

NORTH DEVON COUNCIL

Minutes of a meeting of Policy Development Committee held at G107, 1st Floor, South West Institute Development Building, Petroc, Barnstaple - Petroc College on Thursday, 29th February, 2024 at 6.30 pm.

PRESENT: Members:

Councillor L. Spear (Chair).

Councillors Bishop, Bulled, Bushell, Jones, Wilson and Worden.

Officers:

Director of Resources and Deputy Chief Executive and Senior Environmental Protection Officer.

Also Present in person:

Councillors Bell, R. Knight, Maskell and Wilkinson.

Councillor Smith – Torrington District Council.

Also Present virtually:

Councillors Prowse and Williams.

1. WELCOME AND HOUSEKEEPING

The Chair welcomed the panellists, Members and the public to the meeting. She outlined the format of the meeting, how it would work in practice and reminded all parties to be polite and respectful to each other at all times.

2. APOLOGIES

Apologies for absence were received from Councillors Clayton, Hunt, P. Leaver and Patrinos.

3. DECLARATIONS OF INTEREST.

There were no declarations of interest announced.

4. **WATER QUALITY. TO CONSIDER THE IMPACT OF WATER QUALITY WITHIN THE NORTH DEVON AREA.**

The Committee collectively noted the responses to the pre-submitted questions under item 5 on the agenda at appendices A-G.

Councillor Jones outlined the proposed format for the meeting, he identified the reasons behind calling the special meeting which involved addressing public concern at both national and local level.

He outlined the following key points to the special meeting:

- The focus of the special meeting was to discuss water quality in our local rivers and on our local beaches. There was a lot of information already within the public domain but it was not always clear as to the truth and what's actually happening.
- The aim of the special meeting was to discuss pollution. He added that the Council had received a number of questions from both District Councillors and members of the public. In order to ensure that all areas of concern were covered at the meeting the questions were used to define the key areas of focus for the special meeting.
- From the questions raised, the Council had identified five key subjects to discuss.
- Councillors would be given the opportunity to ask follow up questions initially based on the responses provided in the attached appendices, which would then lead on to further discussions.

He detailed the five key subjects, which were as follows:

1. **How bad was the current situation and what were the issues:** How bad was the current situation regarding water pollution for North Devon's Rivers and beaches and what were the main issues?
2. **Differences in information who is responsible and who should we trust:** There was a variety of different information regarding water quality for local rivers and the coast, which was sometimes conflicted. Who was responsible for the confusion and how should the public be informed?
3. **Planning:** In order for planning authorities to properly determine planning applications, should water companies provide up to date appropriate information on the capacity of sewage disposal for the proposed development?
4. **Testing and Data:** Individual organisations and groups currently undertook their own testing. How can those results be compared and the data used in the most effective way?

5. When will the situation be resolved and how, what were the main impediments: What could North Devon Council do to support the responsible organisations?

Each Member of the panel was invited to introduce themselves and their organisation and to provide a brief overview of their role together with their organisations responsibilities for managing water quality.

The Committee members asked follow up questions of the panellists and received the following responses:

1. How serious is the situation regarding pollution and water quality in North Devon?

- **Surfers Against Sewage:** The issues in North Devon were a combination of treated/untreated sewage together with agricultural runoff. There were 98 designated water bodies within the North Devon area and of these 83 failed to reach good ecological status and zero met good chemical status. So essentially none had good overall status.
- **North Devon World Surfing Reserve:** Not a good situation, the reports that they had received from regular water users consisted of complaints of illnesses and infections that had been contracted from raw sewage in the ocean result of the policy for a combined sewage, which the whole sewage system seems to be based on. There needs to be plans put in place to stop raw sewage discharge, the Safer Seas and Rivers Service and WaterFit Live, tells us that there were incidents happening in real time around the North Devon coast. Sewage being discharged into the rivers and waterways undoing the work people who were creating eco systems in the sea for the future.
- **Local Angling Journalist:** Water quality impacted by a number of different factors. There has been a dramatic decline in salmon, which can be mirrored right across the whole eco system. There had been a loss of aquatic life as a result of water quality and need to find a solution by working together.
- **Westcountry Rivers Trust:** Questioned how bad our rivers were. Lots of different areas of rivers impacted and our rivers were the conduit to everything that we do in our society. We see problems with pollution from sewage treatment works, septic tanks or animals. There were huge problems with sedimentation, chemical discharge from highway run off, plastics entering our waterways, which affected the spawning habitats and all caused pressure at various different stages of the water treatment process. Acknowledged that there were many contributing factors that were now at the point where the situation was so bad that society were

seeing evidence of the problems as a more frequent occurrence.

