

Minutes of the Axe Brue Full Board Meeting Held at Bradbury House, Market Street, Highbridge
Tuesday 31 January 2017 at 10:30hrs **Chairman: Mr Jeff Fear**

1	Attendance and Apologies: Apologies received from N Stevens and as per register appended.	Action
2	Items additional to the agenda: (1) M Watts: R Adlam correspondence deferred to the Axe Brue IDB from the SDBC Management meeting – Some members opined their dis-satisfaction that this matter was not an agenda item; the Chairman apologised for this matter not being an agenda item, however in the absence of the Clerk it was agreed to defer this matter to a future meeting. Proposed W Welland, Seconded M Watts ‘that an extra-ordinary Axe Brue Full Board meeting is called to discuss correspondence from Mr R Adlam expressing concerns for terms of office for the Chairmanship of the Board.’ Although there was no vote the Chairman carried the motion. RESOLUTION 1 (2) P Thorne: water control structure, Gold Corner (3) W Welland: Bleadon Sluice update. Members opined that as no satisfactory response had been received from Bristol Water another letter should be written requesting a progress update. After discussion, it was agreed that Bristol Water and the Environment Agency would be invited to the IDB to explain the situation.	NWS/ C-AP RES 1
3	Declarations of interest: Cllr A Gilling (AG) – all matters relating to planning and Ashford Solicitors. B Stitch – any matters relating to Brinscombe Sluice.	
The Chairman brought forward agenda item 6e Unconsented works at the Crown Inn, East Huntspill		
4	Opportunity for the public to address the meeting: (maximum 3 minutes) Mr & Mrs Cooke, The Crown Inn, East Huntspill: (Mrs Cooke) documents were supplied by Mrs Cooke and disseminated to members at the meeting. Mrs Cooke advised that: <ul style="list-style-type: none"> • Had the pub for seven years and are looking to sustain the business • Attempting to secure holiday accommodation as well as retaining winter skittles • Skittles during the winter are an important aspect of the business • Paid to have the rhyne filled at personal expense; £10.5k • During enquiries prior to having rhyne filled, discussion included placement of removable storage containers in which the skittle alley would be relocated from the main building • Problems with a headwall were experienced after those discussions • Attempting to satisfy the Board by arranging access via neighbouring property as and when necessary • Quote provided by J D Pope & Sons Ltd to provide channel cleaning to the watercourse; if undertaken to be paid by Mr & Mrs Cooke • The application would enable conversion of existing skittle alley to holiday lets Mrs Cook then asked the Board look favourably on the proposals to keep the storage contains on site.	NWS
6e	Members were advised that during meetings with Mr & Mrs Cooke prior to submission of an application there was no discussion of siting of temporary or permanent storage containers. The works proposed by Mr and Mrs Cooke for conversion of temporary storage units to a skittle alley is a variation to the original Land Drainage Consent application which members had resolved to refuse in November 2016; Resolution No. 9 of 08 November 2016 and Standing Order No. 23 were read to the meeting (references *1 and *2 respectively, below). Cllr Corke advised that she supports small, local businesses. Members concurred with this statement. I Sturdy (IDS) advised that the works undertaken on-site to extend the current skittle alley and convert the storage units are contrary to the LDC application and retrospective consent cannot be given. The Board will not permit flood risk and land drainage to be compromised. Officer recommendation is to not re-consider the current resolution as the refusal is valid. A new LDC application would need to be submitted to indicate the actual use of the site. Although no vote was taken, members concurred with Mr Sturdy. The Chairman thanked Mr and Mrs Cooke for their representation. 10:50 Mr and Mrs Cooke left the meeting. <i>1st app for culverting the watercourse. 2nd app (after structures on site) submitted retrospectively for storage units as temporary structures. Awaiting 3rd app for change of use.</i>	

References:

- *1 ***Axe Brue Full Board meeting minutes of 08 November 2016, Item 14c, Resolution 9: Proposed R Adlam, Seconded W Welland ‘that the Axe Brue IDB refuse Land Drainage Consent for temporary***

storage units and seek enforcement if necessary for removal of three storage units currently sited over a culvert section at Crown Inn, East Huntspill.' Vote Unanimous

*2 **Standing Order No. 23:** No proposal to rescind any resolution which has been passed within the preceding six months, nor any proposal to the same effect as any proposal which has been negated within the preceding six months shall be in order unless: (a) notice thereof has been given and specified in the Agenda and (b) the notice bears, in addition to the name of the member who proposed the resolution, the names of two other members; and when such resolution or proposal has been disposed of by the Board, it shall not be competent for any member to propose a similar proposal within a further period of six months.

