

SRA BOARD MEETING – 21ST JULY 2017

THE SRA BOARD

Minutes of a meeting of the Board of the Somerset Rivers Authority (SRA) held in the Council Chamber at West Somerset District Council on Friday 21st July, 2017 at 10am.

PRESENT

Cllr John Osman, MDC (Chair)
Tony Bradford, Parrett IDB (Vice-chair)
Cllr Anne Fraser, SDC
Cllr Anthony Trollope-Bellew, WSC
Nick Gupta, EA
Matthew Heard, NE
Peter Maltby, Parrett IDB
Jeff Fear, Axe/Brue IDB
Ray Adlam, Axe/Brue IDB
David Jenkins, WRFCC
Cllr John Williams, TDBC
Cllr David Hall, SCC
Cllr Nick Weeks, SSDC (Sub)

In attendance:

Sarah Diacono, SRA
Emma Beardsley, SCC
Rachel Burden, EA
Linda Irwin, EA
Paul Deal, MDC
Iain Sturdy, IDB
Nick Stevens, IDB
Martin Woods, SSDC
Barry James, SCC
Nick Plumley, SDC
Rob Forse, SCC
Brendan Cleere, TDBC
Cllr Claire Aparicio Paul, SCC

Apologies:

Cllr Ric Pallister, SSDC
Paula Hewitt, SCC

1. APOLOGIES FOR ABSENCE

Cllr Ric Pallister – Cllr Nick Weeks to act as a substitute.

2. ELECTION OF CHAIR AND VICE-CHAIR

Cllr John Osman was nominated as chair by Tony Bradford, Cllr Anthony Trollope-Bellew seconded this. There were no other nominations; Cllr John Osman was therefore declared as chair.

Jeff Fear nominated Tony Bradford as vice-chair, Cllr John Osman seconded this. There were no other nominations therefore Tony Bradford was declared as vice-chair.

Sarah Diacono pointed out that the Constitution was silent on the matter of when the next election for chair and vice-chair would be. Peter Maltby proposed that the appointment should be one year and this was seconded by Cllr Nick Weeks. The

chairman felt that these matters should not be discussed further during the meeting as proper consideration was required. In addition some Board members wished to look at the possibility of having an independent chair. As a result the SRA Management Group were asked to look at the pros and cons of the various options and report back to the next meeting.

Cllr John Osman thanked the group for electing him as the Chairman again. He spoke of what had been achieved, the challenges going forward and emphasised the merits of the SRA in bringing organisations together to work in partnership.

Tony Bradford also emphasised the importance of working in partnership and expressed his wish for the SRA to move forward in an organised fashion now that it was no longer in its infancy.

3. DECLARATIONS OF INTEREST

Peter Maltby declared an interest on item 7d and item 6b.

Tony Bradford also declared an interest on item 7d.

4. MINUTES OF PREVIOUS MEETING MARCH 13, 2017

The minutes of the previous meeting were agreed as accurate with an amendment to page 1.

Cllr Anthony Trollope-Bellew felt that his point was not recorded accurately. He clarified that the point he made was that in the future the SRA needs to keep an eye on government funding to ensure that government funding to Somerset is not cut disproportionately leaving the SRA, and through it the council tax payers of Somerset, to fund the difference.

5. PUBLIC QUESTION TIME

There was one public question. It was decided that this would be taken during the item that it related to, item 8b.

Cllr John Osman reminded everyone that if they wished to ask a question of the Board they should attend the meeting to hear the debate.

6A: STRATEGIC APPROACH TO MITIGATION FUNDING REQUEST

Matthew Heard presented the paper and made the following points:

- The need to find a better approach to delivering Flood Action Plan projects in protected landscapes has been discussed at both the Board and Management Group in the past.
- The amount of time it has taken to go through environmental process has been a cause for concern for some.

- As a result Natural England aim to create a scheme for the Levels, as they have done in other areas of the country, which will gather evidence and assess the legal compliance of existing schemes.
- It is hoped that this will enable quicker delivery for upcoming schemes, in particular, the Sowey, Bridgwater Tidal Barrier and future dredging projects.

