

SOMERSET RIVERS AUTHORITY BOARD MEETING – 7 DECEMBER 2018

Minutes of the Somerset Rivers Authority Board meeting held at Mendip District Council's offices in Shepton Mallet on Friday 7 December 2018 at 10am.

PRESENT

Tony Bradford, Parrett IDB (Vice-Chairman)
Ray Adlam, Axe Brue IDB
Rachel Burden, EA (Substitute)
Cllr Norman Cavill, TDBC (Substitute)
Jeff Fear, Axe Brue IDB
Cllr Anne Fraser, SDC
Cllr David Hall, SCC
Matthew Heard, NE
David Jenkins, Wessex RFCC
Cllr Ric Pallister, SSDC
Ian Dyer, Parrett IDB
Cllr Brenda Maitland-Walker, WSC (Substitute)

IN ATTENDANCE

Doug Bamsey, SDC
Roger Burge, SDBC
Tim Burton, TDBC
Paula Hewitt, SCC
Rebecca Hall, SCC
Jonathan Hudston, SRA
David Mitchell, SRA
Cllr Mike Pullin, SCC
Iain Sturdy, SDBC

1. APOLOGIES:

Nick Gupta, EA
Cllr Anthony Trollope-Bellew, WSC
Martin Woods, SSDC
Mark Jones, NE
Cllr Tom Killen, MDC
Cllr John Williams, TDBC
Cllr John Osman, MDC (Chairman)

2. DECLARATIONS OF INTEREST

None.

3. MINUTES OF PREVIOUS MEETING 7 SEPTEMBER 2018

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

4. PUBLIC QUESTION TIME

There were no public questions.

5. UPDATE ON SMALLER PROJECTS

Paper taken as read, for information only.

6. LOCAL AUTHORITY RESTRUCTURE AND BOARD REPRESENTATION

With the pending merger between Taunton Deane Borough Council and West Somerset Council in May 2019, and with the councils currently having one representative each on the Board, David Mitchell (SRA Senior Manager) has reviewed the Constitution and MOU and recommends that the newly merged council only have one representative on the SRA Board.

If agreed, the Constitution and MOU will be amended and brought back to the Board in March 2019 to be reviewed.

As recommended, the SRA Board:

1. Noted that from May 2019 Taunton Deane Borough Council and West Somerset Council will formally become a single local authority – Somerset West and Taunton Council.
2. Approved a change to the SRA Constitution to remove reference to Taunton Deane Borough Council and West Somerset Council and create a single Board position to be filled by a representative from the new Somerset West and Taunton Council.

7. SRA ENHANCED PROGRAMME 2019/2020

Through the shadow precept the SRA delivers a programme of works for the whole of Somerset. A draft proposal for 2019/2020 programme has been shared with the SRA Board showing proposed projects with cost estimates.

33 proposals were received with a total estimated value of approximately £2.7m.

After assessing against SRA Flood Action Plan scoring criteria and a review by SRA Technical Group it was concluded that 5 of the 33 proposals would not be taken forward at this time. There are 5 feasibility studies included within the proposed programme.

Within several projects there was a degree of flexibility around the scale of the works, it was agreed to reduce the funding to these schemes to allow more projects to be taken forward. The final programme includes 28 of the original 33 proposals; the estimated cost of these is £1.7m.

A large proportion of schemes are countywide, and schemes carried out in one area often benefits another.

Ric Pallister stated that it was agreed on Day 1 of the SRA coming together that the overall benefit to Somerset is what's important as opposed to what may be happening in any given area each year.

It was agreed in future it was not necessary not to break down SRA spend by area for the purpose of agreeing the programme.

Ric Pallister questioned whether the ongoing maintenance of previous dredging work was being taken into account for future years. It was confirmed that it is.

It is proposed to set aside £1.057m from the 2019/20 precept to support the SOWY/KSD enhancement scheme. This is to meet the match funding commitment agreed with the Local Enterprise Partnership. In total, £2.15m match is required; £943,000 has already been set aside from previous years. The proposed allocation will fulfil the SRA commitment. Whilst funds could be set aside in future years, allocating it now gives certainty to the project team. It is important to note that is a one-off allocation and not an ongoing commitment.

