

**Draft minutes of the
Somerset Rivers Authority (SRA) Board Meeting
held 10.00 – 12.00pm, Friday 4 March 2022
at The Canalside, Marsh Lane, Bridgwater, Somerset, TA6 6LQ**

Members of SRA Board:

Cllr David Hall – *Chair*, Somerset County Council (SCC)
Tony Bradford - *Vice-Chair*, Parrett Internal Drainage Board (IDB)
Emma Baker, Environment Agency (EA)
Cllr Mike Caswell, Sedgemoor District Council (SDC)
Cllr Dixie Darch, Somerset West & Taunton Council (SWTC)
David Jenkins, Wessex Regional Flood & Coastal Committee
Cllr Matt Martin, Mendip District Council (MDC)
Claire Newill, Natural England
Cllr Mike Stanton, South Somerset District Council (SSDC)

In Attendance:

Doug Bamsey, SDC
Dr Rachel Burden, EA
Gary Cutts, EA
Michele Cusack, SCC
Jonathan Hudston, SRA
Katy Menday, SSDC
David Mitchell, SRA
Jonathan Stevens, SWTC
Iain Sturdy, Somerset Drainage Boards Consortium
Ian Tier, SCC

Minutes:

Jennie Channing, SRA

Apologies

Jeff Fear, Axe Brue IDB
Rebecca Horsington, Parrett IDB
Garfield Kennedy, MDC

1. APOLOGIES FOR ABSENCE

David Mitchell, SRA Senior Manager, reported apologies from Board Members Maurice Wall, Jeff Fear and Rebecca Horsington and from officer Haylee Wilkins.

2. DELARATION OF INTEREST

None.

3. MINUTES OF PREVIOUS MEETING HELD ON 10 DECEMBER 2021

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

4. PUBLIC QUESTION TIME.

Steve Mewes, Somerset Wildlife Trust asked Board Members how they planned to integrate the Local Nature Recovery Strategy and climate adaptation into the Flood Action Plan (FAP) review.

- David Mitchell, SRA Senior Manager, thanked Mr Mewes for his question and explained that the SRA Technical Group and other stakeholders would be included in the Flood Action Plan review. If there was a need for a specific action to make sure that Nature Recovery Strategy work is linked with FAP review work he would be happy to speak with Mr Mewes outside of the meeting.
- Michele Cusack, Somerset County Council, explained that a letter had been written to the Department for Environment, Food & Rural Affairs (Defra) stating that Somerset County Council would be the lead body and lead partner for delivery of the Local Nature Recovery Strategy. She confirmed that all partners with an interest in local nature recovery would be included in all discussions with the Local Nature Partnership.

5. SIGNING OF THE LOCAL MEMORANDUM OF UNDERSTANDING AND CONSTITUTION

Mr Mitchell explained that the Memorandum of Understanding (MoU) and Constitution was refreshed at the end of each year, ready for the next financial year. He said that minor changes had been made, including updating names of participants and dates. All Board members who were present, other than the Chair, signed the MoU. Cllr Hall said that he was unable to sign the MoU until after the Somerset County Council (SCC) Cabinet meeting on 16 March. On 16 March, SCC as host authority for the SRA, would take a formal decision to confirm that SRA funding was available for the next financial year and would also approve Cllr Hall signing the MoU on behalf of SCC.

Points raised:

- David Jenkins raised a query about the position of the Somerset Rivers Authority following the completion of the local government review process. Mr Jenkins requested that a progress report on planning for the SRA to operate under the new local government arrangements in Somerset should be brought to the Wessex Regional Flood and Coastal Committee at an appropriate time.
- Cllr Hall reiterated that Somerset County Council was fully committed to the SRA and did not anticipate any significant change post-unitary. Cllr Hall explained that there were steps that would have to be gone through to ensure

that the SRA would continue to be hosted by the new council and once elections on 5 May were completed the transition process would start.

