

CUSTOMER FOCUS SCRUTINY COMMITTEE

Date: Thursday 29 June 2023

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

Entry to the Civic Centre can be gained through the rear entrance, located at the back of the Customer Service Centre, Paris Street.

Membership -

Vizard (Chair), Rees (Deputy Chair), Atkinson, Begley, Ellis-Jones, Fullam, Hannaford, Harvey, Holland, Miller, Patrick, Sparling, Wardle and Warwick

Agenda

1 Apologies

2 Minutes

(Pages 5 -
12)

To approve and sign the minutes of the Customer Focus Scrutiny Committee held on 30 March 2023.

3 Declarations of Interest

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item.

Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

4 Local Government (Access to Information) Act - Exclusion of Press and Public

It is considered that the Committee would be unlikely to exclude the press and public during the consideration of any of the items on this agenda but, if it should wish to do so, then the following resolution should be passed:-

“**RESOLVED** that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the particular item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraph(s) of Part I of Schedule 12A of the Act.”

5 Questions from the Public under Standing Order No. 19

Details of questions should be notified to the Democratic Services Manager via the committee.services@exeter.gov.uk email by 10.00am at least three working days prior to the meeting. For this meeting any questions must be submitted by 10.00am on Monday 26 June 2023.

For details about how to speak at Committee, please click the following link - <https://exeter.gov.uk/council-and-democracy/councillors-and-meetings/public-speaking-at-meetings/overview/>

6 Presentation on the role of Scrutiny

(Pages 13
- 16)

A presentation will be made by the Democratic Services Manager. The current terms of reference for the Scrutiny Committees are attached.

7 River Exe

(Pages 17
- 26)

To welcome Vicky Garner, Grace Gladding, Ian Lake and Mark Worsfold of South West Water, Mark Rice of the Environment Agency and Michaela Barwell of Natural England.

Letters from South West Water, Simon Jupp MP and Notice of Motion (Extract below) to Council on 21 February 2023 attached.

“Ask Exeter City Council to invite the Chief Executive of South West Water plus senior representatives from the Environment Agency and Natural England/Natural Resources Wales to attend a meeting to answer questions on the current levels of sewage discharge.”

8 Questions from Members of the Council under Standing Order No 20

To receive questions from Members of the Council to the relevant Portfolio Holders for this Scrutiny Committee. The Portfolio Holders are:-

Councillor Denning - Portfolio Holder for Council Housing Development and Support Services
Councillor Foale - Portfolio Holder for Corporate and Democratic Services and Environmental Health
Councillor Pearce - Portfolio Holder for Communities and Homelessness Prevention
Councillor Williams - Portfolio Holder for Place and City Management

Advance questions from Members relating to the Portfolio Holders should be notified to the Corporate Manager Democratic and Civic Support via the committee.services@exeter.gov.uk email.

9 Forward Plan of Business and Scrutiny Work Plan

(Pages 27
- 32)

Please see for noting a link to the schedule of future business proposed for the Council which can be viewed on the Council's web site. This on-line document is a source for Members to raise issues at Scrutiny on forthcoming Executive agenda items:-

<https://exeter.gov.uk/council-and-democracy/councillors-and-meetings/forward-plan-of-executive-decisions/>

Also attached is a draft work plan of future scrutiny items.

Should Members wish to raise issues in respect of future business please notify Howard Bassett in advance of the meeting.

Date of Next Meeting

The next scheduled meeting of the Customer Focus Scrutiny Committee will be held on **Thursday 5 October 2023** at 5.30 pm in the Civic Centre.

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CUSTOMER FOCUS SCRUTINY COMMITTEE

30 March 2023

Present:

Councillor Matthew Vizard (Chair)
Councillors Mitchell, M, Bennett, Ellis-Jones, Holland, Snow, Sparling, Sutton, Wardle and Warwick

Apologies:

Councillors Foale, Harvey, Newby and Oliver

Also present:

Service Lead - Environmental Health and Community Safety and Democratic Services Officer (HB)

In attendance:

| | |
|---------------------|--|
| Councillor Ghusain | Portfolio Holder City Management and Environmental Services |
| Councillor Pearce | Portfolio Holder Communities and Homelessness Prevention |
| Councillor Williams | Portfolio Holder Recycling, Waste Management and Waterways |
| Councillor Wright | Deputy Leader and Portfolio Holder Arts and Culture and Corporate Services |

9 **Minutes**

Subject to the deletion of the last bullet point in Min. No. 5 and the insertion of the following:-

The following question had been submitted by Councillor Bennett to the Portfolio Holder for City Management and Environmental Services:-

Many residents have told me they take their lives into their own hands using the uncontrolled crossings to access St. Sidwell's Point, the cinema, job centre and the bus station. Whilst I understand that highways decisions are the responsibility of Devon County Council, does the Portfolio Holder agree that urgent action needs to be taken to redesign this area so that people of all ages can arrive safely and easily on foot or by bike?

Response

Thank you for your question. I haven't personally experienced any difficulties on these crossing points nor have I had any reports from residents. I would encourage any member of the public who has experienced problems at these crossing points to make sure that the County Council's Road Safety team are aware, so that they can complete the required assessment. I will also ask my fellow Councillors who sit on the Exeter Highways and Traffic Orders Committee to raise this location with the Committee, as an area of concern.

the minutes of the meeting of the Customer Focus Scrutiny Committee held on 2 February 2023 were taken as read, approved and signed by the Chair as correct.

10 **Declarations of Interest**

No declarations of interest were made by Members.

11 **Questions from the public under Standing Order No. 19**

No questions had been received from members of the public.

