

**Minutes of the
Somerset Rivers Authority (SRA) Board Meeting
held on Friday 17 March 2023
at Junction 24, Market Way, North Petherton, TA6 6DF**

Members of SRA Board:

Cllr Mike Stanton - *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)
Richard Wilkins, Somerset County Council (SCC)
Cllr Andrew Gilling, Axe Brue IDB
Trevor Whitcombe, Axe Brue IDB
Rebecca Horsington, Parrett IDB
David Jenkins, Wessex Regional Flood & Coastal Committee
Cllr Matt Martin, Mendip District Council
Claire Newill, Natural England

In Attendance:

Doug Bamsey, SDC
Michele Cusack, SCC
David Mitchell, SRA
Iain Sturdy, Somerset Drainage Boards Consortium
Iain Tier, SCC

Apologies:

Jeff Fear, Axe Brue IDB
Cllr Sarah Dyke, South Somerset District Council (SSDC)
Dr Rachel Burden, EA
Donna Gowler, Natural England
Haylee Wilkins, MDC
Peter Paddon, SSDC
Jonathan Stevens, SWTC
Dave Coles, SDC

The Somerset Rivers Authority (SRA) Chair Cllr Mike Stanton (Somerset County Council) began the meeting by welcoming members of the SRA Board and thanking them for their attendance.

The Chair said it was nine years since the floods of 2014 that had brought Somerset Rivers Authority into existence. He reflected on how far the SRA had come since then and on what the SRA had done across Somerset. He thanked everyone for their work over the past months on the Sowey - King's Sedgemoor Drain and the Flood Action Plan.

ITEM 1. APOLOGIES FOR ABSENCE

David Mitchell, SRA Senior Manager, reported apologies from Board members Jeff Fear (Axe Brue IDB) and Cllr Sarah Dyke (South Somerset District Council) and from officers Dr Rachel Burden (Environment Agency), Donna Gowler (Natural England), Haylee Wilkins (Mendip District Council), Peter Paddon (South Somerset District Council) Jonathan Stevens (Somerset West & Taunton Council) and Dave Coles (Sedgemoor District Council).

ITEM 2. DECLARATIONS OF INTEREST

SRA Vice-Chair Tony Bradford (Parrett Internal Drainage Board – IDB) declared that he owns land adjacent to the King’s Sedgemoor Drain.

ITEM 3. MINUTES OF PREVIOUS MEETING 3 MARCH 2023

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

Tony Bradford asked for an item to be added to the next Board’s meeting agenda about payment for storing water on flood plains. Mr Bradford said he was not concerned about grants being paid for water storage but he was concerned about water being stored in the most appropriate places.

ITEM 4. PUBLIC QUESTION TIME

There were no public questions.

ITEM 5. KEY PROJECT UPDATE: River Sowy – King’s Sedgemoor Drain Enhancements Scheme (Phase 1)

David Mitchell took his paper as read. He explained that much of it was a reiteration of the paper sent to Board members for their meeting on 3 March.

Recommendations at that meeting were:

1. Decide if the Board wishes to complete Phase 1.
2. Note the estimated costs of the remaining unfunded works to complete Phase 1 and approve allocation of up to £1.35m by 31 March 2023.
3. The Board is asked to approve £107k for the further design modifications for Level Rhyne Outfall and KSD Back Ditch Outfall. The Board is also asked to approve £180k for Chedzoy Tilting Weir which is not currently funded.
4. Commit to putting in place a risk sharing agreement by 31 March 2023.
5. Decide if the Board wish the Environment Agency to deliver the remaining works. The Environment Agency will need to know this by 31 March 2023.

Mr Mitchell said that recommendations 1, 3 and 4 were agreed by the Board on 3 March. Under recommendation 1 the Board confirmed that Phase 1 works should be completed but costs and risks needed to be better understood before proceeding. Recommendations 2 and 5) were not taken or addressed as these items required further investigation by officers to try and overcome concerns about financial risks and which organisation would be liable for any project cost increases. The Board agreed on 3 March to consider items 2 and 5 at a later meeting.

Mr Mitchell said that at the 3 March Board meeting a recommendation was made to the Board to approve £1.35 million for completing bank raising on the King's Sedgemoor Drain (KSD), within which figure £450,000 was included to cover potential risks. He added that the Environment Agency, as the organisation delivering the project, was seeking a risk-sharing agreement prior to undertaking any further works. He advised the Board that the SRA did not have £1.35 million available in contingency to fund this work.

Mr Mitchell reminded the Board that since March 2022, the costs of this project had increased by £1.8 million. He said that pausing the project would be the best option to give time to investigate whether there was a more cost-effective way to finish the outstanding work. This would result in a minimum 12-month pause on further work because it would not be possible to undertake all necessary steps to get on site by September 2023.

Despite people's best endeavours, Mr Mitchell said it had not been possible to come to an agreement on risk sharing between the Environment Agency and Somerset Council (as the host authority for the SRA) because it had not been possible to quantify what the upper limit of the financial risk might be. As result of this, and a desire to investigate whether the work could be delivered at lower cost, Mr Mitchell recommended that bank raising work on the KSD should be paused.

