

SRA BOARD MEETING – 8 June, 2018

THE SRA BOARD

Minutes of a meeting of the Board of Somerset Rivers Authority (SRA) held at Sedgemoor District Council's offices in Bridgwater on Friday, 8 June 2018 at 10am.

PRESENT

Cllr John Osman, MDC (Chairman)
Tony Bradford, Parrett IDB (Vice-Chairman)
Cllr Anne Fraser, SDC
Cllr Ric Pallister, SSSC
Cllr John Williams, TDBC
Cllr David Hall, SCC
John Harris, Wessex RFCC (substitute)
Jeff Fear, Axe Brue IDB
John Lang, Parrett IDB
Ray Adlam, Axe Brue IDB
Rachel Burden, EA (Substitute)
Matthew Heard, NE
Cllr Brenda Maitland-Walker, WSC (substitute)

IN ATTENDANCE:

David Mitchell, SRA
Paula Hewitt, SCC
Emma Beardsley, SCC
Rebecca Hall, SCC
Iain Sturdy, IDB
Doug Bamsey, SDC
Roger Burge, SDBC
Mark Jones, NE
Jonathan Hudston, SRA
Linda Irwin, EA
Graham Quarrier, EA
Ben Thorne, FWAG SW
Brendan Cleere, TDBC

APOLOGIES:

Cllr Anthony Trollope-Bellew, WSC
Nick Gupta, EA
Tom Killen, MDC
Michele Cusack, SCC
David Jenkins, Wessex RFCC

1. APOLOGIES FOR ABSENCE

Cllr Anthony Trollope-Bellew – Cllr Brenda Maitland-Walker to act as substitute
Nick Gupta, EA – Rachel Burden to act as substitute
Tom Killen, MDC
Michele Cusack, SCC
David Jenkins, Wessex RFCC – John Harris to act as substitute

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING 7 MARCH, 2018

The minutes were agreed as a true and accurate record of the meeting.

4. PUBLIC QUESTION TIME

One public question was asked by Anthony Yaskin of Stoke St Gregory Parish Council Flood Action Group. Mr Yaskin said:

“The Rural Payments Agency gives out farm subsidies but they only sample a few farms to ensure adherence with the policy that qualifies for the subsidies. There is an impression that this low level of inspections works against the SRA’s aim to reduce flooding by allowing roads to flood for long periods through silt build up in drains and ditches. With regard AOB point 5 [in minutes] of the 7 March meeting, are there any actions that you can take to help local groups like ours to deal with this situation?”

“The highways department’s efforts are not really effective in jetting activity; the silt is still there and the drains do not work properly in all cases. The local flooding creates a situation in some cases where emergency vehicles that are not four-wheel drive would not be able to reach some areas by the most direct route. We need to look after our neighbours and resolving the issues around flooding is part of that care. Some groups are getting greater support from the EA and SCC but some smaller groups like ours are struggling. Can or will the SRA support groups like ours in decision making and problem resolution?”

The Chair of the SRA thanked Mr Yaskin for his questions and reassured him that both the SRA Board and the SRA Scrutiny Panel are keen to support small groups in any way possible whilst recognising that resources are limited. A full, written response will be provided.

5. SCRUTINY PANEL RECOMMENDATIONS

The Board considered the recommendations and proposed responses as set out in the report. With regard to recommendation 3, frustration was expressed that the Bill was so far down on the list and that just one MP could block the Bill from being read. It was agreed to discuss issues concerning legislation in more detail at Item 10.

As recommended, the Board:

1. Noted the recommendations made by the SRA Joint Scrutiny Panel.
2. Approved the proposed response to the SRA Joint Scrutiny Panel.

6. KEY PROJECT UPDATES

6A. BRIDGWATER TIDAL BARRIER

The Board considered this report which provides an update on the development and consultation of the Bridgwater Tidal Barrier scheme.

The Board were informed that a number of engagement events will take place over summer and autumn with the public and stakeholders. Members questioned the lack of information around environmental benefits and were reassured that this will be outlined at the next Wessex Regional Flood and Coastal Committee (WRFCC) meeting.

As recommended, the SRA Board noted:

1. Progress on the scheme development and plans for further work and consultation in summer/autumn 2018.
2. Plans to seek assurance of the outline business case in autumn/winter 2018.
3. Plans to submit the Transport and Works Act order for the barrier and planning application for the downstream defence improvements in summer 2019.

