Council public engagement exercise were included in Appendix A. Other Councils had also chosen to carry out some form of community liaison although not in the same way. The results would be amalgamated across 7 of the 8 districts in order to better understand the priorities and concerns of residents across Devon.
- There would be an Extraordinary Council meeting taking place for Members to consider the submission before it being submitted on 28 November 2025.

Discussion took place regarding:

- Concerns regarding the geographical spread and the long travel distances over poor roads and erratic public transport. It was explained that every proposal would seek ways to assure the Government that it could deliver high quality, sustainable and financially effective services locally to ensure connectivity to local communities and local democracy.
- Many areas of Devon did not raise large amounts of Council Tax - would that issue be ignored in discussions and should it be more strongly represented with a financial balancing mechanism for widely dispersed rural areas? It was explained that the Government had not explained how the 6 criteria would be weighted and that it had flexibility to make the decisions it felt was the correct one. It was hoped that the Government would make decisions based on getting the right form of local government for communities for potentially the next 50 years.
- The role of the Scrutiny Committee going forward. It was clarified that the role of Scrutiny would be important moving forward to ensure there was confidence in this Council as part of the wider collective implementation and to ensure the Council was on track to achieve that as timetables would need to be met.
- Whether the figures from KPMG gave any financial indication in the difference of cost effectiveness of urban versus rural transition into Unitary Councils. It was explained that it depended upon how it was modelled and the financial difference between all proposals.

The Cabinet Member for Parish and Community Engagement updated the Committee with regard to the State of District Debate and highlighted the following:-

- A total of 32 people had attended the State of District Debate which was held on 17 September and was a valuable platform for discussing the ongoing Local Government Reorganisation with contributions from all those that attended.
- The evening began with an update from the Leader of the Council and the Chief Executive who had outlined the current status and strategic direction of the reorganisation process.
- Practical experiences were shared by Somerset Council who talked about obstacles they had overcome.
- Liz Brooks-Hocking, Chair of the Devon Association of Local Councils gave a presentation which touched on the importance of communication, addressed governance and financial implications including asset management and budgetary considerations.
- The Cabinet Member for Environment and Climate Change gave a forward looking session on climate change highlighting environmental priorities.
- Discussions had taken place with regard to assets and how they might be funded.
- The evening concluded with a panel discussion encouraging open dialogue and questions from attendees.
- Positive feedback had been received in that attendees felt information was being shared with them.
- It was important to keep dialogue open with a promise to revisit LGR again in the future.

Discussion took place regarding:

- Whether Somerset attendees had commented on travelling distance times? It was explained that locality based working was set up with the best of intentions however that did not work for Town and Parish Councils who were having to cluster together to make that locality based working model work for the new Council and so different ways of working were looked at to work more effectively.

Note: *Report previously circulated.

44 **WORK PROGRAMME (01:54:43)**

The Committee had before it and **NOTED** the *Forward Plan and the *Scrutiny Committee Work Programme.

Suggestions made for the Work Plan were:

- Housing Strategy
- Corporate Anti-Social Behaviour Policy
- Domestic Abuse Policy

It was agreed that new policies would come before Full Council and would therefore not need to come to Scrutiny Committee at this time.

Note: *Forward Plan and the *Scrutiny Committee Work Programme were previously circulated.

(The meeting ended at 6.58 pm)

CHAIR

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Name of Person Submitting Questions	Questions and Answers
Paul Elstone	<p>Agenda Item 9 - Housing Repairs and Maintenance makes full reference to monitoring home safety i.e. the internal living conditions of social homes.</p> <p>This in terms of recommended minimum and maximum temperatures and maximum CO 2 levels.</p> <p>The minimum internal temperature being 18 Degrees Celsius The maximum internal temperature being 26 Degrees Celsius The maximum internal CO2 being 1,000 parts per million.</p> <p>I have provided all Mid Devon District Council Members with a copy of a report prepared by the University of the West of England and for a ZED PODs modular development in Bristol. A modular development with exact comparisons to Shapland Place.</p> <p>A low temperature of 17 degrees or 1 degree below the minimum being measured in this development. This with heating switched on. A high temperature of 36 degrees measured 10 degrees above the maximum. A temperature with real safety issues for the young, elderly and the vulnerable. CO2 measured in excess of 1000 PPM and with ventilation switched on and with known impacts to resident's health and wellbeing.</p> <p>A Shapland Place resident with a young child has already reported an internal temperature of 32 degrees and this was not even during a heat wave. A Member of this Committee and at a recent Tiverton Town Council meeting made reference to the high internal temperatures affecting a ZED POD development and saying that these high temperatures were in part due to windows not being opened.</p> <p>It is a matter of fact that windows are being fully opened but windows that should have restrictors on them but not and therefore are not in compliance with a planning condition this to prevent overlooking.</p>

There is further and ample evidence to warrant a proper investigation into the suitability and integrity of the MDDC ZED POD contract awards. Will this Scrutiny Committee do exactly that?

Response from the Chair of Scrutiny Committee

The Council has provided repeated assurance to the questioner regards the thermal performance of the Zed Pod modular homes in its area. This includes formal assurance with regards to full compliance with Part 'O' Building Regulations. The Council has also repeatedly provided responses on the Bristol report which has been used highly selectively by the questioner without full context.

The Bristol scheme was the first of its type and any issues with thermal performance were found to be user related and the post-occupation evaluation played an important part in refining and improving the tenant on-boarding experience that has subsequently been adopted locally here in Mid Devon. To quote the report with appropriate context "*There were some specific instances of individuals reporting finding their homes either too hot, or too cold, in discrete periods of extreme weather. Review of all the evidence is thought to suggest that this was likely a result of insufficient induction and training regarding the best use of the modern technologies installed in these homes, and appropriate use of the openable windows.*"

Given this position and the Council's full responses to date, it must be noted these factual responses are in essence being continually ignoring and these latest public questions are repeating subjective concerns without validity or basis.

In reference to temperature guidelines in homes, it is important to clarify there are multiple recommended published guidelines (not regulations) from different sources. It is not clear which source or sources the questioner has used.

	<p>To a major extent, temperatures within any property will depend on choices made by the occupants, and every temperature will be affected by the decisions they make and how they use their home. In reference to factual information, using the data we do hold for our stock where we have environmental sensors installed, almost all properties have gone above the maximum and below the minimum recommendations quoted by the questioner at some point regardless of the age of the property or whether it is traditional or modular build.</p> <p>For instance, in the modular properties that have environmental sensors the highest temperature recorded to date is 28 degrees on the 11th of July 2025 with an external temp of 26.2 degrees, and if we look at a system within a traditional bungalow, less than 200m away on the same day the highest temp recorded was 27.7 degrees. We have been unable to find an occasion where the temperature has dropped below the minimum recommendation in a modular property.</p> <p>Where the questioner is making reference to an elevated temperature at a specific unit occupied by a young family within our Shapland Place development, this was discussed in the presence of the questioner at the June meeting of the Homes PDG and further clarified in a written response to questions raised. To repeat the response provided previously, this arose due to a system fault that was subsequently resolved where the tenant has also had additional guidance on use of the system. Given the questioner is fully aware of this, to raise this as evidence of a design or broader thermal issues with these properties may be viewed as misleading.</p> <p>In respect of CO2 readings in the context of the Bristol report, this again can be caused by many occupation factors such as large numbers of people within a property at the time. The following statement from the UK Health and Safety Executive highlights that levels need to be considerably higher than 1000ppm in rooms to become a health risk.</p> <p><i>Understanding acceptable CO2 levels in indoor environments can help create a safe and comfortable space for occupants. The UK Health and Safety Executive suggests that CO2 levels up to 1,000 ppm (parts per million) are generally acceptable for most indoor environments. This level ensures minimal adverse impact on health and overall comfort.</i></p>
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	<p><i>However, if CO2 levels rise to 5,000 ppm or above, it signals inadequate ventilation and can lead to more severe health effects. Thus, knowing these thresholds is essential for facility managers and building owners to ensure the well-being of the building's occupants.</i></p> <p>Drawing attention to a reading above 1,000ppm is therefore not indicative of an unacceptable environment. Notwithstanding this, our environmental sensors are recording typical CO2 levels in modular properties of around 500ppm with no peaks above 1,000ppm whilst the same sensors in our traditional properties show CO2 closer to 1,000ppm on average with some peaks around 1,500ppm – highlighting neither typically see high readings close to the 5,000ppm HSE guidance but modular performs better than traditional build due to its modern air handling systems.</p> <p>Consequently, on a factual basis there is no evidence to support concerns with the Zed Pods developments that the questioner sets out.</p> <p>Question 2:</p> <p>I have once again had my integrity questioned in the answer to a public question this time suggesting I was being “<i>deleterious</i>” when challenging the credibility of the Shapland Place Energy Certificates this including the energy consumption and CO2 savings quoted.</p> <p>To put the record straight. During repeat engagements with more than one Elmhurst Energy Technical expert and with Elmhurst Energy being the very company who provided accreditation to the Energy Assessor used by ZED PODs the experts confirmed my position.</p> <p>That it is a statutory requirement for the secondary infra-red space heaters installed at Shapland Place to be recorded on the Energy Certificate. Therefore the energy consumption and CO2 savings stated on the Energy Certificate must be different. A situation further justifying a proper investigation. Again, will this Committee do exactly that?</p>
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	<p>Response from the Chair of Scrutiny Committee</p> <p>The Council understands that Elmhurst are one the largest UK providers of energy assessment, retrofit and property professional training, software and accreditation. The training they provide is industry recognised and they are a Government approved Accreditation provider for energy assessments. They are correctly independent of Zed Pods Ltd as an accreditation body as is the subsequent assessor trained by them who has provided the EPC assessments for our modular schemes.</p> <p>We also understand that similar queries have also be presented to Ashford Council (who have also commissioned Zed Pod developments) where for assurance purposes they commissioned some new EPC assessments by a different provider which came back with exactly the same score.</p> <p>Consequently, we have no evidence to suggest any concerns with the EPC certificates provided for our schemes. Nonetheless, if the questioner has particular concerns about an Elmhurst accredited EPC assessor/scheme member then Elmhurst have a specific complaints resolution process which can be accessed at Complaints Resolution - Elmhurst Energy</p>
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Report for: Scrutiny Committee