5 **Finance Budgets and Rate Setting:** (appended Enc 1) S Gee (SMG), briefed members on the Finance Reports, highlighting:

- an error on the explanatory notes: para 3, £19k underspend should read £49k underspend
- £1,500 fuel and £6k outsourced routine maintenance changes will reduce available funds for schemes
- £198k available for engineering schemes

In response to being asked the legal requirement for reserves in regard to concern that may be expressed by district councils upon request for Special Levy payments, SMG advised that DEFRA recommends 25% minimum of turnover, therefore £300k approx. The Board reserves include a contingency for unforeseen circumstances e.g. recent pipe collapse at Pawlett Hams.

SMG recommended that the rate in the pound remain at 6.740 for the forthcoming financial year. Members concurred that the budget and rate setting recommendations from the Finance & Governance sub-committee were appropriate.

Proposed J Healey, Seconded Cllr A Gilling "that the Axe Brue IDB approves the 2017/18 budget as submitted and set a rate of 6.740p in the £ for 2017/18 to raise a total Agricultural Rate of £173,597.62 and Special Levy of £786,719.21". Vote: 24 for, 0 against, 1 abstain.
RESOLUTION 2

RES 2

The rate setting notice was duly sealed and signed by the Chairman and Assistant Clerk.

6 **Engineering Report:** (appended Enc 2) M Wall (MSW) advised that the report provided should be taken as read with following points of note:

6a **Maintenance Works:**

MSW

2 **Works Contracts:** New contractors have expressed an interest in undertaking work for the Board. These contractors will be interviewed and their previous work assessed prior to consideration for channel cleaning and/or other scheme contracts being awarded.

MSW

4 **Water Level Management:** As report; members concurred that there was need for a further site meeting to be held in the spring. Attendants of the previous site meeting will be invited.

Fly Tipping: members were advised that once the Boards' operative has removed fly tip items from the watercourse the local authority will arrange for its collection. SMG will review the Board's insurance policies to ensure management of risk. IDS advised that the Board is exercising permissive powers in relation to flood risk and drainage, however the process with Mendip District Council needs to be clear and swift.

NWS

Edgarley, Glastonbury: A Dowden (AJD) advised that a letter is to be sent to Millfield School informing of the Board decision for riparian maintenance of the watercourse.

6.1 **Lympsham Desilting:** MSW advised that following a tender process in line with the procurement policy, Spratt Plant Hire has been awarded the contract at £5,273.

6.2 **Apex Park and Holimarine, Bourne Leisure:** MSW advised that the outfall has been tampered with and that R Dunn, Sedgemoor District Council (SDC) is investigating.

6.5 **Ringstone Development, West Huntspill:** MSW advised that the recommendation to improve 450m of existing watercourse would include replacing the existing access culvert, installing a new access culvert and improve the drainage of the Ringstone development at an estimated cost of £14k which is not within the current budget, with no additional contribution sought. Debris created by the works would be collected at no cost to the Board by Clean Spaces, SDC contractors. Within an environmental impact assessment the Boards' Ecologist would identify trees to remain within area.
Proposed Cllr Keen, Seconded M Watts "that the Axe Brue IDB undertakes works to improve 450m of existing watercourse within the Ringstone Development West Huntspill to include channel and tree works and replacement of an existing culvert and installation of a new access culvert to cost no more than £14k." Vote: 24 For, 0 Against, 1 Abstain (D Watts).

RES 3

9.3 **RESOLUTION 3**

Pint Pot Cottage, Ivydown Ditch, Biddisham: MSW advised that no positive response has been

received from recent correspondence, however, a formal complaint of harassment against MSW has been received from Mr & Mrs Sperring; NWS will take the lead in all future works and communication with Mr & Mrs Sperring. Members concurred that works should proceed in this vicinity to prevent detriment to the neighbouring area.

11.2.3 Meareway Investigation: R Adlam declared an interest.

R Adlam opined that works on the River Brue are necessary prior to the Board undertaking any improvement works.

