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Minutes of the meeting of the **OVERVIEW AND SCRUTINY COMMITTEE** held at the Council Offices, Whitfield on Monday, 16 December 2024 at 6.00 pm.

Present:

Chairman: Councillor T J Bartlett

Councillors: M Bates  
S H Beer  
D R Friend  
S Hill  
J P Loffman  
M J Nee  
M W Rose  
L M Wright

Also Present: Lindsay Faulkner, Area Environment Manager (Environment Agency)  
Sally Harvey, Area Director (Environment Agency)  
John Mealey, Stakeholder Engagement Manager (Southern Water)

Present Remotely: Nick Mills, Director of Environment and Innovation (Southern Water)  
Vicki Beatty, Head of Safety, Quality and Environment (Port of Dover)  
Megan Turner, Environment and Sustainability Maxnager (Port of Dover)

Officers: Head of Housing  
Strategic Director (Corporate and Regulatory)  
Strategic Director (Finance and Housing)  
Strategic Director (Place and Environment)  
Head of Port Health and Environmental Services  
Head of Property Assets  
Housing Options Manager  
Environmental Protection and Crime Manager  
Head of Corporate Services and Democracy

## 73 APOLOGIES

An apology for absence was received from Councillor D J Parks.

## 74 APPOINTMENT OF SUBSTITUTE MEMBERS

The Head of Corporate Services and Democracy advised that no notice had been received for the appointment of substitute members.

## 75 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

## 76 MINUTES

The Minutes of the meeting held on 18 November 2024 were approved as a correct record, subject to an amendment to delete reference to Councillor M Bates moving the item on blood services, for signing by the Chairman.

77 DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

There were no decisions of the Cabinet relating to recommendations made by the Overview and Scrutiny Committee.

78 ISSUES REFERRED TO THE COMMITTEE BY PUBLIC PETITION, COUNCIL, CABINET, OR ANOTHER COMMITTEE

The Head of Corporate Services and Democracy advised that there were no issues referred to the Committee by Council, Cabinet or another Committee.

79 NOTICE OF FORTHCOMING KEY DECISIONS

The Head of Corporate Services and Democracy presented the Notice of Forthcoming Key Decisions to the Committee for its consideration.

RESOLVED: That the Notice of Forthcoming Key Decisions be noted.

80 SCRUTINY WORK PROGRAMME

The Head of Corporate Services and Democracy presented the Overview and Scrutiny Work Programme to the Committee for its consideration.

Members were advised that in respect of the work programme on blood services in Deal, NHS Kent and Medway Integrated Care Board had advised that as they were attending a meeting at Kent County Council on this issue, they were declining the invitation to attend a meeting of the committee in respect of it.

The Head of Corporate Services and Democracy advised Members that the Governance Committee had recently considered the audit report on cybersecurity and asked if Members still wanted to include it within the work programme.

It was proposed by Councillor S H Beer, duly seconded by Councillor L M Wright, that the cybersecurity item be removed from the work programme.

RESOLVED: That the Work Programme be noted subject to the removal of the items on cybersecurity and blood services.

81 PUBLIC SPEAKING

The Head of Corporate Services and Democracy advised that no members of the public had registered to speak on items on the agenda to which the public speaking protocol applied.

82 HOMELESSNESS AND ROUGH SLEEPING STRATEGY 2025-2030

Members considered the report on the Homelessness and Rough Sleeping Strategy 2025-30.

The following points were considered:

- How the Council tried to consult with hard-to-reach groups as part of the process.
- To confirm that the Council encouraged people to make direct payments to landlords.
- To clarify how the strategic priority to improve access to private sector accommodation to meet the needs of those homeless or at risk of homelessness was compatible with the priority of reducing the Council's reliance on private sector temporary accommodation. In response it was stated that the intention was to get more long-term accommodation as opposed to expensive temporary accommodation.
- To enquire whether all measurables were SMART. It was stated in response that not all were due to the nature of them.
- To discuss how the Council assisted tenants in rent arrears. Members were advised that the housing team worked hard to prevent homelessness and would become involved when payments were missed. However, it was acknowledged that this would not prevent all tenants in rent arrears from being evicted.
- To request a breakdown of private sector rent increases.