12 **Questions from Members of the Council under Standing Order No. 20**

In accordance with Standing Order No. 20, the questions below to the Portfolio Holder for Customer Services and Council Housing - Councillor Denning - had been submitted by Councillors Snow and Vizard and had been circulated in advance to Members of the Committee. The questions were read out by the Chair and, in the absence of Councillor Denning, responded to by Councillor Wright, the Deputy Leader and Portfolio Holder for Arts and Culture and Corporate Services.

Questions to the Portfolio Holder for Customer Services and Council Housing - Councillor Denning

From Councillor Snow

With the continued rise in the amount of homelessness and longer waiting lists for social housing what impact does Right to Buy have on these urgent problems?

Can the Portfolio Holder please also let the Committee know?

1. How many Exeter City Council homes are sold in a year on average under 'Right to Buy'?

Response

Over the past six financial years the Council has on average sold 38 properties each year. So far in this financial year (2022/23) 36 properties have been sold.

2. What current discounts are available under Right to Buy and how are these linked to length of tenancies?

Response

The current maximum discount is a maximum of 70% of the value of the property or £87,200 whichever is the lower amount.

For a house a tenant would get 35% discount for between three and five years as a public sector tenant and 1% for every year over five years.

For a flat a tenant would get 50% discount for between three and five years as a public sector tenant and 2% for every year over five years.

3. What can HRA (Housing Revenue Account) spend the funds on from 'Right to Buy'?

Response

Exeter City Council could use retained receipts for social or affordable rents. Following changes to the funding arrangements in 2021 it was also now possible to use the receipts to finance a greater tenure mix of properties including shared ownership and First Homes (new home buying scheme for first time buyers to purchase at a discount)

4. Does the HRA get all of the funds from the selling of Exeter Council homes or does central Government take a percentage of the funds?

Response

Exeter City Council retained 100% of the receipts from Right to Buy. However, there were restrictions on how this money could be used, these were:-

- *the receipts being capped making up no more than 40% of the total costs of any new homes with the HRA or Social Landlords providing the remaining 60% of funding;*
- *the retained receipts must be spent within five years; and*
- *from April 2023 only 40% of the receipts can be used for acquisitions (rather than new build) reducing to 30% from April 2024.*

From Councillor Vizard

Regarding the Warm Homes Discount (WHD) scheme, it would be helpful to understand what contact Exeter City Council has had from Council tenants and other financially vulnerable households through our customer support functions, and if/how we might prioritise some of these households for further support grants, if it becomes clear that the toughening of qualifying criteria is driving further fuel poverty and stark choices for some between heating and eating. Although we will be coming out of the winter, the impact will continue to be felt.

The other aspect of this is understanding how many Council homes have a current Energy Performance Certificate (EPC) (although when produced as evidence, these appear to only be confirming households do not meet the criteria), and clarification of our policy with regard to EPC's.

Response

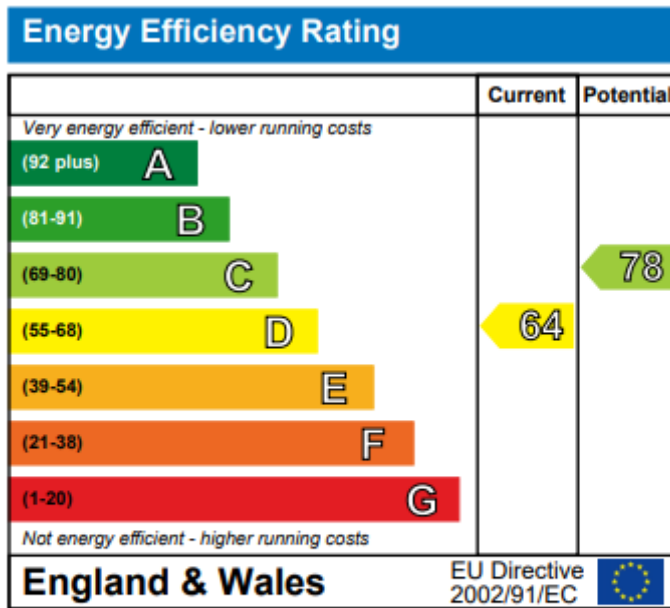
The Council currently had a total of 4,814 dwellings managed through the HRA, (Exeter City Council Decent Homes stock) and just over 57% (i.e. 2,769) of these have an EPC.

Seven EPC surveys had been carried out since January for tenant's who have requested them via Customer Services or Housing Officers specifically for the WHD.

The Council did not charge for an EPC, although there was no obligation on the Council as the landlord to provide EPC's to any tenants which had been in their homes prior to 2008/09 when the requirement came in to provide an EPC for any 'New' tenant. The EPC survey did provide valuable data on the property so officers would commence one if needed to keep the Asset Management Database up to date.

The WHD scheme information did not state what threshold was being used to determine eligibility as EPC banding's go from A (very energy efficient) to G (very poor), and it would be useful to know where the cut off was.

based on fuel costs and environmental impact based



The energy efficiency rating is a measure of the overall efficiency of a home. The higher the rating the more energy efficient the home is and the lower the fuel bills are likely to be.

There had been very little contact from residents regarding the scheme. Two residents had approached the Council for financial assistance saying that they had qualified for the WHD in previous years but not this year due to the energy rating. One didn't qualify this year because of improvements carried out by the Council to their Council property. A third resident was unhappy because they had been told that they had not qualified for the WHD because their energy performance certificate precluded them and wanted to discuss the certificate with someone as, in their opinion, the property being rented was not energy efficient.

The Council had a financial assistance policy which utilised money received under the Better Care Fund. This enabled the Council to support those that met the eligibility criteria within the policy with things like better insulation, window replacement, roof repair and other qualifying measures that might affect the energy performance of those who owned their own properties or were in rented accommodation. Full details could be found on the Council's website. In addition, every Council Tax bill sent included a leaflet containing signposting information to the financial assistance available through Environmental Health.