6. FLOOD ACTION PLAN REVIEW

Mr Mitchell shared a presentation to the Board that outlined the plan for the upcoming Flood Action Plan Review workshops. He said consultancy firm WSP was helping with the project and was currently getting up to speed with the task and making detailed plans for engagement with the Board and stakeholders. Mr Mitchell explained that Jennie Channing, SRA Administrator, had been trying to identify a date that all Board members would be available on and he asked if a full day workshop on Tuesday 5 April would work for everyone. All Board members were happy with this date. Mr Mitchell added that as well as workshops with the Board there would be stakeholder workshops and public engagement. The project timeline envisaged an early draft of a revised plan being presented at the September Board meeting, a well-developed draft being presented at the December 2022 Board meeting, then the target for final sign-off was the March 2023 Board meeting.

Points raised:

- Emma Baker, Environment Agency, said that this was still being referred to as a Flood Action Plan but at the workshop last August she thought it had been agreed that the Board should revisit whether it should still be a flood action plan given it is more about resilience and adaptation now.
- Mr Mitchell said that this could be included as a discussion item at the workshop.
- Tony Bradford, Parrett Internal Drainage Board, stated that when the Flood Action Plan was written in 2014, tackling that flooding was the only item on the agenda. However, since then there are many other approaches to addressing flooding that must be embraced and this should be reflected in what we name the new 'plan'.
- The Chair stated that the points raised emphasised the need for the workshop on 5 April to discuss what would need to be achieved going forward.

7. SCRUTINY PANEL RECOMMENDATIONS

Mr Mitchell took his paper as read and said that the meeting held on 28 January 2022 was constructive. He noted that the Scrutiny Panel was always supportive of the Somerset Rivers Authority. He said that particular discussion arose on the issue of riparian responsibility. The Panel made a specific recommendation to the Board that they should attempt to raise awareness of riparian responsibilities and encourage riparian owners to undertake appropriate maintenance of their watercourses. Mr Mitchell asked how the Board would like to respond.

Points raised:

- The Chair said that this demonstrated how much of a hot topic riparian ownership is. He suggested that a short piece could be included in the next Your Somerset publication as an initial step in raising awareness. Your Somerset goes to every house in Somerset.
- Cllr Dixie Darch, Somerset West and Taunton Council, welcomed this recommendation. She said that there was not only confusion from riparian owners regarding their responsibilities but also confusion from the general public about responsibilities in relation to flooding and watercourse maintenance. She said that there is also tension around the balance between protecting ecology and managing flood risk.
- David Jenkins, Wessex Regional Flood & Coastal Committee, agreed that this issue needed to be made clearer, particularly that riparian owners cannot simply look to officials to sort issues. It is not clear legally what riparian responsibilities actually are. He explained that the National Infrastructure Commission and the Law Commission are on to this and are investigating who is responsible for what in terms of water management. Defra – at the highest level – now recognised this matter must be addressed. Defra had recently launched a study investigating watercourse maintenance responsibilities. He noted that the speed of progress on the study may be slow.
- The Chair endorsed the recommendation made by the Scrutiny Panel and said that this issue will not go away.
- Mr Bradford asked when the responsibility for watercourse maintenance was handed from the Council to the riparian owner. He noted that if it is down to the riparian owner then it needs to be made easier and the system made simpler as he experiences lots of bureaucracy when trying to maintain rivers on his own land.
- Cllr Stanton, South Somerset District Council, stated that the issue had to be dis-aggregated a bit. He explained that there are lots of different riparian owners and the issues on a farmer's land are very different to those on a new housing development. There is the need to help people understand the issue but also you need a willingness of the property owner to take action. Ultimately there is a need to take enforcement action where necessary.
- The Chair said that caution needs to be taken to ensure that Somerset Rivers Authority is not expected to be the enforcement agency in relation to riparian matters as we do not have powers to do that.

