

Joint Scrutiny Panel of Somerset Rivers Authority (SRA)

Minutes of a meeting of the Joint Scrutiny Panel of SRA held on Wednesday
01 February 2017 at 10.30am in the Hobhouse Room, County Hall, Taunton.

Present

Julian Taylor (in the Chair)

Cllr Eve Berry	Cllr Libby Lisgo
Cllr Roy Mackenzie	Cllr Brenda Maitland-Walker
Cllr Phillip Ham	Cllr Rosemary Woods
Cllr Derek Yeomans	Cllr Kathy Pearce
Cllr Val Keitch	Cllr Brian Smedley
Cllr Simon Coles (Vice Chairman)	David Tratt

Other Members present: Cllr John Osman, Cllr Alan Wedderkopp

- 1 **Election of Chairman and Vice Chairman** – agenda item 1
Julian Taylor was proposed as Chairman and this was seconded. There were no other proposals and Julian Taylor was duly elected as Chairman.

Cllr Simon Coles and Cllr Brenda Maitland-Walker were proposed as Vice Chairman. Following a vote, Cllr Simon Coles was duly elected as Vice Chairman.

- 2 **Apologies for Absence:** Cllr Mike Beech

- 3 **Declarations of Interest** – agenda item 3
The following declarations of interest were received:

Julian Taylor

Resident on the Parrett flood plain, who has been flooded.

Member of: Eastover Community and Sports Trust; Labour Party; Unison.

Cllr Simon Coles

Member of: Somerset County Council; Taunton Deane Borough Council; Liberal Democrat Party.

Appointed member of Devon & Somerset Fire & Rescue Service.

Cllr Brenda Maitland-Walker

Chair of West Somerset Flood Group.

WSC representative on Parrett Internal Drainage Board.

Externally appointed substitute for Somerset County Council on the Regional Flood & Coastal Committee.

Cllr Kathy Pearce

Member of: Sedgemoor District Council; Bridgwater Town Council; the Labour Party; Unison; Bridgwater Arts Centre.

Employee of Somerset County Council
Trustee of: Memorial Homes (charity); Gilbert and Blake (charity)The Towell's
Trust (charity).

David Tratt

Resident of the Axe Brue Internal Drainage Board area.

4 Public question time – agenda item 4

There were no public questions.

5 Introduction and welcome by John Osman, Chairman of Somerset Rivers Authority (SRA) – agenda item 5

The Chairman of the SRA welcomed the Panel and congratulated the Chairman and Vice Chairman on their appointment. The Panel heard that the SRA was formed following devastating flooding in the County which had wide-reaching and long-term effects. The SRA has been extremely successful in bringing partners together and establishing clear lines of responsibility and communication. It has also brought in substantial funding to prevent and minimise the risk of flooding.

The SRA Chairman asked Panel members to ensure that their areas are well represented and that schemes are put forward. He invited Panel members to attend SRA Board meetings and would be happy to attend any SRA Joint Scrutiny meetings.

5.1 The following points were raised during discussion:

A Panel member questioned future funding for the SRA and it was clarified that legislation for the SRA has not yet been put in place. The Government has strongly indicated that this will happen but with no definitive timetable. A legislation update is due at the next SRA Board meeting on 8th February 2017. In the interim period the SRA can continue to be funded via a 1.25% precept on Council Tax. It was clarified that legislation will not necessarily increase the funding available.

A Panel member commented that the lack of legislation and use of a precept prevented the SRA from being transparent. It was confirmed that the SRA is open and public and that it is clear on council tax bills that the precept goes to the SRA.

The Chairman recommended that Panel members read the Future Flood presentation produced by the House of Commons and it was requested that a copy be sent to Panel members.

It was requested that SRA Board meeting dates be circulated to Panel members.

6 Proposals for the Joint Scrutiny of the Somerset Rivers Authority – agenda item 6

The Governance Manager circulated the Local Memorandum of Understanding (MoU) & Constitution for the SRA joint Scrutiny panel. The MoU came into effect on 1st January 2017 and will need to be reviewed annually.

The Governance Manager informed the Panel that they will need to agree a Terms of Reference. These will be produced and circulated electronically to Panel members to agree during February 2017.

6.1 The following points were raised during discussion:

There is a need to communicate better with the public to increase awareness of how complicated water management and flood control is.