6B. TAUNTON STRATEGIC FLOOD ALLEVIATION IMPROVEMENTS SCHEME

The Board considered this report which outlined progress of the Taunton Strategic Flood Alleviation Improvements Scheme.

It was confirmed that CIL funds are one of the top priorities to fund the project, however, it is not expected to be the most significant contributor.

Members questioned whether the project would include capacity to allow for the effects of climate change. The Board were reassured that the impacts of predicted climate change will be taken account of. There will be points at which certain interventions will be required but these trigger points will depend upon when changes occur. Careful monitoring will ensure that appropriate planning can take place.

Concern was raised that alleviation measures upstream may make the situation worse for those downstream as the water still has to go somewhere. It was agreed that it is difficult to find a measure that doesn't affect other areas but the scheme planners are aware of this issue and are considering upstream and downstream impacts during scheme development. Work is on-going to ensure that the sequence of works is correct and that, if necessary, the storage is in place beforehand.

As recommended, the SRA Board:

Noted the contents of the report and progress made on the Taunton Strategic Flood Alleviation Improvements Scheme for Phase 2 and considered this as an appropriate basis for continued joint project working.

6C. DREDGING STRATEGY AND PLANS

The Board considered a verbal update outlining plans to develop a Dredging Strategy. Recent discussions at Management Group meetings have highlighted concerns that dredging strategy is becoming confused with dredging delivery. It is

therefore proposed to separate delivery clearly from strategy and present the Strategy paper to the Board for consideration at the next meeting.

The Board requested assurance that the lack of a finalised strategy is not holding back any of the other work. Assurance was provided.

The Board were also verbally updated with regard to the Oath to Burrowbridge Dredge. The Board heard that there are additional environmental and physical constraints that are proving challenging but that good progress is being made. The work is taking place next to Southlake which is a Site of Special Scientific Interest (SSSI) and material may have to be moved into the SSSI. Also, Southlake Bank is classed as a high-risk reservoir bank which presents an additional constraint. Some very productive discussions have been held with colleagues from the Environment Agency on a way forward in relation to the reservoir. The project team is due to have a meeting on 28 June to present modelling outcomes and show impacts of reduced flooding and wetness. This will help confirm habitats regulations requirements. Latest modelling figures suggest that the scheme can get close to the conveyancing figures predicted by earlier modelling. The original estimate was 7 cubic metres of water per second (cumecs); current info predicts around a 6 cumecs increase. Some work has been undertaken on contract arrangements to enable an Autumn 2018 start. At this stage it is still very challenging but the team will press on until told to stop.

The SRA Board noted the verbal update.

6D. SOWY/KSD

The Board considered this report which provided an update on the options for delivering hydraulic improvements to the Sowy/King's Sedgemoor Drain (KSD) and identifying work packages that are affordable and can be delivered within the timeframe of the available LEP funding. The project team were tasked with looking at how to deliver the greatest improvements with the funds currently available. The SRA Board is still pushing the project team to deliver an end to end scheme. The report sought approval to progress the 1st stage of works. It was stated that it is positive to see the project is moving forward incrementally with an end to end plan.

Concern was raised over costs associated with meeting waste disposal regulations for the originally proposed scheme and whether the regulations were being interpreted correctly. Some members of the Board wished to challenge waste regulations with Government due to the costs it added to projects to meet the regulatory requirements. Some Board Members felt that the full scheme could still be affordable depending on how the regulations are interpreted. The Board debated the issues around this at length.

The revised Sowy / KSD scheme being put forward by the project team has been designed to minimise the amount of waste that has to be taken off-site thus reducing costs but also reducing the capacity of the scheme compared to the original.

The Board agreed a motion to move into confidential session to discuss this in more detail at the end of the meeting. Following this debate, the Board considered the recommendations put before them.

As recommended, the SRA Board:

1. Noted that a high level of uncertainty and risk remains around the delivery of the full Sowey/KSD enhancement scheme (increase capacity by 7 cubic metres per second). The overall estimate remains unchanged at £12-15 million. Delivery would require planning across a number of years and a greater level of funding than is currently available.
2. Noted progress in identifying work packages that could maximise the benefits with the currently available LEP funding.
3. Gave approval to further develop a package of work, which will target the KSD and Lower Sowey and the environmental mitigation, with the available remaining LEP funding.
4. Endorsed further works on the full Sowey/KSD enhancement scheme, when further money becomes available.

6E. STRATEGIC MITIGATION

The Board considered this report which outlined progress in developing a Strategic Approach to Mitigation.

