

Responses to Public Questions not sent prior to the meeting

Sally Chapman – Questions for the Environment Agency

I am here representing Friends of the River Exe which was formed last year. We recently heard a talk by Fred Leach from the Riverfly partnership who coordinates regular testing of the Exe for Riverfly species that indicate the health of the river. How important are these surveys and what do you do with these results? We have also set up our own citizen's science water testing group where we send regular sample results to Westcountry rivers trust. Do you welcome and support these initiatives?

These questions would be forwarded to the Environment Agency with a request for a written response.

We certainly do welcome and support these initiatives. Citizen science monitoring can reach many more sites, and at a higher frequency than our monitoring budget will allow. This means that these datasets can provide a strong evidence base for environmental impacts, even if data gathered are at lower precision than laboratory analyses. This is also particularly true in agricultural catchments where there are with multiple sources of organic pollution, sediment and nutrients.

In terms of what we do with these results, it very much depends on the kind of monitoring. Riverfly was originally intended to detect short term (acute) pollution events that impact on invertebrate communities immediately, and the lower scores are detectable for some time afterwards, in a recovery phase. We set a Trigger level for river sites based on what we would expect to find, liaise with volunteer coordinators, and investigate breaches of that score. Water quality monitoring enables us to map hotspots within a catchment where data indicates elevated levels of chemicals relative to other river reaches, or tributaries.

Response provided by the Customer and Engagement Advisor at the Environment Agency

Sarah Coffin

Ref: Agenda Item 10 - Motion 583 Protecting Rivers and seas.

- 1) What consideration has been given to preventing Agricultural run-off relative to Motion 583?

Through the adopted Local Plan (Policy DM20/DM4) the Council already articulates the need for technical evidence to support agricultural applications where there is a risk of pollution which could impact upon water bodies and this also requires demonstration of how adverse impact will be avoided.

The forthcoming Water Cycle Study will seek to develop the Council's understanding on issues such as this and will become a key aspect of supporting evidence for policies within our new Local Plan; Plan Mid Devon. The Council has therefore given demonstrable consideration to the issue of Agricultural run-off already, where planning permission is required for agricultural development, and intends to continue to consider issues pertaining to water quality and pollution in the future.

Response provided by the Director of Place and Economy

- 2) Are Councillors aware that despite our two major industries of Agriculture and Tourism (covering 225,920 acres) your Council has no specified policy for either?

Linked to the above; I would point out that the adopted Local Plan has a policy which is directly related to Tourism (Policy DM22) and a policy which directly relates to Agriculture (DM20). The Local Plan also includes references and policies relating to the tourism industry throughout.

Response provided by the Director of Place and Economy

- 3) Are Councillors aware that Agriculture is globally recognised as a major polluting industry which if not properly managed in accordance with DEFRA/EA/WRAP voluntary 'Farming Best Practice' and BAT guidance, seriously impacts air, water and soil quality?

Councillors are aware of the impacts of Agriculture upon our environment, especially where poor practices prevail. However, we are also aware of the significance of Agricultural activity within our rural district and the important roles that farmers and landowners can play in supporting our natural environment and acting as long term stewards.

Response provided by the Director of Place and Economy

- 4) The major pollutions occur during storing/mixing/spreading of livestock slurry and AD digestate. If 'good practice' and Best Available Techniques are not implemented there is considerable risk of 'odour Nuisance with the release of harmful emissions being dispersed into the air; as well as potential overspreading and run-off into water sources. Despite this Mid Devon does not condition Best Practice within Agricultural Planning Approvals why?

The planning system does not control or regulate agricultural practices as it in itself does not constitute development.

Response provided by the Director of Place and Economy

- 5) Do Councillors realise that DEFRA/EA Best Practice guidance for these activities are voluntary and the EA only enforces if major water pollution occurs with fish kill. In the meantime any 'Odour and detriment Nuisance' impacting local communities is the remit of Mid Devon. It is acknowledged that 'splashplate' method of spreading slurry and digestates is the worst and least beneficial so why doesn't Mid Devon insist that the best method of spreading (injection pipes) are utilised – even if only in sensitive locations. This would be easy for public to identify and report.