Regarding prioritising those no longer entitled to the WHD for financial support through the Household Support Fund (HSF) scheme 4, the concern would be the limited funding and not having any data to establish how many in Exeter now did not qualify, so no way of knowing if the funding could meet the demand.

So in terms of giving support for those affected, the Council could take the view that they would be eligible but not directly targeted. HSF scheme 4 was there to help people struggling with fuel costs, and the guidance asked the Council to prioritise people who have missed out on other help, so this could certainly be a group the Council would give extra consideration to through an application route.

Questions to the Portfolio Holder for Communities and Homelessness Prevention – Councillor Pearce

From Councillor Sutton

How and when were the Council advised by Devon County Council of their £1.5 million planned cuts to the homeless prevention services for over 18's and what will be the impact on the City Council and partner agencies and their clients?

Response

Devon County Council consulted on the proposed cuts, having already set and approved its budget in February which felt like a rubber stamping exercise and there is now a fear amongst the City Council's partner agencies that there will be a severe impact on the most vulnerable in the city as well as job losses within the agencies. Partner organisations including the YMCA, St. Petrocks, Sanctuary Housing Association and Bournemouth Churches Housing Association who run Gabriel House, have differing estimates of the potential impact and there is concern that some hostels across Devon might close. These, and other bodies, meet through the recently established Exeter Homelessness Forum to ensure robust responses and to continue lobbying. A co-ordinated response by District Councils and partner agencies is vital.

It was a short-sighted move and Devon County Council do not seem to have considered the knock-on impact that the cuts would have on their other service such as Adult Social Services as well as services run by other statutory bodies such as the City Council, the Police, the Prison and Health Services. It was also contrary to the Government's goal of ending homelessness.

It was hoped the County Council will learn from this mistake and consult in future.

Supplementary question and answer.

Do the County Council understand that the cost of prevention is ultimately less than that of dealing with the consequences?

Answer

It may be that further data would assist the decision making process as gaps have been identified in the County's impact assessment of the cuts. The City Council held monthly meetings with agencies tracking developments.

From Councillor Wardle

Did the County Council consult with the Police, Health Services and other statutory agencies and what is the view of the Police on these cuts?

Response

It was unclear whether the County Council would have alerted senior management at these bodies to the proposals, but it was apparent at the Exeter Homelessness Forum that the City Council's partner agencies were fearful that there would be a severe impact on the most vulnerable in the city as well as concern for their staff.

Supplementary question and answer.

Can the position on ward and other grants be clarified please?

Answer

£39,000 has been allocated for ward grants. Whilst several million in CIL payments are made to the Council, until they are lodged there is uncertainty as to the total available for grant making purposes during the year. Developments proceed across the city and payments are made available at certain times.

From Councillor Sparling

Can an update be provided on the Wellbeing initiative which is also impacted by the County Council cuts please?

Response

Devon County Council were still consulting on this and the other seven streams affected by the cuts but City Council. NHS and Sport England funding continues.

From Councillor Vizard

In light of the ending of the support for hotel accommodation for Afghan Asylum seekers, has the Government indicated whether there will be any other support/funding options for local authorities for this cohort and what will be the likely impact on housing provision in the city?

Response

Changes to the Council hosting of families through the Afghan Re-settlement Scheme had been expected and some 8,000 asylum seekers were set to leave bridging hotels by the end of the year, with a three month notice period spread across the remaining months. The City Council had recently bid for funding for eight properties to home Ukrainian refugees and the Department for Levelling Up, Housing and Communities would be approached to determine if the properties could also be used to house Afghans. Once the resettlement needs had been met, the longer term use of the houses would be for local authority determination e.g. housing and homelessness relief. In light of the support many of the asylum seekers had given UK Forces in Afghanistan it was appropriate to now provide assistance to them in this country.

13 Update from the Portfolio Holder for Customer Services and Council Housing - Councillor Denning

Councillor Wright, the Deputy Leader and Portfolio Holder for Arts and Culture and Corporate Services, on behalf of Councillor Denning, reported on the Customer Services and Council Housing on areas of the Portfolio, detailing the issues relating to achieving the Council's published priorities, major ongoing programmes of work, issues impacting delivery, financial performance and budget requirements and potential changes being considered.

The following responses were given to Members' queries:-

- the housing team was to be congratulated on its nomination for an award at the National Retrofit Academy;

- in identifying properties for retrofitting, the Council selected those at the lower end of Energy Performance and also sought to achieve economies of scale by converting blocks of properties, as opposed to pepper-potting across the city;
- there had been outstanding feedback from those living in retrofitted properties and the programme had helped empower tenants in their contribution to the Council's Net Zero ambitions for the city;
- without a change in national policy to enable Councils to build a much greater number of Council homes, the net figure of properties in Council ownership would continue to fall; and
- the ability of the Council to extend the retrofitting offer to the private sector remained an aspiration.

The Service Lead Environmental Health and Community Safety referred to a report to Executive on 4 April 2023 seeking to revise the Council's Financial Assistance Policy for the Better Care Fund to offer low cost loans for renovations/upgrades to homes for vulnerable individuals, both inside and outside of the mandatory Disabled Facilities Grant system.

The Chair thanked Councillor Denning for her report and thanked Councillor Wright for presenting the report on Councillor Denning's behalf.

14 **Community Safety Partnership - Presentation**

The Service Lead Environmental Health and Community Safety spoke to the attached presentation on the Community Safety Partnership.