Date of Meeting:	20/10/2025
Subject:	Quarters 1&2 Report into Freedom of Information and Environmental Information Requests.
Cabinet Member:	Cabinet Member for Quality of Living, Equalities and Public Health
Responsible Officer:	Head of Digital Transformation & Customer Engagement
Exempt:	Not applicable
Wards Affected:	All
Enclosures:	Appendix 1: Dashboard

Section 1 – Summary and Recommendation(s)

To provide a quarterly dashboard report into the monitoring Freedom of Information (FOI) requests and Environmental Information Requests (EIR), and to update on any decision notices that are provided in this period.

Recommendation(s):

- **To note the provision of the quarterly updates on FOI/EIR monitoring in MDDC.**

Section 2 – Report

1.0 Introduction

- 1.1 Due to the cancellation of the August Scrutiny committee, this report covers Quarter 1 and 2, 2025/26.

2.0 Quarter 1 and 2 2025/26 monitoring

- 2.1 The monitoring Dashboard for Quarters 1 and 2 is available in Appendix 1.
- 2.2 483 requests were made during this period.

- 2.3 Of the 483, 4 requests exceeded the 20-working day period statutory time, making the percentage responded to within the statutory time limit, 99.2%. 1 was 21 working days; and another took 30 working days. All requests dealt with outside the statutory time limit were due to absences of the relevant staff collating the data.
- 2.4 There were 4 Information Commissioner's Office (ICO) cases closed during Quarters 1 and 2.
- 2.5 **Table of outcomes below:**

Decision Date	Outcome	Lessons
22 May 2025	Not Upheld	Ensure all relevant regulations are cited in responses, that responses are provided to ensure EIR/FOI compliance regardless of MDDC's position
01 Jul 2025	Not Upheld – out of time	
7 Jul 2025	Upheld	All information provided, excepting names which the ICO ordered should disclosed. Be mindful of risk for data subject complaints.
18 Aug 2025	Withdrawn	Actual time to collate 38hrs – 1 working week. Subsequently data was provided.

3.0 Future developments

- 3.1 The [new disclosure log](#) was published on 1st July 2025. It is available in conjunction with the old disclosure logs which will be removed as the retention period for requests expire.
- 3.2 Work continues to build the publication scheme and ensuring the final parts of the transparency code data are suitable for publication.
- 3.3 A Member briefing on FOI/EIR is being prepared. Democratic Services will shortly be circulating the date. All Members are encouraged to attend.

Financial Implications: FOI/EIR misconduct can lead to a fine under Section 77 FOI Act 2000 or Regulation 19 of the Environmental Information Regulations. These are only in specific circumstances.

Legal Implications: Failure to process or apply regulatory frameworks on a wide scale may lead to enforcement action by the ICO. Specific misconduct may lead to criminal enforcement under Section 77/Regulation 19 above.

Risk Assessment: Failure to process or apply regulatory requirements under EIR/FOI may well lead to enforcement action and may result in reputational damage and operational impact.

Impact on Climate Change – This report and the activities documented within have no impact on our climate agenda

Equalities Impact Assessment – Freedom of Information requests are considered independently of the requester, and the data requested rarely relates to individuals. While FOI requests are required to be in writing, the council facilitates verbal requests and provides responses in a variety of formats where necessary.

Relationship to Corporate Plan - Community, People and Equalities – Involving and Engaging our Communities.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett
Agreed by or on behalf of the Section 151 Officer
Date: 7.10.25

Statutory Officer: Maria de Leburne
Agreed on behalf of the Monitoring Officer
Date: 7.10.25

Chief Officer: Stephen Walford
Agreed by or on behalf of the Chief Executive/Corporate Director
Date: 7.10.25

Performance and risk: Steve Carr
Agreed on behalf of the Corporate Performance & Improvement Manager
Date: 03 October 2025

Cabinet member notified: Yes

Report: Exclusion of the press and public from this item of business on the published agenda on the grounds that it involves the likely disclosure of exempt information. No

Appendix: Exclusion of the press and public from this item of business on the published agenda on the grounds that it involves the likely disclosure of exempt information. No

Section 4 - Contact Details and Background Papers

Contact: Lisa Lewis, Head of Digital Transformation & Customer Engagement
Email: llewis@middevon.gov.uk
Telephone: 01884 234981

Background papers: Appendix 1 – Quarters 1&2 2025/26 FOI/EIR Performance Dashboard

FOI/EIR Processing – Scrutiny Performance Dashboard – Quarters 1&2 2025/26

Performance Measures	Performance	Target	RAG
Response to FOI/EIR Requests (within 20 working days)	99.2%	97.0%	

Processing Overview	Totals
Number received	483
Number Responded	476
Full Disclosures	214
Number Requested Reviews	12
Number Reviews Responded	11
Number ICO Cases Received	3
Number ICO Cases Closed	4
ICO – Individual Complainants	3
Number ICO <ul style="list-style-type: none">• Upheld• Partially Upheld• Not Upheld• Withdrawn	1 0 2 1

Overall Performance Qs 1&2
4 requests exceeded 20 working day period. Meaning over 99% were responded to in the time period. There were a large portion of partial disclosures owing to DCC questions being incorporated into a number of requests.

In Focus
4 ICO cases concluded in this period.
With 3 pending.

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MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 17 March 2025 at 5.00 pm

Present

Councillors

L G J Kennedy (Chair)
G Westcott (Vice-Chair), D Broom,
E Buczkowski, G Czapiewski, M Farrell,
C Harrower, B Holdman, L Knight,
R Roberts and S Robinson

Also Present

Councillors

M Jenkins and S Keable

Also Present

Officers:

Richard Marsh (Director of Place & Economy), Maria De Leburne (Director of Legal, People & Governance (Monitoring Officer)) and David Parker (Democratic Services & Policy Research Officer)

Councillors

Online

J Buczkowski, S J Clist, A Cuddy, G Duchesne, A Glover and J Lock

90 APOLOGIES AND SUBSTITUTE MEMBERS

There were no apologies: Cllr A Cuddy attended on line.

91 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT

Members were reminded of the need to make declarations of interest where appropriate.

92 PUBLIC QUESTION TIME (0:06:26)

Paul Elstone

The Chair explained that as the questions related to an item that was not on the agenda, that they would not be permitted.

Malcolm Lock

Mr Lock was representing residents of the Ashley Rise Estate. He commented that on the estate there had been an increase in the intolerable smell of fishy sewage. There had been a recent increase in property development in the area that had not been supported, as far as he was aware, with increased sewage facilities. There was believed to be a system of tankers taking sewage from Moorhayes to the sewage works daily and it raised the question of whether there was sufficient capacity in the existing facility to cope with the current sewage volumes? When new developments were begun, it was believed that the developer had to pay a sum to South West Water for each property built to cover any investment required in infrastructure as a result of the development. It was evident that the existing systems were barely adequate before the developments in and around Tiverton were started. Had South West Water invested sufficiently in the sewage schemes and if not when would this happen?

Response from South West Water

Developers do pay an infrastructure charge per property for connecting new properties to mains sewers. However, the capacity of the treatment works was funded separately through the price review process that South West Water (SWW) had with the Water Services Regulation Authority (Ofwat) every five years. In fact, the works at Tiverton had been granted funding through that process and so over the next five years SWW would make improvements to the capacity of the works.

