

**Minutes of the Axe Catchment Meeting, held at Bradbury House, Market Street on
Tuesday 28 November 2017 at 10.30am**

Chairman: Mr Jim Lukins

- 1 Attendance and Apologies:** as per register appended.
- 2 Items additional to the agenda:** Correspondence from Mr M Watts re: Defra policy & guidance.
- 3 Declarations of interest: Cllr A Gilling** – all matters relating to planning and Ashfords Solicitors. **Cllr L Scott** – all matters relating to land within Axbridge, Cheddar and Compton Bishop.
- 4 Opportunity for the public to address the meeting:** None
- 5 Finance –overview of expenditure and budget:** (appended) overview of report provided by N Stevens (NWS). The report was taken as read.
- 6 Engineering Report:**
- 6a Operational and Works updates:** concern was expressed for the timing of operations as some areas were undertaken very early in the season. It was agreed to review the timetable.
Winter penn will begin week commencing 27 November 2017.
Biddisham Drainage Improvements: The Biddisham Drainage improvements sub-committee agreed revised project and costs for flood risk relief for the area, which will prove beneficial to many residential and business properties. Tenders have been invited for return by 8 December, for the scheme to be completed in two phases, to be awarded accordingly by the sub-committee.
Penruth Paddocks, Cheddar: concern was expressed for flood risk issues relating to a planning application. The Board is not aware of particular issues with this application; the Board submits comments on Land Drainage Act 1991 and Byelaws.
- 6b Pint Pot Cottage access update:** Mr Sperring has claimed that damage had occurred to his bank over several years in the past as a result of Board operations. He has agreed that damage has not occurred for a number of years and he is seeking rectification of historic damage.
Access continues to be denied by way of electric gates and vehicles that block the gateway. The last access in 2014 was completed under notice. Mr Sperring has also accused the Board of harassment.
The Axe Catchment Chair, J Lukins and A Dowden (AJD) Area Manager met with Mr Sperring, who is willing to compromise with the following requests:
- Board may enter land if operations are not undertaken when land is too wet i.e. "at the wrong time of year"
 - The bank to be made up to the level of owned land
- Mr Sperrings has requested that bank reinstatement should be undertaken with galvanised crash barriers and waling boards at an approximate cost of £3-4k. In addition and with reasonable precautions future channel cleaning operations could be undertaken during June/July.
Members discussed the Board undertaking revetment works to a damaged bank as a one-off procedure with a written legal agreement for future entry in perpetuity and future maintenance of piling works to be borne by Mr Sperring.
The Board will accept no liability for damage of the bank.
- Proposed Cllr J Savage, Seconded Cllr P Costello 'that the Axe Catchment recommends the Full Board undertakes the bank revetment works as a one-off procedure on condition that a legal agreement for future entry is entered into.'** Vote: unanimous **RESOLUTION 1**

It was further agreed that future bank maintenance would be at the responsibility of Mr Sperring.

Action

RES 1

The Clerk advised that the Board had been following a route for prosecution for refusing entry, and expressed concern that the agreement would not be honoured. The Clerk also warned that the Board should be very wary of setting this precedent. Past schemes of a similar nature had been in partnership with riparian owners. The Board should also not be utilising materials it would not use on a Board scheme. A legal agreement would state the land rather than name the person.

Members were reminded that Mr Sperring has threatened legal action for damage to the bank.

Members requested that the legal agreement costs are settled by Mr Sperring.

Work could be undertaken from the opposite bank, with precautions, however operations under high wires are not the Board's preferred system of work.

Handwork could be undertaken during the winter season.

Proposed Cllr E Scott, Seconded Cllr J Savage 'that the Axe Catchment instructs handwork be undertaken in the watercourse adjacent Pint Pot Cottage during the winter of 2017.' Vote: unanimous RESOLUTION 2

RES 2

6c Development Control: (appended enc 2) the report was taken as read.

Mr B Stitch declared an interest in ref ID 1004: Planning application no: 49/17/00014
Erection of 2x timber lodgers Moor View Farm, Brinscombe Lane, Weare, Axbridge.

Holgate Way: this application is not included within the development control list, however Cllr Scott expressed concern for land off Holgate Way, a phased development of properties including swales to discharge into ponds and watercourses. The water will need to be pumped as the area is not gravity fed. The application will be given due consideration when received.

Items additional to the agenda: Correspondence from Mr Watts re: Defra policy & guidance, includes a quote out of context from the body of a letter the Clerk wrote to Mr M Watts. Both letters were read to the meeting.

Members opined that the behaviour of Mr Watts at the Somerset Drainage Boards Consortium annual meeting of 21 November 2017 constituted gross misconduct of the Members' Code of Conduct.

The Clerk advised the Board that if Mr Watts wishes to pursue his objections to the reconstitution process, that he does so via correct consultation of the scheme to the EA, setting out his objections.

The Axe Brue Chair reminded members that at amalgamation in 2012 it was agreed to review the Board in 5 years, and that during the reconstitution discussions, the Axe Brue and Parrett Boards were aware that following the National Audit Office report if reconstitution was not agreed by the Boards, it would be enforced by the EA.

Members agreed that the Boards are being proactive and that Mr Watts actions are abhorable. It was agreed that this matter should be considered at a Full Board meeting.

Full Bd

7 Minutes of the Axe Catchment meeting 29 August 2017: (appended enc 3) having previously been circulated, the minutes were signed by the Chairman as a true and correct record of the meeting held.

8 Matters arising: None

9 Date of next meetings:

- Full Board 30 January 2018, 10.30am
- Axe Catchment 10 May 2018, 10.30am
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All present were thanked for attending and wished a Happy Christmas.
There being no other business the meeting was closed at 11.55 hrs

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Chairman

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Date