

# SRA BOARD MEETING – 23<sup>rd</sup> September 2015

## THE SRA Board

Minutes of a Meeting of the SRA Board held in the Somerset County Council Offices on Wednesday 23rd September 2015 at 10.00am.

### Members of SRA Board:

Cllr John Osman, SCC, Chairman  
Tony Bradford, Parrett IDB, Vice-Chairman  
Alan Franks, Axe Brue IDB  
Jeff Fear, Axe Brue IDB  
Nick Gupta, EA  
Matt Heard, Natural England  
David Jenkins, Wessex RFCC  
Peter Maltby, Parrett IDB  
Cllr Ric Pallister, SSDC  
Cllr Tom Killen, MDC  
Cllr Anne Fraser, SDC  
Cllr John Williams, TDBC  
Cllr Anthony Trollope-Bellew, WSC

### Officers in Attendance:

Paula Hewitt, SCC  
Doug Bamsey, SDC,  
Vega Sturgess, SSDC  
Rachel Burden, EA  
Sarah Diacono, SRA  
Barry James, SCC  
Stuart Brown, MDC  
Kathryn Holdsworth, Defra  
Iain Sturdy, IDB  
**Apologies:**  
Cllr Harvey Siggs, MDC  
Cllr Duncan McGinty, SDC  
Ray Adlam, Axe Brue IDB

### 1. Declarations of interest – agenda item 1

Members were invited to declare any interests beyond those already listed. Tony Bradford and Cllr Anne Fraser both declared their membership of the Wessex Regional Flood & Coastal Committee and the Parrett Internal Drainage Board.

### 2. Minutes of previous meeting – agenda item 2

SRA Board agreed the Minutes subject to couple of minor amendments.

A. Cllr Anne Fraser was present as substitute for Cllr Duncan McGinty.

B. David Jenkins from Wessex Regional Flood and Coastal Committee corrected page 3, which should have read: David Jenkins from Wessex Regional Flood and Coastal Communities queried whether the £455,000 set aside for the SRA would be spent. Cllr John Williams suggested that it would be better presented if it was shown as partly contingency.

### 3. Public Question Time – agenda item 3

Cllr John Osman opened the public question time and introduced Bryony Sadler and Rebecca Horsington to outline the key points on their questions. A total of 2 written questions were submitted from the Public. John Osman thanked Bryony and Rebecca for their questions, commenting that they raised important questions about whether there is a more cost effective solution to delivering dredging and that these points would need to be factored into the discussion later in the meeting under the Dredging item. The Questions & Answers have been placed on the Somerset Rivers Authority website.

**4. Sustainable Funding Mechanism:**

Cllr John Osman opened this section by asking members to report the decisions made by their respective organisations in relation to their preferred funding mechanism. However, before starting he reminded the Board that unless all local authorities agree to a Council tax increase for 2016/17, the Somerset Rivers Authority will have to ask for further interim funding from DEFRA and the Secretary of State. We therefore need to add an additional recommendation that the Somerset Rivers Authority will need to write a letter to the Secretary of State (SoS) for further interim funding whilst the preferred option is being implemented.

Cllr John Osman confirmed Somerset County Council Cabinet discussed the Options on Monday 14<sup>th</sup> September and the decision was to support the option of a new precepting Authority. There was one abstention.

Cllr John Williams confirmed Taunton Deane Borough Council went to Full Council on 8<sup>th</sup> September and a majority was in favour of a precepting Authority.

Cllr Anthony Trollope-Bellew confirmed West Somerset Council went to Full Council on the 16<sup>th</sup> September and voted for a precepting Authority with two provisos, firstly that those living on the coast and vulnerable to coastal flooding did not see the justification for paying a new tax when they would not see the benefit. The second proviso was that the mechanism for determining where works would take place should not put rural sparsity at a disadvantage.

Perter Maltby confirmed the Parrett Drainage Board voted unanimously in favour of the precepting option.

Matthew Heard confirmed that Natural England had nothing further to comment.

Jeff Fear confirmed that The Axe Brue voted unanimously in favour of the precepting option.

Nick Gupta confirmed that the Environment Agency (EA), being part of Defra, would not be voting on this matter. However he commented that the EA would be comfortable working with any of the options under consideration, but stressed the need to sort out interim funding for 2016/17.

Cllr Ric Pallister confirmed that, by a majority, South Somerset District Council voted in favour of a precepting option with one person abstaining on the principle that they felt it should be funded nationally.

Cllr Anne Fraser confirmed Sedgemoor District Council's agreed recommendations that their preferred option for the SRA is to become a precepting body, subject to the separation of IDB funding from district council

budgets in Somerset, in recognition of the unsustainable basis for the direct levy on district councils, particularly recognising the ending of revenue support grant which historically partially compensated for the levy. The IDBS would instead levy the SRA with the guarantee that their current funding levels are at least maintained. In addition, to call on government to secure funding to keep the SRA running until it becomes a precepting body.