- Cllr Mike Caswell, Sedgemoor District Council, noted that damage is being done to the highway verges and ditches by large tractors as well as lorries and vans using the narrow roads.

As recommended, the SRA Board:

1. Noted the update of the recent SRA Joint Scrutiny Panel meeting.
2. Responded to the recommendation made by the Panel in relation to riparian responsibilities by agreeing to place an article in Your Somerset raising awareness about riparian responsibilities.

8. KEY PROJECT UPDATES

8a. BRIDGWATER TIDAL BARRIER

Dr Rachel Burden, Environment Agency, took her paper as read. She explained that on 19 January the Secretary of State at Defra had approved the TWAO (Transport and Works Act Order) providing legal powers to construct and operate a Bridgwater Tidal Barrier. This decision and order included the Barrier itself, the upstream and downstream defences and the fish pass improvement works. Dr Burden said that the project team expected the powers in the Order to be made available in the next month. The powers would come with a complex set of planning conditions.

Dr Burden explained that, throughout the summer, contractors Keir would be working on a detailed design. Enabling works, such as the access track, would start later in the year. The main construction works would start in early 2023 with the river bypass channel. She said that that following the current programme, the Barrier would be operational by 2026. After this date there would still be finishing off work taking place.

Points raised:

- The Chair asked whether funding had been approved.
- Dr Burden confirmed that the Treasury had approved the business case as meeting value for money requirements. The Environment Agency has funding for the barrier within its future funding allocation from government. Doug Bamsey, Sedgemoor District Council (SDC), added that SDC have some of the local partnership funding in place but there is still more funding to be secured. SDC is confident that this funding will be secured.
- The Chair noted that in his role as a trustee of the Heritage Trust he wanted to say how pleased the Trust is with the work that has been done with the Brick and Tile Museum to share information about the archaeological work that has taken place as part of the Barrier project

- Mr Bradford said that everyone involved in the project should be congratulated for a lot of hard work. He asked whether there would be any possible delays due to archaeology found.
- Dr Burden said that by doing advanced archaeological investigations the risk of delay has been mitigated. She noted that a higher archaeological risk is linked to the River Sowey-KSD project.
- David Jenkins confirmed that the bulk of the funding, Defra money allocated through the Environment Agency, is in place in the Environment Agency's six year programme. The Environment Agency's programme had been approved by the Wessex Regional Flood and Coastal Committee. Mr Jenkins endorsed Mr Bradford's point that it was a considerable achievement to get to this stage.
- The Chair thoroughly endorsed this. He was delighted to see this project moving forward.

There was no recommendation for this item.

8b. RIVER SOWEY- KING'S SEDGEMOOR DRAIN ENHANCEMENTS SCHEME.

Gary Cutts, Environment Agency, took his paper as read. He explained that the SRA Board had previously approved phase one of the scheme which comprised raising low spots in the banks, forming new banks where they don't exist at present, some excavation to the riverbanks and upgrade works to outfall structures on the side streams. He said that there had been works completed and further works were planned to start in the coming weeks. Mr Cutts explained that the biggest risk to the delivery of the works remained the material shortage and scarcity of skilled drivers. Mr Cutts noted that the recommendation requesting an additional £200k was required for design and preparation works to complete Phase 1 of the scheme. He said that the recent increased cost of materials and fuel was driving costs up.

Points raised:

- Cllr Stanton pointed out the recommendation in the paper was 'to note' but actually the Board is being asked to approve funding under 1 item so the recommendation should be changed to reflect this.
- Mr Mitchell explained that if the Board approved the recommendation of additional budget then this would become available immediately as there is sufficient funds in contingency.
- Dr Burden said that the 3 structures that were not originally included in phase 1 of the scheme, require additional budget up to £200k to complete investigations and detailed design work. The proposal would then be to come back to the Board with the detailed design and the cost so the Board can

decide whether to fund these works., She said that the Environment Agency would also need to consider where it was with the delivery of its capital programme and what capacity it had to undertake the works.

