

MINUTES OF THE NORTH SOMERSET LEVELS FULL BOARD MEETING HELD AT BRADBURY HOUSE, HIGHBRIDGE ON 04 FEB 20

Attendance:			
Elected Members: Mr T Bush (Chair) Mr M Britten Mr N Cole Mr B Gray Mr P Kingcott Mr A Mead Mr R Mitchell Mr R Parsons Mr G Plaister Mr C Pyke Mr C Redding	Appointed Members: Mr P Burden Cllr J Cato Mr D Dash Mr P Harris Cllr A Harley Cllr J Tonkin Mrs D Yamanaka	Officers: Mr R Burge (Clerk) Mrs C-A Morgan Mr I Sturdy Mrs M Hammond Mr S Bunn Mr G Oliver Mr A Brinson Mr D Alsop Mr D Crossman Mr M Eldridge Mr J Foster	Public:
Approved Apologies:			
Mr B Letts Mr R Triggol	Cllr S Bridger Cllr M Crosby Mr R Garner Cllr S Hogg Cllr R Westwood		
Non-Approved Apologies:			
Mr E Adams	Cllr C Cronnelly Cllr C Webb		

Agenda Item:	Detail:	Action:
1. Attendance and Apologies	1.1. Apologies as per the above Attendance List.	
2. Items additional to the Agenda	2.1. The Clerk requested an additional item for consideration to a claim for Compensation (to be discussed under Agenda Item 7). 2.2. The Clerk requested another additional Agenda Item for consideration of Appointed Member Expenses for Non-Councillors. He commented that there was an issue with the payment of expenses to Board Members representing the Local Authorities as Appointed Members (non-Councillors). The LA were unable to pay expenses to non-councillors but the Clerk reported that under the LDA Schedule 2: <i>'An IDB may pay any reasonable expenses incurred by their Members and</i>	

Each Board is a statutory public body with responsibilities for flood protection, land drainage and the environment.
All are members of the Association of Drainage Authorities.

	<p><i>Officers in; attending Meetings of the Board or Sub-Committees....’ and recommended that the Board agree to pay those non-Councillors through that route, as is done with the Elected membership.</i></p> <p>2.3. Cllr J Tonkin proposed, seconded by Cllr J Cato that “North Somerset Levels IDB agrees to pay the ‘expenses’ for non-Councillors appointed to the Board by the Charging Authority”</p> <p>Vote: 13 For; 0 Against; 5 Abstain (of which 4 were non-Council members directly impacted by the Resolutuion.)</p>	RESOLUTION 1
3. Opportunity for members of the public to address the Meeting	3.0. None.	
4. Declarations of Interest	4.0. Mr C Redding – All matters pertaining to The Cider House, Hewish.	
5. Approval of Minutes	5.1. The Full Board Minutes of 22 Oct 19 were accepted unanimously and signed by the Chair as a true and accurate reflection of the Meeting.	
6. Matters Arising	<p><u>Review of Actions</u></p> <p>6.1. Action NSL/20191022-01 - To confirm acceptance of new working hours, effective 1 Nov 19 and provide a new contract for the Chair to sign: The Clerk reported the contract has been amended and was awaiting final signature and reported this Action as closed.</p> <p>6.2. Action NSL/20191022-02 - To formally write to the Minister requesting the Chairman’s Allowance Order: The Clerk confirmed receipt of Ministerial approval, and reported this Action as closed.</p> <p>6.3. Action NSL/20191022-03 - To convene a Meeting to discuss Mr D Colbourne and formulate a new contract within the delta provided: The Clerk confirmed that, following a T&F Group Meeting with Members, a draft contract had been generated and was now awaiting final signature. He reported this Action as closed.</p> <p>6.4. Action NSL/20191022-04 - To create a schedule of watercourses not completed due to maize and report at the next Meeting if necessary: The Engineer provided an overview of the areas where access to watercourses for maintenance had been affected by maize crops. This Action was closed.</p>	<p>Action: NSL/20191022-01: Closed</p> <p>Action: NSL/20191022-02: Closed</p> <p>Action: NSL/20191022-03: Closed</p> <p>Action: NSL/20191022-04: Closed</p>