93 MINUTES OF THE PREVIOUS MEETING (0:15:14)

The minutes of the last meeting held on Monday 17 February 2025 were approved as a correct record and **SIGNED** by the Chair.

94 DECISIONS OF THE CABINET (0:16:08)

The Committee **NOTED** that none of the decisions made by the Cabinet on 4 March 2025 had been called in.

95 CHAIR'S ANNOUNCEMENTS (0:16:19)

The Chair gave directions as to how the business of the meeting would be conducted and that questioners would be allowed one supplemental question only. The Chair also explained that South West Water would not be able to answer any question related to; individual casework; anything subject to a legal review or proceedings; anything that was subject to commercial confidentiality and anything relating to shares or dividends.

96 PRESENTATION FROM SOUTH WEST WATER (0:17:54)

Attending from South West Water (SWW) were:
Mr Alan Burrows, Head of Local Government Liaison,
Mr Mark Worsfold, Director of Asset Management,
Mr Ian Lake, Head of Solution Development and Technical Performance.

SWW overview of current position:

SWW's priorities for 2025-2030 were:

- Water Quality and Resilience – was there enough water in the region?
- Storm overflows and pollutions,
- Net zero and environmental gains,
- Delivering for customers and addressing affordability.

Pollutions

- There were 6 minor water quality pollutions in the Council's area in 2024.

Storm Overflows

- SWW had 100% monitoring of all 1,379 storm overflows, which was ahead of the Government target.
- The Environment Agency (EA) published the storm overflow annual review in March each year after they had validated SWW's data.
- The public could see where and in what 5 year period, investments were being made by looking at SWW's Storm Overflow Action Plan:
<https://www.water.org.uk/overflows-plan>
- The National Storm Overflow Action Plan provided an overview of their investment to 2040.
- SWW's investment would focus on bathing waters and shellfish water in the first instance as well as highly sensitive areas such as nationally designated nature sites.
- SWW would deliver their overall programme by 2040 (10 years ahead of the Government target of 2050).

Sewage Treatment Works

- There were 655 wastewater treatment works in SWW's region.
- All wastewater treatment works in the Council's area were compliant with their permit conditions. Those were continuous discharges and were separate from storm overflows.
- All leakage targets that had been set for the periods 2021/2022, 2022/23 and 2023/24 had been met. 2024/25 had yet to be closed and verified.

Performance

Public Information:

- WaterFit Live provided information on the operation of their storm overflows in near real time.
- The National Storm Overflow Action Plan (SOAP) showed where and when SWW planned to improve each storm overflow.

River Quality

- South West Region River Basin Management Plan (RBMP) provided the detailed analysis on causes and was 'owned' by the EA.
- Overall SWW operations contributed circa 12% towards the Reasons for Not Achieving Good (RNAG) ecological status, the remaining 88% could come from agriculture, industry, urban run-off, private septic tanks or quarries etc.
- Main catchments in mid Devon included: River Exe, River Culm and River Creedy.
- Reasons for not achieving good ecological status formed the basis of SWW's Environmental Programme.

Bathing Water Quality

- Achieved 100% compliance with bathing water standards across bathing beaches in Devon in 2024.

Environmental programme

- Peatland restoration, fish migration, catchment management. SWW had a number of programmes that were to do with bio-diversity and natural improvement. Those programmes looked at how they could use nature and bio-diversity to improve water quality within the South West.

Leakage

- Achieved target for 2021/22, 2022/23 and 2023/24.

Reservoirs

- A new reservoir was planned to be built at Cheddar and would be called Cheddar II. Water could be moved from there over to the River Exe and then abstracted at Bolham and at Pynes.
- Water could be released from Wimbleball Reservoir when SWW needed to supplement abstraction from the River Exe.
- Additional resources were being developed in Cornwall and the plan was to integrate that network across the region.

Councillors and members of the public then asked questions of SWW, the questions and responses were as follows:

Sewage Discharge

Question 1: As we know, water companies were only allowed to discharge overflows in exceptional circumstances, how did they decide what was an exceptional circumstance?

Response from SWW

The EA permitted water companies to discharge treated effluent to the environment. Each permit would be specific to the location and would be set to protect the objectives set for a particular water course or estuarine /coastal environment. Those objectives were provided by the Water Framework Directive which was transcribed in UK Law following BREXIT. For storm overflows, this meant that when the permitted 'pass forward flow' had been exceeded i.e. the rate at which the pumps could pass flow to the water treatment works, then the storm overflow may be operated. This was to protect houses from sewer flooding. The target set by the Government for all Water Companies was to achieve no more than 10 spills per annum on average over 10 years (the rainfall target). Those were required by 2050.

The Government had set out a clear set of targets for water companies which covered bathing waters, shellfish water and sensitive sites. Those each had different timeframes and targets:

But broadly,

- Bathing waters (BW) were allowed to achieve 2 or 3 spills per bathing season (2 for excellent BW and 3 for Good/Sufficient) as well as achieving the 10 spills per annum on average over 10 years. These were required by 2035.
- Shellfish waters were required to achieve the 10 spills per annum on average over 10 years by 2030.

- Sensitive sites required an Environmental Assessment but otherwise were required to achieve 10 spills (or subject to individual analysis or a more stringent target by 2045).
- All overflows were required to achieve the 10 spills on average over ten years by 2050.
- South West Water planned to achieve this target 10 years ahead of schedule i.e. by 2040.

Question 2: When would the practice of untreated discharges and therefore the pollution of the seas and protected nature sites end?

Response from SWW

The Government had set a target to reduce the operation of all storm overflows by 2050. SWW planned to achieve this target 10 years ahead of schedule i.e. by 2040. SWW had set aside circa £780m as part of their £3.2bn programme for 2025 – 2030 to tackle the use of storm overflows which was brought about by the implementation of the Environment Act in 2022.

Achieving the targets did not remove all spills - it just reduced the number below the targets set. There was no plan to end the practice of storm overflows.

Question 3: In Padbrook Ward, at the sewage farm, (which we had been told for a long time was too small for the local need), a large macerator fed liquidised faeces, etc. into the River Culm, which was now so badly affected that many rare species of flora and fauna had entirely disappeared. When would SWW upgrade the treatment works?

Response from SWW

Cullompton Sewage Treatment Works in the Padbrook Ward did not “feed liquidised faeces” into the River Culm and there was no macerator on site. The treatment process started with a large screen to remove any material such as grit, plastics, wet wipes, nappies etc (or anything that was not pee, poo and paper). Next the waste was moved to a primary settlement tank where solids (poo / paper) were separated from the liquid. The liquid was then processed using a biological treatment using filter beds (which had gravel and good bacteria) to reduce the ammonia and improve the oxygen. A final settlement tank and cloth filter underneath were used to further remove suspended solids before being discharged back into the environment. This discharge was permitted by the Environment Agency and subject to strict conditions.

Based on current Local Plans, SWW were designing for increased population growth to circa 11,000 people. This growth planned to accommodate housing in the Culm Garden Village and Kentisbeare areas. This investment was planned to be completed by 2030.

Question 4: There were 49 salmon rivers in the UK, of which the Exe was one of the very few in the South West. It ran from North West of Tiverton, in a South East direction, and through Exeter to Exmouth.

Those were Atlantic salmon, who returned to their spawning grounds annually.

On either side of the River Exe, 90% of our wetland habitat in the past 100 years had been lost.

On specific, agreed, days, during June, salmon were caught, weighed, and returned to the river. The relevant data was in the Appendix (sent to SWW with the question), from the Environment Agency data on the Annual Salmon Count on the River Exe,

tables and charts. (The lowest tally to that date was shown in bold. Data collection began in 1971.)

Please would SWW review this data, and comment, wherever possible, on what the changes to our environment may have been, to have led to yet another sharp decline in our salmon numbers and what could be done to reverse the decline?

Response from SWW

This question was best answered by the EA who were the Government's lead for water, air and land quality and were the lead for this protected species i.e. salmon and sea trout. There were many factors that impacted the survival rate of salmon and included: sea survival and over exploitation at sea, changes in climate affecting and migratory routes and river temperature, environmental habitat changes e.g. in river works or tree removal, farming practice and sedimentation, tourism and impacts of people in rivers etc. The EA set standards for environmental protection which required water companies then to invest to either protect or where necessary improve both water quality and quantity and remove features which may impact salmon migration. This was called the Water Industry Environment Programme. The EA monitored SWW's Water Industry National Environment Programme (WINEP) and reported on their progress to the Department of Food and Rural Affairs (DEFRA).

Question 5: What was SWW doing to upgrade sewerage plants so that the amount of macerated sewerage deposited into rivers significantly decreased? What funds had been set aside for any upgrades and how did those funds compare to monies received by SWW directors and shareholders on an annual basis?