It was agreed that this item would be discussed at the next scheduled Brue Catchment meeting.

6b Improvement Works Programme: I Sturdy (IDS) advised that there is an over-programme of works due to under resource and funding. 2017/18 will see an approx. £200k programme of works to be spread across the Board area worked through on a priority basis, with some works carried forward to the following year.

6c Development Control: appended Enc 3. Ref 856 N of Reeds Drive, Woolavington – MSW advised that the original application had been withdrawn and this application will site the static caravan and associated buildings/erections away from the watercourse.

Ref 858 Wick Lane, Brent Knoll – MSW advised that the objection to widen existing access for proposed solar array has been removed as the culvert and access gate has been replaced to the Boards satisfaction.

Ref 571 Colin White, Glastonbury – AJD advised that the EA are investigating works undertaken by Mr White, regarding flood storage, waste transfer licence, etc. as the works are adjacent an EA watercourse.

Ref 842 Westings, Mark Road, Watchfield, Highbridge – MSW advised that erection of car port has been granted; meeting on-site with the agent and landowner at which the Board agreed a 3m clear access to the adjacent watercourse, however a revised application will be submitted as the original agreement does not meet their requirements; they will apply to have the roof of the carport overhanging the watercourse. The Board will object to the amendments when received.

6d Hawk and Owl Trust consent application: (appended Enc 4) Hawk and Owl Trust (HOT). P Brewin (PAB) briefed members on the paper for reinstatement of a water control structure on the Shapwick Moor Rhyne.

P Holms (PH) advised that operation of an historic water control structure with traditional methods will provide benefits for conservation as well as cattle grazing.

C Pople expressed concern for water levels through the proposed area, as well as the cost, he opined that HOT should contribute a greater contribution as the works will predominantly benefit HOT and Somerset Wildlife Trust (SWT) land.

A full discussion was held, this list is not exhaustive:

- Why is FC funding not being used for River Brue dredging?
- SRA are leading on R Brue dredge; outcome of dredging strategy to be delivered to SRA members
- If further FC works can be undertaken the EA may permit IDB to re-direct FC funds received to date
- EA determine how FC funding can be utilised
- A previously installed FC structure is surplus to requirements; it may be possible to relocate this structure for this project
- Concern that the works will not benefit other landowners
- The Board should ensure that water is not redirected as a result of relocating the tilting weir
- Gauge boards should be installed and monitored
- Any structure should have agreed operating criteria to prevent detriment to other landowners

Proposed R Adlam, Seconded P Thorne ‘that the Axe Brue IDB approves the Hawk & Owl Trust Land Drainage Consent application to provide a water control structure on Shapwick Moor Rhyne and relocate a Favourable Conditions structure. The Shapwick Moor Rhyne water level is to be set no higher than the sill level on the Shapwick/Westhay Road with two gauge boards to be installed for monitoring purposes. Any requests for changes of water level to be submitted to the Board for approval.’ Vote: 23 For, 1 Against, 1 Abstain RESOLUTION 4

Funding: PH advised that initial discussions proposed 33% contribution from Natural England (NE), HOT and the IDB, however NE are no longer able to contribute 33% of the cost therefore HOT will increase their contribution to 50% of the estimated total, £5,700. A fixed price is to be secured and discussed at the next scheduled Brue Catchment meeting.

IDS advised that there is no indication to date that the FC funding will be available to fund this project.

Brue
Catch

RES 4

Brue
Catch

The Board is currently in the process of winding up FC projects, to ensure that the work undertaken achieves the expected outcomes and without further dispensation from the EA, the funding drawn down should be returned. However, if the Board intend to achieve further FC benefit, it may be possible to utilise the funding; projects are required to have the same or similar objectives within the designated areas.

- 7 Rename Finance & Governance to Policy, Finance & Governance with appropriate revisions to Terms of Reference:** C-A Porter (C-AP) advised that the Parrett IDB restructured their sub-committee's following the election of 2015 to formulate Policy, Finance & Governance (PF&G) and Works sub-committees. The Axe Brue and Parrett Boards have many uniform policies and Terms of Reference (ToR), therefore officers recommend restructuring the Finance & Governance sub-committee to PF&G with appropriate revisions to the ToR.