With a lesser value of schemes put forward to the Enhanced Programme this year than in previous years it is possible, by also using £65k of contingency funds, to take forward the majority of individual proposals and meet the Sowy/KSD match funding commitment.

Ric Pallister asked for confirmation that we only had to spend the LEP funding by the deadline, not complete the project. It was confirmed that this was the case. The Board was assured that project teams were very conscious of the LEP deadline and considering contingency options should they be required.

Ray Adlam asked that in future years, money be set aside for works along the River Brue as degradation of the banks had been highlighted back in 2007.

It was asked if there could be an extension of the LEP funding timescale. It was confirmed that March 2021 is a firm deadline set by government.

As recommended, the SRA Board:

1. Provisionally approved the proposed 2019-20 Enhanced Programme as listed subject to final approval when funding is confirmed.
2. Approved the proposed level of funding - £1.057m to be set aside from the 2019-20 shadow precept to enable delivery of the agreed Sowy/Kings Sedgemoor Drain (KSD) Enhancement Scheme in 2019-20 and 2020-21.
3. Approved allocation of £65,000 from contingency to meet the Sowy/KSD public match funding requirement in the Heart of the SW Local Enterprise Partnership (HotSWLEP) Funding Agreement.

8. Q2 2018-2019 FINANCE REPORT

Rebecca Hall, SRA Finance Manager, advised that she had amended the format of the report to make it clearer. The revised report summarises the financial position at the beginning of the financial year for context. Table A shows a carry forward of just under £10m from 2017-2018, all of these funds are already committed to projects or contingency.

With the additional funding raised in 2018-19 there is just under £13m allocated to projects. The funds are split evenly between LEP and Local Partner Funding.

As of the end of Quarter 2 total funds paid to delivery partners is nearly £2m with an additional £1.7m committed by delivery partners. Forecast total spend by the end of 2018-19 is estimated at £5.3m.

At the beginning of Q2 £122,000 was held in contingency. Following completion of projects £42,000 is now to be reallocated to contingency. If approved total contingency available will be £164,000.

As recommended, the SRA Board:

1. Noted the financial performance as at the end of Quarter 2 of 2018-19.
2. Approved the reallocation of £41,864.66 remaining budget from completed actions to be transferred to contingency

9. KEY PROJECT UPDATES

9A. BRIDGWATER TIDAL BARRIER

Paper taken as read.

Cllr Ann Fraser noted that the meeting of stakeholders on 6 December was very well attended.

David Jenkins stated that Sedgemoor District Council and the Environment Agency should be commended for the way their public meetings are being run.

Ric Pallister asked if the cost/benefit ratio was known compared to other areas of the country. Rachel Burden confirmed a cost-benefit ratio of 13 for the BTB which is very positive.

As recommended, the SRA Board noted:

1. Work to finalise the scheme proposals and estimate.
2. Work to secure assurance of the Outline Business Case from Environment Agency /Defra/HM Treasury.
3. Acquisition of Heron Court, Express Park.
4. Further ground investigations for the downstream defences and barrier.
5. Continued consultation with landowners.
6. Consultation with stakeholders and public in December.
7. Sedgemoor District Council's Housing Infrastructure Fund bid and investigations to secure additional funding.

9B. TAUNTON STRATEGIC FLOOD ALLEVIATION IMPROVEMENTS SCHEME

Tim Burton of Taunton Deane Borough Council stated that the modelling work at Bradford-on-Tone has continued, the outcomes are giving confidence that the benefits required are achievable.

Cost for delivering the larger scheme at Bradford on Tone is significant and a funding package is not yet in place. As part of scheme development some potential shorter-term interventions have been identified and there is confidence that these could be delivered late 2019. Further work is being undertaken to identify which interventions to take forward and in what order. The intention is to consult on these proposals early in 2019.

As recommended, the SRA Board noted:

The contents of the report, including the revised scope of the Taunton Strategic Flood Alleviation Improvement Scheme for Phase 2 and considered this as an appropriate basis for continued joint project working.