	<p><i>New Action: NSL/20200204-01: The Clerk took an Action to hold Officer and Member discussions in the formation of a Board Policy to standardize channel cleaning access and traversing of maize fields.</i></p> <p><i>6.5. Action NSL/20191022-05 - To formally request additional funds of £15k from the developer's consortium to enable initial maintenance works to commence at St George's, Worle:</i> The Clerk reported that funds had now been received by the Board to commence delivery of works. The Action was closed.</p>	<p>New Action: NSL/20200204-01: Clerk</p> <p>Action: NSL/20190611-05: Closed</p>
<p>7. Governance Updates</p>	<p><u>Correspondence and Issues Arising</u></p> <p>7.1. Policy update: The Clerk reported the Board's Code of Conduct was due for review:</p> <ul style="list-style-type: none"> • 'Local Government Standards in England' allowed for Authorities to institute a Code of Conduct • The Board's 'Code of Conduct' dated Jun 13, last reviewed 2017. • As part of Policy alignment, a revised Code of Conduct will be submitted with next Full Board Calling Notice for approval. <p>7.2. Complaint Procedure: The Clerk reported that a formal complaint had now been received by the Board with respect to a claim for compensation against vet bills against injury to a cow due to rutting of land by Boards' Contractors (initially raised at a Board Meeting of 09 Nov 17). The claim was against the Board's contractor using inappropriate use of Tyred-Vehicles on Peat Ground during wet weather. The claim was for compensation of vet bills of £122.30 (ex VAT)</p> <p>7.3. Accepting that the Board's Contractor had been running late in the schedule and had conducted the works causing rutting to the land which may have led to the incident, Mr C Redding proposed, seconded by Mr P Burden that 'the Board arrange payment of £122.30 (ex VAT) without prejudice as full and final settlement of Claim for Compensation'</p> <p>Vote: unanimous</p> <p><u>Review of Board Membership:</u></p> <p>7.4. The Clerk provided an overview of recent changes to Board membership, advising:</p>	<p>RESOLUTION 1</p>

- Cllr C Cherry had resigned as a Board Member – the Clerk was awaiting replacement notification from NSC.
- Mr R Garner was confirmed as an Appointed Member, awaiting formal appointment letter from NSC.
- Cllr C Harris had resigned as a Board Member, replaced by Mr P Harris.

7.5. Mr C Redding volunteered to replace Cllr C Harris on the H&S Committee.

7.6. The Clerk then reminded the Board of sub-committee Membership:

H&S Sub-Committee

- Mr Peter Harris
- Mr Bob Garner
- Mr Chris Redding

Salaries Committee

- Mr Tim Bush
- Mr Peter Burden

Environment Committee

- Mr Peter Burden
- Cllr Steve Bridger
- Cllr Richard Westwood

F&W Committee

- Mr Tim Bush
- Mr Mark Britten
- Mr Peter Burden
- Cllr John Cato
- Mr Bob Garner
- Mr Bernard Gray
- Cllr Ann Harley
- Mr Bob Mitchell
- Cllr James Tonkin

SDBC Management Committee

- Mr Tim Bush
- Mr Peter Burden
- Mr Bernard Gray

<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) and 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>New Action NSL/20200204-02: Dir Ops took an Action to formulate a Register of Structures with a priority schedule for works and defects.</p> <p><u>Health & Safety Committee Terms of Reference</u></p> <p>8.2. The Clerk commented that the Board's had a number of shortfalls with H&S compliance against H&S</p>	<p>New Action: NSL/20200204-02: Dir Ops</p>
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	<p>Legislation identified by the recent SWAP Audit and Avensure 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>Members unanimously endorsed a recommendation to approve the Joint H&S Committee TOR as submitted with Calling Notice.</p> <p>The TOR was signed by the Chair.</p>	RESOLUTION 1
<p>9. Finance Report</p>	<p><u>NSLIDB Accounts</u></p> <p>9.1. The Director of Finance (Dir Fin) reported the Bank Account holdings as follows:</p> <ul style="list-style-type: none"> • NatWest Current account £5,362.24 • NatWest Deposit account £133,247.46 • HSBC Current account £235,398.37 • Money Market Funds £247,884.55 • North Somerset Council £386,807.16 • NS&I £28,141.08 • Interest £3,140.32 (to 31/12/19) <p>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>9.2. Two Balance Sheet items were requested for ‘write-off’ with a total value of £2,750.08:</p> <ul style="list-style-type: none"> • Holding account assets £250.08 - Ancient (2007) provision for outstanding work that has now been overtaken by land development”. • Debtors not yet invoiced - A recharge for modelling in 2007/8 at West Wick. It was agreed by the site’s developers (Fisher & Dean Ltd and Summerfield Ltd) that they would pay £2500.00 when the LDC was granted. However, LDC was never applied for. The land was subsequently sold to Bloor Homes who applied for LDC in 2011. <p>A further Rate Account ‘write-off’ was requested:</p>	