- Iain Sturdy, Somerset Drainage Boards Consortium, said that these structures were originally identified as part of a group of structures needing improvements in as part of the Sowy scheme. He explained that it had always been accepted that the structures needed improving to prevent the backflow of the higher water level and had always been in the scope of the project. Mr Sturdy said that what was agreed is that these works could take place towards the end of phase 1. The IDB view is that if these works are not taken forward as part of this phase then the scheme cannot operate as planned.
- Ms Baker thanked Mr Sturdy for the clarification. She explained that it would come down to two things. One, is cost the Board would need to decide whether this is what they wish to do with it's funding. And two, where is limited Environment Agency staff resource best used; the EA is having to juggle limited staff resources. She also explained that it was a very volatile market and costs are increasing weekly and she wanted the Board to be aware of this.
- Mr Bradford said that the three additional structures were included in the original scheme and this is why the IDB supported it. Mr Bradford questioned why costs are so high even just for design as the work seems quite simple.
- Cllr Stanton asked if there is an estimate of the costs for the construction of the three outfalls.
- Dr Burden explained that they are working in a volatile market and costs are going up daily. She was therefore unable to give an exact figure. She noted that the best estimate for these works would be up to £750k. Dr Burden stated the project is more complicated than just installing three pipes.
- Cllr Darch observed that costs would likely continue to escalate, including consultant fees. She thought the Environment Agency should go ahead with the preparatory work to see what is involved and what options there are for doing it as cost effectively as possible.
- The Chair noted that there were differences in opinion on what is required and there needed to be a way forward. He asked officers if this was covered by the recommendation or did the wording need to be changed to include this.
- Mr Mitchell agreed with the Chair that the wording of the recommendation should be changed. Mr Mitchell suggested the wording should be changed to. The Board is asked to note recommendations 1 and 3 and to approve item 2.

- Ms Baker confirmed that the Environment Agency will take the points raised away and bring back costs to the SRA Board for them to take an informed decision on next steps.
- Cllr Matt Martin, Mendip District Council, noted that the issue of finding skilled plant drivers for construction projects is on going and growing issue and asked if there is anything the SRA can do to help tackle the issue locally? Training up local people for example.
- The Chair agreed that this is a serious issue but is probably beyond the scope of the SRA Board remit.

As recommended, the SRA Board:

1. Noted the outstanding channel works that were originally planned for Autumn 2021 had been re-programmed, with further enabling worked planned before the bank-raising window during August to October 2022.
2. Approved additional budget (up to £200k) to progress the 'design and preparation' of three additional outfalls to Phase 1, downstream of the channel works, to prevent any backflow into the moor as a result of the channel enhancements.
3. Noted that lack of skilled plant drivers and staff shortages from illness remained a risk to works delivery.

9. QUARTER 3 2021-22 SRA FINANCE REPORT

Ian Tier, SRA Finance Manager, took his paper as read. He outlined the SRA's financial position at the end of Quarter 3. £1.84million of the £10.388 million that the SRA had available was spent in the first three quarters of 2021-22, a further £1.6million was forecast to be spent in the remaining quarter, with a balance of £6.97million to be spent in 2022-23 onwards. Mr Tier summarised the spend between different workstreams. In Workstream 1 (Dredging & River Management) included £300,000 spent on Bridgwater Tidal Barrier; Workstream 2 (Land Management) included £99,000 on Hills to Levels land management and natural flood management and £39,000 on Trees for Water; and Workstream 4 (Resilient Infrastructure) included £41,000 on silt traps in Chard and Barrington.

Mr Tier highlighted the spend profile. He explained the forecast position against the current position, saying that at the beginning of the financial year it was estimated that £3.99million would be spent into 2022-23, this had now increased to £6.97million. This shows that projects are being delayed and spend pushed to later periods.