The following responses were given to Members' queries:-

- the criteria of the respective Safer Street schemes had evolved over time. Safer Streets 2 had focussed on burglary, thefts from persons, robbery and vehicle crime, with Safer Streets 4 broadening the criteria, notably including the Safety of Women at Night (SwAN) scheme as well as anti-social behaviour;
- whilst bids had involved input from a number of partners, widening consultation had been difficult given the very demanding Home Office deadlines for bid submission. There was Councillor membership on the Partnership;
- as 50% match funding was required if bids were made by a local authority or the Police, a Partnership approach was preferable in funding terms and the University were able to bring special skill sets to the bidding process;
- three cameras were located in Northernhay Gardens, with two planned for Rougemont Gardens;
- the CCTV Control Room upgrade would greatly assist evidence gathering to help the Police in prosecutions. Control room staff were required to undergo appropriate training under the auspices of the Security Industry Authority;
- further extension of the camera network outwards from the centre remained the aspiration as well as replacing all remaining analogue cameras with digital, the greater cost of the former being the expansion of the fibre optic network;
- there were criteria for premises seeking to join the Best Bar None scheme and "secret shoppers" were also involved as part of the selection process; and
- Ann Hunter of InExeter had been awarded the Lorraine Cox Memorial Award at a recent Best Bar None Awards Ceremony.

Customer Focus Scrutiny Committee noted the report and thanked the Service Lead for his presentation.

15 **Forward Plan of Business and Forward Work Plan**

Members noted the Forward Plan and the Scrutiny Work Plan.

16 **Councillor Sutton**

The Chair announced that Councillor Rachel Sutton would be standing down at the forthcoming local government elections on 4 May 2023 and thanked her for her service on the Council.

The meeting commenced at 5.30 pm and closed at 7.30 pm

Chair

DRAFT

Terms of Reference for Scrutiny

Membership

The membership of all committees is determined by the Council at its Annual Meeting. The membership may be varied during the year only with the consent of the Council.

Scrutiny Functions & procedures

Scrutiny Functions

1. The aims of the Scrutiny process are to:-
 - add value to Council business and decision-making;
 - hold the Executive to account;
 - monitor the budget and performance of services;
 - assist the Council in the development of policy and review the effectiveness of the implementation of Council policy;
 - review relevant central government policy development and legislation to assess the impact on the City and make recommendations to Executive.

Scrutiny Programme Board (“SPB”)

2. The purpose of the Scrutiny Programme Board is to manage scrutiny in a way that ensures the functions of overview and scrutiny are fairly balanced across all aspects of the Council’s work, with a view to improving services, reducing inequalities and improving outcomes for the people of Exeter. The Scrutiny Programme Board will meet on a bi-annual basis.

Role of the Scrutiny Programme Board:-

- To set priorities for the annual scrutiny work programme;
- To ensure that work is allocated fairly across the two scrutiny committees and reflects all aspects of the Council’s work by providing oversight and direction to the committees’ work programmes;
- To ensure corporate and cross cutting business is dealt with by the relevant committees;
- To review performance against the relevant corporate priorities and inform work programmes as appropriate;
- To receive for information, and oversee implementation of, recommendations made by each of the two Scrutiny Committees;
- To plan and oversee implementation of the process for annual Budget Scrutiny;
- To produce an annual scrutiny report to Council (in conjunction with the scrutiny committees);

- To review national best practice and guidance in relation to scrutiny and recommend any changes to the way scrutiny is undertaken as a result.

Membership:-

The Scrutiny Programme Board will consist of one member nominated by the Leader (who shall not be a member of the Executive) together with the Chairs and Deputy Chairs of each of the two scrutiny committees.

Chair - the Chair of the Board will be from the group in administration.

Deputy Chair - the Deputy-Chair will be from the main opposition group.

Role of the Scrutiny Committees

The relevant scrutiny committee will:

- hear call-ins, Councillor's call for action and petitions;
- approve the creation of time limited working groups for issues within its remit;
- monitor performance against the relevant corporate priorities;
- receive finance and performance reports;
- agree recommendations to Executive, Council and partner organisations;
- agree appointments of co-opted representatives;
- monitor the forward plan;
- review new and developing legislation to assess its impact on the city;
- consider and introduce schemes to involve the public in developing policy;
- work with national, regional and local organisations to promote the interest of local people.

Strategic Scrutiny Committee

Responsibility for

- Relevant policies in the Exeter Plan
- Corporate Health & Safety
- Response to Central Government's Policy Making
- Climate change and sustainability
- Council wide/strategic matters
- Hear call-ins relevant to the role of the committee

Partnership links

- Growth Board
- Joint Committee for Heart of the South West
- Heart of the South West Local Enterprise Partnership

Membership - There are fourteen members of the Committee including the Chair and Vice Chair. None shall be members of the Executive Committee.

Chair - The Chair will be nominated and elected at full council and will be a member of the Scrutiny Management Board.

(Amended March 2020)

Deputy Chair - The Deputy Chair will be nominated and elected at full council

Urgent Decisions - The Chair with relevant responsibilities will be consulted on urgent decisions to be made.

Customer Focus Scrutiny Committee

Responsibility for:-

- Corporate Performance Monitoring
- Financial Performance Monitoring
- Annual Budget Setting Process
- Service specific/operational matters
- Hear call-ins relevant to the role of the committee

Partnership links

- Health and Wellbeing Board
- Exeter Community Safety Partnership
- Strata

Membership -There are fourteen members of the Committee including the Chair and Vice Chair.

Chair - The Chair will be nominated and agreed by full council and will be a member of the Scrutiny Programme Board.

Deputy Chair - The Deputy Chair will be nominated and agreed by full council

Urgent Decisions - The Chair with relevant responsibilities will be consulted in relation to Urgent decisions to be made within the Scrutiny Committee's terms of reference.

Excluded matters

The following matters cannot be considered by a Scrutiny Committee:

- any matter relating to a planning decision;
- any matter relating to a licensing decision;
- any matter relating to the business of the Audit & Governance Committee;
- any matter relating to an individual or body if s/he/they have, by law, a right to a review or right of appeal;
- any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a Committee meeting .

The Monitoring Officer in consultation with the Chair (or Deputy Chair in the chair's absence) of the relevant Committee will determine whether a matter is an excluded matter.

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NOTICE OF MOTION BY COUNCILLOR READ UNDER STANDING ORDER

NO. 6

Councillor Read, seconded by Councillor Rees, moved a Notice of Motion in the following terms:-

The Council notes:

In July 2019 Exeter, along with hundreds of other Councils, declared a climate emergency. This declaration was strengthened in April 2021 by including biodiversity. The Rivers Trust says 'Rivers are in the forefront of our climate and nature crisis. For habitats to adapt and recover from climate shocks, we need healthy rivers'. The Council has an obligation to protect its rivers and the City Council's Harbour Board has, as one of its core values "We will lead in environmental stewardship of the Port." The Exe Estuary has the highest protection status afforded to it and is designated a Site of Special Scientific Interest and a Special Protection Area because it supports internationally important populations of birds such as the Slavonian Grebe and the Avocet, as well as Dunlin, Oystercatcher, Blacktailed Godwit and more.

The issue of sewage pollution of rivers and the sea is rightly high on the public and political agenda as the Environment Agency recently revealed that not one English waterway, including rivers, lakes, estuaries and coastal waters is in good ecological and chemical health at present. Pollution from water treatment plants and agriculture are the key sources of the damage. Meanwhile the Environment Agency recently shockingly announced that the target to clean up the majority of England's rivers, lakes and coastal waters has been pushed back 36 years, from 2027 to 2063. To date, only stretches of two rivers in the UK have been granted bathing status, a section of the River Wharfe and of the Thames.

This Council resolves to:

1. Recognise that there is clear evidence of poor water quality in the Exe due to cumulative impact of multiple sewage discharge events or 'sewage overload'.
2. Ask Exeter City Council to request from South West Water that an evidence base is compiled that assesses the cumulative impact of sewage discharge on ecological river health, and in addition the impact of polluted water on wildlife and biodiversity along the banks of the river should be monitored.
3. Ask Exeter City Council to invite the Chief Executive of South West Water plus senior representatives from the Environment Agency and Natural England/Natural Resources Wales to attend a meeting to answer questions on the current levels of sewage discharge.
4. Ask Exeter City Council to contact the Department for Environment, Food and Rural Affairs (DEFRA) and the regional director of the National Farmers' Union for clarification on action being taken by local farmers to prevent agricultural waste flowing into the river.

5. Ask Exeter City Council to request that South West Water from this date onwards, in its planning consultation responses for major development, to clarify which treatment works will be managing the sewage; whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas, and if it does have this information to share it (noting that this can only be requested not required).
6. Request Exeter City Council to lobby both our local Members of Parliament, the Local Government Association and the Department for Levelling Up, Housing and Communities to ban sewage discharges into swimming areas and where protected wildlife lives.

In presenting her Motion, Councillor Read made the following points:-

- the River Exe was an enormous asset to Exeter and was recognised to have a huge benefit to the health and wellbeing of Exeter's residents and of great importance to wildlife;
- the Exe catchment area has 77 sewage pumping stations taking away wastewater from homes and businesses. It has both separate (foul or surface water) and combined (foul and surface water) networks. When there was severe rainfall, storm overflows of both types act as built-in pressure relief valves and allow flows to be discharged into rivers and seas. Storm overflows were permitted by the Environment Agency;
- there were 299 overflows in the Exe catchment area and 167 Event Duration Monitors installed to monitor spill frequency. South West Water's Level 2 Draft Drainage and Wastewater Management Plan for the Exe 2020-2025 did not provide details about the volume of raw or treated sewage discharged into the waterways. Also, this report provided the number of 'pollution events' but no details on the impact on wildlife. In addition to this, agricultural runoff, badly managed septic tanks, road runoff and misconnected domestic drains all impacted adversely on the health of rivers in general and the Exe specifically;
- there was very little data published by South West Water on biological monitoring of the health of the Exe. An Exeter City Council report on 'Naturalising Exeter's Rivers' produced in October 2021 focused on the Northbrook stream, which flowed directly into the Exe. A baseline survey found that water quality in the stream is damaged by sewage entering it from misconnections, storm overflows and leachate from the landfill site. The Environment Agency agreed to monthly monitoring of the Northbrook from May 2022 and this sort of survey was needed for the whole of the Exe catchment as a matter of urgency;
- in 2021 at Dunsford Road there were 44 discharges into the River Exe over 62 hours; at Countess Weir there were 47 discharges over 123 hours and at Lower North Street there were 71 discharges into the Higher Leat over 214 hours;
- there was no way of knowing the volume of sewage discharged. Moreover, there were also many overflows of treated and untreated sewage and domestic misconnections which are not measured or recorded at all. In addition, there was frequent spillage into the river from agricultural chemicals;

- the Environment Act 2021 made it a statutory obligation for the Environment Agency to monitor water quality up and downstream of sewer overflows and make annual reports on storm overflow discharges. South West Water had over 1,600 storm overflows to monitor and so at present they are concentrating on Combined Sewage Overflows that spill more than 10 times a year. They had agreed a target with the Environment Agency to reduce spill frequency below this by 2045;
- the population of the Exe catchment in 2020 was 283,000 and was projected to grow to 373,000 by 2050. The catchment was also impacted by the influx of tourists during the summer, with an increase of 37,000 or 13 % over the existing resident population. Planning applications needed careful scrutiny so that the projected discharge of sewage is taken into account in all new developments; and
- Exeter deserves a clean, biodiversity-rich river, canal and estuary with healthy populations of many different species of birds, a thriving mussel industry, returning salmon and lots of people coming to the area for ecotourism. This would create new jobs and income for the area. Reducing and eventually eliminating sewage from the river could be an important step on this journey.

