

**MINUTES OF THE AXE BRUE FULL BOARD MEETING HELD AT BRADBURY HOUSE,
HIGHBRIDGE ON MON 3 FEB 2020**

Attendance:			
Elected Members: Mr R Adlam (Chair) Mr B Clapp Mr C Durston Mr J Fear Mr A Franks Mr N Lukins Mrs P Thorne Mr D Tratt Mr M Wall Mr M Watts Mrs W Welland	Appointed Members: Cllr P Costello Cllr A Gilling Cllr A Hendry Cllr W Human Mr R Keen Cllr M Martin Cllr C Riches Cllr L Scott	Officers: Mr R Burge (Clerk) Mrs K Kingston Mrs M Hammond Mr I Sturdy Mrs N Johnson	Public:
Approved Apologies:			
	Cllr A Matthews		
Non-Approved Apologies:			
Mr R Stitch	Cllr P Clayton Cllr N Cottle Cllr M Murphy Cllr J Woodman		

Agenda Item:	Detail:	Action:
1. Attendance and Apologies	1.1. Apologies as per the above Attendance List. 1.2. The Clerk introduced 2 new members of staff; Jack Foster and Matt Eldridge who have joined the Consortium as Water Environment Worker (WEW) Apprentices.	
2. Items additional to the Agenda	None.	
3. Members of the Public	None.	
4. Declarations of Interest	None	
5. Approval of Minutes	5.1. Mr M Watts asked for clarification on Item 11.6 of the Minutes with regards to membership of the Task and Finish Group for Investment of Board Funds. Mr D Tratt was amended to read Mr M Watts. With the exception of this amendment, the Chairman signed the Minutes as a true and accurate record of the Meeting	

<p>6. Matters Arising</p>	<p><u>Review of Actions</u></p> <p>Action AB/20180624-01: Clerk to produce a Report to identify annual works and expenditure for consideration at a future meeting: The Clerk commented that this Action remained ongoing but would provide an update at Agenda Item 7.</p> <p>Action AB/20180731-01: Members to be advised of the Meeting ref Dog Leg Ditch once known: Dir Ops and Chairman reported this item as a long-standing issue and remained ongoing despite efforts to initiate the Meeting.</p> <p>Action AB/20190425-02: Dir Ops to review Favourable Conditions Project materials with Mr R Adlam, to ensure compliance with project specifications: Dir Ops reported this Action as ongoing, requiring a Site visit to review specific items of concern.</p> <p>Action AB/20191105-01: To convene a F&W Meeting to discuss retention of the Committee to report back to the Full Board : Following a discussion, it was agreed to assess the continuing need for the F&W Meeting at the end of the Meeting under AOB (Subsequently agreed to retain the Committee).</p> <p>Action AB/20191105-02: To review South Drain levels with the Environment Agency and request alteration of levels if necessary: The Axe Brue Area Manager reported this items as complete, being a specific issue that was raised at the time of the last Meeting.</p> <p><i>10:40 Mr N Lukins joined the Meeting</i></p>	<p>Action AB/20180624-01: Ongoing</p> <p>Action AB/20180731-01: Ongoing</p> <p>Action AB/20190425-02: Ongoing</p> <p>Action AB/20191105-01: Closed</p> <p>Action AB/20191105-02: Closed</p>
<p>7. Governance Updates</p>	<p><u>Enforcement Action</u></p> <p>7.1. The Clerk brought to attention the current Prosecution Action being taken against a home owner in Grange Paddocks, Mark, for blatant breach of Byelaw 17 (Failure to obtain LDC) and failure to comply with subsequent Enforcement Action. The Clerk commented that the Board had been totally reasonable in its actions throughout the event but was now under no choice but to prosecute for the offences as this was clearly in the interests of both the Board and the Public.</p> <p>7.2. The Clerk had sought advice from the Board's solicitors. (Andrew Gilling declared an interest) who had advised that there was sufficient evidence for a successful prosecution and it was considered to be clearly in the public interest. In the event of a successful prosecution, the Clerk commented that, in this particular</p>	