Points raised:

- Cllr Stanton asked about the £41,000 spent on silt traps in Chard and Barrington. He asked if this funding was for implementation of silt traps and if these were at one of the locations affected by the flooding event in Chard in 2021. Cllr Stanton believes that assessment work for silt traps was undertaken but no work was actually completed.
- Caroline Dunn, Somerset Rivers Authority, confirmed that Barrington silt traps were completed in October 2020 and Chard was completed in April 2020. Mr Mitchell said that he would need to check exact locations against the flooding locations and come back to Cllr Stanton.
- Cllr Stanton said that there will be further works required to address the causes of the Chard flooding, the Board have already heard about calls being made on contingency, so he is worried about SRA cash flow to achieve what needs to be achieved in the future.
- Mr Mitchell explained that the issue of budget and contingency will be considered under Item 10.
- The Chair said that it is important to remind everyone that the SRA is about additionality and whilst Cllr Stanton's are valid it is important that projects are assessed as to whether they come under the remit of the SRA first.
- Mr Tier asked the Board to note the movements to and from contingency as set out in the paper.
- Mr Bradford said that dredging on the River Parrett had been successfully completed in January 2022. He noted that there was one year left on the current contract for dredging. He wanted to ensure the SRA starts budgeting now for this maintenance dredge to continue in future years.
- Dr Burden agreed that maintenance dredging needed to continue, in particular on the 8km stretch completed in 2013-14. She said that her understanding is that a condition of Defra's £10m funding in 2014 was that its future maintenance would be funded by the SRA.
- Mr Mitchell confirmed that maintenance dredging can be included in the planning cycle ext budget planning which is set to start in August, a draft presented to the Board in December for final sign-off March 2023.

As recommended, the SRA Board:

1. Noted the financial performance as at the end of Quarter Three of 2021-22
2. Approved the re-allocation of contingency as per part two.

10. 2022-23 ENHANCED PROGRAMME AND BUDGET

Mr Mitchell took his paper as read. He explained that 16 proposals had been approved at the December SRA Board meeting and an additional five added to the list since then. He noted that this was the eighth year of the enhanced programme and approximately 199 proposals had been supported by the SRA so far. He said the shadow precept for 2022-23 would be around £2.96million, funds had been approved at various council budget setting meetings in February, the Axe Brue and Parrett Internal Drainage Boards also gave £10,000 each. Additionally, there was £888,000 of contingency, giving a total amount of £3.848 million for the 2022-23 SRA enhanced programme, running costs and contingency.

Mr Mitchell said that since December there had been some movements to and from contingency for various projects so there was not as much funding in contingency as estimated when the draft budget was approved in December.

As recommended, the SRA Board:

1. Reviewed, commented on and approved the proposed 2022-23 Enhanced Programme.

10b 2022-23 BUDGET

As recommended, the SRA Board:

1. Approved the proposed SRA 2022-23 Budget.

11 ANY OTHER BUSINESS (AOB)

Claire Newill, Natural England (NE), said that NE was soon to announce a Super National Nature Reserve (NNR) for Somerset. The Super NNR will combine existing National Nature Reserves which will result in it being the third largest nature reserve in England. It would benefit nature and the community. She hoped it would be formally publicly declared in May.

- The Chair said that this was a positive step forward.
- Cllr Darch agreed it was wonderful news, she said it was great to see more space being made for nature.

Caroline Dunn shared information about an SRA-funded film produced in partnership with Somerset Film. She said 'Down by the River' was being shown at various venues across Somerset and tickets could be booked on Eventbrite.

- The Chair said that this was a fabulous piece of work.

12. PAPERS TO NOTE

12a. Brue Schemes

No points were raised.

12b. Strategic Approach to Mitigation

No points were raised.

12c. Taunton Strategic Flood Alleviation

No points were raised.

12d. Parrett Dredge and Sowey KSD Mitigation Action Plan

No points were raised

The Chair thanked the Board for attending in person.

The meeting closed at 12.00pm