

EXMOUTH TOWN COUNCIL

Minutes of the Meeting of Exmouth Town Council held in the Council Chamber, Town Hall, St Andrews Road, Exmouth on Monday 17 October 2022 at 6:30pm

Present:

Councillors: S Gazzard (Chairman)

B Bailey
A Bailey
E Beech
A Colman
F Cullis
O Davey
C Nicholas
M Rosser
P Stott
A Toye
B Toye
J Whibley
A Whipps

Officers: Lisa Bowman, Town Clerk and Chetna Jones, Deputy Town Clerk

DCC Councillors: J Trail

Guest Speakers: Iain Vosper – Operations Director, South West Water
James Hodgson – Operations Manager, South West Water

Apologies: Apologies were accepted from Councillors D Poor, T Woodward, A Sadiq, A Boatwright, T Dumper, F Caygill, Bruce De Saram, L Elson, I Kirvan, J Whipps and M Chapman and DCC Councillor Christine Channon.

Public Forum: There were several members of the public present and two had registered to speak.

Geoff Crawford spoke of his concerns regarding the nature and timing of notifications of discharges / overflows; many sewage discharges are covered by “permit” and hence are not considered to be pollution incidents which meet the criteria for notifications. Mr Crawford wanted to know if Exmouth Town Council will work to ensure that ALL sewage discharges are reported, whether classed as permitted or otherwise and that there is a proper fit for purpose notification system to inform beach and water users of the current risk status?

Councillor J Trail asked three questions on behalf of Councillor Christine Channon relating to the exact location of the pollution entry points into the sea; what South West Water is doing to address the matter; and what is the cause?

C22/067. Council meeting minutes

Councillor Pauline Stott proposed, seconded by Councillor Joe Whibley, and it was agreed that the minutes of the Town Council meeting held on Monday 3rd October 2022 be approved.

The minutes of the meeting (previously circulated) were therefore received and signed as a correct record.

C22/068. Matters arising from the Council meeting minutes (for information only)

There were no matters arising.

C22/069. To receive any declarations of interest from Members and agree dispensations.

| Item | Councillor | Declaration Type | | Reason |
|------|------------|------------------|----------|---|
| | | Pecuniary | Personal | |
| 6 | A Whipps | | X | Former employee of South West Water and now receives a pension. |
| | P Stott | | X | Son manages Exmouth RNLI station |

C22/070. To resolve that the press and public be excluded from the meeting during the consideration of item(s) in Part II of the agenda as it involves the likely disclosure of exempt information as defined in Part I, Schedule 12A of the Local Government Act 1972.

It was noted that there were no items on the agenda which involved the likely disclosure of exempt information.

C22/071. Q&A with Iain Vosper - Operations Director, South West Water.

Councillor Gazzard welcomed Iain Vosper, Operations Director, and James Hodgson, Operations Manager, to the meeting.

Mr Vosper gave a brief introduction regarding the operation of South West Water (SWW) and explained that overflows and beach closures are a priority area of focus for SWW and that SWW want users to have accurate and timely information. SWW infrastructure is designed to meet the permit conditions set by the Environment Agency (EA) and when flows exceed permitted levels during periods of heavy rain, excess flow is held in tanks, which sometimes overflow. The system has existed for decades and is designed to protect homes and businesses.

When the system discharges, it is captured by an event discharge monitor (EDM) which records the start and stop time of the spill and its duration. The system is a combined sewerage system and during periods of heavy rain, when there is a lot of surface water, the system can become overloaded. No amount of storm water

storage is necessarily enough to capture additional flows and treat it so a different blended solution is required including additional storage and processing capability as well as larger treatment works, more separation and sustainable urban drainage systems (SUDS)

SWW launched its Waterfit programme earlier this year and has committed £92 million to improve environmental performance and specifically to address storm overflows. By 2025, the company has committed to reducing storm overflow spills by 50% and have no more than an average 20 storm overflows per annum, and to ensure that 100% of storm overflows are monitored by EDM. This necessitates increased capacity of waste water treatment works, upgrading and replacement of pumps and additional storm storage as well as looking at how to provide more real time data to beach users, albeit that real time reporting poses challenges for everyone.

