

Minutes of the Overview and Scrutiny Board

5 October 2023

-: Present :-

Councillor Twelves (Chairwoman)

Councillors Cowell (Vice-Chair), Steve Darling, Douglas-Dunbar, Harvey, Hutchings, Joyce, Barbara Lewis and Maddison

(Also in attendance: Councillors Billings, Bye, Fellows, Chris Lewis, Long, Penny and Tranter)

19. Minutes

The minutes of the meeting of the Board held on 6 September 2023 were confirmed as a correct record and signed by the Chairwoman.

20. South West Water Spotlight Review

The Overview and Scrutiny Board undertook a spotlight review on issues of concern regarding services provided by South West Water (SWW) and to see how the Council could work together with SWW to improve outcomes and communication for the residents of Torbay and examined the written responses to initial key lines of enquiry and supporting documents (full details of which can be found at <https://www.torbay.gov.uk/DemocraticServices/ieListDocuments.aspx?CId=218&MIId=25724&Ver=4>):

- South West Water Spotlight Review Key Lines of Enquiry and responses;
- Representations from members of the public to South West Water;
- Officer question to South West Water;
- South West EPA data report 2022; and
- Presentation from South West Water.

The Board heard evidence from the following:

- Helen Dobby (Director of Wastewater Services, Recovery, Treatment and networks, SWW);
- Jay Harris (Waste Water Services Regional Operations Manager, SWW);
- James Hodgson (Operations manager, SWW);
- Rob Parsons (Tor Bay Harbour Master – Divisional Director Maritime & Coastal Services); and
- David Pickhaver (Principal Policy and Project Planner, Strategy and Project Management).

The Board acknowledged the work being done by South West Water to improve water and manage drought which was set out in their Water Resources Management Plan and Drought Plan 2025 to 2050 and the Drainage and Waste Management Plan. This included proposals to:

- Increase supply through: storing more water; using river water wisely; using groundwater; recovering wastewater; balancing the flow of water; and diversified water resources;
- Reducing demand through: preventing and fixing leaks; installing smart meters; and promoting community water efficiency; and
- develop a long term plan for drainage and waste water and by 2050 they would have: maintained flooding risk; improved storm overflow performance; raised treatment standards; maintained compliance of their treatment works; and built resilience against wider climate change risks.

Members noted the investment in services such as WaterFit Live (<https://www.southwestwater.co.uk/waterfit/>) and the establishment of a Storm Overflow Task Force to prioritise reduction in spills and improved performance of storm overflow. As well as continuing to promote their “free find and fix” offer for customers with private leaks at their homes. Concern was raised around storm overflows and it was explained that these could occur both in the event of heavy rain and also in the event of a blockage in the system which could occur at any time. These events were closely monitored and investigated to ensure that any blockages could be removed. It was clarified that the water that comes from overflows was treated and 95% of this was surface and rain water. It was noted that whilst there were some occurrences of sewage spillage the Tor Bay Harbour Master advised that this was often misreported, especially around the beaches and coastal areas which could be impacted by wind direction and tidal activity. Councillors and members of the public were encouraged to monitor and report water quality around our beaches and use the WaterFit Live and the Environment Agency Swimfo sites (<https://environment.data.gov.uk/bwq/profiles/>).

The Board acknowledged the appetite from the representatives of South West Water to work more closely with the Council and other agencies to improve communication and promote reporting of incidents to improve data collection and campaigns to help people make positive changes to their behaviours to help save water and prevent inappropriate items being placed in the water system.

The Board requested that South West Water provide more information/a written response to the following:

- to provide more information on the Environment Agency Catchment Data Explorer - see <https://environment.data.gov.uk/catchment-planning>;
- to explain why Livermead beach does not show on the map as a designated bathing beach and what action was being taken to address the release of sewage onto that beach, which was popular for people swimming with dogs, jet skis and other water sport users;
- whether Torbay being an UNESCO Geopark has any impact on consideration regarding water quality and protection of the natural environment;

- as there was a significantly higher number of occurrences of overflows from Ilsham Valley Pumping station in 2020 of 123 events, how does South West Water intend to make a reduction of 20 or below by 2030;
- to provide details of the capital programme for reduction in overflows and infiltration, increased storage and separating surface water from combined systems;
- to provide the statistics relating to water usage and rainfall for the past 10 years so that Members can understand the trends and challenges;
- what proportion of the water pipework still has lead and what was the plan to replace it;
- how much of the water and sewerage infrastructure needs replacing and what was the timeframe for completing this work;
- South West Water had a 10.9% increase in dividends to its shareholders and paid £2m in bonuses to Executives and residents have been told in order to enhance the quality of their water bills would have to go up significantly, how could this be justified;
- it was mentioned that the Chief Executive Officer of SWW had foregone her bonus in light of the current cost of living crisis and applied this to water poverty initiatives including WaterShare (<https://www.southwestwater.co.uk/about-us/what-we-do/improving-your-service/watershareplus>), if they were acknowledging water poverty was a major issue in the region how was the £112m shareholder dividend justified;
- an update on the issues being investigated by OFWAT regarding accuracy of information relating to water leaks and what was being done to address this;
- how could SWW demonstrate that their services offer value for money to customers in light of the high costs of bills and payments to shareholders and Executives;
- what action was being taken to manage black acanthine in the infrastructure; and
- what was the reason for the drinking water tasting disgusting and what was being done to address this.

The Board requested that the Environment Agency be requested to provide a written response to the following issues for which they were the responsible agency for:

- currently water quality testing was only carried out between May and September, what consideration had been given to carrying out water quality testing all year round and could this be revisited in light of Torbay Council's ambition to be a premier tourism destination;
- to explain why Livermead beach does not show on the map as a designated bathing beach, which was popular for people swimming with dogs, jet skis and other water sport users;
- what assurance could be given that the testing and standards for water quality had not been subject to negotiations with water companies and that there was an improving direction rather than concessions being made; and
- what assurance could be given to the loophole that regulators could discount 1 out of 7 water quality samples when there was an atypical event and what was classed as such event.

Resolved (unanimously):

1. that all bodies and agencies including but not limited to Torbay Council, Tor Bay Harbour Authority, and South West Water be aware of the importance and interrelated nature of water systems in Torbay. They are vital to supporting delivery of the Community and Corporate Plan and the Torbay Story vision of the premier marine and natural experience; whilst meeting the needs of existing and future populations and enabling urban regeneration to take place in a safe and sustainable way;
2. that South West Water (SWW) be requested to liaise with the Director of Corporate Services and the Director of Pride in Place - Torbay Council and its partner bodies across the spectrum of water related issues including:
 - to promote campaigns to raise awareness about the need to save water, protect the environment and ecology (e.g. not putting fat down the drain or flushing sanitary products or wet wipes; avoiding storm water connections to the combined sewer network);
 - to ensure sufficient monitoring and reporting of sea water quality across Tor Bay and that this information is also shared with the public;
 - to understand and plan for the infrastructure needed to accommodate growth, regeneration, climate change and permitted development rights developments in Torbay; and
 - to support and encourage the use of Sustainable Drainage Systems and water sensitive urban design across the built environment;
3. that the Director of Pride in Place be recommended to prepare guidance to amalgamate existing policy relating to flooding and drainage as a guide for officers, Members, developers, householders etc. and that this to be made a Supplementary Planning Document (SPD) after a draft has been prepared by January 2024;
4. that all Councillors and relevant Council officers be encouraged to attend the Planning Modular Session – Draining and Flooding Issues scheduled for 17 January 2024 to raise awareness of the issues and ensure appropriate considerations are given through the Planning process and development of future policies;
5. that the Overview and Scrutiny Board monitor the implementation of the proposals 1 to 4 above in 2024 and invite the Environment Agency to contribute to the discussions;
6. that all Councillors be encouraged to report any local issues with SWW to provide key local data;
7. that the Director of Pride in Place be requested to consider publicity and QR codes signposting the public to the beaches webpages and the South West Water Waterfit and the Environment Agency Swimfo sites;

8. that the Director of Adults and Community Services be requested to keep the Overview and Scrutiny Board informed of the outcome of the investigations into Brokenbury Quarry; and
9. that the Democratic Services Team Leader be requested to write to the Environment Agency and SWW on behalf of the Board to request a written response to the outstanding questions raised at the meeting.

Chairwoman