During the discussion the following points were raised:

- It was asked if the Taunton Strategic Flood Alleviation Improvements Scheme (TSFAIS) could be included, it was felt that this would make sense.
- It was asked if the scheme would affect the work to the Transport Works Act Order (TWAO) which is critical to the Bridgwater Tidal Barrier. At the moment the proposal is in its infancy but as it develops these complexities will be considered.
- There was some concern that it would hold up current projects, however, it was stressed that the point of developing a Strategic Approach to Mitigation was to enable projects rather than hold them up.
- The IDB asked to be consulted as they have control over the water level management plans, they were reassured that they will be included in consultations.
- There was a discussion about what we are planning to mitigate for, are we trying to restore the area to how it was 5, 10, 15 years ago as this makes a big difference to expectations. Should there be mitigation for restoring something that should have been there in the first place? It is part of the Levels work plan to work together to establish a collective vision for the Levels, the answer cannot be given now but we need to work together in a flexible and pragmatic way to reach an agreed vision.
- Will the approach apply to maintenance as well as improvement or just improvement? This can be discussed in the future; it will only be applied where it is helpful.
- Cllr John Osman thanked Matthew Heard and Natural England for their hard work and summarised the Board's requirement that the scope of the work should include the TSFAIS and that the IDBs needed to be included in the development of the Strategic Approach.

As recommended the Board:

1. Recognised the benefits of a strategic solution approach to mitigation and approved the development of a Strategic Approach to Mitigation for the Flood Action Plan.
2. Noted the relationship between this work and the work in W1 to develop a long term flood risk management strategy for Somerset.
3. Requested that £50,000 funding is allocated to the development of this work. Project to be led by Natural England, to be completed within this financial year 2017/18.

ITEM 6AII: CRIPPS AND HIXHAM FUNDING REQUEST

Rachel Burden presented the paper and made the following points:

- The recommendation is to approve 2016/17 contingency fund extra money to cover extension of works on the Cripps and additional costs on Hixham Ryne.
- The project is still significantly below its original budget as the EA have previously handed money back.
- In the future all partners should including a sum for contingency.

During the discussion the following points were made:

- In the paper the EA mention that surveying data was added to the Brue model, the IDB hope that this can help to improve the Brue model.
- As the costs were still below the original budget it was decided that there was no problem in allocating contingency money to cover the extra cost.

As recommended the Board:

1. Approved a bid to the 2016/17 **contingency fund** of £19,187.28; £10,345.92 of which to cover extension of works linked to the de silting of the Cripps River in Spring 2016 and £8,841.36 to cover additional cost on de silting of the Hixham Rhyne in Summer 2016.

ITEM 6B: FIRST QUARTER 2017/18 REPORT

Emma Beardsley presented the paper and made the following points:

- The paper provides an update on the financial position of the SRA at the end of the last financial year and provides a brief update on progress so far in the first quarter.
- The Board is also asked to agree a funding source for the Strategic Approach to Mitigation. It was suggested that this should come from Growth Deal funding.
- It was noted that the financial year is still in its early stages and therefore many of the actions are just starting.
- It is recommended that £4.7k from contingency should be used to cover some small scale overspends.

During the discussion the following points were raised:

- There were some questions relating to the big difference in figures between the original funding 2016/17 and what has been spent under the capital and maintenance programmes. Some work is still to be completed from last year's funding but there is always a difference between what has been claimed by year end (i.e. spent by the SRA) and what has been spent by delivery partners. This will be discussed further under Item 8d.

- There was a question concerning one of the commercially sensitive appendices, this will be discussed at the end of the meeting given the commercial sensitivities.

As recommended the Board:

1. Noted the financial performance at the end of 2016-17 and at the end of Quarter 1 2017-18
2. Approved the use of £4.7k contingency to cover the small scale overspend of five activities at the end of the financial year 2016-17
3. Approved LEP funds as the funding source for the £50k funding request from Natural England for the development of a Strategic Approach to Mitigation.

ITEM 7A: BRIDGWATER TIDAL BARRIER UPDATE

Rachel Burden presented the paper and made the following points:

- The paper was prepared a month ago and since there has been a lot of public consultation.
- At the moment the Barrier's effect on silt management, downstream defences and visual impacts are being considered.
- The next step will be to continue working up the outline design of the preferred option location and gate type.
- There has also been consultation with the RSPB, landowners and the NFU.
- The scheme is estimated to cost £66million including contingency. Initial forecasts suggest that there is sufficient funding in place to move on to the next stage of the scheme.
- The main issue which has emerged from consultation is concerns about downstream defences. The Environment Agency has committed to maintain defences and provide secondary defences.
- Over the coming months landowner drop-in surgeries will be held.
- The Environment Agency will continue with public consultations. The next big one is due to take place this time next year.

During the discussion the following points were made:

- Sedgemoor District Council and the EA were commended for the way the scheme has been prepared with complete transparency.
- Sedgemoor District Council were commended for providing local funding for the scheme.
- Some concerns from landowners were fed back concerning the left hand banks. These concerns were raised during consultation and the EA have made a commitment to improve the left bank and ensure that existing primary defences can keep up with rising sea levels.

- Some concerns were raised regarding Chilton Trinity, however, they are already at a flood risk and there is no intention to make this worse as a result of this scheme.
- There is further work to be done with the NFU to dispel myths. The IDBs were thanked for their involvement.
- The IDB believed that there were some issues identifying the landowners and offered to help with this.
- Cllr John Osman described it as a flagship scheme and expressed excitement that it will be a reality in the not too distant future.

As recommended the Board:

1. Noted the progress made in the technical appraisal of the preferred option for the scheme and the plans to further consult stakeholders and the public on the appearance of the scheme in summer / autumn 2017.

ITEM 7B: TAUNTON STRATEGIC FLOOD ALLEVIATION IMPROVEMENTS SCHEME (TSFAIS) UPDATE

Brendan Cleere presented the paper and made the following points:

- The scheme is mainly focused on the Tone but it is likely that some ideas will be bought forward for a number of areas upstream of Taunton.
- In a previous meeting Taunton Deane Borough Council's financial commitment to the project was questioned however the council has now committed to the scheme in terms of funding and senior staff.
- Going forward national funding will be sought with the help of the EA.
- The focus now will be on clarifying the strategy.

During the discussion the following points were made:

- The merits of the scheme were stressed as it will protect a large number of properties in Taunton, as the 1960s flood prevention schemes begin to show their age.
- The importance of obtaining national funding was stressed.

As recommended the Board:

1. Noted the contents of the report and progress made on the TSFAIS for Phase 2 and considered this as an appropriate basis for continued joint project working.

ITEM 7C: DREDGING STRATEGY AND PLANS UPDATE

Nick Stevens presented the paper and made the following points:

- Good progress has been made, especially on the Parrett, but the Brue needs now to be considered.

- The current model for the Brue needs to be improved as it has not had the same degree of funding as the Parrett model.
- Trials on the Parrett have generated a wealth of information and have led to a better understanding of how sediment flows.
- In October more maintenance work is planned on the Parrett and a small trial to assess a technique used so far on consolidation sediment will be undertaken as it has great potential in tidal sections.

During the discussion the following points were made:

- There was some concern that because the Parrett is tidal, silt can quickly come back meaning that the maintenance has to be able to keep up with this. The trials have demonstrated that the cost of maintenance can be reduced making this a viable solution.
- Some IDB members have been to Lincolnshire to view other dredging methods. These will be considered by the Dredging Strategy Group for the future.

As recommended the Board:

1. Noted the progress made and the encouraging results.
2. Noted the action to establish long term sediment flux monitoring on the River Parrett and Tone.
3. Noted the action to develop the Brue Hydraulic Model.

ITEM 7D: SOWY RIVER/ KING'S SEDGEMOOR DRAIN UPDATE

Peter Maltby and Tony Bradford have declared interests for this item but remained in the room. They did not participate in the debate.

Rachel Burden presented the paper and made the following points:

- The Sowy scheme was discussed at length at the previous Board meeting
- Bren Hodkinson has left the project team and Linda Irwin, his successor, was introduced to the Board.
- Skanska have won two awards for Beer wall; Built Environment best practice, Silver Green Apple Award; Southwest Built Environment from Constructing Excellence, Award for 'Project of the year 2017'.
- The EA are looking to contract out the de-silting bridge arches works at the bottom end of the system.
- A mitigation package has been agreed in principle and the details now need to be refined.
- A monitoring strategy for mitigation has been developed.
- An approach to engage with landowners continues to be developed and is due to be discussed at the next SRA Management group meeting.

- The EA is finding this a challenging project and believe that it is taking up a disproportionate amount of time; as soon as they go into detail prior agreements reached are unpicked.

During the discussion the following points were made:

- Have the landowners at the bottom of the system where work is due to go out to contract been engaged? The EA will come back with more detail on this.
- One of the big risks was landowner consultation and none have yet been approached. There needs to be agreement on which landowners may be directly impacted. This together with the proposed approach will be discussed at the next Management Group meeting.
- Clarification was asked regarding the point that the scheme was challenging. The EA clarified that they felt that every time they feel they have got somewhere detailed questions are asked, for example they have completed modelling and used professional judgement to determine the directly affected landowners but this has been challenged. Partner support is vital for the scheme to go ahead.
- It was felt by some that the impacts of the scheme on dredging needed to be considered, it is up to those who take on the dredging scheme to consider these impacts.
- Some have concerns about the bank levels where desiltation is due to take place. Cllr David Hall to discuss this with the EA.
- Rob Forse offered to be a critical friend to Linda Irwin with regard to procurement.
- Cllr John Osman emphasised the importance of working in partnership to get this scheme off of the ground. A lot of SRA time has been spent on this project. He thanked Rachel and the team for all their hard work and is looking forward to the tendering process so works can start.
- The EA will bring a paper to the next Board meeting to cover whether they feel the scheme is in a position to go ahead.