Members concurred that there is little disparity within the Boards and it would prove beneficial to both officers and members to have similar policies and ToR.

Proposed M Watts, Seconded H Case 'that the Axe Brue rename the Finance & Governance sub-committee to Policy Finance & Governance with appropriate revisions to the Terms of Reference to be considered at the next scheduled Policy Finance & Governance sub-committee.'

Amendment to the proposal:

Proposed Cllr Human, Seconded Cllr Costello 'that the Axe Brue IDB accept the recommendation to rename the Finance & Governance sub-committee to Policy Finance & Governance with appropriate revisions to the Terms of Reference as of today.'

RES 5

Vote for the amendment: 11 For, 10 Against – motion carried RESOLUTION 5

- 8 Vacancies on the P,F&G Sub-Committee:** C-AP advised that there are currently 3 vacancies on this committee; one elected and two appointed.

After discussion, with no other nominations, Cllr L Scott and J Lukins were appointed unanimously. One appointed vacancy remains; members were requested to contact the office with expressions of interest.

C-AP

- 9 Re-establish Property Sub-Committee – membership:** C-AP advised that Bradbury House fulfils the accommodation needs of the Board, however there are matters of concern that require consideration of the property sub-committee. Members agreed to re-convene the sub-committee as necessary.

C-AP

Property sub-committee members: R Adlam, H Case, J Fear, A Franks, Cllr A Gilling, N Lukins, P Thorne and M E Wall.

- 10 Voting status of ex-officio members on a committee:** The Chairman advised that he was of the opinion ex-officio and co-opted members have full voting rights however a co-opted member for one meeting only does not have voting rights.

Proposed J Healey, Seconded J Lukins 'that ex-officio and co-opted members on all Axe Brue Committees have full voting rights and casting vote while sitting as Chairman of a committee. Co-opted members for one meeting only will have no voting rights.'

The Chairman brought item 15 forward:

- 15 Minutes of the Full Board meeting held on 14 June 2016 and 08 November 2016:**

Minutes 14 June 2016: (Enc previous meeting pack) having previously been circulated the minutes were signed by the Chairman as a true and correct record of the meeting held.

Matters Arising 14 June 2016: Cllr Savage questioned placement of the minutes within the agenda. The Chairman advised that the RFCC committee approve minutes at the end of the meeting which works well with members. C-AP advised that explanation and discussion during the meeting, prevents extended discussion during matters arising, which has resulted in meeting time being reduced.

Item 10 SRA: Mr Adlam was requested to withdraw comments pertaining to Mr Maltby; Mr Adlam will address this matter during Item 14 SRA.

Minutes 08 November 2016: (appended enc 6) M Watts expressed concern that the minutes are not complete as a statement from the Clerk regarding policy has not been included. It was agreed that the minutes would be revised and resubmitted at the next Full Board meeting.

C-AP

12.15 W Welland and H Case left the meeting with apologies

- 11 Policy:**

- 11a Charging for pre-application development advice:** (appended Enc 5) IDS advised that SDC operate a similar procedure which is widely accepted as adopted practice when working with developers. The objective is to set out the Board views on drainage and surface water infrastructure when new development arises, including adequate space for maintenance, attenuation, run-off rates

and storage and provision for future operation and maintenance as well as off-site improvement works. The policy also refers to national, regional and local guidance for surface water outcome. The Drainage Boards are non-statutory consultees to the planning process, however the Board responds to all applications within the district.

Mid-Level Commissioners use a similar approach which is accepted by the planning authority and developers and has proven successful.

Proposed M Watts, Seconded Cllr McKenzie ‘that the Axe Brue IDB adopts the policy Charging for Pre-Application Development Advice as submitted.’ Vote: unanimous RESOLUTION 6

RES 6

11b **Infilling of Urban Watercourses – recommendation to adopt Ref. section 4.5:** (Enc previous meeting pack) This item was not discussed.

12 **Amalgamation with Parrett IDB – proposal from Parrett IDB:** IDS advised that an amalgamation of the Axe Brue and Parrett IDBs is driven by the Parrett IDB for efficiency and resource i.e. Board membership size and number of meetings held.

A full discussion was held (this list is not exhaustive):

- Initial discussions should be held at the SDBC Management committee
- Much of the discussion of an Axe Brue meeting is parochial
- Policy could be considered jointly as well as tenders/contractors
- Not in favour of full amalgamation
- It has been noted that ADA are not in favour at this time
- Local knowledge is essential

It was agreed that this matter would be discussed at the next scheduled SDBC Management meeting.