	<p>case, he expected all Board legal costs incurred to be reclaimed.</p> <p>The Clerk sought endorsement from the Board to continue with legal proceedings.</p> <p><i>Mr J Fear Proposed, seconded by Cllr M Martin, that the prosecution against breach of Byelaws and failure to comply with Enforcement Action at Grange Paddocks, Mark, continue.</i></p> <p>17 for, 0 against and 1 abstention motion carried.</p> <p><u>Sub-Committee Membership</u></p> <p>7.3. A replacement Board Member was required for the SRA Scrutiny Panel as Mr D Tratt was standing-down. Wendy Welland volunteered to take-on this role.</p> <p>7.4. The Clerk presented the SDBC Staff structure and informed members that a new H&S Coordinator was now in place. Engineering Technician, George Hellier, was now covering the gapped Project Engineer post, whilst undergoing further training and gaining critical experience to eventually fill that role permanently in the future.</p> <p>7.5. The Clerk reported that the Strategic Review of Plant, Machinery and Manpower was almost complete and consisted of over of 52 pages. The Clerk requested that the Board appoint 4 x Members for Joint T&F Group to sit on or before 10 Mar 20 to review the Paper in detail to see if a potential agreement on a joint way forward could be taken across all three Boards of the Consortium before submitting to each Board for final endorsement.</p> <p>7.6. The T&F Group for the Strategic Review was agreed as:</p> <ul style="list-style-type: none"> • MR A Franks • Mr J Fear • Cllr A Gilling • Cllr W Human <p>The Chair requested he also be allowed to attend and the Clerk commented that he would send out the draft document in hard-copy format to those Members in good time prior to the Joint T&F Group.</p>	<p style="text-align: center;">RESOLUTION 1</p>
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<p>8. Health & Safety Update</p>	<p>8.1. The Clerk reported that three incidents (Near-Misses) had been reported since the last meeting:</p> <ul style="list-style-type: none"> • Whilst flailing in Dunster Area, a stone had ejected from the flail of the Parrett Board's Tractor & Flail unit, string a parked vehicle in the Golf Club Car Park, witnessed by its owner. Insurance company informed. Interim Parrett Area Manager (A Dowden) identified that Flail guards were not fitted/immobilised. Whilst this was 'in-house' machinery and workforce, the Clerk emphasised the responsibilities that the board had as a Duty of Care for works being conducted by its own Contractors and the need to remain cognisant of Contractor Method Statements and Safe Systems of Work. • Whilst undertaking Flailing Operations in Dunster, the interim Parrett Area Manager, A Dowden, identified that the Parrett Board's Tractor & Flail Unit had undertaken flailing operations beneath OHPLs without having the necessary Height Limiter equipment fitted and hence contrary to SSoW 20 – Working Beneath or Within 10M of Overhead Power Lines (OHPLs). The Clerk again emphasised the responsibilities that the Board had as a Duty of Care and the need to remain cognisant of Contractor Method Statements and Safe Systems of Work. • A Wooden Walkway accessing Parrett Board's West Moor WLM Structure had given way underfoot due to rot. No injuries sustained but could have resulted in more severe consequences. The Clerk reported the Structure Walkway had been isolated (no access) asnd a temporary repair implemented on 29 Nov 19. The Clerk commented that the lesson arising from this incident was that the Board need to ensure that all structures were being routinely inspected for condition and defects. <p>8.2. As a Member of the H&S Committee, Mr R Keen reported as follows :</p> <ul style="list-style-type: none"> • Inaugural Joint H&S Committee held on 20 Nov 19 • Membership consisted of 3 x Members of each Board in accordance with the Draft Terms of Reference (TOR) submitted for approval. 	
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	<p><i>Cllr P Costello proposed, seconded by Mr R Keen that the Joint H&S Committee TOR submitted with Calling Notice are approved by the Board</i></p> <p>Vote: Unanimous</p> <p>8.3. Mr Keen further commented that the Board's had a number of shortfalls with compliance against H&S Legislation identified by the recent SWAP Audit and Aversure Audits, with the main issues being:</p> <ul style="list-style-type: none"> • Little dedicated H&S Resource – This had now been resolved through recruitment of a part-time H&S Coordinator, Mrs Naomi Johnson, who was introduced to the Board members. <p>8.4. Mr R Clapp asked if the Board's vehicle had a fire extinguisher. The Clerk reported that this issue had been looked at and it was not a legislative requirement, and based on Risk, was not considered a necessary item.</p>	
<p>9. Finance Report</p>	<p>9.1. The Director of Finance (Dir Fin) reported the Bank Account status as follows:</p> <ul style="list-style-type: none"> • Current account = £11,527.09 • Deposit account = £1,085,606 • Interest = £2,297 (to 31/12/19) <p>9.2. The Clerk added that a Joint Task & Finish group had been formed to discuss improving the Boards income through smarter investments with a view to making a decision before the full Board Meeting in April.</p> <p><u>End of Year Forecast</u></p> <p>9.3. As at 31 Dec 19, Dir Fin reported a surplus of £173,457 which was a favourable variance of £18,519. However, Year-end forecast was a predicted deficit of £67,445 which was an adverse variance of £39,333. The contributor to the overspend was the in-year clearance of money-owed to Parrett or Consortium (e.g. salary costs, piles from Parrett stock) from previous years going as far back as 2014. This was reported as all now cleared monthly so the case should not arise again in the future.</p> <p>9.4. Dir Fin reported the Board' Reserve status which included Commuted Sums, Specific Reserves, Ring-Fenced and Non Ring-Fenced Reserves. It was recognised that decisions needed to be made regarding how Reserves were to be re-allocated if budgeted Schemes were not carried out in-year. Dir Ops believed</p>	