Councillor Rees, in seconding the Motion, welcomed the shared vision for a clean and healthy River Exe and hoped that the actions proposed would lead to an improvement in the river's biodiversity and help reverse the decline in the quality of the water.

Councillor Williams, as the Portfolio Holder for Recycling, Waste Management and Waterways, supported the Motion and referred to an event she had attended in 2022 entitled "Our Water: From the City to the Sea" involving a number of groups campaigning for cleaner water.

Councillor D Moore, as co-leader of an opposition group, welcomed the Motion and referred to the provision in the Flood and Water Management Act 2010 in respect of the adoption of drainage systems. She emphasised the importance of ensuring that the planning system was sufficiently robust to ensure the right connections for surface water to run off into public sewers as part of conditions for housing developments before construction commenced.

A Member, in supporting the Motion, referred to a failed amendment prior to the passing of the Environment Act 2021 to place a legal duty on water companies in England and Wales to undertake improvements to the sewerage systems.

Councillor Read, in concluding, thanked Members for their support stating that she looked forward to the responses from the bodies identified and suggested that the issue could be considered at a future Scrutiny Committee.

Councillor Read commended the Motion to Council.

The Notice of Motion was put to the vote and CARRIED unanimously.

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John Street
Corporate Manager Democratic and Civic Support
Exeter City Council
Civic Centre
Exeter
EX1 1JN

Sent via email

Wednesday, 22 March 2023

Dear Mr Street,

Thank you for your letter to Susan Davy regarding the River Exe dated 10 March 2023. She has asked me to respond on her behalf.

We recognise the significance of Exeter City Council discussing the matter of the quality of the River Exe at your recent meeting. The health of our rivers and seas, as well as reducing the use of storm overflows, are important priorities for our customers and communities. We share these priorities too.

We acknowledge the questions posed to South West Water in resolution two and five, with reference to resolution three. As such, we will take these resolutions in turn and provide a response.

Firstly, in response to resolution two, regarding the request for an evidence base to assess the cumulative impact of sewage discharge on ecological river health, in addition to the impact on wildlife and biodiversity along the banks of the river. We need to consider the three water bodies associated with the Exeter City Council area. The three water bodies include Lower Exe (Clyst to Estuary), Northbrook (East Devon) and Lower Clyst. Using publicly available data from the Environment Agency and examining the Reasons for Not Achieving Good Status (RNAGS) we can provide a summary of water quality in each water body.

Water body RNAGS identify the pressures that are impacting the status classification of water bodies. This data supports the Water Framework Directive River Basin Management Plans.

| | Water Body | | |
|---------------------|-------------------------------|------------------|------------------|
| | Lower Exe (Creedy to Estuary) | North Brook | Lower Clyst |
| Overall Status | Moderate | Moderate | Moderate |
| Fish | High Quality | Poor | Moderate |
| Invertebrates | N/A | Moderate | High |
| Ammonia | High Quality | High | High |
| Phosphate | Moderate | Moderate | Moderate |
| Hydrological Regime | Supports Good | Supports Good | Supports Good |
| Chemical | FAIL (Hg / PBDE / Dichlorvos) | FAIL (Hg / PBDE) | FAIL (Hg / PBDE) |
| Number of RNAG's | 7 | 12 | 6 |

| RNAGS | Water Body | | |
|-----------------------------|-------------------------------|-------------|-------------|
| | Lower Exe (Creedy to Estuary) | North Brook | Lower Clyst |
| Water industry | 2 | 2 | 0 |
| Urban / Transport | 0 | 4 | 0 |
| Domestic General | 0 | 2 | 0 |
| Local / Government | 1 | 2 | 1 |
| No Sector | 2 | 2 | 2 |
| Agriculture | 2 | 0 | 3 |
| Contaminated Land | 0 | 2 | 0 |
| Sewer Misconnections | 0 | 2 | 0 |
| Intermittent Sewage* | 0 | 2 | 0 |
| Continuous Sewage* | 2 | 0 | 0 |
| Agriculture Land Management | 2 | 0 | 3 |
| Physical modifications | 1 | 1 | 0 |
| Other' | 2 | 5 | 3 |
| * = Water Industry | | | |

You will note in the second table that 2 RNAGS in the Lower Exe have been attributed to the water industry. South West Water have no direct treatment (continuous) discharges into the Lower Exe; we therefore consider that the two Water Industry RNAGs on the Lower Exe are associated with upstream activity, perhaps from the Exe/Culm or Creedy. Both of these waterbodies have RNAGs associated with phosphorous discharges/phosphate. We have a number of schemes planned to investigate and/or address this issue in the upstream catchments.

Meanwhile, the RNAGs on the North Brook attributed to the water industry are 'intermittent' discharges, most likely to be associated with Combined Sewer Overflow (CSO) discharges.

Countess Wear Sewage Treatment Works (STW) discharges into the Exe Estuary water body. The Water Industry is associated with one of the 10 RNAG's in this waterbody. Estuary water quality management is treated differently from the freshwater quality metrics, and phosphate is not considered a parameter of concern in estuaries.

In relation to the impact of any overflow spills on wildlife and biodiversity, we undertake impact assessments for storm overflows using the Storm Overflow Assessment Framework developed jointly between the Environment Agency and the Water Industry. We are set to embark on over 300 of these assessments by 2025.

We have completed Storm Overflow Assessment Framework assessments at West Exe and Little Silver in Tiverton, with both concluding that dilution in the river is high. Using this assessment, South West Water have developed solutions with additional stormwater storage benefit for these overflows, to provide emergency storage and reduce potential pollution incidents.