It was clarified that agendas and papers will be published 8 calendar days before a meeting and will be available online.

A Panel member queried the call-in process and it was clarified that until the SRA becomes a separate legal body, Somerset County Council (SCC) is responsible for any spend. The SRA makes recommendations to SCC as it is the accountable body for fund-raising and spending decisions. The call-in process will, therefore, be within SCC's governance process.

The Panel will need to work in a similar way to the Somerset Waste Board. The SRA will decide what to spend money on and then the Panel will need to scrutinise this. Therefore, the SRA needs to be completely open so that we can scrutinise and call-in if necessary. It was agreed to circulate a link to SRA Board agendas and papers, once published.

Concern was raised that meeting twice a year will not meet the needs of a call-in or emergency, however it was clarified that additional meetings can be arranged as required.

It was commented that flooding occurs across the county and is not limited to just the Levels. Following discussion, the Panel made a recommendation to the SRA Board to advise each district to set up its own District Flood Group, similar to the West Somerset District Flood Group, in order to ensure that the views of the whole county are represented.

The Panel requested an additional session be arranged to provide some background and context and for this to include the programme of works and site visits.

It was requested that monitoring reports for the programme of activities be circulated to all Panel members.

The Chairman commented that there had been an enormous amount of interest from outside parties and questioned whether and how to involve these. Following in-depth discussion, it was agreed to contact and invite relevant outside bodies and organisations to be involved with the SRA Joint Scrutiny Panel but that they should not be given full membership with the right to vote. It was suggested that this could be advertised in the local press.

**7 The Approach to Developing the Somerset Rivers Authority 2017-18
Enhanced Programme - agenda item 7**

The Senior Manager, SRA circulated this report and gave some background information about the difficulties encountered in identifying which proposals are funded by the SRA and the need to develop new SRA policies to improve the process.

She explained that the Enhanced Programme represents an extra level of flood management which is over and above what other flood authorities carry out. The Enhanced Programme does not replace the responsibilities of other flood authorities but is in addition to this.

It was explained that there is an indicative programme planned but that until the leaders of all contributing authorities and Internal Drainage Boards agree the funding, the programme cannot be finalised. This makes the process very lengthy and impedes on the notice that can be given to contractors.

7.1 The following points were raised during discussion:

During a detailed debate, the panel questioned why the SRA funding needs to be agreed by all contributing partners. As the funds are raised by a precept for a specific reason, the panel questioned whether the funds were ring-fenced for the SRA. It was clarified that it would be very difficult for District Councils to refuse the funds once a decision had been taken to use the precept. However, the precept was optional and not every District Council chose to use it. Year on year District Councils could decide not to fund the SRA, particularly if there is no flooding for a period of time. It was confirmed that this is an interim measure until legislation for the SRA is passed. The Panel agreed a recommendation that the Panel Chair write to Somerset MP's encouraging them to lobby the Government about the need for urgency to pass the SRA legislation.

It was commented that flooding affects the whole county and not just the area local to the flooding as it also affects infrastructure and the ability to move around the county.

It is important that the SRA programme includes activities which are not covered by the Department for Environment, Food and Rural Affairs (Defra).

The Panel recommended that the first key priority of the Flood Action Plan be amended to include flash flooding.

It was agreed to circulate the contact details for the Senior Manager, SRA and her presentation.

8 Agree a date for the next meeting - agenda item 8

It was agreed to hold the next meeting in July. Suitable dates will be circulated and will avoid District Council meetings where possible.

It was agreed that having two appointed representatives from each authority

avoided the need to appoint substitutes.

9 Any Other Business of Urgency - agenda item 9

Panel members raised the issue of riparian rights with some members agreeing that when necessary the SRA should carry out the work and invoice the landowner. It was clarified that each District Council has a responsibility to enforce and charge if necessary. The SRA has an enforcement officer in place.

A Panel member raised a concern over the use of the River Sowey and how this might impact on the Parrett. The Chair of the SRA confirmed that the SRA has ambitious plans for the Sowey but that there are a number of issues. Reassurance was given that meetings are taking place to discuss the effects of the projects that are currently planned.

(The meeting ended at 11.50am)

Chairman
Somerset Rivers Authority Joint Scrutiny Panel