Response from SWW

SWW had allocated circa £780m to address pollutions and storm overflows for the period 2025 – 2030. This investment was approved by OFWAT on 19 December 2024 as part of their Final Determination. SWW were now working on their plans to deliver the Business Plan requirements for 2025 to 2030. Maceration was a part of the treatment process but no macerated sewage went straight into rivers. A screening process prevented any solids from entering water courses.

Question 6: Were SWW still pumping raw sewage into our coastline, if so, why? And when would this practice stop? This region relied very heavily on its tourist industry, therefore we should be cleaning our coastline, not polluting it.

Response from SWW

At the time of privatisation in 1989, 60% of all sewage discharges were raw sewage and discharged through long sea outfalls many of those were continuous discharges. Today, all continuous discharges had different levels of treatment including ultra-violet (UV) treatment in places of higher sensitivity. The only discharges were associated with intermittent discharges (CSOs), SWW calculated that those now represented only circa 3% of the flows with circa 97% being treated. The programme of work by 2040 would reduce the circa 3% to less than circa 1%.

All discharges required a specific level of treatment based on the permit SWW had been provided by the EA. Many of SWW's discharges to the coastal environment had tertiary treatment which included UV to protect both bathing waters and shellfish waters. If those designated areas were impacted by our operations SWW would be required to make further improvements. Bathing water quality, as measured by the EA was better than it ever had been. More details on the bathing water classification

could be found here: <https://environmentagency.blog.gov.uk/2024/05/15/how-the-environment-agency-monitors-and-tests-bathing-water-quality/>

Howard Cuthbert – Member of the Public – Question supplied in advance

Question 7: The Rivers Trust for the Exe and Lowman as they pass through Tiverton had a number of storm drain sites listed “Not Asset Maintenance, Hydraulic Capacity”. This was a result of the SWW asset being undersized and no amount of fiddling on how they were operated could prevent a spillage. Did this not cause concern and suggest corrective action be taken to remedy before pollution occurred?

Response from SWW

The information highlighted by the Rivers Trust was data SWW had been required to provide to the Government as part of the National Storm Overflow Action Plan. This set out where SWW’s storm overflows were and what they believed to be the reason for them operating. SWW had allocated circa £780m to reduce the use of storm overflows and pollutions over the next 5 years and had committed to meet the national storm overflow target by 2040, 10 years ahead of the Government target of 2050. Preventative measures included disconnecting surface run off (for instance from highways and car parks) from the sewer network and channelling it through rivers and streams and also the building of large capacity storage tanks. All of SWW’s programme could be found on the WaterUK website:

<https://www.water.org.uk/overflows-plan> . In Mid Devon there were 88 storm overflows, with 10 sites in Tiverton of which 5 already met the storm overflow reduction target. All storm overflows in Tiverton had a current target improvement date of 2030.

Floods

Question 8: Reference the Cole Brook, and the Main River (leat), both in Padbrook, Cullompton. What measures were being put in place to reduce the risk of further flooding, given the very serious nature of the floods in September 2023?

Response from SWW

The EA held the Strategic Overview for flooding. This question would best answered by them in the first instance. There were many sources of flooding and where SWW had a role to play they would, and they would work with the EA and other Risk Management Authorities for example Devon County Council (DCC) as the Lead Local Flood Authority to resolve the issues. They could be contacted via the following email address: <https://www.gov.uk/government/organisations/environment-agency/about-access-and-opening> The Area Flood Risk Manager at the EA was called Ben Johnston and questions could be addressed to him. The Regional Flood and Erosion Coastal Committee made decisions about future investment in flood schemes.

Question 9: It had been known since 2015 that there were problems with the shutlake at Station Road, Hemyock. The drains were now blocked or ineffective. This meant that heavy rain resulted in a lot of water on the road and certain driveways of residential properties, which could freeze in cold weather presenting a safety hazard. Families with children walking to school got drenched when a car passed. DCC Highways Department had been approached and clearly mentioned it was SWW’s responsibility to remedy the situation. Residents were told on 10 January 2025 that

there were 'multiple defects in the sewer that had been raised for repair,' but that the repairs were not yet planned. When was this problem likely to be remedied?

Response from SWW

SWW wrote to the Clerk of Hemyock Parish Council on 5 February 2025 and 5 March 2025 and confirmed that a thorough investigation had been conducted approximately 5 years ago. It was found that this pipework was not a SWW asset. Hence, SWW held no responsibility for the drains and the responsibility for physical ownership and maintenance was a riparian responsibility. Copies of SWW's replies had been sent to Hemyock Parish Council Clerk.

Environment Agency

Question 10: What were the responsibilities SWW accepted, and which were the responsibilities of the EA?

Response from SWW

SWW's primary objective was to treat and supply safe wholesome drinking water then remove wastewater and return it to the environment. SWW were regulated by a number of authorities as followed: EA for environmental protection, Drinking Water Inspectorate (DWI) for drinking water quality, OFWAT for financial purposes, DEFRA for future water resources, Consumer Council for Water for Customer purposes and well as other financial institutions. SWW also had WaterShare where their customers could provide feedback direct to them on their services. The EA's role could be found here: [Environment Agency - GOV.UK](https://www.gov.uk/government/organisations/environment-agency) . [https://](https://www.gov.uk/government/organisations/environment-agency)
EA Pollution Hotline number was 0800 807060.

When it could not be agreed which agency should be responsible for a problem, SWW, EA and DCC Highways had a duty to co-operate and work together, they did that through the South West Regional Flood Committee. Such issues could be raised to that Committee where the agencies would co-operate and try to solve the problem.

River Management

Question 11: SWW was contracted to release 900 million litres of water annually from Wimbleball Reservoir into local rivers – this has not happened. Why?

Response from SWW

SWW would release water from Wimbleball for two main reasons: (i). To enable water to be abstracted further downstream at Allers (near Tiverton) for use in drinking water (ii). To protect salmon migration. Releases were made when the river levels in the River Exe met certain conditions. If it had been a wet year, releases may not be required as often. Those conditions were included on operating agreements or permits as issued by the EA who would monitor whether SWW were meeting their requirements.

Question 12: Why does SWW, along with RETA (River Exe and Tributaries Association), wish to get rid of 19 weirs on the Exe? Was this to help landowners so that they no longer had to maintain weirs on their land?

Response from SWW

SWW worked with a variety of organisations such as RETA, EA, West Country River Trust, Devon Wildlife Trust to review if any of SWW's operations may impact protected species including salmon and sea trout. Where SWW owned a weir and if it was causing an issue with salmon migration, SWW may be required to make

improvements under the Water Industry Environment Programme – it was for owners of other weirs to do the same if they were able to. However, establishing the ownership of historic weirs was problematic and time consuming. Some weirs had a heritage value and so had to be maintained.

Water Quality

Question 13: Why would SWW not allow public access to the water quality analysis in the rivers Exe, Culm and Barle?

Response from SWW

SWW were not responsible for the water quality analysis on the rivers Exe, Culm and Barle. The EA collected and managed this data and placed this into the public domain.

SWW did provide water quality data if requested under the Environment Information Regulations (EIR) – if it was their data to provide. This could be requested via their EIR team. Any request would need to be specific to enable the EIR team to process it – SWW's services level agreement was to provide this within 20 working days.

Question 14: Why had there been such a deterioration of water quality since 2012?

Response from SWW

The EA monitored and reported on water quality and would be the authority to speak to on this matter. Where the EA's data indicated that an improvement was required and it was for SWW to deliver, SWW would do this under the Water Industry National Environment Programme.

Question 15: In relation to the very low water pressure in the Whitnage Road area of Sampford Peverell, which had occurred since the new housing estate (The Orchards) had been occupied, what measures were being taken to remedy this, currently and planned? When was it expected to be resolved? (SWW had not seen fit to state any difficulty in relation to the planning application for this estate in relation to water supply).

Response from SWW

SWW had carried out some work to resolve pressure issues on this housing estate and were hoping this would solve the problem. At this stage, SWW did not believe they had fallen below the minimum standards. However, they had some follow-on work to ascertain if their interventions had been successful. Unfortunately when SWW considered this housing estate their modelling did not pick up on the low pressure issue. The team at SWW considered circa 30,000 planning applications every year. They looked at whether they could supply the water that was required for each property and from the perspective of whether the existing drainage network would support the discharges from those properties. Thirdly, they considered the application from the perspective of what impact the development would have on their assets.

Question 16: How was SWW working with Local Planning Authorities (LPAs) to control the amount of run off and sewage from new developments near rivers?