In March 2022, we also carried out improvements to Exeter storm overflows, based on achieving 10 significant spills per bathing season designed to improve Shellfish quality in the Estuary. The CSOs included in these improvements were:

- Burnthouse Lane CSO
- First Avenue Service Lane CSO
- Holloway Street/Topsham Road CSO (these were combined into one asset and relocated)
- Buddle Lane CSO (aka John Stoker School)
- Larkbeare House CSO
- Okehampton Road CSO
- Tan Lane PS CSO/EO (Emergency Overflow)

Additionally, we made significant improvements to the Kenn and Kennford Sewage Treatment Works with additional storage and putting in a third stage Ultra-Violet (UV) disinfection treatment plant in March 2022. Countess Wear storm overflow also has UV treatment.

As requested in resolution three, we would be happy to organise a mutually convenient time for representatives of South West Water to attend a meeting with Council officials, joined by representatives from the Environment Agency and Natural England. My colleagues will be in touch separately to help arrange this meeting.

On resolution five, regarding South West Water's approach to managing flows, the location of the treatment works and how these will be managed with respect to new developments and potential impacts, our long-term planning for future growth is undertaken through our [Drainage and Wastewater Management Plans \(DWMP\)](#). We published our draft DWMP in June 2022 and consulted on these plans including a detailed Level 2 plan for the Exeter catchment, which can be found [here](#).

We consulted on these plans in the Autumn of last year and undertook a number of workshops with members of Exeter City Council in attendance and this included a more detailed workshop with Council staff on 28 November. We did not receive a formal written response to the consultation. All consultation responses are being incorporated into our final DWMP to be published at the end of May 2023.

In our plan, we have identified the significant new development planned to the east of Exeter (near Woodbury) and are considering whether it may be necessary to build a new sewage treatment works in this vicinity to take flows from the new development, in addition to that from housing already constructed at Cranbrook and Rockbeare. This new site would then allow additional capacity at Countess Wear Sewage Treatment Works to support further growth in the City itself. Our considerations are in the early stages, but we would welcome the opportunity to have a more detailed discussion with Council officials.

Additionally, we are already examining flows within the Exeter catchment and considering how these currently transfer to the Countess Wear Sewage Treatment Works. Improvements are planned at the works from 2025 to increase capacity to treat flows associated with future development until the more detailed work around and east of Exe treatment works is completed.

We know that storm overflows, the safety valves in our network to prevent homes and businesses from being flooded, are now the unacceptable face of the water sector. Having better data to understand what is happening in the system has been a positive step to help us improve. With monitoring now installed on 100% of our storm overflows, we are now able to monitor and can act on activity on hundreds of storm overflows across our region. Our 2022 data, shared with the Environment Agency for final review, will show a circa a third reduction over the year in average spills.

Thank you again for taking the time to contact us. I hope the information provided is useful and addresses the queries requested by the Council.

We look forward to meeting with you.

Yours sincerely,



Bev Rowney
Head of Corporate and Colleague Communications
Pennon Group Plc



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**RESPONSE OF SIMON JUPP MP TO CITY COUNCIL LETTER ON THE RIVER EXE:
DATED 2 MAY 2023**

Dear Mr Street,

I hope you are well.

Thank you for your letter dated 10th March 2023 about the River Exe and water quality. May I apologise for the long delay in responding, I am receiving a high level of correspondence at present.

Back in February, I led a debate on the performance of South West Water in Parliament. While this Conservative government has brought in the toughest ever crackdown on sewage spills, it is simply unacceptable that we pay the highest sewerage bills in the country but still witness an all too frequent use of combined sewer overflows. They are supposed to be available in an emergency, not used whenever the system can't cope due to a lack of investment. South West Water should upgrade their systems instead of rewarding bonuses.

The Environment Act and Storm Overflows Discharge Reduction Plan backs this up, introduced to ensure that water companies face strict limits on when they can use storm overflows. WaterFit Live, a new website from South West Water, is useful tool to help monitor the use of these CSOs across our shores so we can hold failing companies to account. It currently shares information about water quality in our area but sadly won't provide real-time data until later this year.

I also want to see proper investment in Exmouth. South West Water say they are currently working on a project to improve Maer Road and Phear Park pumping stations' storm overflows performance. In the last few weeks, I was delighted to see multi-million-pound plans to upgrade Sidmouth and Tipton St John's sewage system unveiled by the Department for Environment, Food & Rural Affairs.

As I'm sure you would agree, South West Water must invest locally to clean up their act and the River Exe's water. Working cross-party with parish, town, district and county councillors, and environmental groups, I'm continuing to hold South West Water to account about their plans.

Thank you for bringing this council motion to my attention. I will continue to pursue these matters through the appropriate channels.

Kind regards,

Simon

Simon Jupp MP

Member of Parliament for East Devon

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WORK PLAN FOR SCRUTINY ITEMS 2023/2024

Working Draft June 2023

| Item | Strategic Scrutiny Committee | Director | Portfolio Holder | Submitted by | Date Approved by Scrutiny Programme Board |
|---|-------------------------------------|--|---|---|--|
| Portfolio Holders Report (Leader confirmed) | 22 June 2023 | | | Yearly report | |
| Presentation on the Role of Scrutiny | 22 June 2023 | Director Corporate Services (BAK) | | Yearly report | |
| Ethical and Low Carbon Advertising Policy | 22 June 2023 | Director (JPH) | Portfolio Holder Climate & Ecological Crisis (Cllr Parkhouse) | Notice of Motion by Councillor Sparling Council 18 April 2023 | 5 June 2023 |
| Portfolio Holders Report Cllr TBC | 21 September 2023 | | | Yearly report | |
| Ethical and Low Carbon Advertising Policy | 21 September 2023 | Director (JPH and IC) | Portfolio Holder Climate & Ecological Crisis (Cllr Parkhouse) | Notice of Motion by Councillor Sparling Council 18 April 2023 (report to Strategic Scrutiny Committee 22 June 2023) | 5 June 2023 |
| Working Towards Net Zero - Exeter City Council's Corporate Carbon Footprint Report and Carbon Reduction Action Plan | 21 September 2023 | Director Net Zero Exeter & City Management (DB)Service Lead Net Zero & Business (VH) | Portfolio Holder Climate & Ecological Crisis (Cllr Parkhouse) | Report from Strategic Scrutiny Committee 29 September 2022 - half yearly report | |
| Progress Report Shared Prosperity Fund - Update | 21 September 2023 | Director Net Zero Exeter & City Management | Portfolio Holder Climate & | Report from Strategic Scrutiny Committee 29 | |