As recommended the Board:

1. Noted the continuing progress towards delivery of the scheme.
2. Acknowledged the complexities relating to stakeholder buy-in.
3. Accepted the challenges likely to arise during engagement with landowners.
4. Noted that an optimistic date for tendering is Christmas 2017, with preparatory works starting in late summer 2018.

ITEM 8A: REVIEW AND REVISION OF W1: DREDGING AND RIVER MANAGEMENT

Iain Sturdy presented the paper and made the following points:

- The EA are still keen to deliver large capital pieces of work but have asked the IDB if they would undertake the management of the smaller works.
- The IDB Boards have been considering this for some time and have recently offered to take this on; the workstream will be split into W1a (EA) – large capital schemes and W1b (IDB) – smaller works.
- The Parrett Board have voted in favour of this; however the Brue Board are still to vote but having spoken to senior members the IDB are confident that they will agree to take this on.
- The current action that is in W1 to develop a Flood Risk Management Strategy together with the outstanding actions from W6 – Long Term Options, may be better placed in a workstream of their own. The Management Group have asked the SRA's Senior Manager to produce a paper on this.

During the discussion the following points were raised:

- If the workstreams are split into two then it is important not to lose the cross partner working necessary to achieve a joined up approach to Dredging and River Management.
- The Board were happy for the split as long as the Brue Board voted in favour.

The Board:

1. Approved the Management and Reporting of Work stream W1 to be divided in two and that workstream W1a will be managed and reported by the EA and that W1b will be managed and reported by the IDBs, subject to confirmation that the Axe/Brue Board have agreed.
2. Noted that the Management Group has asked the SRA Senior Manager to prepare a paper to look at how best to progress the outstanding FAP action to develop an FRM strategy (plus all the remaining actions from W6), including who would lead it.

ITEM 8B: DREDGING COMMITMENT

Iain Sturdy presented the paper and made the following points:

- There is a strong view that further pioneer dredging would provide additional benefits above and beyond the Sowy scheme.
- It is felt that something is needed to let both important projects progress without each tripping the other up.
- Management Group held an extraordinary meeting to discuss this and recommended that the Board commits to “Dredge the River Parrett between Oath and Burrowbridge as soon as a legally compliant and affordable scheme can be found”.

During the discussion the following points were raised:

- Some believe that if the Board committed to this then it would remove landowner concerns over the Sowy/ KSD scheme.
- It was asked what is meant by affordable? This was discussed at the Management Group meeting. Currently substantial cost savings are predicted on dredging as more cost effective methods are found. It would be up to the Board to decide what is affordable.
- There was a suggestion that the word benefit should be added to the statement. It was highlighted that the word benefit means different things to different people. However, the wording had been discussed at length at the Management Group Extraordinary meeting and once a proposal is drawn up, the Board will decide, taking all factors including benefit and affordability, into account.
- The Board therefore agreed to commit to the statement.
- The public question was read aloud (see below) and a draft response prepared the IDB was read by Iain Sturdy. As the person who submitted the question was not present and the draft response had not been approved, the approved response, once agreed, will be sent and included in the final minutes of this meeting.

Question Submitted by: Rhona Light, resident of Moorland

'A) Previous risk assessment of this stretch of the river by the Environment Agency concluded that dredging it would increase risk of flooding to homes in Moorland, Fordgate, Currymoor and closure of the A361.

Has this risk assessment changed, and if so, can this document be made available to the public?

B) If the proposed dredge does increase risk to homes this is a departure from the Environment Agency's accepted policy of protecting homes before fields. Since the SRA is regrettably still in shadow form, should this decision be referred to the Environment Agency's National Board for consideration?

As recommended the Board:

1. Noted the sensitivities that exist between the relative priorities and programmes of the Sowy Enhancement Scheme and further pioneer dredging on the River Parrett.
2. Committed to "Dredge the River Parrett between Oath and Burrowbridge as soon as a legally compliant and affordable scheme can be found".