	<ul style="list-style-type: none"> • Rate Account 30-0809 (Mr M Babbage) £126.16. Land that should have been transferred to Special Levy in 2012. <p>Cllr J Tonkin proposed, seconded by Mr A Mead that ‘Write-Offs as submitted to the Board are endorsed’</p> <p>Vote: Unanimous.</p> <p><u>End of Year Forecast</u></p> <p>9.3. As at 31 Dec 19, Dir Fin reported a surplus of £98,239 which is an adverse variance of £919. However, Year-end forecast was a predicted deficit of £93,776 which was an adverse variance of £70,176.</p> <ul style="list-style-type: none"> • Areas contributing to the overspend were the spend on Consultancy Fees (D Colbourne), retaining of Cider Barn premises, Business Rates and spend from rollovers (£14.3k, £9k, £5.3k & £22.5k respectively) <p>9.4. Dir Fin reported the Board’ Reserve status which included Commuted Sums, Specific Reserves, Ring-Fenced and Non Ring-Fenced Reserves.</p> <p>9.5. She reported that 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.</p> <p>Dir Fin reported that the Budget, which had been scrutinised by Finance & Works Committee on 20 Jan 2020 had resulted in the following:</p> <ul style="list-style-type: none"> • Winter maintenance increase of £12.2k • New Environmental budgets £3k • Consultancy fees increase of £5.8k • Balanced budget <p>9.6. Dir Fin reported that, for the current 2019/2020 Budget, a deficit had been planned of £23,600 to be funded from Reserves. The 2020/21 budget was reported as a ‘balanced budget’. She further reported that if the 2019/20 budget had been balanced, the FY2020/21 Budget % increase would have been only 2.66%.</p> <p>9.7. Dir Fin reported the proposed Budget for FY2020/2021 to result in a new Penny Rate of 8.875 (6.736% increase).</p>	RESOLUTION 2
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	<p><i>Mr G Plaister proposed, seconded by Cllr J Cato, that the Board accept an increase in the Penny Rate of 6.736% giving a rate of 8.875 pence in the Pound.</i></p> <p>Vote: Unanimous</p> <p><u>Drainage Rates:</u></p> <p>9.8. Dir Fin reported the outstanding Drainage Rates as of 4 Feb 2020:</p> <ul style="list-style-type: none"> • Court Summons x 30 (24.01.20) £8,782.57 • Summons o/s (31 Jan 20) £6,114.48 • Total Rate o/s (31 Jan 20) £7,764.14 <p>New Bailiffs had been taken on to assist with the Liability Orders and collection of outstanding Rates.</p>	<p>RESOLUTION 3</p>
<p>10. Rhyne Supervisor Report 11. Engineering Report 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</p> <p>There were no specific issues arising from the Reports.</p>	
<p>13. Environment</p>	<p>13.1. The Clerk reported as follows:</p> <ul style="list-style-type: none"> • Inaugural Joint Environment Committee had Benn held on 6 Dec 19 • Membership consisted of 3 x Members of each Board in accordance with the Draft TOR (for approval) <p>Mr P Burden proposed, seconded by Cllr J Tonkin, that the Joint Environmental Committee TOR submitted with Calling Notice are approved by the Board.</p> <p>Vote: Unanimous.</p> <p>13.2. The Clerk further reported having had detailed discussions on:</p> <ul style="list-style-type: none"> • Legislative Framework and Environmental DUTIES of the Board. • Bio-Security and control of Invasive Non-Native Species 	<p>RESOLUTION 4</p>

	<ul style="list-style-type: none"> • 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>Mr P Burden proposed, seconded by Cllr J Tonkin, that the Joint Biosecurity Policy submitted with Calling Notice was approved by the Board.</p> <p>Vote: Unanimous.</p>	RESOLUTION 5
14. Risk Review	<p>14.1. The Clerk had distributed the updated Risk Register Dashboard with the Calling notice and took members through the Top 10 Risks.</p> <p>New Action: Dir Fin to investigate Director and Officers Insurance Liability and report back to the Board.</p>	New Action: NSL/20200204-03: Dir Ops
15. Any Other Business	<p>15.1. 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>15.2. The T&F Group for the Strategic Review was agreed as:</p> <ul style="list-style-type: none"> • Mr T Bush • Mr P Burden • Mr B Gray • Mr C Redding 	
16. Date of Next Meeting	<p>16.1. The date of the next Full Board meeting was reported as</p> <ul style="list-style-type: none"> • F&W - 24 Mar 20 (Highbridge) at 1430 • SDBC AGM – 13 Mar 20 (Highbridge) at 1030 • Full Board – 20 Apr 20 (Yatton) at 1830 	

Annex:

A. North Somerset Levels Board – Table of Outstanding Actions

CHAIR.....DATE

**ANNEX A TO
NSLIDB BOARD MINUTES
DATED 04 FEB 2020**

NORTH SOMERSET LEVELS BOARD – TABLE OF OUTSTANDING ACTIONS

Action Number:	Action:	Actionee:
NSL/20200204-01	To hold Officer and Member discussions in the formation of a Board Policy to standardize channel cleaning access and traversing of maize fields	Clerk
NSL/20200204-02	To formulate a Register of Structures with a priority schedule for works and defects.	Dir Ops
NSL/20200204-03	To investigate Director and Officers Insurance Liability and report back to the Board.	Dir Fin