Response from SWW

SWW continued to work closely with LPAs to support the planning process including engagement on Local Plans and individual planning applications. SWW's engagement was to provide information in relation to available capacity within their drinking water and wastewater networks as well as ensuring that new development was not built too close to their assets, which could impact their ability to undertake maintenance in the future.

Historically there were a lot of combined surface water and foul drainage sewers. For all new sites developers could request a connection to SWW's networks and they followed best practice to deal with domestic surface water drainage which were the flows which came off roofs and hard standing areas.

When considering any request SWW insisted upon the applicant following the surface water drainage hierarchy through which surface water run off must aim to be discharged as high up the following hierarchy as possible:

- Rainwater re-use (rainwater harvesting/greywater recycling)
- An adequate soakaway or other infiltration system
- Hybrid solution of infiltration and discharging to a surface water body
- To a surface water body (e.g. an ordinary watercourse)
- To a surface water sewer, highway drain, or other drainage system
- To a combined sewer

Land drainage and surface water runoff was not permitted to be discharged to SWW's networks and must therefore be addressed by the developer within their drainage proposals, which should be signed off by the LPA supported by DCC as the Lead Local Flood Authority.

Similarly, highway drainage could only be discharged into the public sewerage with the permission of the Water Company and SWW would continue to insist upon this being a last resort after all other discharge options had been considered.

Foul sewage connections would be made to either a dedicated foul sewer or a combined sewer and SWW would consider the impact of those flows into their network as part of their investment planning process.

SWW's Drainage and Wastewater Management Plans (DWMP) included proposed development growth, as identified within the Planning Authority's Local Plans, to ensure that they understood what growth was anticipated and incorporate it into their investment programmes.

Agricultural Runoff

Question 17: What had SWW done to prevent the runoff from the Exmoor Mires Project running into local streams and rivers?

Response from SWW

SWW commissioned a research report from the University of Exeter published in 2020, which set out all the benefits of the package of interventions delivered through the Mires programme to slow the flow of water across the landscapes of Dartmoor, Exmoor and Bodmin Moor. The full report could be read here, including specific

sections on Exmoor.
https://issuu.com/universityofexeter/docs/creww_mire_on_the_moors_report_2020 .

Question 18: Would SWW support the funding of countryside stewardship from their fines, rather than being paid to HM Treasury?

Response from SWW

SWW believed that this was referring to the Water Restoration Fund rather than the “Countryside Stewardship”. If so, that was an issue for Government – and was currently part of the Water Special Measures Bill currently going through Parliament.

Water Management and Monitoring

Question 19: How much water was lost through leaks?

Response from SWW

SWW met their targets for leakage 2021/22, 2022/23 and 2023/24, their outturn for 2024/25 was currently being verified. In 2023/24 SWW reported that across their network (including Bournemouth) 107.1 million litres per day was lost through leakage. Over the next 5 years SWW had a target to reduce that figure to 85.9 million litres per day.

SWW’s Water Resources Management Plan provided the details on leakage and their plans for improving this over the next 5 to 25 years. The link to their Water Resources Management Plan is here: <https://www.southwestwater.co.uk/about-us/what-we-do/improving-your-service/water-resources-management-plan> . Water loss included that lost on private land such as dripping taps and slightly leaking toilet cisterns. People were encouraged to take a meter reading just before they left to go away for 4 or 5 days and to take one on return to gauge if any water was being lost on their premises (which they would be paying for). Water lost from the network went back into the environment.

Question 20: Was anything being done to speed up the responses to complaints about faulty water meters? Residents had made comments that there were very long waits to replace faulty or suspect water meters, one was over 6 months and the occupant was told that SWW receive 30 complaints a day. Could SWW clarify the procedure and current times involved from complaint to repair and the number of such complaints?

Response from SWW

SWW were not a limitless organisation and sometimes had to make tough choices on resources and priorities, it was admitted that sometimes they got the decision wrong. If there was a specific issue on this matter then the Councillor could take it to SWW outside of the meeting and they would look at it.

Question 20A: What was SWW’s approach to assessed charges which appeared to unfairly penalise customers that could not have individual water meters installed? This happened for instance in flats where there was a shared water supply and SWW stated that a meter could not be installed and an assessed charge was made. Why did SWW not allow customers to challenge an assessed charge using previous meter readings as evidence of actual consumption? What work had SWW done to investigate modern solutions that allowed more accurate measurement of usage in shared supply properties?

How many households in Mid Devon were being charged on an assessed basis because SWW said a water meter could not be fitted and what steps was the company taking to ensure that those residents were not being unfairly overcharged?

Response from SWW

This question referred to a casework issue. SWW worked with other water companies through the OFWAT Innovation Fund to look at various projects including SMART meterage. SWW would answer those questions in writing after the meeting directly to the Councillor.

Question 21: What support did SWW give to those customers who were struggling to pay bills on low incomes or had particular circumstances they were facing when customers were facing bills which were currently the highest in the country?

Response from SWW

SWW's Business Plan for the period 2025 to 2030 set out a £200m fund to help customers with affordability issues. More information could be found here: <https://www.southwestwater.co.uk/siteassets/documents/about-us/business-plans/2025-30/addressing-affordability-and-delivering-for-customers.pdf> . That information was circulated to SWW's customers on their website.

Question 22: What assistance was currently given to customers who were struggling to pay their bills, and had SWW assessed how the planned higher than inflation price increases would affect this group of customers?

Response from SWW

SWW's Business Plan for the period 2025 to 2030 set out a £200m fund to help customers with affordability issues. More information could be found here: <https://www.southwestwater.co.uk/siteassets/documents/about-us/business-plans/2025-30/addressing-affordability-and-delivering-for-customers.pdf>

Question 23: SWW was hit with a £12m fine from the regulator and the company was ordered to pay back the money to its customers in the form of discounts, had this money been refunded in full?

Response from SWW

SWW were fined £17.4m in 2024 by OFWAT for failure to meet performance targets. That money had been returned to customers.

Question 24: Could SWW provide details of all discharges, giving: location, date/time; duration; and volume of fluid discharged?

Response from SWW

This question fell within the Environmental Information Regulations(EIR)s and would need to be directed to SWW's EIR team. They would process this request and ensure a response was provided within 20 working days. The questioner would need to be specific i.e. what location or area they were interested in, over what period to enable SWW to respond accurately to the request. The EIR team would then ensure the request was logged, tracked and responded to within 20 working days. SWW was limited in terms of volume information that they provided because the Event Duration Monitoring data set did not capture details of volume, but SWW would provide the

information they had available. The flow of continuous discharges was measured but due to the nature of storm overflows, intermittent discharges could not be measured.

Question 25: Were there different types of discharges? (if so, what were they?) What were the reasons for the discharges? (e.g. rainfall, failure of technology, maintenance etc.)

Response from SWW

There were two main types of discharges: continuous and intermittent. Continuous discharges were primarily related to treated final effluent from sewage treatment plants. Those were permitted by the EA and SWW were required to monitor them and provide this data to the EA for compliance purposes. Each discharge would have a site specific permit to protect the environment.

The second was intermittent discharges which were primarily related to storm overflows. All storm overflows were monitored and SWW were required to provide this data to the EA as requested and annually were part of their Event Duration Monitoring Returns. Each discharge would have a site specific permit to protect the environment. The return was published by the EA in March each year and could be found here: [Environment Agency publishes Event Duration Monitoring data for 2022 - GOV.UK](#)

Emergency discharges came from a pumping station, where for instance there was a loss of power to the pumping station which caused a discharge. The reasons for any emergency discharge were recorded and that information could be disclosed unless there was any legally prejudicial reason why SWW were not able to.

Question 26: Can SWW advise on how this is monitored? Was it empirically measured or was it a “guesstimate”? Were there documented procedures around this? How were the figures:

- a. Verified?
- b. Audited
 - i. Internal?
 - ii. external?
- c. Monitored
 - i. By whom?
 - ii. Method?
 - iii. Frequency?
- d. Investigated
 - i. Random check?
 - ii. Regular reviews?
 - iii. Incident investigation?
 - iv. Was there a documented procedure?

Response from SWW

The permits set out how often and what was required to be monitored. Those permits were set to protect the environment and had clauses which described how SWW measured and to what standards. Each permit had its own permit conditions. SWW had both internal and external audits undertaken. External audits were completed to ensure they complied with Monitoring Certification Scheme (MCERT)'s certification. The EA would also review data and undertake site visits to check SWW's sites were compliant with specific permits. SWW would review data daily to ensure their sites were operating to the required standards this would form part of SWW's overall

operational activity. Ultimately, there were two primary outcomes: maintain compliance with the permit conditions and protect the environment – if either were compromised, SWW would rectify and / or the regulator would decide what action they may wish SWW to take under the WINEP.

Question 27: Were any of the items above published:

- a. For the general public?
- b. For stakeholders
 - i. Local councils?
 - ii. Central government?
 - iii. National bodies?