In Exmouth, SWW is waiting for approval by the Environment Agency to allow an expansion of Maer Lane sewage treatment works. If agreed, the current scheme would increase flow and allow more discharge to be UV treated, which in turn would protect shellfish and bathing water quality.

Whilst the scheme is contingent on EA approval, preliminary work has begun and an offshore rig is taking core samples out to sea. These improvements would increase treatment capacity at the Maer Lane treatment works which will reduce storm spills.

Mr Vosper then responded individually to questions which the Council had submitted in advance:

a) SWW Environmental Performance

Q1 of 16: Please will you confirm that SWW provided the following figures to the Environment Agency and that they are correct, viz. that there were a total of 62 sewage discharges over a combined total of 882 hours into Exmouth Bay during 2020 from the Combined Sewer Overflow (aka Combined Storm Overflow or CSO) situated on the Maer Nature Reserve, and a total of 74 untreated discharges from the same location into the bay across 1,128 hours during 2021?

The figures published are provided to the EA annually in accordance with SWW's statutory duty to do so and are published on SWW's website by the end of March typically. The information quoted is indeed correct and agrees to the data that SWW have submitted. In terms of information for this year, 2022, data shows a reduction in the number and volume of spills. As of 10th October 2022, there is a significant reduction with only 12 incidents recorded over a duration of 93 hours.

Q2 of 16: SWW's permits for storm overflow discharges around Exmouth and into the River Exe allow for a maximum of 40 discharges per annum because of its bathing water status and the presence of commercial shellfish beds in the River Exe and its Exmouth channel that are "farmed" for human consumption. SWW's own figures (see Question 1) indicate that this permitted maximum discharge limit has been breached significantly during both 2020 and 2021. What consequences, if any, do you anticipate SWW facing from the regulator?

More than 40 discharges annually will automatically trigger an investigation. The EA permit scheme qualifies the operating conditions for South West Water and if a spill occurs due to a chemical or electrical equipment failure, permits necessitate notification to the EA and in some circumstance the local food/ health authority. The permit does not require the volume of discharge to be recorded, only the start and stop, date and time.

Q3 of 16: There are currently two types of pollution alert system. The first is a “prediction or forecast” of a likely pollution incident linked to weather conditions and is displayed on the LED sign by the Lifeboat Station. The second system is via the SWW Event Duration Monitor instrument which is triggered by an “actual overflow” and is reported to the Surfers Against Sewage app. However, these systems do not work all year round (May to September) and are manually reported which may happen after 9am and so after many swimmers have already entered the water. When can SWW commit to upgrading the alerting of untreated discharge events from Maer Lane WWTW and Maer Road tanks by funding a real-time 24:7, direct link between their CSO on the Maer Nature Reserve and the existing pollution event status board on the beachfront? Please outline how best this can be achieved?

There are two types of alert system – the EA Pollution Risk Forecast (PRF) and South West Water’s own BeachLive, combined sewer overflows (CSO) warning system. The EA’s PRF forecast uses wind, rainfall and tidal flow information and operates from May 1st to September 30th and a PRF is issued once a day between 8:30 and 9:00am on a forecast – not actual basis and is just an indicator of a possible risk pollution from a number of different drivers, including livestock, urban drainage run-off or sewage and is linked to LED signage. EA warnings are also emailed to Surfers Against Sewage via their Safer Seas App. and EDDC.

Beach Live uses SWW’s CSO EDM data and is already in operation all-year round with warnings issued in near real time to the EA, Surfers Against Sewage and EDDC when there has been a significant overflow from any CSO that the EA has associated with bathing water. EDDC can use this information to supply public information at the beach in accordance with the procedures established at the establishment of the BeachLive system.