Points raised:

Richard Wilkins, Somerset County Council, asked how many contractors this project would be tendered to. Mr Mitchell advised that the SRA did not deliver projects, projects are delivered by partners. Mr Mitchell said that he would be seeking advice from the Somerset Council procurement team on how best to approach contractors.

David Jenkins, Wessex Regional Flood and Coastal Committee, said that he understood the Environment Agency was not prepared to take all of the risk on this project and Somerset County Council was not prepared to take a share of the unquantified risk. There appeared to be no alternative to a pause. Mr Jenkins noted, however, that he felt some unease about this. He wondered if there would ever be a better opportunity than now to complete the work, and realistically if there would be any other option than for the Environment Agency to manage the work through their contract arrangements. He was concerned that delaying the project might increase costs.

The Chair noted that county councillors had a responsibility to account for the SRA funding that is raised from across the whole of Somerset through Council Tax. He hoped that with inflation dropping, contractors' costs would also decrease.

Tony Bradford endorsed Mr Mitchell's points. He believed that when the SRA was formed it was to do capital works, and that money could be allocated as the SRA saw fit. Mr Bradford said that he understood that Somerset County Council did provide the majority of the SRA's funding, with district councils and Drainage Boards providing the rest. However, now it had come to light that Somerset County Council had overarching approval of the spending of SRA funding, Mr Bradford felt as if he had been somewhat misinformed about some aspects of the situation.

In reply, the Chair said that he had checked the SRA's Memorandum of Understanding before the meeting and it was specified in the MoU that Somerset County Council had overarching approval.

Cllr Dixie Darch, Somerset West and Taunton Council, said that this was just a pause in the project. She said that organisations were working in a very uncertain environment which could cause difficulties with costs. Cllr Darch agreed there might be risks with pausing this project and there might be opportunities missed but if inflation came down it could be a good move.

Rebecca Horsington, Parrett IDB, did not agree with a pause. She was concerned that if there was another flooding event it could be more costly to the county than the £1.35 million being requested by the Environment Agency. She added that she was disappointed that the funding had not been spent more wisely.

The Chair moved matters to a vote.

The SRA Board agreed to pause further work on Phase 1 of the Sowy-King's Sedgemoor Drain Enhancements Scheme whilst options to deliver the project at lower risk and lower cost are explored.

Six Board members approved this recommendation, four were against.

The SRA Board also agreed that all SRA partner organisations should continue to work together to take the steps necessary to complete Phase 1 works.

ITEM 6. SRA ENHANCED PROGRAMME DEVELOPMENT 2024-2025

David Mitchell took his paper as read. He said it had been on the agenda at the previous meeting but was postponed for lack of time on the day. The paper was about opening the SRA's Enhanced Programme grant proposal process to new organisations, other than just SRA partners, so that they could apply for SRA funding.

Points raised:

Tony Bradford believed that the SRA should be saving every pound it could and not opening up its Enhanced Programme process to new organisations at this time.

Cllr Mike Caswell, Sedgemoor District Council, strongly disagreed. He thought that any opportunity to increase works done by the SRA should be welcomed.

Cllr Darch thought proper scrutiny would be key to this, especially with SRA Technical Group members applying their expertise accordingly.

Trevor Whitcombe, a substitute member for the Axe Brue IDB, doubted the case for making this change at this time given there has just been a debate amount funding and not having enough funding to do work on the KSD. He thinks that the funding should be given to the partners to complete the work .

David Mitchell said that SRA partners were reporting challenges around staff resourcing, and preparing funding proposals. As the SRA could only work with proposals submitted to it, he thought having more proposals could benefit Somerset.

Iain Sturdy, Somerset Drainage Boards Consortium, expressed concerns about the SRA inviting projects from organisations that were not expert in flooding and might not deliver SRA objectives.

Doug Bamsey, Sedgemoor District Council, believed that opening up the grant proposal process would lead to more and better connections between communities and the SRA. He said great work had been achieved in West Somerset working with local communities. He thought that opening up its process would be positive for the SRA and an asset rather than a threat.

Claire Newill, Natural England, said that the Board might need reassurances about the proportion of SRA spending going towards non-SRA partner organisations to allay some of the concerns raised by members. She said that she would welcome widening the process, as long as the right assessments were in place.

Mr Bradford said that he would welcome this change when times and funding were plentiful, but not when money was short.

The Chair took a vote. Six Board members were in favour, one against, of extending invitations for proposals for SRA funding for the 2024-25 Enhanced Programme beyond just the SRA partners.

ITEM 7. ANY OTHER BUSINESS (AOB)

Rebecca Horsington asked if the briefing meeting discussed in the minutes would be organised. Mr Mitchell requested permission to push this meeting to the second week in April. The Board agreed.

There was no other business. The meeting closed at 4:10pm.