It was clarified that the IDB is carrying out the modelling and that this is complex and technical work. The modelling data is required in order to discuss what is required for mitigation. It was stated that the modelling results will be shared with partners at the end of the month. Once these are available it will help explain to the wider group and public the impacts what is proposed.

It was requested by the Board that it is made clear when talking about water levels that it has to be *agreed* water levels.

It was stated that the Board should not forget the reasons the SRA came to be, as a result of the 2012, 2013/14 floods and the impact on people. Natural England endorsed this, adding that a balance between benefits to people and property and the environment can be found if the SRA partnership does things right.

Frustration was expressed with the time being taken to deliver some projects. It was also stated that while there have been some delays, people should recognise that a lot of good work has been completed and the overall situation is much better now than it was before the floods of 2013/14. But all partners needed to be willing to take difficult decisions if some of the current challenges were to be overcome.

It was clarified that this Strategic Mitigation work will be distinct from the dredging strategy and both will be scrutinised separately. It was also clarified that pioneer dredging is subject to a separate approach to mitigation.

As recommended, the SRA Board:

1. Noted the progress made in the development of a Strategic Approach to Mitigation including the timescales for delivery.
2. Noted timescales will need to adjust to align with the pace of associated projects.
3. Noted reference to costs associated with developing and implementing detailed mitigation.

6F. BRUE PROJECT

The Board considered this report which provided an update on the Brue Plan workshop referred to in the December SRA paper.

The first technical stakeholder meeting has taken place and the proposed approach has good support. Lots of ideas were put forward at the meeting as to what the proposed approach should consist of. The project team is in the early stages of assessing these ideas and agreeing which ones to take forward. A wider stakeholder meeting will take place shortly and this will be reported to the Board at the next meeting.

Concerns were raised about the fact that funds have been allocated to this project for several years but progress has been slow and the longer it takes the more likely a damaging event could occur.

The condition of the Brue Banks was discussed. Concerns were expressed about what may happen in the future for the Glastonbury area if nothing was done. A report was produced in 2010 saying issues needed to be addressed. Ray Adlam requested that his specific concern was minuted.

Officers agreed that work is required on the Brue banks but it has not been possible, to date, to design an acceptable and legally compliant scheme, hence the current proposals for a catchment-wide approach. It was stated that a joined-up approach is required to achieve consensus and to get approval from the regulator. The proposed plan will ensure schemes are compliant and show good value for money to the public.

Natural England reiterated the need to take some difficult decisions together to move challenging projects forward.

The Chair summarised the debate saying good progress has been made but laws and regulations need to be respected. The project team was thanked for their work to date. The Chairman reiterated that the partners must continue to work closely together to find solutions and continue moving things forward. The Chairman supported the statement that in order to find solutions we may need to take some difficult decisions.

As recommended, the SRA Board:

1. Noted the ongoing work to develop a Brue Plan, aimed at taking a proactive approach to flood management in the Brue catchment and helping to progress SRA projects.

2. Recognised the need for further data gathering and analysis to identify the main risks, issues and opportunities for flood management in the catchment.
3. Noted the continued intention to develop the Brue hydraulic model (previously approved).
4. Approved continued work to prepare for and organise a Brue Plan workshop in summer 2018.

7. 2017-18 END OF YEAR PROGRESS REPORT

The Board considered this report which provided a detailed account and analysis of the SRA's performance during 2017-18.

The Board were asked to contribute their thoughts and suggestions, particularly regarding the content and distribution of the report and consideration of whether a half yearly report is required.

The Board commented that the report is essential in informing the public of the work of the SRA. It was recommended to have an executive summary at the front of the report. Members commented that the full report is quite lengthy so future reports could include a short, more visual summary. It was agreed that a half yearly report was not required as more frequent communication was preferable. It was agreed that circulation should be as wide as possible from the Government down to Parish Councils and should also be included on the website. As a large part of Taunton is unparished it was suggested to communicate with community groups instead. TDBC can provide the contact details. There was a suggestion to send out the SRA website address with council tax bills.

As recommended, the SRA Board:

1. Approved the publication of the SRA End of Year Report 2017-18, with the proviso that an Executive Summary should be at the start of the document.
2. Approved the SRA Management Group recommendation that a 2018-19 Half Year Progress Report is not produced.

8. Q4 2017-18 FINANCE REPORT

The Board considered this report which provided an update on the SRA's financial position, as at the end of Quarter 4, 2017-18.