Response from SWW

There was a plethora of information in the public domain which was available to anyone who wished to use it. Where information was not available direct to the public via SWW's website or others, individuals could request information under the EIRs. If Members would like, SWW could offer a 'teach in' session where they could explain in more detail how the water industry was regulated. SWW published data on all storm overflows on their website which could be viewed ahead of the annual return. All storm overflow data was published on the website within an hour of the discharge commencing and within an hour of the discharge finishing and was visible on SWW's WaterFit Live Website where all storm overflows could be seen live at any moment. That information was replicated on the National Storm Overflow Hub which contained data from all the Water Companies in England within an hour of the data being published.

Question 28: There had been a lot of comment recently from the Government reported in the news, that there had not been any new reservoirs built in England since 1972 and that new reservoirs were desperately needed. Did SWW have any plans to build a new reservoir? If so could it be built in Mid Devon?"

Response from SWW

No new reservoirs were planned for the Council's area. SWW's Business Plan and Water Resources Plan set out future investment and water needs. SWW had already established new resources in Cornwall: Hawkstor and Blackpool Pit and SWW had new abstractions established on the River Tamar at Gatherleigh. As part of the wider Strategic Resource Options lead by RAPID link here: [RAPID - Ofwat](#) SWW would be building a new reservoir near Cheddar called Cheddar II during the 2030's.

Ms Tara Fraser – Member of the Public – Question supplied in advance

Question 29: Reviewing the newspaper archives for the Ashley area we note that the residents of Ashley had been complaining about the smell from the water treatment works for well over 150 years! What updates to the system had been made since it was first built and if the reason it smelled so bad was that it was, and had always been, inadequate for the number of dwellings it served? How and when would the system be updated so that it could cope effectively without blighting the lovely hamlet with obnoxious smells on a regular basis?

Response from SWW

SWW had plans to update the Tiverton Sewage Treatment Works (STW) by 2030. Tiverton STW was also a sludge treatment holding area where solids created as part

of the treatment process from in and around Tiverton were all brought to Tiverton and stored prior to being treated. It could be that that was what was causing the odour. SWW would investigate further the odour issues from this site that were being reported by the local residents and report back.

Fly Tipping

Question 30: Who and how did one contact the agency about fly tipping for example in the River Lowman? It did appear that SWW had assumed the role of water bailiff.

Response from SWW

SWW had not assumed the role of water bailiff – the EA and relevant local authority were responsible for waste incidents including major waste crime and fly tipping.

SWW had been working with Environmental Health and others, as part of the Food Hygiene rating, to consider whether or not the establishment had a fat trap. If there was an issue causing pollution SWW would prefer that the incident was reported to them.

Community

Question 31: There was a leat that went through several wards in Tiverton. This was a valuable asset to the people of Tiverton. The Friends of the Leat were a new charity set up to restore the leat. So that it ran again.

How could The Friends of the Leat or other groups like them form a formal partnership, (in whatever form) moving forward, with SWW?

Response from SWW

SWW's Natural Resources Team had many links with environmental organisations and would be happy to discuss issues with you. In a large number of instances there may be a partnership that had already been formed so it would be advisable to see what already existed. To understand more contact SWW's Stakeholder Engagement Manager, Nick Paling who would be pleased to help. His email address was: npaling@southwestwater.co.uk.

The Committee should note SWW had no assets in relation to that leat. Hence, there may be limited help that SWW could offer. There was a Neighbourhood Fund which could be bid into. This would start up again from 1 April 2025 and details could be found on SWW's website here: <https://www.southwestwater.co.uk/our-south-west/community/neighbourhood-fund>.

Question 32: The River Culm in 2023 was designated the eighth most polluted river in the United Kingdom for illegal sewage spills. Plans were outlined in 2023 for alleviating that problem. In context the pollution came from 655 spills lasting a total of 7,303 hours and approximately 1.8 times per day. What had SWW done to alleviate that problem?

Response from SWW

£780m had been set aside for the next business period, 2025–2030, to address pollution and storm overflows. The work was shown on the National Storm Overflow Action Plan which showed when the storm overflows would be addressed. If the storm overflows into the Culm were into an area of Environmental Sensitivity then those issues would come forward in the programme to 2030-2035. The National Storm Overflow Action Plan showed when the investment was planned to occur.

Question 33: Did SWW monitor microplastics and how?

Response from SWW

A source control measure, removing microplastics from things like face creams, was put in place by the Government to ban microplastics going into products. SWW were taking part in a number of research projects looking at the presence of microplastics. The treatment processes that SWW operated removed approximately 99% of all microplastics from waste water.

SWW requested that Councillors promote that pee, poo and paper were the only items that were put into the sewage system.

Two Members of the Council would be offered the opportunity to see what SWW were doing with Exeter University at the Centre for Resilience in Environment, Water and Waste (CREWW). There they had a microplastic lab analysis where they could look at microplastics down to nanoparticles.

Question 34: The Council were currently trialling recycling for nappies and sanitary products etc. Would SWW support this measure and would there be any possibility in the future of some financial assistance?

Response from SWW

SWW applauded the Council for this trial as it would lead to less blockages occurring on the sewer network. It would be useful to share data where they could see whether the Council's trial reduced blockages and hence the true economic benefit to SWW.

Question 35: Bearing in mind the projected increase in housing numbers, would the new reservoir at Cheddar II have sufficient capacity to supply a certain amount of its water to the Mid Devon area? Had climate change and prolonged dry spells in weather been taken into account? Had SWW considered the potential for desalination plants?

Response from SWW

Climate change, population growth and housing increase was all part of the Water Resource Management Plan. The plan took into account the latest climate change projections, each time those changed, that had to be built into the plan. Housing numbers and plans were also built into the plan. SWW also had to look at per capita consumption (how much water each individual used). SWW were working with developers to encourage less water being used by household appliances for instance and lower capacity toilet cisterns and shower heads. SWW were encouraging the take up of water meters so that customers could see how much water they were using. SWW were looking at leakage on their own network but also encouraged customers to look at it on their network.

SWW already engaged with the Council's Forward Planning Team. SWW were putting in place some incentive schemes to encourage developer customers to use less water and so reduce the impact of new development.

Question 36: Would it be possible to have an off line conversation about the shutlake in Hemyock? It was an ever escalating situation with ongoing problems.

Response from SWW

SWW agreed to respond after the meeting.

Question 37: Accidents by their nature were urgent, how were they managed? What were the internal processes and procedures undertaken? What engagement happened with the EA or the Council's own Public Health Team? What was the reasonable timescale for when a spillage clear up could be expected? What was the context of reasonable in terms of making good when something had gone wrong?

Response from SWW

The Wastewater Operations Team would be responsible for clearing up any mess that SWW may have made at a location. Reasonable timescales may depend upon what was the immediate impact? Was it causing an environmental impact to the water course at that moment in which case it would probably have a higher priority? It would depend upon the potential risk and impact upon a water course. If the Regulator was made aware of it they may instruct SWW to clear the mess within 12 or 24 hours depending upon what the Regulator believed to be the impact of the issue on the water course. It did depend upon the risk and what else SWW were dealing with at the time and whether they could get people there in the time that they would ideally wish to. SWW would take away the question of the Service Level they operated when a spill had occurred.

Question 38: What were SWW's protocols and treatment of residents when new sewage pipes had to be laid across their land? How did SWW consider, consult with and communicate with those residents?

Response from SWW

Water companies had something called a requisition which was part of the Water Act. A developer could requisition SWW to provide either a water main or a sewer for a new development. It avoided the principle of ransom so that if the developer could not get their drainage out or their water main in by any means that they could negotiate, they could approach SWW who had land entry powers. SWW would serve a Notice to go and do the work. However, whilst SWW had the legal powers, there was a certain way to engage. As part of any work SWW carried out, they would be responsible for reinstating and making good.

Question 39: How did SWW deal with complaints and how were the non-standard complaints escalated?

Response from SWW

There was an escalation process with complaints however, first SWW needed to determine whether or not they were part of the problem or if they were not the organisation to resolve it. If a customer felt that their complaint had not been taken up, they could write to their MP who may ask SWW to review their decision. If an individual felt that they had not been dealt with properly they could take the issue to the Consumer Council for Water.

The Chair on behalf of the Committee thanked the officers of SWW for their presentation, for answering the questions and for their time that evening.

97 WORK PROGRAMME (2:29:58)

The Committee had before it and **NOTED** the *Forward Plan and the *Scrutiny Committee Work Programme.