9C. OATH TO BURROWBRIDGE PIONEER DREDGE

Paper taken as read.

Iain Sturdy said that the paper has been a collaboration between the SRA partners over several weeks and he would like to offer his thanks to everyone who helped put the paper together. Stating that the paper provides a sensible and measured approach to promoting the delivery of a full Oath-Burrowbridge Dredge.

The paper is explicit for the need to consult with others who may be affected by the proposed works. The paper is also explicit about provision of other works required as part of the 20 Year Flood Action Plan which will provide further benefits in the areas affected by the dredge.

Aim is to undertake works in Autumn 2019 which will take 3 or 4 months.

The Environment Agency has offered to review trigger points and consider temporary extra pumping capabilities, subject to additional SRA funding being available, to mitigate some of the impacts of the proposals. The Board was asked to support, in principle, subject to more detail on costs that the SRA could fund the necessary extra pumping.

David Hall stated that it is important the project moves forward and, in principle, he was comfortable that the SRA could fund the extra pumping.

Rachel Burden reiterated that the Environment Agency are fully supportive of the recommendation. Working closely with the IDB has provided reassurance that points previously raised by the EA (e.g. Water Level Management Plans, consultation, permanent mitigation) would be addressed. It was requested that in future board updates report on progress towards addressing these issues as it will provide necessary reassurance to the Board.

Ric Pallister would like it agreed that the baseline level this project is judged against is set at the 2013-14 event levels and the benefits/dis-benefits of works are measured from that point.

Rachel Burden supported this approach. Need to be aware of sensitivities and wellbeing of the residents who were affected by the 2013/14 floods and who have seen a large benefit from works to date who may see a reduction in that benefit.

The Chair also noted that the briefing held regarding the scheme was very well attended and necessary to provide a recommendation to the Board. The Chair encouraged officers to address any future issues in a similar way.

As recommended, the SRA Board:

Approved the delivery of a full Oath to Burrowbridge pioneer dredging scheme, aiming to commence dredging in autumn 2019.

Two further recommendations were made at the meeting, and unanimously approved.

1. The SRA Board agreed in principle that the SRA would fund temporary additional Environment Agency pumping required to support this scheme (subject to more information on costs).
2. The SRA Board agreed that the flood risk baseline used for assessing the impacts of this scheme should be that pertaining before the 2013-14 floods. (Note: This is to enable a clear picture of the effects of all actions carried out as part of Somerset's 20 Year Flood Action Plan. The Flood Action Plan was drawn up in response to the 2013-14 floods).

9D. SOWY/KING'S SEDGEMOOR DRAIN ENHANCEMENT PROGRAMME

Paper taken as read.

Rachel Burden of the Environment Agency stated good progress had been made since the last meeting, localised dredging had been completed. Further design work for phase 1 of the in-channel enhancements is well underway.

A risk to project delivery is the need to revise some Water Level Management Plans in order that the enhanced Sowey / KSD can be fully operated. Revision of the plans are reliant upon the support of the Internal Drainage Board to liaise with their members and as ultimate 'owners' of the plans.

It is very positive that the intention to deliver a full Oath to Burrowbridge dredge has received Board support. The EA will also be looking to the Board Members for support to overcome any potential blockers in relation to the Sowey / KSD scheme to ensure delivery within the LEP timeframe.

A question was asked whether Water Level Management Plans (WLMPs) were to be revised prior to the scheme commencing or if an undertaking to complete them afterwards was sufficient. It was confirmed that this should be completed in advance of the scheme being delivered as different operating protocols will be required to operate the new scheme.

Concern was raised about the amount of time required to update WLMPs.

Matt Heard of Natural England agreed that it would require a significant amount of effort from Natural England, the Drainage Board and Environment Agency to complete this quickly. However, the legislation is clear that mitigation should be in place in advance of the scheme. In order to operate the system differently agreement with landowners needs to be in place.

Ray Adlam stated that he felt landowners would be more supportive of changes required now that the Oath to Burrowbridge dredge is moving forward.