#### 83 ANTI-SOCIAL BEHAVIOUR POLICY (2024)

Members considered the report on the Anti-Social Behaviour Policy (2024).

The following points were discussed:

- To discuss what constituted CCTV related nuisance. In response it was stated that cameras and doorbell cameras were useful for collecting evidence but should have privacy areas set up so that they were not looking into other properties.
- To express concern that there was an overemphasis on hate crime. In response it was stated that this was new to the policy which warranted the emphasis.

#### 84 SCRUTINY OF RIVER AND SEA WATER QUALITY IN THE DOVER DISTRICT

The Chairman of the Overview and Scrutiny Committee, Councillor T J Bartlett, welcomed those that accepted the invitation to attend the meeting and asked them to introduce themselves.

Present:

Lindsay Faulkner, Area Environment Manager (Environment Agency)  
 Sally Harvey, Area Director (Environment Agency)  
 John Mealey, Stakeholder Engagement Manager (Southern Water)  
 Nick Mills, Director of Environment and Innovation (Southern Water) \*  
 Vicki Beatty, Head of Safety, Quality and Environment (Port of Dover) \*  
 Megan Turner, Environment and Sustainability Maxnager (Port of Dover) \*

(\* ) Attending remotely

Each of the groups present were asked to provide a summary of their role in respect of river and sea water quality.

#### Environment Agency (EA)

- Main responsibility was monitoring through a statutory sampling regime (Bathing Water Regulations 2013).
- Also responsible for informing the public about water quality.
- Regulating those with permits to discharge to water (water companies, agricultural sector and others).
- Responding to pollution incidents, including investigation and enforcement activity.

#### Southern Water (SW)

- A 'key custodian' alongside the Environment Agency, Drainage Board, local Councils and others in trying to improve bathing water quality.
- The work to improve bathing water quality was defined in their Improvement Plan Strategy which prioritised key locations for targeted work, such as Deal Castle.
- There were a variety of issues that had the potential to impact of water quality – leaking assets, blockages, illegal connections and storm overflow releases. There were also causes outside of Southern Waters control such as surface water runoff, waste from other water and sea users and seabirds.
- The Deal Pathfinder scheme was focussed on dealing with resolving flooding issues and was not primarily about water quality. The works undertaken had focussed on separating surface water and foul sewage, which reduced the pressure on the foul sewer network. This meant that the Golf Road pumping station was no longer being overwhelmed with surface water which it should not be treating. As a consequence of these works, the risk of flooding at Albert Road had been reduced.

#### Port of Dover (PoD)

- Their responsibility was to ensure that the flow from the River Dour into Wellington Dock was preserved. If it was not preserved there was a risk of flooding in the town. They monitored the River Dour at various points to ensure its impact on the harbour was monitored. They also monitored the town beach area.
- Although it was the statutory responsibility of the Environment Agency to monitor bathing water quality, they did conduct monitoring a number of locations. This information was published on their website.
- They were responsible for maintaining navigable depths at sea, which included moving sediment.

Q1. What are the main causes of pollution in (a) river and (b) sea water respectively?

- There were a variety of causes, such as leaking assets, blockages, illegal connections or storm overflow releases. In addition, there were causes of pollution outside of their control such as surface water run-off, waste from other water and beach users and sea birds. The importance of reducing storm overflows was emphasised.

- It was the view of the Environment Agency that the pollution at Deal Castle was due to human sewage, such as through a missed connection or urban run-off.

Q2. What assurances can you provide regarding the quality of our chalk streams?

- The Water Industry National Environment Programme (WINEP) provided information to water companies on their environmental obligations. The Environment Agency conducted routine monitoring and regulated discharges into and extractions from chalk streams.
- The Port of Dover made its monitoring information on the Dour available to the Environment Agency. Levels of pollutants in the Dour were very high which affected what actions could be taken.