- **Environment Agency:** Whole network of monitoring points for data collection along the rivers Torridge and Taw together with the coastal areas, some looking at chemical samples whilst others looked at organic samples. Look at insects and invertebrates to assess if they were pollution tolerant or intolerant. Bathing water quality was good and fairly resilient. However further work was required to improve the water quality at Ilfracombe Hele. Contributing factors to water quality issues within the rivers of the North Devon area occurred with chronic problems from agricultural land run off and occasional failure of sewage infrastructure.
- **South West Water (SWW):** The State of the Environment report was owned by the Environment Agency, which sets out the plan, actions and priorities that needed to be achieved to good ecological status. Acknowledged that as a water company, they had a part to play in the process. However, even if South West Water made all the required improvements to their infrastructure there would still be 70% of other impacts on water quality that needed addressing. We all need to work together to make the required improvements to water quality. South West Waters contribution to poor water quality was around 30%. However, there was an obligation for the company to make improvements. As of December 2023 SWW had 100% of storm overflows monitored, which equated to 1,342 storm overflows of these 96 were located within the North Devon area and around 40-50% of them already met water quality requirements. Part of the Environment Act would be to look at the impact of those storm overflows.
- **North Devon UNESCO Biosphere Partnership:** The partnership was very concerned about water quality and had been working with farmers to develop programmes to reduce pollution. There was a catchment working group established within the Biosphere reserve that was working in various waterbodies around the North Devon area. They were also working in partnership with the Environment Agency to ensure that there was no duplication of work. There was a requirement to focus on the management of highway run off, which had also been identified as an area of work and to work with the agriculture sector to improve issues with run off.
- **Councillor Milton representing the National Farmers Union (NFU):** Climate change was a huge issue with more rain this year than ever before. River water quality had declined over the years and had been driven by 50 years of a cheap food policy together with additional farming rules for workers. Regulated use of chemicals together with a land run off was bad for the rivers and for the farmers. Land use together with policy changes to more environmental methods. Green energy was not as green as it appeared to be with the use of biomass plants, which required a whole land management policy. There was a requirement for partnership

working to bring about change together with improvements to infrastructure where there was a lack of investment from the government.

- **National Trust:** There was a different pollution challenge on the land and there was a requirement to understand catchment working to plant buffer strips and removing gateways.

2. The biggest change to North Devon over the years had been the increased demand on the existing sewage infrastructure from the building of new homes. What is the impact of the additional pressure on the sewage system and what can be done to improve the situation?

- **South West Water:** Developed their long term plans based on what was projected and occurring in terms of developments and published a Drainage and Wastewater Management Plan and take into account the impact of any new development. To meet these demands for new builds, improvements were required to treatment works, the management of discharge into the rivers together with the installation of appropriate sized sewers to manage the increase in future use. Sewage treatment and compliance was managed as much as possible and the information should be readily available within the public domain.
- **Environment Agency:** Extra resources were being brought in for greater standards of regulation and they were also reviewing dry spill data whereby sewage discharged happened during dry periods, which was not supposed to happen. This would inform the debate to see what impact dry spills had on water quality.
- **Surfer's Against Sewage:** We need to know when work was undertaken and the impact that it had upon the ecology and the people who are using the rivers and beaches as this data wasn't available. We also need to look at the risk to humans together with understanding the impact. Getting more data about spills was really important but also understanding the impact of these spills as well.
- **Westcountry Rivers Trust:** The Council should look at the levels of assurance they sought as a planning committee when determining an application for housing at parish and at district level and the potential impact upon sewage capacity.
- **South West Water:** Bathing water quality was monitored between the months of May to September, which was transferred over from European Union law. The water quality in the summer for the majority of the time was either excellent or good. The impact of discharge both up and downstream together with storm overflow should be collected

and used effectively.

- **North Devon World Surfing Reserve:** When the Council's Planning Committee considered applications for housing developments, the members should be given adequate assurance that there was sufficient capacity within the existing sewage system.

3. Councillor Roome, parliamentary candidate asked the panel:

If you could wave a magic wand what would suggest that central government could do to improve water quality for North Devon?

- **Environment Agency:** Would like to see a significant investment in the system for water management nationally.
- **Westcountry River's Trust:** More regulations and greater incentives for farmers.
- **North Devon World Surfing Reserve:** Need to explore the relationship between waste water and reusable water and how excess clean water could be either utilised or discharged into an alternative environment such as reservoirs.
- **Local Angling Journalist:** Put water quality higher on the agenda.
- **National Trust:** More work focussed on water recovery projects.
- **North Devon UNESCO Biosphere Partnership:** Something transformative that would focus on the economy. Explore the possibilities of phosphate recycling to limit the amount that was released into the water system. Look alternative ways of soil management to reduce its impact upon rivers and waterways. Ensure that there were sufficient technological systems in place to capture high resolution data, which was reliable and accurate.
- **NFU:** The government needed to provide greater incentives for organisations to work together in real time. Regulatory management had to be the backstop for a collaborative approach in working together to improve the situation and not just manage the problems.
- **SWW:** Flood and Water Management Act Schedule 3 was passed by parliament 13 years ago. However, an act for SUDS and soakaways as opposed to discharging into the sewer system was still not in place.
- **Surfers Against Sewage:** Enforce the existing laws around water management. Data should be targeted, prioritised and easier to interpret.

4. What can North Devon Council do as a local authority to help improve water quality?

- **SWW:** Through planning changes around property improvements. There was an increase of urban creep as a result of paving over gardens to enable off road parking for vehicles, which increased surface run off finding its way into the rivers and sea. To reduce the impact, residents could be encouraged to use a permeable surface as an alternative, which would still allow drainage into the ground. Greater investment from the government to identify nature based solutions together with other green ideas to address the problem.
- **Westcountry Rivers Trust:** Understanding the capacity of the existing sewage system during the planning process.
- **North Devon World Surfing Reserve:** Citizen Science community testing, the district council could become the co-ordinators of the process. Useful data could be validated at district level to provide assurance that the information was correct.
- **North Devon UNESCO Biosphere Partnership:** The use of artificial intelligence. Early indications had shown that this new technology could be quite effective to assess both statutory and voluntary information. There were catchment partnership meetings, Seafast, which was a government agency that were focusing on coastal resilience looking at pathogens and factors that had an impact and the district council could become part of the network.
- **Environment Agency:** There were lots of ways for the council to get involved. The weather observer's site was a really useful tool that the Council could utilise as it allowed users to log in and add data themselves and build up a picture of the current situation.

5. So many organisation do their own individual citizen's science projects. How do we navigate this?

- **Westcountry Rivers Trust:** There were many different data gathering exercises undertaken by various organisations and you had to trust the data that you were given. The Rivers Trust alone had 75 active citizen scientists who in 2023 collected 1,000 samples. There was an organisation called Riverfly that undertook studies that focussed on invertebrates that lived within the river system. Different ways of how you could use citizen's science within the community, as a lot of the information and data that had been gathered in similar areas were all pointing towards the same things. The rivers rust was currently involved in two projects:

- **CaSTCO (Catchment Systems Thinking Cooperative)** which combined citizen's science data collected from rivers and water bodies and analysed. Volunteers were provided with training to ensure that the samples collected were reliable.
- **In River:** Working at a regional level to assess the impacts on the river system and turn it into data that local communities had an interest in.

- **North Devon UNESCO Biosphere Partnership:** Shared outcomes programme there to try and bridge across government departments to utilise their data in a more combined way. The Biosphere Partnership had made an application to the trial for shared outcomes fund, which looked at health, environment and access to heritage. Will look at NHS data to assess how many people had become ill as a result of poor water quality together with the impacts on health from the area that someone lived in. What access improvements could be made to green spaces etc.

- **SWW:** All water companies were currently involved in the development of a National Environment Hub, which was looking to integrate all data from all of the storm overflows from the water companies across the country in real time. There was also a programme for River Water Quality Monitors, which would be put in place over the next 10 years and integrated into the National Environment Hub so that all of the information was in one place and accessible to all. Also working with the Rivers Trust and other bodies to see how citizen science data could also be incorporated.

- **Local Angling Journalist:** Vitally important to report pollution incidents to the Environment Agency.

- **NFU – Councillor Milton:** Opportunity for NDC to be tested on its commitment to new biodiversity net gain rules, which looked to enhance nature and to increase biodiversity. This was linked to the Councils planning system and the requirement to ensure that there was a real gain in terms of the use of nature based solutions for biodiversity use the opportunities through the planning system. The council should use those opportunities to their full advantage in its support the rural economy and to utilise some of the land management to its advantage. Those measures would ensure that the developers were not absolved from its responsibilities both on site and within the immediate area.

Councillor Milton declared an interest as a member of North Devon Council.

6. Recognise pollution issue but what is the plan to repair the damage to the environment and habitat for fish and other wildlife?

- **Westcountry Rivers Trust:** Pollution in rivers and waterways was a very complex problem. There were several contributing factors including funding issues, the quality of soils, of which were 30-40% were severely degraded. Soil quality improvement alone required a huge amount of work. There were also issues with barriers within rivers and waterways, which impacted upon fish migration.
- **SWW:** A storm overflows action plan was submitted to the Secretary of State in July 2023. The plan was due for publication within the next week or so and contained a full list of storm overflows across the country together with the plans for each one.

7. Was there a plan to help the fish stocks and environment to recover?

- **SWW:** As an organisation, SWW were looking at what they extracted from rivers, making sure that the extractions were taken at the right time and were ecologically acceptable flow within the river environment. They had also been working closely with the Rivers Trust to look at shading habitats. He added that the issue with salmon numbers did not start within the UK but out in the Atlantic environment. Their role as an organisation was to maximise the opportunities for salmon to spawn when they reached UK waters as opposed to dying as soon as they entered the estuaries.
- **North Devon UNESCO Biosphere Partnership:** The biosphere had piloted biodiversity net gain a few years ago with a scheme in the River Caen catchment in Braunton working with the landowner to reduce the flow by introducing new hedge banks and leaky dams, which was a good local opportunity to reduce flooding and improve water quality.

RESOLVED, that Standing Orders be SUSPENDED to allow questions from members of the public present.

The members of the public present at the special meeting were invited to ask questions of the panellists and received the following responses:

1. A question was asked by a local angler regarding fish deaths in the River Taw:

A photo of an alleged chemical sewage spillage was shown, which had been reported by the gentleman to the Environment Agency on 6th December 2023. The response he received from the Environment Agency was that they wouldn't respond to the report of a spillage unless there was a major environmental impact.

What constitutes an impact that should be monitored?

- **Environment Agency:** The panel member explained that he would speak with the member of the public at the end of the meeting and report back to him. He added that the Environment Agency had a limited amount of resources that they could utilise to investigate reported incidents and there was simply not enough resources to meet the demand. Where they received reports of high impact that's where they had to prioritise their response.
- **Westcountry Rivers Trust:** The trust was always devastated when any fish death occurred and was reported as a result of pollution and equally devastated at the lack of response to the incident. He added that it was crucial to collect own information and data.
- **Local Angling Journalist:** The subject of the environment needed to be brought far higher up the political agenda. He reported that there used to be eight Fishery Enforcement Officers and that there was now only one officer.

2. The co-founder of “Save the River Torridge Group” campaign, which was launched at the beginning of the 1980s asked if there were any plans to install large capacity holding tanks to deal with the situation of surplus sewage and water and hold it back to avoid discharge.

- **Environment Agency:** When there wasn't capacity within a sewage system the Environment Agency used to put embargos in to stop water companies discharging if the system was at capacity and wouldn't allow water companies to connect anymore into that system. However, the planning authorities then gave permission for many more septic tanks then spent years after the embargo was lifted connecting all of the septic tanks back into the sewage system. On one hand there were benefits but on the other hand there were negatives because development pressures were so huge.
- **SWW:** Set out a plan to spend three billion pounds over a 15 year period to improve the sewer network across the south west. The company would be looking at grey solutions where tanks were installed together with the introduction of green and blue solutions. An example of a green being SUDS when excess water was drained away into the environment and blue providing another pathway for surface water to feed into streams and rivers and not to mix with sewage in the first place. They were also looking to invest in alternative pathways to move surface water away. Would be spending £750m within the next five years to deliver 300 overflows across the region.

3. In terms of testing and what appears to be a lack of information sharing between different organisations. How difficult is it as separate organisations to communicate with each other with impartiality?

- **Environment Agency:** We do regularly talk to each other especially with SWW. When designing a scheme the scientists and engineers from both sides work together. SWW undertake monitoring and scoping on behalf of the Environment Agency to establish the best place for the environment to install an outfall together with the level and treatment needed to ensure that there was very limited or no impact upon the environment.
 - **SWW:** Meet with Surfers against Sewage (SAS) and the Westcountry Rivers Trust every two weeks to share data with them. Need to find a way to extract data to provide greater knowledge and intelligence to make decisions in the right way.
 - **Surfers against Sewage:** A lot of citizen's science data was accredited using accredited methods. However, there was a requirement to bring data together and to have it all in one centralised location and be delivered with open communication. Safer Seas and Rivers service app came directly from SWW and provided a platform to educate people about that data from an impartial perspective. There were no bathing rivers in north Devon, so no rivers were tested except for through citizen science programmes. Residents with local knowledge from fisherman and local river users were just as qualified to provide information on water quality.
 - **North Devon UNESCO Biosphere Partnership:** There was a catchment partnership with a catchment based approach and there was a good dialogue between all of the organisations that were involved.
 - **Westcountry Rivers Trust:** Citizens science investigation data was all independent and was funded centrally but ultimately was not their data but the scientist's data and was very valuable. A lot of the data backed up information obtained from other sources but sometimes it contrasted as well in tests of upstream and downstream areas. All contributed towards a crucial weight of evidence, which was really good to see.
4. **South Molton sewage treatment works was at capacity and it was felt that local knowledge and information was largely ignored regarding the capacity of the sewage treatment works regarding but then allowed 37,354 hours of spillages into the local rivers?**

Why were citizen's organisations arranging prosecutions and not the Environment Agency or South West Water?

- **Environment Agency:** SWW had a number of discharge outlets and had permits to legal discharge when at capacity and the Environment Agency would not prosecute for those anyway. What they did do was test the sewage works quality and that would be addressed through the courts if issues were identified.

- **Councillor Milton representing the NFU:** The event that occurred with the issues in South Molton was not related to farming and part of the disposal of digestate from the local green energy plant.

5. One of the major pollution factors of the local waterways came from agricultural and highway run off. Highways representatives should have been invited to sit on the panel to answer questions.

The Committee noted the suggestion to invite a highways representative to sit on the panel at future meetings.

- **Environment Agency:** Work was undertaken with National Highways ask for interceptors to be put in on roundabouts through planning guidance standards and certain things had to be put in place on major roads. Tyre wear was also a large polluter as were carcinogens and antibiotics from agricultural runoff.
- **Westcountry Rivers Trust:** Had seen issues with oils, petrol and heavy metals that runoff from the road network. There were often drainage issues on new developments and challenges to ensure that systems were maintained. There were issues with sediment from minor roads as hedges eroded and this had been identified through sediment tracing.

6. The North Devon MP was quoted as stating that “At no point was raw sewage being dumped on our beautiful beaches” Can you confirm if this statement is true?

- **North Devon World Surfing Reserve:** There were issues with algal bloom foam together with sanitary products being washed up in quantities on the local beaches, which must be coming from drainage overflow. Water quality should be tested throughout the year not just between the months of May to September, would be happy to assist with testing.

7. Anaerobic digesters, which were used by large dairy farmers contribute heavily to the pollution in the local rivers. Could incentives be offered to farmers to encourage them to farm more sustainably?

- **SWW:** Information related to the operation of storm overflows was shared and would be available and released in real time. There were 151 designated beaches across SWW and there were plans to explore year round monitoring at a number of locations. In terms of regulation and incentives, regulations were enforced with agriculture and there was an opportunity to incentivise large dairy farmers to farm more sustainably.

- **Westcountry Rivers Trust:** There had been issues with pollution in rivers as a result of farming for example the discharge of poultry waste into the River Wye. There were also concerns from milk buyers regarding the availability of water together with mechanisms that could be employed regarding storage and flow of water for farmers to utilise when required.

8. What could large suppliers such as supermarkets do to ensure fairness within the supply chain?

- **Councillor Milton representing the NFU:** There were active discussions ongoing with government in relation to the fairness of the supply chain as a fairer system was required. Supermarkets were contributing to the issue by undercutting farmers on prices for items such as eggs. However, mass produced eggs contained six times the level of antibiotics that local farmers would administer.

In response to a question as to what larger suppliers could do to address the situation, he advised that they could look at the cost of production together with what they pay and look at more sustainable methods of production.

- **Local Angling Journalist:** Would be beneficial if supermarkets were to invest in the environment but also as consumers society also had to do their bit for the environment with an ever increasing pressure from the expanding population of North Devon.
- **SWW:** By adhering to the targets set by government of no more than 10 spills per year into rivers and three spills per year into bathing waters during the bathing season.

9. Who do you trust in government to achieve this target? Is the failure to meet these targets do to a lack of appropriate funding or lack of experienced and qualified people to undertake the work?

- **Environment Agency:** The Water Transformation Project currently had 500 people committed to its development, which would deliver increased audits and would better inform where money was spent.

10. There are a lot of pollutants from highways and micro plastics that contribute towards the problem. Who could give assurance that this could be resolved?

- **Environment Agency:** The main message that they wanted to get across to the public was that the toilet was not a “wet bin” and only the three Ps “Pee, Poo and Paper” should be deposited and flushed into the sewer system, otherwise blockages occurred within the sewer system. Wet wipes together with micro plastic fibres and fragments and sewage sludge’s run off the land

and directly back into the sea.

- **SWW:** Would like to see a government ban on wet wipes, as this would help the burden on the sewer system enormously.

In response to a question regarding how the Committee were planning to progress the outcomes from the special meeting, Councillor Jones advised that the Members would discuss its next steps at a future meeting.

Councillor Roome, Leader of North Devon Council stated that South West Water should not be paying financial benefits to their CEOs when they were continuing to pump sewage into the rivers and waterways.

He added that he would be putting a Motion to Full Council to state that water companies shouldn't pay bonuses to water company executives when they were not meeting their set targets.

In response to a question from Councillor Jones regarding what needs to happen in North Devon to resolve the issue, the various organisations provided the following responses:

- **Surfers against Sewage:** Water companies should not be paying dividends to their shareholders when there had been 18,000 hours of spillages released into the rivers of north Devon. Undertake ecological data assessments. There were no bathing rivers in north Devon and no testing in that area. Beaches should be tested year round and not just the bathing season between May-September.
- **North Devon World Surfing Reserve:** Were proud to be working with the National Trust implementing mitigation measures and having a positive impact upon climate change.

Thanks should be given to the local people who were employed by the water companies in north Devon to clean and maintain the tanks. Really important to engage with the local community and to employ good management, feedback in relation to improvements was also vital.

- **Local Angling Journalist:** Environment needed to be much higher on the political agenda from source to sea.
- **Westcountry Rivers Trust:** The high level of attendance at the meeting indicated the strength of feeling for the subject of conservation and there needed to be a drive to keep the momentum going forward.
- **Environment Agency:** Continued significant investment in water quality was required.

- **SWW:** Thank all participants for the lively discussion, the company were focussed on their delivery programme and would ensure that it was delivered as quickly as possible.
- **North Devon UNESCO Biosphere Partnership:** Consumer and industry support was vital together with accreditation support to farmers.
- **Councillor Milton on behalf of the NFU:** There was a requirement for joined up thinking together with the requirement for considerably more investment. Better communication with partners on the ground to ensure a vibrant rural economy, which provided good quality products.
- **National Trust:** Thanked the attendees and other organisations for their support.

A member of the public requested that her disappointment be noted that the North Devon Member of Parliament was not in attendance at the meeting.

The Chair thanked the members of the public for their attendance at the meeting together with the members of the panel.

Chair

The meeting ended at 8.41 pm

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Committee.