David Jenkins confirmed Wessex Regional Flood and Coastal Committee, who are primarily an advisory body, met on the 20<sup>th</sup> July to agree the text of the letter previously sent to the SRA in relation to this matter. The committee welcomed the collaboration and increased focus of the work being done under the new arrangements and the efforts to find a sustainable means of funding. Some concerns about the delay and expense that will be involved in promoting new legislation were raised. The committee's position is to draw attention to these factors, but to abstain from voting, leaving it to the decision making partners.

Cllr Tom Killen confirmed Mendip District Council went to Full Council on the 21<sup>st</sup> September and a precepting body was agreed. There was a general acceptance of the collective responsibility and recognition that there is a need to put a framework in place and sort out the detail at a later date.

Cllr John Osman drew the Board's attention to the letters received from a number of stakeholders that had been circulated and thanked those that had written for their comments.

There was further discussion by the Board which included pointing out that dredging has to be maintained for its full benefits to be felt and Peter Maltby reinforced the need to ask the SoS for interim funding to ensure such continuity.

Cllr Ric Pallister wanted to emphasise that although Somerset needed interim funding prior to implementing precepting, we in Somerset are prepared to play our part by raising money locally but that this requires government to give us the tools to do so.

By a unanimous decision of the Board's local members (all 6 of Somerset's local authorities, the Parrett Drainage Board and the Axe Brue Drainage Board) it was agreed that the Somerset Rivers Authority should be funded by the creation of a new precepting authority. The Board also agreed to empower John Osman to write a letter to the Secretary of State confirming this as well as the following points:

1. The SRA Board recognise that there are some details and concerns to be worked through and also agreed that a number of matters need to be raised now and explored at the same time as taking forward the decision on the preferred funding option.

These are:

- A. The need to address the unsustainable basis of the existing IDB direct levy on Somerset's district councils, particularly in the light of the ending of Revenue Support Grant which, historically, partially compensated for the levy. However, in doing so, the Board are clear that the solution to this should not involve a change to the Land Drainage Act and must maintain, at least, the existing revenue streams to the Somerset IDBs.
  - B. The method of allocating funds to works needs to ensure it puts neither sparsity at a disadvantage, nor those only at risk of coastal flooding
2. The SRA Board realise that the precepting authority cannot be put in place immediately, and therefore will be requiring interim funding to carry on the good work and avoid putting at risk the value of that work and money that has already been spent to combat flooding over the last two years.

Cllr John Osman stated that there is still a lot more work to be done and that this meeting was a good starting point for the future.

**5. Parrett Barrier:**

Doug Bamsey, Corporate Director at Sedgemoor District Council, gave an update about progress of the EA/SDC joint project and development around Bridgwater.

There had been a meeting the previous week with Sedgemoor District Council, the Internal Drainage Boards and the Environment Agency at which the project team stressed that they were very conscious of the thoughts and concerns of the Internal Drainage Board about how the Barrier would operate in relation to silting and that a statement in relation to this would need to be developed as part of the project.

Sedgemoor District Council is waiting for the tenders to come back for the consultants to take the work forward. These will be appointed at the end of the year and then they will have a year to go through the detail of the scheme. In parallel the Environment Agency are taking the project to their Project Review Group.

Once the consultants are on board, there will be a fair amount of work to do and questions to be addressed; for example, where to build the barrier, how it will operate, how much it will cost and how it will benefit Bridgwater and the Levels and Moors, in particular the impact of the Barrier on the sediment, upstream and downstream and the impact on navigation. Sedgemoor continues to learn from the East Coast experience of Boston and Ipswich, particularly in connection with the Transport and Works Act procedure.

The council is to consider the options for development around Bridgwater, as part of their review of the Sedgemoor Core Strategy which will be published in October, including, subject to council decision, land north of Chilton Trinity where the promoting developer says they could potentially help deliver the Barrier with a road crossing to serve that development. This will be considered as part of the Core Strategy review process.

Sedgemoor are also talking to the Waterways Association regarding navigation issues.

Nick Gupta reminded the SRA Board of the importance of all signing up to one type of structure to avoid falling foul of the Transport and Works Order Act and the inevitable delay associated with adding additional features.

A written update will be given at the next Somerset Rivers Authority Board meeting.

## **6. Pioneer Dredging and the Sowby/KSD expansion schemes**

Rachel Burden: Somerset Levels and Moors 20 Year Plan Manager, Environment Agency, opened this item by explaining that since July, when the Board agreed that a contract could be awarded by the EA on behalf of the SRA, to dredge up to 1km of the River Parrett, with the £1.8m available, final Contractor costs have now been received and these, at £2.18m, marginally exceed that budget. Although the Management Group recognised that there is public expectation for further dredging, given the relatively small physical benefits and higher costs it was felt that the SRA Board needed to consider the decision.

Rachel Burden outlined the SRA's commitment to the desilting and dredging by listing the various works that were being undertaken during 2015/16 as part of the Enhanced Maintenance Programme, as well as the plan to dredge 5km of the River Brue next year.