13 **Annual Tour of Board District:** Cllr Gilling advised that he is attempting to arrange a local authority member’s tour/induction of IDBs with presentations from the IDB and ADA (not confirmed).

Members concurred that an annual tour of the district to view scheduled and completed works would be preferred in early August.

12.45 Bob Clapp left the meeting

14 **Somerset Rivers Authority update:**

14a **SRA Scrutiny Panel – approval of MOU/Terms of Reference and authority to sign:** (Enc 5a) IDS briefed members on the Local Memorandum of Understanding & Constitution to establish an informal joint Scrutiny Panel to scrutinize the activities of the SRA and provide assurance to the constituent councils and partners that the SRA is operating effectively.

Proposed J Healey, Seconded Cllr Scott ‘that the Axe Brue IDB approves the Local Memorandum of Understanding & Constitution to establish an informal joint Scrutiny Panel and that authority is awarded to the Chairman and Vice Chairman to sign said Memorandum.’ Vote: 20 For, 0 Against, 1 Abstain RESOLUTION 7

RES 7

R Adlam expressed concern that SRA precepting is being sought by way of a government bill rather than a private bill as preferred by the Drainage Boards. Concern was also expressed for comments previously made by J Osman and S Diacono regarding disaggregation and funding.

SRA Update: IDS advised that historically a bid was made to the Royal Bath & West fund for dredging on the River Brue, with the most effective length identified as Westhay to North Drain pumping station. The bid was unsuccessful as it was not for environmental gain but flood risk gain. The SRA has been asked to include this work in the programme of works, however the cost benefits of the scheme do not match national criteria. There is an identified amount of Local Enterprise Partnership funding to undertake dredging and channel works on the River Brue. The IDB has been asked to provide evidence of expected benefit; EA model of the Brue Valley system has been acquired and the impact of dredging at different locations and managing dense tree growth is being ascertained to be included in the Dredging Strategy Report.

SRA work streams include other Brue works; Brue banks, Brue banks improvements and Brue bank setbacks, which were allocated to the EA to undertake to safely manage routine works. However, the EA have been unable to undertake these works to date.

Negotiations with the SRA continue for Brue works to be carried forward to the next financial year.

14b **SRA Scrutiny Panel – Nominate Panel member and deputies:** The inaugural SRA Strategy Board meeting will take place on 01 February 2017 with representatives from each partner organisation; Delegates were named during January with D Tratt nominated to represent the Axe Brue. There will be 2 or 3 meetings per year.

Proposed R Adlam, Seconded J Lukins ‘that David Tratt will represent the Axe Brue IDB at the inaugural SRA Strategy Board meeting to be held on 1st February 2017 and subsequent meetings.’ Vote: unanimous RESOLUTION 8

RES 8

16 Matters Arising:

17 **Any Other Business:** (1) P Thorne: neighbour has a structure which is not being operated in a satisfactory manner. There are pipes and trees obstructing the watercourse, creating an obstruction to the conveyance within the system.

MSW advised that the structure is a pile flap to provide flexibility within the watercourse for the local area and to allow summer feed.

It was agreed that a site meeting will be held with Board members: A Chidgey, R Adlam, P Thorne and M Watts.

(2) Bleadon Sluice: as Item 2 (3) it was agreed to invite Bristol Water and EA to meet with local representatives to discuss current issues and future plans.

(3) Minute dissemination: R Adlam advised that at a recent SDBC Management meeting it was agreed that minutes would be disseminated in draft form within two working weeks of the meeting date; could this be done for all Axe Brue meetings. Members concurred that it would be useful if officers could provide minutes as agreed at the SDBC meeting.

18 **Date of next Board meeting:** (Enclosed in previous meeting pack) Proposed meetings calendar 2017/18.

Axe Catchment Tenders	21 March 2017
Axe Catchment	18 April 2017
Brue Catchment	25 April 2017
Coastal Catchment	02 May 2017
Policy, Finance & Governance	23 May 2017
Full Board	13 June 2017

MSW

NWS

C-AP

The meeting was closed at 13.08 hrs.

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CHAIRMAN

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DATE