Thank you for the information and question. I hope that the response to question 4 addresses your query.

Response provided by the Director of Place and Economy

Goff Welchman

My previous question at the last meeting regarding the external Directors at Three Rivers and the reply that I received are in your minutes so I hope that you have all read it.

In my opinion the reply gave the impression that there were external Directors from very early on, on the board of Three Rivers. So I put in a Freedom of Information request to verify that fact and your Freedom of Information Office refused to give me a reply. So I went to Companies House and did my research there instead and what I discovered was that none of the initial Directors on the board of Three Rivers at its inception were independent of this Council and I actually don't believe that the people involved had the necessary depth of skills to run a complex business of that nature. This appears to have been confirmed by the continual and escalating losses of taxpayer's funds throughout the history of the company. New Directors were only appointed around four years after the company's inception when it was already in deep trouble. Therefore in my opinion the reply that was given to me fell woefully short of the truth. This only heightens my suspicion that, we the public, are not being given the truth about Three Rivers, therefore now that I have discovered that the reply given to just one question about one of the lessons learned fell short of being an accurate answer my questions tonight are as follows:

Question 1:

Can the taxpayers of Mid Devon now believe any information given to us about Three Rivers by Mid Devon District Council's officers in view of the evasive response that I have received so far?

Yes.

Answer provided by the Chief Executive

Question 2:

Will the Council now make a comprehensive statement without regarding the lessons learned about Three Rivers, all the lessons learned, explaining exactly what mistakes were made at the outset, by whom and what financial impact these mistakes had, without regard to any juggling of funds between accounts such as for example Housing Revenue Account Funds being used to buy St Georges Court?

This issue was dealt with last year by the Council's Scrutiny Committee and a comprehensive review, report and discussion took place at that time.

Answer provided by the Chief Executive

Howard Cuthbert

The Environmental Agency claim responsibility for rivers and water courses in the Mid Devon Council area. They highlight Critical Ordinary Water Courses (COWs). However, four associated with Tiverton are listed as Unknown.

Question 1:

How can the public report pollution to the Agency?

We encourage members of the public to report all observations of environmental incidents to us on our Freephone incident reporting hotline on **0800 80 70 60**. This hotline is staffed 24 hours a day, 7 days a week. By speaking to a member of our team we can get as much information as possible from the public which will greatly assist our investigations. Reports are passed to our local duty staff who will assess them and respond accordingly.

Answer provided by the Customer and Engagement Advisor at The Environment Agency

Question 2:

Does the Environmental Agency have the ability to guarantee the quality of water, in the Exe and the Lowman, from Bolham to past the sewage works outfall, used for swimming by the public?

Water quality at designated bathing water sites in England is assessed by the Environment Agency. From May to September, weekly assessments measure current water quality, and at a number of sites daily pollution risk forecasts are issued.

The Environment Agency advise of the risk of pollution affecting bathing water quality which could impact on bathers' health. Public Health England and the Environment Agency offer advice in their '[swim healthy](#)' guidance, which is available to read before making any decision on swimming

<https://www.gov.uk/government/publications/swim-healthy-leaflet/swim-healthy>).

As the area specified is not a designated bathing water, we do not provide advice against bathing.

However, the Environment Agency does monitor the health of all rivers in England as part of the Water Environment Regulation (formerly Water Framework Directive- WFD), and is required legally to provide data for these waterbodies every 6 years. The data for this can be found here

<https://environment.data.gov.uk/catchment-planning>

Answer provided by the Customer and Engagement Advisor at The Environment Agency

Question 3:

The Rivers Trust for the Exe and Lowman as they pass through Tiverton have a number of storm drain sites listed "Not Asset Maintenance, Hydraulic Capacity". This is result of the South West Water asset being undersized and no amount of fiddling on how they are operated can prevent a spillage. Does this not cause concern and suggest corrective action be taken to remedy before pollution occurs?

Please direct this question to South West Water.

Answer provided by the Customer and Engagement Advisor at The Environment Agency - This question will be forwarded to South West Water for a response.