She reminded the Board that Phase two of the Parrett dredge covers a 750m stretch from North Moor pumping station towards the M5 motorway bridge. She explained that the unit cost is more than double that of 8km dredge, as access is difficult and will have to be done using water-based plant. In addition, the saline nature of the silt required a much greater area of land for disposal as it had to be spread more thinly to avoid damage. The physical benefit of the dredge is a 50-80mm reduction in peak levels, as compared to the 8km dredge plus the use of temporary pumps, which will deliver in the region of 700mm reduction. She also explained to the Board that the proposed Sowby/KSD scheme had the potential to deliver far greater benefits, but with recent contractor costs coming in higher than anticipated, the Board might wish to consider setting aside some of the dredging money to ensure that the Sowby/KSD scheme could go ahead as originally envisaged.

The Board was asked to decide a way forward, from three options:

A. Go ahead with the 750m dredging, at a cost of £2.14m, recognising the limited additional physical benefits. At the same time investigate more cost effective dredging techniques and sites before deciding on future dredging.

B. Defer the Parrett pioneer dredge decision until next year, and investigate more cost effective dredging techniques and sites. The Somerset Rivers

Authority 'interim funding' for 15/16 is to be set aside for this and future dredging. Growth Deal money used as a contingency for the Sowy/KSD improvements.

C. Defer a decision to allow consultation with the communities in and around Northmoor, to gauge their opinion on the above options.

A discussion of the options and their implication took place. Cllr John Osman felt that with the funding in place the SRA should move forward and proceed with the dredge. Other Board members expressed concerns about the high cost and limited benefit of proceeding and the need to ensure that the money was spent on the action that delivered the most benefit, some felt that the maximising the use of the Sowy/KSD was advisable and others felt that it might be better to focus on getting the Parrett clear first, before turning to the Sowy. Cllr Anne Fraser, whilst recognising the economics, felt uncomfortable that a decision would be based on this alone, given the impact on the communities of the Levels and Moors. She wondered if the decision could be deferred to allow for other methods to be investigated and the communities could be consulted.

Peter Maltby suggested that by the end of October there might be further information available and Iain Sturdy, of the Internal Drainage Boards, then explained that the tender results for the maintenance dredge were expected on October 5<sup>th</sup>, and as a result the Board might wish to consider the implications of these as it might be possible that efficiencies could be achieved. Rachel Burden explained that every week that a decision was deferred would add a week to the overall Programme.

Cllr Tom Killen felt that there was a consensus that the dredging needed to happen, but that there was an urgent need to find a more cost effective solution.

Cllr John Osman outlined the three options as presented, plus a fourth option to wait for the outcome of the IDB maintenance dredge tenders to see if there were possibilities of delivering the pioneer dredge more cost effectively arising from this. Tony Bradford said that it was important to draw a line and make a definite decision by the end of October.

As a result Cllr John Osman summarised the decision facing the Board, namely to go ahead now (Option 1), defer until the next Board meeting on October 21<sup>st</sup> to allow for the IDB to develop an alternative proposal, if possible, arising from the maintenance tender results (Option 2) or go out to consultation (Option 3).

Nick Gupta wondered whether in the light of the discussion there was a case for making the decision, in principle, to dredge this year. Cllr Tom Killen suggested that as much work as possible on the dredge should continue, whilst waiting, to minimise delays, once the decision had been made.

The Somerset Rivers Authority Board decided to defer the decision until the next Board meeting, by 10 votes to 1, with the 1 vote in favour of proceeding immediately.

## **7. Use of Byelaws**

Barry James, Strategic Commissioning Manager, Community Infrastructure, Somerset County Council presented this item, explaining that it was still work in progress.

He explained that further consideration was needed of the implications of putting byelaws in place. Additional resource would be required to do this as there is currently no existing capacity to do this work. There are recognised benefits of putting byelaws in place and exerting further control on land drainage/water management in Somerset. Officers from Somerset's local authorities have responded to a request for their views. To summarise:

- The potential benefits of byelaws are understood, however there are concerns about putting byelaws in place at this current time;
- Further work is needed to define exactly what we would seek to control by byelaws and to assess the resource implications of putting them in place, particularly given the lack of current limited capacity within local authorities to manage and enforce them;
- The current focus of the flood risk management authorities should be on ensuring the SRA becomes a sustainably-funded body rather than agreeing to introduce a further system of control when the local authority financial situation is so challenging.

The recommendation to the Board is that, due to the need to focus on the SRA becoming a sustainably funded organisation, the current pressures on local authority budgets, and the evolving picture with the Environment Agency's Environmental Permitting, that the imposition of byelaws is deferred until the implications of doing so are clearer.

## **8. AOB – agenda item 8**

Cllr John Osman stated no issues had been raised prior to the Board meeting.

**The meeting ended at 11.34am**

**Chair Signature:**

**Date:**