The following was highlighted:

- (i) The only item on the agenda for the next meeting was the Scrutiny Chair's Annual Report. The Committee did not ask to add anything to that agenda having taken into account the Cabinet's Forward Plan.
- (ii) There would be an item on Local Government Reorganisation and Devolution which would likely be scheduled for 9 June and failing that 14 July dependent upon what information was available.
- (iii) The work item on Progress to Junction 28 and inviting the DCC Cabinet Member for Highways Management had been postponed due to the Pre-election Period. Once it was confirmed who the new Cabinet Member for Highways Management would be, an invitation would be sent to them.
- (iv) To be added to the Work Plan for 9 June, a report from the Leader of the Council on the State of the District, the Cabinet's priorities for the coming year and its performance in the previous year.
- (v) The report on house maintenance, general and emergency repairs, pollution monitoring and resident safety would be included in the Work Plan for 9 June.

The following work proposals were received:

- Cllr R Roberts – Modular Buildings (Zed Pods)
As a report covering the work proposed was already being prepared for the Homes PDG it was **agreed** that that report also came to the Scrutiny Committee.
- Cllr G Czapiewski – Land use for planning.
After discussion it was agreed that this proposal was amended by the proposer and then sent to (Planning Policy Advisory Group) PPAG for them to review and consider in the new local plan.
- Cllr G Czapiewski – Ambulance Response Times
After discussion regarding whether the Council was the right body to look at this matter and it was **agreed** that DCC was the most appropriate body and that the Chair and Clerk together with the Cabinet Member for Parish and Community Engagement would encourage Town and Parish Councils to offer CPR/defibrillator and First Aid training in their locality.
- Cllr G Czapiewski – Social Housing Review
As a report covering the work proposed was already being prepared for the Homes PDG it was **agreed** that that report also came to the Scrutiny Committee.
- Cllr G Czapiewski – S106 Review – did current and future awards meet relevant infrastructure and social needs?
It was **agreed** that a report be produced explaining the procedure and processes that the Council went through and append the December 2024 Infrastructure Funding List to that with the report to come before the Scrutiny Committee over the summer.

Note: the *Forward Plan and the *Scrutiny Committee Work Programme were previously circulated.

(The meeting ended at 8.05 pm)

CHAIR

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Review of the responses given by South West Water at the Scrutiny Committee meeting on 17 March 2025

A summary of the outstanding issues:

- Question 20A: Questions about 'assessed' charges for people without water meters and who live in shared properties. SWW said they would answer these questions in writing after the meeting and directly to the Cllr who asked them. Do you know if this happened?

Response:

Please find a link to our assessed charges process: [sww-household-charges-scheme-2025-26.pdf](#). It is a comprehensive document.

- Question 27: SWW offered a 'teach in' session where you could explain in more detail how the water industry was regulated. Do you know if this was ever arranged or have we still to do this?

Response:

We have yet to offer a 'teach in' session for all local authorities and our plan is to do this. Please bear with us whilst we plan this.

- Question 29: Re. Tiverton Sewerage Treatment Works.....SWW would investigate further the odour issues from this site that were being reported by the local residents and report back. Cllr Adam Stirling has been in touch about this. Is there a response to this yet please?

Response:

I personally reviewed the issue of odours at Tiverton Sewage Treatment Works and responded to David Parker direct on this matter. Please see attached. We have also responded to a number of other queries raised on this matter direct with Councillors.

I can confirm we have received the query from Cllr Adam Stirling regarding Tiverton which we are currently collating information for a reply.

- Question 33: 2 Councillors would be offered the opportunity to see what SWW was doing with Exeter University in the microplastics lab. Do you know if this invitation has been progressed?

Response:

We sent an invite to all local authorities on 3 April 2025 for a visit to our research collaboration CREWW to view our micro-plastics lab as well as our other research projects. Please see our original email out to all local authorities (attached). We have a record of Cllr S Keable attending.

- Question 36: Problems at Shutlake in Hemyock.... SWW agreed to respond after the meeting. Did that happen?

Response:

I do not believe we had responded to this and were expecting some more information on which to provide a response. Please could this be directed to our council enquiries email address as follows: CouncilEnquiries@pennon-group.co.uk.

- Question 37: Re. management of accidents.....SWW would take away the question of the service level they operated when a spill had occurred. Is there an update on this?

Response:

I can see this question has been answered in the minutes as far as practicable. The only other piece of information to add is that if we have a report of a suspected pollution from a member of the public, via our own telemetry or via the Environment Agency our aim would be to attend and assess within 2 hours. This will depend on other priorities at the time.

I can confirm we have received the query from Cllr Adam Stirling regarding Tiverton which we are currently collating information for a reply.

16th May 2025

Tiverton Sewerage Treatment Works - Odour

Dear David,

I promised to further review the odour issue that was raised at the recent Mid Devon District Council Scrutiny and Overview Committee.

I visited the site on 13 May where I met with our Waste Water Area Manager. We discussed the operational aspect of the site where it was explained that Tiverton is used as a sludge recycling centre. Sludge is the byproduct of the sewage treatment process and is in simple terms the solid material that is left after the sewage has been treated. The sludge is required to be treated to a certain standard to ensure it meets the requirements to be used in agriculture as a soil conditioner and/or fertilizer for crops. There are occasions when the amount of sludge held on site increases because we take material in from other sewage treatment sites for further processing. When I was on site on 13 May I could not smell any issues. Even within 3 metres of the sludge holding facility there was a limited smell.

I have also been informed that we have had limited direct contacts regarding odour. That's not to say odour issues do not occur.

At s stage we will keep the current operational aspect under review as we are awaiting a wider sludge strategy to be considered.

If for any reason the odours do persist for any period of time and you are made aware please do contact me on the council enquiries email address.

Kind regards

Alan



Alan Burrows (He/Him)
Head of Local Government Affairs

Peninsula House, Rydon Lane, Exeter EX2 7HR
pennon-group.co.uk



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MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

October 2025

The Forward Plan containing key Decisions is published 28 days prior to each Cabinet meeting

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
October 2025					
SPO Dog Variation Order-Silverton	Service Delivery & Continuous Improvement Policy Development Group Cabinet	15 Sep 2025 7 Oct 2025	Luke Howard, Environment and Enforcement Manager	Cabinet Member for Service Delivery and Continuous Improvement	Open
Bin It 123 - next steps and additional recycling To discuss the next steps in relation to Bin-It 123 and any additional recycling proposed.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	15 Sep 2025 7 Oct 2025	Matthew Page, Head of People, Performance & Waste	Cabinet Member for Service Delivery and Continuous Improvement	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
PSPO Alcohol Prohibition To recommend a PSPO in regards to Alcohol Prohibition.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	15 Sep 2025 7 Oct 2025	Matthew Page, Head of People, Performance & Waste	Cabinet Member for Service Delivery and Continuous Improvement	Open
MDH Mobility Scooter in Flats Policy (NEW) To receive and approve the new MDH Mobility Scooter in Flats Policy which sets out the conditions under which tenants and their visitors may use, store, and charge mobility scooters and powered wheelchairs within MDH flats and communal areas.	Homes Policy Development Group Cabinet Council	9 Sep 2025 7 Oct 2025 29 Oct 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Play Area Inspection Policy To receive and approve the revised Play Area Inspection Policy.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	15 Sep 2025 7 Oct 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Service Delivery and Continuous Improvement	Open

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Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Corporate Risk Report	Audit Committee Cabinet	30 Sep 2025 7 Oct 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Corporate Performance Q1	Cabinet	7 Oct 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Draft Budget Report 2026/2027	Cabinet	7 Oct 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Memorial Benches and Memorial Trees Policy (NEW) To receive a new Policy pertaining to Memorial Benches and Memorial Trees.	Service Delivery & Continuous Improvement Policy Development Group Cabinet Council	15 Sep 2025 7 Oct 2025 29 Oct 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Service Delivery and Continuous Improvement	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
November 2025					
Tenancy Agreement	Homes Policy Development Group Cabinet	9 Sep 2025 4 Nov 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Carbon Footprint Report	Cabinet	4 Nov 2025	Jason Ball, Climate and Sustainability Specialist	Cabinet Member for Environment and Climate Change	
Draft Budget Report 2026/2027	Cabinet	4 Nov 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
2025/26 Budget Monitoring - Quarter 2	Cabinet	4 Nov 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Tax Base Calculations	Cabinet Council	4 Nov 2025 17 Dec 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
2025/26 Treasury Management Report - Qtr 2	Cabinet	4 Nov 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
26 November					
Local Government Reorganisation	Cabinet	26 Nov 2025		Leader of the Council	
December 2025					
Infrastructure Funding Statement: Infrastructure List	Cabinet	2 Dec 2025	Elaine Barry, Planning Obligations Monitoring Officer	Cabinet Member for Planning and Economic Regeneration	Open
Motion 608- Anaerobic Digester Plants	Planning, Environment & Sustainability Policy Development Group	23 Sep 2025	Jason Ball, Climate and Sustainability Specialist	Cabinet Member for Planning and Economic Regeneration	Open
	Planning, Environment & Sustainability Policy Development Group	25 Nov 2025			