ITEM 8C: SPREADING RISK ACROSS THE PARTNERSHIP

Rob Forse presented the paper and made the following points:

- In the past the SRA have not considered how operational and financial risks should be shared across the partnership.
- There are many risks where the ownership is clear. However risks shown in Table 3 are where most of the concerns are, and how these should be shared is challenging.
- It was suggested that officers from SRA partners, in particular Local Authority Section 151 officers, should meet to agree the ownership and apportionment of these risks and to discuss any new risks.
- It is in the interest of all SRA partners to resolve this.

During the discussion the following points were raised:

- If risks are to be shared then complete transparency is needed so that partners can identify any risks that the delivery partner may not have considered.
- Many of the councillors felt that they could not support this at the moment as they need discussions with their monitoring officers. They also need more detail about what the level of financial risk is and how the risk will be shared.
- Cllr John Osman thanked Rob for his hard work.
- The paper needs to be amended to include quantifying the financial risks and the results of consultation with individual councils. The paper should then be reviewed by Management Group before coming back to the Board in October.

The Board:

1. Felt that more work was needed before they could endorse the proposed approach. The paper needs to be amended taking into account the financial severity of risk and after consultation with individual councils.

ITEM 8D: 2016/17 END OF YEAR REPORT

Sarah Diacono presented the paper and made the following points:

- It is important to have something available to the public that shows what the SRA has achieved and spent its funding on and so it is recommended that the Board allows this report to be published.

During the discussion the following points were raised:

- There were some questions as to why there was so much underspend in 2016/17. It was explained that this was partly due to a provision being set aside for the Sowy and delays in delivery partner contractors sending in invoices for payment rather than a lack of work completed. It was felt that this needed to be better explained in the report.

- The best method of distribution was discussed. The report will be published on the SRA website but in addition to this it was considered useful to send it to all County and District councillors, all IDB members, and all parish councils. This can be done in the form of a link in an email to save costs.

The Board:

1. Approved the publication of the SRA End of Year Report 2016-17 with minor amendments to better explain the finance table.

ITEM 8E: PRECEPTING LEGISLATION

Sarah Diacono presented the paper and made the following points:

- Following the general election Cllr John Osman and Tony Bradford wrote to all Somerset MPs and the Secretaries of State (Defra and DCLG) to remind them of the importance of obtaining legislation for SRA precepting.
- At the previous Board meeting two approaches were discussed, a private members bill and a private bill. The paper details why neither of these methods are likely to be successful.
- The paper also identifies the work the SRA needs to do to prepare for legislation.

During the discussion the following points were made:

- Some felt that whilst a lot of effort has been put in little progress towards achieving precepting has been made. This has led some to have little confidence as to what the future funding will be. Some local authorities may have issues in providing funding in the future.
- It was agreed that it was likely that precepting would not happen anytime soon but that we should be thankful that we have an interim mechanism to raise funding in the meantime.
- A pre meet before the next Board meeting was suggested to discuss this, however, as only some organisations have concerns it was suggested that individual conversations would be more appropriate.
- Cllr John Osman offered to meet with councils to highlight the good work the SRA has done.
- As it currently stands local authorities have a mechanism ('shadow' precept) to raise funds for the SRA via council tax, ultimately the tax payer will pick up the bill either way.
- It was highlighted that the only difference between what happens at the moment and what would happen if precepting occurred would be a piece of paper which makes it a legal right. This was appreciated; however some Board members felt that the SRA needs to be autonomous and have a sustainable funding mechanism, namely precepting proper, separate from the

local authority budget setting process. Without this there will still be a degree of uncertainty.

- It was highlighted that some councils will only commit funding for the year ahead and not beyond.
- It was agreed that Plan A is to continue to press government to introduce legislation to place the SRA and precepting on a solid legal footing and plan B is to continue funding the SRA using the interim 'shadow' precepting mechanism.
- The Board were keen for the Management Group to begin the work listed on pg 2 of the paper straight away as the process is going to take a long time.
- The SRA's reputation is very important and needs to be looked after. We need to show the higher catchment areas that we are doing useful works. This is why the annual report is important as it shows all the works undertaken in the previous year.
- The Board charged Cllr John Osman and Tony Bradford to push government for precepting legislation and go up to London to visit the Secretary of State to keep the pressure on.

As recommended the Board:

1. Noted the contents of the paper and approved the proposed Next Steps.

ITEM 9: ANY OTHER BUSINESS

- The Board were advised by Barry James the senior manager's post has now been externally advertised. The post will be a two year contract. There will be a long transitional period before Sarah Diacono hands over to her successor.
- Cllr John Osman thanked all for their attendance.

The meeting concluded at 12.15.