Maer Road CSO, which discharges off Straight Point is not associated with Exmouth beach and is not included in BeachLive for Exmouth. Maer Lane is.

SWW is working on a trial with the RNLI on a new comprehensive warning and education system which encompasses a wider range of beach safety information (such as rip tides and water quality) in Newquay with the anticipation that a new signage system will be nationally agreed with further qualification about the source of information. Public consultation on the proposal is expected to take place.

Also under the Environment Act 2021, the requirement for all CSO events to be reported within one hour may supersede the current BeachLive process. SWW is working through the detail of what is expected as part of the nationwide introduction of this Act.

b) SWW Operational Performance

Q4 of 16 (Frank Cullis): On the 15th of August Exmouth had its first proper rainfall in ages. That night, the Surfers Against Sewerage app, Safer Seas, reported a sewage alert for Maer Rock's warning not to swim in the sea. On the 17th, The BBC national 6 o'clock news reported on the raw sewerage still being discharged into the sea off Exmouth with a live report from our beach. So, my question to SWW is, do you understand the damage your company's dire record of discharging sewerage into the sea off Maer Rock's is doing to the town's reputation and vital tourism industry. The Town Council believes it reasonable for SWW to compensate Exmouth businesses impacted financially by future sewage discharges from Maer Rocks and Phear Park. When can SWW commit to this policy?

Iain Vosper clarified that on the 15th August at 17:47, SWW issued a warning of risk to water quality through BeachLive as a result of a 14 min discharge at 17:12. This warning was withdrawn on the 16th August at 10:28 as the discharge had ceased and a full cycle had completed. The EA then issued a PRF rainfall-forecast related warning on the 16th August at 8:55am. This was not related to the BeachLive spill but due to overnight rainfall. The EA warnings remain in place for 24 hours unless another PRF is issued. A further PRF warning was issued on the 17th August at 8:55am, again due to rainfall. There were no BeachLive warnings on the 17th. On the 18th, The EA issued a third consecutive rainfall related PRF for Exmouth but again there were no BeachLive warnings for the Town. As the Surfers Against sewage app. doesn't differentiate between the source of the warning, the Surfers Against Sewage warning remained in force until the 18th August when the PRF was updated by the EA and Exmouth was removed from a list of warning sites. Due to this lack of differentiation, there is a presumption by users that all warnings relate to sewage discharge from a CSO, when they do not. As a consequence, the BCC coverage was inaccurate and SWW is disappointed by the fact that it did not retract the coverage. There have only been four BeachLive alerts for Exmouth this year, compared to fifteen last year.

SWW *will* consider legitimate claims for compensation when it can be proven that financial loss is as a result of discharge associated with the failure of a SWW asset. When discharges accord with regulated permit conditions however, no compensation is due.

Q5 of 16 (Mike Rosser) The Surfers Against Sewage (SAS) pollution alert for Exmouth beach on August 17th would have resulted from the Maer CSO discharging and prompting an automated message to SAS via the Beachwise system. Apparently, SWW have now stated that sewage was not discharged on that date. Both cannot be true. Can statements from SWW regarding sewage discharges be believed?

This question was withdrawn due information provided above.

Q6 of 16: What steps are SWW prepared to make to work actively alongside EDDC to ensure that Exmouth maintains its Beach's Blue Flag status. Clearly, this can be threatened by repeated discharges of untreated sewage by SWW into Exmouth Bay,

as seawater quality forms a key part of the criteria for achieving a Blue Flag. Aside from the recorded instances of overflow of untreated sewage from the Maer Road and Maer Lane facilities, SWW has suggested that increased pump capacity may be used to move sewage waters from Phear Park directly to the Maer Lane works, and from there be pumped out to sea via the Sandy Bay discharge pipe. This suggestion is alarming as it represents an operation practice that will result in wilful discharge of untreated sewage that may have a detrimental impact on local bathing water quality and Exmouth's Blue Flag status. Please comment.

Mr Vosper confirmed that SWW understands its responsibility for the protection of bathing waters and expects the bathing water quality in Exmouth to retain its "excellent" status at the end of this year via the independent water quality analysis provided by the EA. The criteria for Blue Flag is varied and extends beyond water quality. Analysis of the permitted discharge from the Maer Lane treatment works confirms that this does not adversely affect water quality at Exmouth Beach.

The proposed increase to pump capacity will help to reduce the number of storm water spills and thereby increase protection of the beach but the increased operating capacity would be in line with a permit review by the EA. SWW aspires to exceed the minimum requirements of its permits and is committed to investment to reduce the number of spills by doing all it can.

Mr Vosper acknowledged that the PRF system operated by the EA creates a frenzy of concern which is not always justified in terms of genuine risk to water quality. SWW has access to a lot of near real time operational data but needs to triage that data to validate the accuracy of the data before it is published. The Environment Act will require water companies to publish data within an hour, whether it has been validated or not.

Q7 of 16: Whilst councillors understand the permitted need for sewer overflow discharges during times of storms or heavy rain, comparative analyses of these overflow events against the duration of local rainfall indicates that the holding tank at the Maer Nature Reserve overflows with onset of even the lightest rain, not just during storm deluges. What actions will SWW take to prevent this from happening?

SWW's investment plans will reduce no-foul flows into the network and increase surface water separation. The proposed works at the treatment works would also allow more water to be treated before discharge. The works require EA approval but preliminary work has commenced.

Q8 of 16: There appears to be a design anomaly at the holding tank on the Maer Nature Reserve in that the flow rate into the tank can be greater than the hydraulic capacity of the single outlet pipe. This causes the manhole covers on the tank and also across the Maer nature reserve to "blow off" because of pressure build up within it, resulting in release of raw sewage onto the reserve. This happens several times every year. Possible solutions would be to increase the flow capacity of the outlet pipe, to increase the pump capacity so that the tank can be emptied faster, to enlarge the tank capacity to build in greater system resilience (residence time), or a combination of these. Will SWW commit to carrying out this work in order prevent on-land discharges and when can it be undertaken?

Issues with manhole covers are a widespread problem. SWW has approx. 140,000 in the region. They have inspected the manhole covers on the Maer and have a number of short-term mitigation remedies in mind, including potentially bolting them down and the installation of depth monitors, as well as longer term engineering solutions, such as ways in which surface water infiltration and tidal infiltration can be reduced. An overflow task force is undertaking an investigation into the specific problems at the Maer and will report back.

Members sought clarification on the exact storage capacity at the Maer. Iain Vosper agreed to come back with more detail on capacity but was keen to stress that increased storage will not solve the problem and that a blended solution will be needed.

In response to further questions and Members challenging the logic of sewage being tankered into the Town against the background of these capacity issues, Iain Vosper confirmed that there are approx. 30 sludge treatment works in the region and when there are problems or failures at other plants, sludge can be imported to Exmouth for treatment; however, this is in line with SWW's operating permits. The problems with sludge have also been exacerbated as a result of the EA clamping down on the way that septic tank waste is disposed of, particularly in Cornwall, and a new strategy is being looked at, including the concept of a super works.

Q9 of 16: In a similar manner to the situation at the Maer Nature Reserve, as described in Question 6, the sewage management system at Phear Park and Hartopp also overflows regularly with a serious risk of sewage outflow into the Duck Pond area of the River Exe. This stretch of coastline forms part of a globally important area of overwintering waders and waterfowl. Will SWW also commit to upgrading the tank capacities at Phear Park and Hartopp to minimise risk to the wildlife habitat and when can this be done?

SWW recognises the international designations for the Exe Estuary despite the fact that its permits do not have any specific requirements relating to Phear Park or Hartopp Road pumping stations. The associated Natural England SSSI status reports state that the intertidal areas are nonetheless in favourable condition but lowland grasslands need improvement. Improvements to the catchment will deliver improvements before March 2025.

Q10 of 16: (Tim Dumper) What is going to happen to rectify the problem with the tidal backflow from the estuary, which comes up through the 2 manholes towards the bottom of Hartopp Road (near the pumping station) and when? This occurs at high tides when there is a Spring Tide - for instance it has happened in recent days. Residents' concerns are that in the end the whole local sewerage infrastructure could collapse. It has been a problem over several years.

Mr Vosper acknowledged that investigations have been undertaken in this area and a tidal flap has been installed whilst further investigations are undertaken.

Q11 of 16 (Mike Rosser): While being pleased to read that in May 2022 SWW completed work on a scheme to upgrade sections of the sewerage network in Dawlish, I would like to know when SWW will upgrade its infrastructure in Exmouth to ensure that the bathing water and environment – including the Maer Nature Reserve – is protected against sewage discharges, both now and for when there will be future development of the town? It is arguable that Exmouth currently has a worse sewage discharge problem than that at Dawlish prior to SWW actions.

The proposals to increase capacity at the Maer Lane treatment works etc. will reduce the number of storm overflows, subject to permit reviews by the EA, and the aim is to complete these works by March 2025. Iain Vosper wasn't able to comment on any comparisons with Dawlish specifically but stressed that SWW is working to reduce the number of sewage discharges in Exmouth. In the short term, SWW is doing everything they can to mitigate the problem of storm overflow discharges whilst they work up specific plans for the catchment, including, for example, the installation of sewage depth monitors mentioned previously.

Q12a of 16: The actual location of the sewage discharge outlet from SWW's Maer Road and Maer Lane facilities is uncertain. Some documents suggest that it occurs from the concrete pipe to the west of Maer Rocks (via Littleham Brook as per the permit) and other documents that it takes place from the metal pipe at the end of Maer Rocks. None suggest that it is any further out to sea than these locations, both of which are situated within 350m of the shore at high tide, and a much shorter distance than this at low tide. In addition, both locations are close to "family friendly" rock pool and shellfish areas. Exmouth Town Council proposes that SWW commit to carrying out a tracer test, e.g. dye or some other marker, to ascertain exactly where sewage outflows from their Maer works takes place. When can this be done in the presence of one or more representatives of the council?

Iain Vosper apologised for any uncertainty over this matter and explained that the Maer Lane waste-water treatment works and Maer Road CSO have separate permits which dictate the exact discharge location and conditions.

A dye release test to confirm the exact location would be subject to EA approval but in principle, SWW would be agreeable to this with Councillor representatives present.

Q12b of 16: How feasible is it for SWW to use the CSO at Sandy Bay, rather than the one at Exmouth Beach, as their preferred discharge point for their Maer Lane works as it is 1.8km off shore rather than the Maer Rocks outlet which is between 100m and 350m from Exmouth beach? By when can this be put into practice?

Mr Vosper confirmed that this solution is what is being planned and is currently being modelled and the proposed increase in flow aims to reduce the number of storm water surges and protect water quality at Exmouth beach. Improvement works are subject to approval by the EA. March 2025 is the target date for completion.

c) Exmouth development

Q13 of 16: SWW has been accepting connections from new residential developments across Exmouth despite their sewer system demonstrably not being able to cope with the current loading (see Questions 4 and 6-8). More than 400 additional residential households have been added along Douglas Avenue alone within the past 10 years. When will SWW commit to incrementally expanding its sewer pumping and storm tank capacity in Exmouth so that it can cope operationally with each added new development, rather than simply dispersing new householder income streams in dividend payments to shareholders and senior management bonuses? Going on past data (see Question 1 & 2) unless something is done, more connections to SWW's system going forward are likely to result in a greater number of untreated sewage discharges at Exmouth?