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
	Cabinet	2 Dec 2025			
	Council	17 Dec 2025			
Unauthorised Encampment Policy To consider the report	Community, People & Equalities Policy Development Group Cabinet	11 Nov 2025 2 Dec 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Car Parking and Permit Proposals To receive a report regarding Car Parking generally and Permit proposals.	Economy & Assets Policy Development Group Cabinet	20 Nov 2025 2 Dec 2025	Matthew Page, Head of People, Performance & Waste	Cabinet Member for Planning and Economic Regeneration	Open
Strategic Grants Review 2025 To consider requests from external organisations for grants.	Community, People & Equalities Policy Development Group Cabinet	11 Nov 2025 2 Dec 2025	Zoë Lentell, Economic Development Team Leader	Cabinet Member for Parish and Community Engagement	Open
Draft Budget Report 2026/2027	Cabinet	2 Dec 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Corporate Performance Q2	Cabinet	2 Dec 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Housing Strategy To receive the revised Housing Strategy.	Homes Policy Development Group	17 Mar 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
	Cabinet	7 Apr 2026			
Corporate Risk Report	Cabinet	2 Dec 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Corporate Anti-Social Behaviour Policy To consider the report.	Community, People & Equalities Policy Development Group	11 Nov 2025		Cabinet Member for Quality of Living, Equalities and Public Health	Open
	Cabinet	2 Dec 2025			

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
January 2026					
Leisure Pricing Strategy To receive a revised draft leisure Pricing Strategy for 2026.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	24 Nov 2025 13 Jan 2026	Dean Emery, Head of Revenues, Benefits & Leisure	Cabinet Member for Service Delivery and Continuous Improvement	Fully exempt <i>Contains commercially sensitive information.</i>
Economic Strategy 2024 - 2029	Economy & Assets Policy Development Group Cabinet	20 Nov 2025 13 Jan 2026	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery	Cabinet Member for Planning and Economic Regeneration	Open
Destination Management Plan for Mid Devon	Economy & Assets Policy Development Group Cabinet	20 Nov 2025 13 Jan 2026	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery	Cabinet Member for Planning and Economic Regeneration	Open
Asset Management Plan To receive the revised Asset Management Plan.	Economy & Assets Policy Development Group Cabinet	20 Nov 2025 13 Jan 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Shopfront Enhancement Schemes To receive a report setting out the Shopfront Enhancement Scheme for approval.	Economy & Assets Policy Development Group Cabinet	20 Nov 2025 13 Jan 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Planning and Economic Regeneration	Open
Infrastructure Funding Statement	Planning, Environment & Sustainability Policy Development Group Cabinet	25 Nov 2025 13 Jan 2026	Richard Marsh, Director of Place & Economy		Open
Draft Budget Report 2026/2027	Cabinet	13 Jan 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Fees and Charges Report	Cabinet	13 Jan 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
February 2026					
MDDC Council Tax Rebate Policy	Community, People & Equalities Policy Development Group Cabinet	11 Nov 2025 10 Feb 2026	Fiona Keyes, Operations Manager for Revenues Benefits & Recovery	Cabinet Member for Governance, Finance and Risk	
Pay Policy Report	Cabinet Council	10 Feb 2026 18 Feb 2026	James Hamblin, Operations Manager for People Services	Leader of the Council	Open
Draft Budget Report 2026/2027	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
2025/26 Budget Monitoring - Quarter 3	Cabinet	10 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2026/27	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
2026/2027 Capital Strategy and 2026/2027 Capital Programme	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Establishment Report	Cabinet Council	10 Feb 2026 18 Feb 2026	James Hamblin, Operations Manager for People Services	Cabinet Member for Service Delivery and Continuous Improvement	Open
Policy Framework	Cabinet Council	10 Feb 2026 18 Feb 2026	Laura Woon, Democratic Services Manager	Leader of the Council	Open
Business Rates Tax Base	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
March 2026					
Draft Vision and Spatial Options	Cabinet	3 Mar 2026	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration	Open
April 2026					
Tenancy Strategy To receive the revised Tenancy Strategy	Homes Policy Development Group Cabinet	17 Mar 2026 7 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Domestic Abuse Policy (NEW) To receive a new policy in relation to Domestic Abuse in MDH properties.	Homes Policy Development Group Cabinet Council	17 Mar 2026 7 Apr 2026 22 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Data Policy (NEW) for MDH To receive the new Data Policy for Mid Devon Housing	Homes Policy Development Group Cabinet Council	17 Mar 2026 7 Apr 2026 22 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open

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Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Single Equalities Policy and Equality Objective To consider the report.	Cabinet	7 Apr 2026	Matthew Page, Head of People, Performance & Waste, Dr Stephen Carr, Corporate Performance & Improvement Manager	Cabinet Member for People, Development and Deputy Leader	Open
Corporate Recovery Policy	Audit Committee	31 Mar 2026	Dean Emery, Head of Revenues, Benefits & Leisure		Open
	Cabinet	7 Apr 2026			
Corporate Risk Report	Cabinet	7 Apr 2026	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Corporate Performance Q3	Cabinet	7 Apr 2026	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Customer Care Policy To receive the revised Customer Care Policy.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	23 Mar 2026 7 Apr 2026	Lisa Lewis, Head of Digital Transformation & Customer Engagement	Cabinet Member for Service Delivery and Continuous Improvement	Open
Tenancy Fraud (NEW) To receive and approve a new policy in relation to Tenancy Fraud.	Homes Policy Development Group Cabinet Council	17 Mar 2026 7 Apr 2026 22 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Aids and Adaptations policy To receive a report updating and reviewing the Aids and Adaptations Policy.	Homes Policy Development Group Cabinet	17 Mar 2026 7 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open

SCRUTINY COMMITTEE WORK PLAN 2025-2026

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
20 October 2025				
	Freedom of Information Dashboard for 2025/26 Quarters 1 & 2. To receive the Freedom of Information Dashboard		Deputy Chief Executive (S151) Lisa Lewis	
	Review of Responses and Actions from South West Water To review Actions taken by South West Water in response to questions asked of them on 17 March 2025		Director of Place and Economy	Moved from 29 September 2025
	Work Plan To review the existing Work Plan and consider items for the Committee's future consideration including a) Any items within the Forward Plan, b) Suggestions for future work.		Clerk	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
17 November 2025				
	Annual Report of Complaints and Compliments To consider the report.		Deputy Chief Executive (S151) Lisa Lewis	May move to 20 October 2025
	Work Plan To review the existing Work Plan and consider items for the Committee's future consideration including a) Any items within the Forward Plan, b) Suggestions for future work.		Clerk	
15 December 2025				
	Interim Corporate Performance report to Quarter 2 To consider the report.		Deputy Chief Executive (S151) Dr Stephen Carr	
	Work Plan To review the existing Work Plan and consider items for the Committee's future consideration including a) Any items within the Forward Plan, b) Suggestions for future work.		Clerk	
26 January 2026				
	Budget Update To consider the initial draft 2026/2027 Budget and options available in order for the Council to set a balanced budget.			

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
	Regulation of Investigatory Powers Act Annual Report To consider the report.		Director of Legal, People and Governance (Monitoring Officer) Maria De Leburne	
	Work Plan To review the existing Work Plan and consider items for the Committee's future consideration including a) Any items within the Forward Plan, b) Suggestions for future work.		Clerk	
23 February 2026				
Page 69	Freedom of Information Dashboard for 2025/26 Quarter 3 To receive the Dashboard		Deputy Chief Executive (S151) Lisa Lewis	
	Whistleblowing Annual Update To consider the report.		Director of Legal, People and Governance (Monitoring Officer) Matthew Page	
	Establishment Report To consider the report.		Director of Legal, People and Governance (Monitoring Officer) James Hamblin, Matthew Page	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
	Work Plan To review the existing Work Plan and consider items for the Committee's future consideration including a) Any items within the Forward Plan, b) Suggestions for future work.		Clerk	
16 March 2026				
	Work Plan To review the existing Work Plan and consider items for the Committee's future consideration including a) Any items within the Forward Plan, b) Suggestions for future work.		Clerk	
20 April 2026				
	Freedom of Information Dashboard for 2025/26 Quarter 4 To receive the Information Dashboard		Deputy Chief Executive (S151) Lisa Lewis	
	Scrutiny Chair's Annual Report To receive a report from the Chair of the Scrutiny Committee on the work the Scrutiny Committee has conducted over the last year.		Clerk	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
	Work Plan To review the existing Work Plan and consider items for the Committee's future consideration including a) Any items within the Forward Plan, b) Suggestions for future work.		Clerk	

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