The Board were informed that the level of funds being raised and spent each year is closely aligned, indicating that the level of precept is well set for what the SRA is trying to achieve. It was confirmed that LEP Growth Deal 1 Fund money needs to be spent by the end of 2020/21 financial year.

It was stated that everything must be done to ensure that Growth Deal funding is utilised in the approved timescale.

As recommended, the SRA Board:

1. Noted the financial performance as at the end of Quarter 4 of 2017-18.
2. Approved the re-allocation of £39,384.81 remaining budget from completed actions to contingency.

9. IDB FUNDING – BANK WORKS

The Board considered a request to use enhanced maintenance project funds originally approved for IDB21 de-silting/dredging work to carry out bank restoration/improvement work on Decoy Rhyne. The proposed works are essential in order to undertake further works at a later date.

As recommended, the SRA Board:

Endorsed the use of current IDB21 funding to carry out localised repairs to Decoy Rhyne right bank.

10. PRECEPTING LEGISLATION

The Board considered this report that provided an update on progress towards securing the passing of legislation enabling the SRA to become a precepting authority.

The Board were informed that there will be another attempt at progressing the Bill on 15 June, 2018 and this will be reported on at the next meeting. Concern was raised about the likelihood of the Bill being passed using the current method and Members discussed how best to progress given the lack of success to date

As recommended, the SRA Board:

Noted the latest position in relation to progress of the Rivers Authorities and Land Drainage Bill. The Board also agreed, if the Bill does not get its Second Reading in the House of Commons on 15 June, to write to the Secretary of State at Defra to request a meeting with an SRA-led delegation of interested parties and seek further Government support for the Bill's progress.

11. MEMORANDUM OF UNDERSTANDING

The Board considered this report highlighting the issue that has arisen for non-funding SRA partners as a result of proposed changes to the MoU and the preferred approach to address this.

A question was asked about who is included in 'directly employed SRA Staff' in the revised wording. It was clarified that this relates to the 4 members of the SRA team who are funded from the SRA running costs approved directly by the Board.

As recommended, the SRA Board:

1. Noted the issue that has arisen as a result of the proposed change to the MoU.
2. Approved the changed wording which states: 'In the event of the Parties winding up the SRA all redundancy liabilities for directly employed SRA staff will, in the first instance, be met using remaining SRA funds. Should the SRA funds be insufficient then the funding partners (as set out in paragraph 2.4.1) will share the remaining liabilities across the funding partners in the same proportion as their annual contribution as at the start of that financial year.'

12. LEVELS AND MOORS FUTURE ELM PILOT

The Board considered this report which set out the case for being part of a Defra pilot project for developing a new Environmental Land Management scheme across the Somerset Levels and Moors. It was stated that the support of the SRA is important because it is consistent with the 2030 vision for the Levels and Moors which the SRA objectives are aligned to. Also, the SRA consists of the right partners to inform the development of a scheme which is right for Somerset and delivers multiple benefits

Some Board members expressed strong support for what is proposed and recognised the importance of being proactive in this.

Some members questioned whether this proposal was suitable for the SRA to be involved with. It was argued that this was stepping into an area of politics the SRA should not be involved in. Some Board Members proposed that the SRA should support the proposal but not lead on it. It was suggested that groups such as the NFU, CLA and Drainage Boards may be better placed to lead on this.

It was stated that in future agricultural and environmental payments will be part of the same system and this is an opportunity to shape this. The proposal is not only about environment or water level management but brings these issues together. The Board was reminded that there is currently £3.7m of national agri-environment funding shared out across the Levels and Moors and being part of this pilot will help shape how that money is distributed in the future. It's better to help shape a system so it works for the Levels and Moors rather than the other way round.

The Board asked whether there will be a cost to the SRA for the pilot. The Board was advised that the SRA is not being asked to put any staff time into the application for the pilot, only the credibility of the organisation. This is just an expression of interest stage.

As recommended, after a vote, the SRA Board:

1. Agreed to be part of developing a new Environmental Land Management scheme in the Somerset Levels.
2. Agreed to be involved in trialling and piloting how payments for land management on the Levels can be combined with flood risk management and nature delivery.
3. Agreed to provide advice regarding the content, signatory and recipient of a letter to Defra.

13. ANY OTHER BUSINESS (AOB)

The Chair shared an invitation from the Chair of SRA Scrutiny Panel to a Moorland Open Garden event on 30 June, 2018.

The meeting concluded at 12.30pm

Chair Signature:

Date: