

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
Leiburne (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 effecting 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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