that, at this stage, those Schemes that had raised funds but had yet to be implemented remained as valid Schemes going forward and in the 3-year Programme of Works.

9.5. The Environmental budgets had been uplifted as the current Water Level Management Plans were out of date and the Board was required to have them in place. Dir Fin reported that the Budget, which had been scrutinised by Finance & Works Committee on 20 Jan 2020 had resulted in the following:

- Admin increase of £6.8k re Repairs
- A new Repairs and Renewals budget of £40k
- A new Invasive Weed Control budget of £3k
- Telemetry net increase of £7.7k
- A new Environmental budget of £15k
- A Project Schemes budget increase of £104.5k

9.6. Dir Fin reported that, for the 2019/2020 Budget-setting, Officers had recommended an increase of 22.2% to the Penny Rate as a result of constrained Rate Rises since 2014 (average of 1% despite increases in the Board's Operating Costs) but was constrained to only a 4.1% increase. She further commented that all Board members and the Local Authorities were made fully aware last year that the Budget this year was liable to be subject to a large increase.

9.7. Dir Fin reported the proposed Budget for FY2020/2021 to result in a new Penny Rate of 8.596 (20.025% increase).

Mr J Fear proposed, seconded by Mrs W Welland, that the Board accept an increase in the Penny Rate of 20.025% giving a rate of 8.596 in the Pound.

Vote: 10 For, 0 against, 8 abstentions – Motion carried.

9.8. Dir Fin reported the outstanding Drainage Rates as of 4 Feb 2020:

- | | |
|---------------------------------|-----------|
| • Court Summons x 23 (28.01.20) | £3,860.55 |
| • Summons o/s (31 Jan 20) | £3,543.60 |
| • Total Rate o/s (31 Jan 20) | £7,386.95 |

New Bailiffs had been taken on to assist with the Liability Orders and collection of outstanding Rates.