The Chairman recommended the IDB, Natural England and the EA should have a meeting to discuss this and agree exactly what is required by when.

As recommended, the SRA Board:

1. Noted the completion of the de-silting work at Parchey and Dunball rail bridges
2. Noted and supported the development of design for further enhancement of the Sowey-KSD system

9E. STRATEGIC APPROACH TO MITIGATION

Verbal update from Matt Heard, Natural England.

Progress is being made. There have been several discussions with the IDB and partners in the environment sector to develop a number of project enabling products which should be ready for sign-off soon.

Now have clarity on a 5 year dredging maintenance licence which will clear the environmental permissions required; strategic water vole licence so that is no longer a challenge; and, rewriting and agreeing the conservation objectives of the protected sites on the levels so that there is no longer debate about what we are trying to achieve. A series of products are being developed which will enable decisions to be taken with confidence and certainty in the future.

Ray Adlam requested that the whole of the Levels and Moors is considered in this work given the various challenges we can expect to see in future such as climate change and demographic changes.

9F. RIVER BRUE

(Ray Adlam, Axe-Brue IDB declared a personal interest in this item by virtue of living close to the River Brue).

Verbal update from Iain Sturdy, IDB.

The IDB has become increasingly uncomfortable in recent weeks about their ability, due to experience to date, to deliver desilting and other works in the Brue catchment within the timescale required of Local Enterprise Funding (LEP). Failure to fully deliver a scheme on time could result in a financial risk to the IDB in case of 'claw back' of LEP funds.

The IDB attempted to take forward a whole catchment approach to facilitate the desilting works on the River Brue but have been unable to find a consensus on whether a legally compliant dredging scheme could be brought forward.

As a result of the above the issue was discussed at the recent Axe Brue Drainage Board Meeting and it was concluded that as a small organisation with limited financial resources the risks associated with the project were too great. A resolution was taken to withdraw from leading the SRA Brue plan, but to continue as stakeholders to actively promote a dredge of the River Brue.

Environment Agency and Natural England stated that it was too early to say whether as regulatory bodies they would have consented to these works as a scheme was never presented for assessment; it was emphasised that they have not rejected any proposals for desilting on the River Brue. It was recommended that dredging should be part of a wider strategy for the Brue.

The Chairman requested that key officers from the IDB, EA and Natural England meet to discuss options for delivering projects in the Brue catchment.

Environment Agency stated that they are not in a position to take on responsibility for delivering dredging on the River Brue.

10. RE-ALLOCATION OF FUNDS – ENVIRONMENT AGENCY PROJECTS

The Environment Agency asked that the underspend from the River Avill scheme is redirected to the Pumping Station Improvement Scheme due to more complex construction methods being required.

The money would be used in this financial year.

As recommended the SRA Board:

Approved the re-allocation of £20k underspend from EA14 (River Avill Flood Relief Channel Repairs) to EA06 (Pumping Station Improvements).

11. FLOOD ACTION PLAN REVIEW

Significant work is required over the coming months with partners and stakeholders to review the Flood Action Plan (FAP).

The enhanced programme schemes approved by the Board are guided by the Flood Action Plan and its aims and objectives, and now is the right time to review the plan.

Thought should be given to whether the aims and objectives are still the correct ones and views will be sought from the partners and stakeholders. Time to review the list of projects and consider whether any that have not yet been delivered are still the right projects to take forward. Government Policies and Brexit need to be taken into consideration as significant change on the horizon

Phase 1 of the review will take 2-3 months of consultation with SRA partners and stakeholders and the findings will be shared with the Board before moving onto Phase 2.

The full process will take around 12 months. The Board will be updated with progress.

This was supported by Ann Fraser and Rachel Burden.

As recommended the SRA Board:

Notes progress to date with reviewing the Somerset Flood Action Plan and to approve the next steps for updating the Plan.

12. PRECEPTING LEGISLATION

No significant progress. David Warburton MP continues to lobby Defra Ministers to move this forward.

12. ANY OTHER BUSINESS

None.