| Item | Strategic Scrutiny Committee | Director | Portfolio Holder | Submitted by | Date Approved by Scrutiny Programme Board |
|---|---|--|---|---|---|
| | | | Ecological Crisis (Cllr Parkhouse) | September 2022 - half yearly | |
| Live and Move Programme Update | 21 September 2023 | Director (JP) | Portfolio Holder Leisure & Physical Activity (Cllr Wood) | Report from Strategic Scrutiny Committee 16 March 2023 - half yearly report | |
| Scrutiny Programme Annual Report | 21 September 2023 | Director Corporate Services (BAK) | | Scrutiny Programme Board -Yearly report | |
| | | | | | |
| Portfolio Holders Report (Cllr TBC) | 16 November 2023 | | | Yearly report | |
| | | | | | |
| Portfolio Holders Report (Cllr TBC) | 25 January 2024 | | | Yearly report | |
| | | | | | |
| Budget | Combined Strategic Scrutiny and Customer Focus 7 February 2024 | Director Finance (DH) | | Yearly report | |
| | | | | | |
| Portfolio Holders Report (Cllr TBC) | 14 March 2024 | | | Yearly report | |
| Live and Move Programme Update | 14 March 2024 | | | Report from Strategic Scrutiny Committee 16 March 2023 half yearly | |
| Working Towards Net Zero - Exeter City Council's Corporate Carbon Footprint Report and Carbon Reduction Action Plan | 14 March 2024 | Director Net Zero Exeter & City Management | Portfolio Holder Climate & Ecological Crisis (Cllr Parkhouse) | Report from Strategic Scrutiny Committee 29 September 2022 half yearly report | |

| Item | Strategic Scrutiny Committee | Director | Portfolio Holder | Submitted by | Date Approved by Scrutiny Programme Board |
|---|------------------------------|--|---|---|---|
| | | (DB)Service Lead Net Zero & Business (VH) | | | |
| Progress Report Shared Prosperity Fund - Update | 14 March 2024 | Director Net Zero Exeter & City Management (DB)Service Lead Net Zero & Business (VH) | Portfolio Holder Climate & Ecological Crisis (Cllr Parkhouse) | Report from Strategic Scrutiny Committee 29 September 2022 half yearly report | |

Review findings of the Car Parks Strategy report - *Report to be progressed following further work Date TBC*

Commercialisation Update – *Report currently not going forward*

Annual Scrutiny Programme Report *moved from 22 June to the September Scrutiny Committee meeting.*

| Item | Customer Focus Scrutiny Committee | Director | Portfolio Holder | Submitted by | Date Approved by Scrutiny Programme Board |
|---|--|---|---|---|--|
| Presentation on the Role of Scrutiny | 29 June 2023 | Director Corporate Services (BAK) | | Yearly report | |
| (New) Representatives of South West Water, Environment Agency and Natural England to attend meeting | 29 June 2023 | Director Net Zero Exeter & City Management (DB) | Portfolio Holder Place and City Management (Cllr Williams) | Notice of Motion by Councillor Read Council 21 February 2023 | 5 June 2023 |
| | | | | | |
| Portfolio Holders Report (Cllr TBC) | 5 October 2023 | | | Yearly report | |
| Six monthly update on Homelessness Strategy | 5 October 2023 | Director City Development | Portfolio Holder for Communities & Homelessness Prevention ~(Cllr Pearce) | Proposed by Councillor Denning – half yearly report | September 2021 Homelessness Strategy approved Executive 7 February 2023 and Council 21 February 2023 |
| Scrutiny Programme Annual Report | 5 October 2023 | Director Corporate Services (BAK) | | Scrutiny Programme Board Yearly report | |
| | | | | | |
| Portfolio Holders Report (Cllr TBC) | 30 November 2023 | | | Yearly report | |
| | | | | | |
| Portfolio Holders Report (Cllr TBC) | 1 February 2024 | | | Yearly report | |
| Recycling and Food Waste Collection | 1 February 2024 | | Portfolio Holder for Place & City Management (Cllr Williams) | Customer Focus Scrutiny Committee 2 February 2023 Annual report | |

| Item | Customer Focus Scrutiny Committee | Director | Portfolio Holder | Submitted by | Date Approved by Scrutiny Programme Board |
|---|---|---------------------------|---|---|--|
| Budget | Combined Strategic Scrutiny and Customer Focus 7 February 2024 | Director Finance (DH) | | Yearly report | |
| Portfolio Holders Report (Cllr TBC) | 28 March 2024 | | | | |
| Six monthly update on Homelessness Strategy | 28 March 2024 | Director City Development | Portfolio Holder for Communities & Homelessness Prevention ~(Cllr Pearce) | Proposed by Councillor Denning – half yearly report | September 2021 Homelessness Strategy approved Executive 7 February 2023 and Council 21 February 2023 |

Annual Scrutiny Programme Report - *moved from the 29 June to the 5 October Scrutiny Committee meeting.*

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