RESOLUTION 2

<p>10. Operations & Maintenance</p> <p>11. Engineering Report</p> <p>12. Development Control</p>	<p>10.1. Director of Operations (Dir Ops) asked for Agenda Items 10, 11 and 12 to be considered as one item and for it to be taken as read that Members had read through the respective Reports.</p> <p>Questions as follows:</p> <p>10.2. Mr M Wall requested an update on the current de-silting works and ground conditions being experienced within the Mark area. Dir Ops reported that the Chair and Mr A Dowden had visited the Mark area and confirmed that the works would be delayed until ground conditions improved. Mr J Fear asked whether a delay would have any effect on the environmental situation. Mr P Brewin considered that a delay would not be a particular issue but the Board should proceed with caution.</p> <p>10.3. Mr R Keen enquired about the Apex/Bourne Leisure Tidal Flap that was reported as not functioning. Dir Ops reported that Officers were working closely with all concerned and that the Development Control Officer had attended a recent meeting which resulted in Bourne Leisure carrying out work to clear a blockage but more work was required together with work to be carried out by Wessex Water.</p> <p>10.4. Mr A Franks enquired about the Brue de-silting programme. Dir Ops reported that the EA were unable to fund the programme but SRA was funding the additionality to increase conveyance. The IDB was keen to assist in delivery of the work but was constrained by available resource. The Clerk commented that the main River was the responsibility of the EA but the IDB would help where possible under a Public Sector Cooperation Agreement (PSCA) process.</p>	
<p>13. Environment</p>	<p>13.1. Cllr P Costello reported as follows:</p> <ul style="list-style-type: none"> • Inaugural Joint Environment Committee held on 6 Dec 19 • Membership consisted of 3 x Members of each Board in accordance with the Draft TOR (for approval) <p><i>Cllr P Costello proposed, seconded by Mr R Keen that the Joint Environmental Committee TOR submitted with Calling Notice are approved by the Board.</i></p> <p>Vote: Unanimous</p> <p>13.2. She further reported discussions on:</p>	<p>RESOLUTION 3</p>

	<ul style="list-style-type: none"> • Legislative Framework and Environmental DUTIES of the Board • Bio-Security and control of Invasive Non-Native Species • Agreed to work collaboratively with local partners on preparing a Floating Pennywort Action Plan • Agreed to prepare an 'Annual Environment Report'. The first report to be presented to the Boards in Jan 2021. • Reviewed Draft IDB Biosecurity Policy (for adoption by Boards) <p><i>Mr R Keen proposed, seconded by Cllr L Scott, that the Joint Biosecurity Policy submitted with Calling Notice was approved by the Board.</i></p> <p>13.3. Cllr Riches asked for an amendment in section 8.2 to reflect a requirement for education of wider communities in the responsibility section</p> <p>Vote: Unanimous.</p>	RESOLUTION 4
14. Somerset Rivers Authority Update	14.1. The Chair reported that the last SRA Board Meeting had been held on 10 Jan 20. 14.2. He commented that in Jun 19, the SRA Board had agreed that Local Partner funding should be used to remove the Risk associated with LEP funding of the Brue Dredging. £225k of SRA funding was now allocated for Project Development. Dir Ops commented that he hoped that the IDB would lead on the Project with a Project Manager appointed to develop the Project Scope. The appointment of a Project Manager to manage Project to completion was yet to be identified. 14.3. The next SRA Meeting was reported as 6 Mar 20.	
15. Risk Review	15.1. The Clerk had distributed the updated Risk Register Dashboard with the Calling notice and took members though the Top 10 Risks.	
16. Any Other Business	16.1. The Clerk reported no progress on Bleadon Sluice with the EA and Bristol Water still locked in legal debate. 16.2. Cllr M Martin asked for the Agenda to be placed on the Website 16.3. Members returned to the discussion regarding the continuation of the F&W committee. As the Budget-setting process this year had been closely managed and overseen by the F&W Committee with line-by-line assessment of the figures, it was agreed that this extent	

	<p>of scrutiny could not be subsumed into the full Board. The Board therefore agreed to retain the Committee in its current guise and review again if Members had concerns over duplication or effectiveness of the Committee in the future.</p>	
<p>17. Date of Next Meeting</p>	<ul style="list-style-type: none"> • F& W: 23 Mar 2020 @ 1030 • SDBC AGM: 13 Mar @ 1030 • Full Board: 17 Apr 2020 @1030 	

Annex:

A. Axe Brue Board – Table of Outstanding Actions

CHAIR.....DATE

**ANNEX A TO
AXE BRUE BOARD MINUTES
DATED 03 FEB 2020**

AXE BRUE BOARD – TABLE OF OUTSTANDING ACTIONS

Action Number:	Action:	Actionee:
AB/20180624-01	To produce a Report to identify annual works and expenditure for consideration at a future meeting.	Clerk
AB/20180731-01	Members to be advised of the Meeting ref Dog Leg Ditch once known.	Clerk
AB/20190425-02	To review Favourable Conditions Project materials with Mr R Adlam, to ensure compliance with project specifications.	Dir Ops