Q3. What impact is this pollution having on the flora and fauna of our rivers and seas?

- Incidents were classified by their category of impact. An example was provided that high levels of nutrients could impact on seaweed and algae growth which in turn caused bacteria which affected water quality levels in the harbour.
- In respect of the River Dour, the Port of Dover tested the river at 14 locations from Kearsney Abbey to the entry point at the Port, including at sites such as Morrisons in the town. Water was tested weekly at the Port and twice yearly (February and August) for the Dour.
- In respect of a question on what was being done to preserve and restore the seabed and kelp forests, Members were advised that this was an inshore fisheries project.

Q4. What is your organisation doing to reduce pollution in our river and sea water?

- The role of the Environment Agency was to monitor and analyse the water quality. In respect of Deal Castle, they had undertaken testing and investigated storm outflows. They had also conducted additional sea water monitoring to try and identify the source of the pollution, including microbial source tracking. The microbial source tracking had identified human, canine and bird DNA.
- Southern Water had a pollution incident reduction plan for Deal Castle. The level of pollution was coming down and most of the issues related to asset failures and sewer blockages. Southern Water had installed monitors in the sewers and was undertaking further work. It was also working closely with partner organisations. Members were advised that information was available on the Southern Water website.
- Members were advised that Kent County Council were responsible for providing sustainable highways drainage, the impact of increasing urbanization which on the amount of non-permeable land, and that

Southern Water could not control the input into its network. There was sufficient capacity in the network for the expected foul water load.

- Southern Water was lobbying to be a statutory consultee on surface water drainage and emphasised the importance of sustainable drainage for all new developments. Southern Water couldn't stop rainwater connections to the sewers due to the 'right to connect'.
- Members were advised that the Golf Road, Deal outfall did not release more than 10 times per year on average, which meant that it was already achieving the target set by government. The last CSO release from Golf Road was in 2021. Southern Water was working with the Council to access Deal Pier.
- Councillor J P Loffman thanked Southern Water for their work in respect of Albert Road which had stopped the flooding there. However, there were still concerns in the Mill Hill area of Deal.

Q5. The number of extreme weather events, such as intense rainfall events, is increasing due to climate change. What is your organisation doing to protect urban and rural areas from the consequences of extreme weather events?

- In response to the impact of increasing rainfall due to climate change, Southern Water was working to separate rainwater runoff from sewers. The combined rainwater and foul sewers only ceased being installed in the 1950s.

Q6. Regarding grey water and sewerage, are regular surveys done to ensure appropriate capacity? If so, please could you provide further details on the frequency of the surveys and what is involved.

Q7. Please could you explain the situation in respect to current and future sewer capacity in Deal given the number of new houses that have received planning permission?

- The impact of every development was modelled and if additional capacity was required this would be advised as part of the planning application. If there was insufficient capacity Southern Water would state this in respect of the application.

Q8. In your report "Improving designated bathing waters. A report on Southern Water's approach to improving designated bathing water quality, 2024", you have a list of priority locations, and you mention Deal Castle as having a bathing water classification of "sufficient" and say "We are currently investigating illegal connections and have identified three properties. We have also identified a piece of sewer rehabilitation work to be complete". Please could you please give an update on the position in respect of illegal connections and sewer rehabilitation work?

- This was partly answered by an earlier question. There were trace levels of canine and seabird DNA with the majority being human. The spike in

August was not linked to a specific incident that the Environment Agency had been notified about.