SWW is not a statutory consultee in planning matters so whilst it is consulted, any ensuing advice does not have to be followed. SWW does assess capacity for any proposed development work and can seek to delay development if capacity upgrades to its infrastructure may be required. There is however a legal right to connect to a sewer and SWW cannot refuse a connection. SWW is under a statutory duty to support growth, which includes housing. OFWAT, its economic regulator requires water companies to proactively support new development and provide timely improvements to infrastructure whilst not creating excessive headroom. Under recent legislative changes relating to charging, they no longer receive specific developer contributions for infrastructure improvements – only CIL, which has to be used across a wider area. The speculative nature of development also poses problems in terms of capacity planning.

Under building regulations, all new developments should have fully separated surface water solutions so storm water flows should not be exacerbated by new development. There is a new undertaker operating as a wholesaler and retailer at Goodmores Farm.

The proposed capacity expansion at Maer Lane will help SWW meet its target of less than ten spills.

Members also sought clarification on why SWW had only received a one-star rating in the Environment Agency's (EA) four-star rating system.

d) Sewage tankers

Q14 of 16: SWW's own figures indicate that more than 3,000 HGV journeys were made through Exmouth and Maer Lane during 2020 for sewage sludge imports and to provide operational support to the Maer Lane treatment works. This figure rose to more than 4,000 HGV movements through 2021 and higher frequency still in the first quarter of 2022. These HGV / Tanker movements have a considerable environmental impact on the town along their route, ranging from significant noise and air pollution, demonstrable road damage (that the local authority has had to remedy) to added risks to pedestrians and cyclists, in particular along Maer Lane where these HGVs touch the bushes on both sides of the road as they pass. Such issues are known to affect the mental health of residents along the routes of these heavy vehicles. What actions can SWW take to stop, or at least greatly reduce, these HGVs numbers and by when can these be achieved?

Maer Lane does receive sewage sludge for treatment. This is a practice which is not due to stop and is critical to SWW's operation. SWW has provided information under FOI requests relating to vehicle movements – movements have increased year on year. Loads have increased in 2021 due to improvement works at Kilminster and Countess Wear. Demand on Exmouth is expected to reduce by 50% when Kilminster digesters are back in operation. As mentioned previously, a super sludge works is also being considered to help mitigate the problem and this proposal will be expanded upon in SWW's five-year sludge strategy due to be published and submitted to the regulator next year. There is little prospect of movements ceasing completely.

Q15 of 16: Given that SWW is unlikely to be able to stop their sewage tankering operation into and out of Maer Lane overnight, what is the company's expectation over the next 5 years for the number of these HGVs needing to access the Maer Lane site every month as support to their county-wide sewage treatment operations? Please provide the total number of HGV movements anticipated into and out of the Maer Lane works, to include sewage, sludge and treatment chemical transits, etc.

Tankering activity should only happen between the hours of 8am and 4pm unless there are reactive pollution events etc.

e) SWW plans for Maer Lane

Q16 of 16: Several SWW employees have stated off-the-record that there are plans to expand the Maer Lane treatment works. As SWW's own report states that the current site has adequate operational capacity to deal with predicted future local sewage loadings, the inference must be that any expansion of the site is solely to allow for more imports of raw sewage and sewage sludge from outside of the locality. Please comment on this statement and provide an outline of SWW's future plans for their Exmouth sites over the next 10-years?

The expansion plans aim to treat the additional volume of flow in storm conditions to mitigate storm water surges – not to cope with increased imports.

Members questioned the logic of siting a treatment works in an area with such poor access. Iain Vosper cited operational constraints and the need to be sited near the coast but could not comment specifically on the choice of Maer Lane.

C22/072. Date of next meeting

The next meeting of the Town Council will be held on Monday 14th November at 6:30pm.

The meeting concluded at 8:23pm.

Signed..... Date.....

(Chairman)