- The quality of bathing water was declining without any obvious visual source to explain. The groundwater under Deal might be a possible cause. The Environment Agency had a hotline for people to contact in respect of pollution incidents and they stressed the importance of local intelligence.
- Southern Water were conducting on-going investigations to test the integrity of Deal Pier's drainage. The Head of Property Assets advised Members that there were no issues with Southern Water accessing the Pier and all access requests had been granted. Smoke tests had been conducted at both ends of the Pier without finding any issues. Southern Water had asked to pressure test 300 metres of plastic pipe at the Pier, but the Council had concerns that winter was not the right time to do this.
- Members were advised that the Environment Agency was investigating to find the source and work was underway to look for missed connections that could lead to foul water going straight to the beach. Where Southern Water found a leak, it would be fixed and where a missed connection was identified they would speak to the property owners.
- The Environment Agency would be next updating its rolling four-year average water quality rating in November 2025. If the source could not be identified the pollution incident would remain in the four-year average. There was a step change process that could be used if the pollution issue was identified and remediated, and it could be demonstrated that water quality had improved as a result of it.
- Members questioned why if the pollution spike had declined, why this couldn't be reflected in the water quality data. The impact on the annual Boxing Day charity dip was cited. In response it was stated that the regulations were set by the government and had to be followed. Members asked that as much information as possible be made available to the public.
- Members were advised that all Environment Agency data was available through its website and local signage was the responsibility of the district council. Officers advised that they were open to working with the Environment Agency over the addition of a QR code to the signage.

Q9. The bathing water quality at Deal Castle has declined from being rated 'excellent' in 2019 to 'good' in 2021 and 2022, to 'sufficient' in 2023 and most recently to 'poor' in 2024. In contrast, St Margaret's Bay was rated as 'excellent' in 2023 and 2024, and Sandwich Bay was rated as 'good' in 2023 and 2024. Please could you explain why, when the other two monitoring points have remained consistent, the situation at Deal Castle has deteriorated so dramatically since 2019.

- This had been answered as part of a response to a different question.

Q10. A consequence of the 'poor' bathing water quality rating at Deal Castle is that under the Environment Agency's rating system, the water is classified as not

having met the minimum standard given the levels of faecal matter in the water. Under this classification, signs are displayed to advise against bathing, although it is not banned. If swimmers ignore this advice, what are the potential health consequences of swimming in water classified as 'poor'?

- Members were referred to the Health Security Agency guidance. The advised provided was based on the four-year average and not the water quality levels of any given moment.

Q11. When can we be assured that bathing water quality at Deal Castle is returned to being classified as 'good' or 'excellent'?

- Deal Castle had been selected for an in-depth investigation in 2025. Southern Water would undertake desktop studies, asset checks, CCTV survey, sampling and coastal/urban drainage modelling. The results of these studies, which would include collaboration with partner organisations, would be reported to the Environment Agency by May 2027.

Q12. There are 3 places where the Environment Agency assesses the bathing water quality - Deal Castle, Sandwich Bay, and St Margarets Bay. However, there are none shown in Dover itself. Please can you explain why Dover beach, where there are many bathers including children, is not a location for bathing water quality assessment?

- It was possible for anyone to apply to DEFRA from spring 2025 to designate additional bathing water spots for the Environment Agency to monitor. The Environment Agency could only monitor the areas it was designated to do.

Q13. What was the cause of the recent problem with bathing water quality at Shakespeare beach and what is being done to mitigate it happening in the future?

- There was a Southern Water pump failure that led to the pollution at Shakespeare beach. Southern Water worked overnight to fix the issue and installed new pumps. Additionally, critical spare parts would now be stored on site to speed up any future repairs.
- Due to real time telemetry. Southern Water were aware of the pump failure the moment it occurred.
- Southern Water were required to notify the Environment Agency when the incident occurred and there had been good collaboration in respect of the incident.
- Any pollution incident would have a negative impact on local ecology and by improving assets and responses to future failures it was hoped that this would improve matters in the future.



Q14. What assurance do we have that mitigations are in place to reduce flooding of the Alkham Bourne?

- The cause had been due to ground water getting into the sewer network and work had been undertaken in spring/summer in preparation for winter. This included enhanced monitoring and winter readiness checks.

The following additional points were raised by Members:

- In response to a question on the Sandwich Water Ways works, Southern Water advised that they would respond to Councillor D R Friend with an answer.

The Chairman thanked everyone for attending the meeting and responding to the Committee's questions.

The meeting ended at 8.20 pm.