

**North Somerset Levels Internal Drainage Board  
Minutes of Board Meeting  
26 June 2018**

Present Mr B Gray (Chairman); Messrs R Adams, W M Britten, T Bush, N Cole, R Mitchell, R Parsons, G Plaister, C Pyke, C Redding, and Council Representatives P Burden, R Garner, J Iles, D Payne, D Shopland, J Tonkin, D Yamanaka, and C Webb.

Also in attendance : Clerk, Consulting Engineer D Alsop (DA), Development Control Officer S Bunn (SB), North Area Rhynes Supervisor (DC) and Administrative Assistant. *du MB*

Before opening the meeting the Chairman was saddened to announce the death of former ~~West Mendip~~ Board member Mr F Parsons. The Chairman described Mr Parsons as a 'real character of the district'. The meeting observed a minute's silence as a mark of respect.

553. Welcome and Apologies for Absence

Apologies for absence were received from G Oliver, B Letts, A Mead, R Triggol, R Cleland, S Codling, M Pepperall, D Poole, T Porter, M Trump, and S Stokes.

554. Declaration of Members Interests

The Chairman and JT declared an interest in any discussion regarding development at Engine Lane, Nailsea.

555. Opportunity for Public Participation

No matter raised by the one member of the public in attendance.

556. Minutes of Last Meeting

Copies of the minutes of the meeting held on 17<sup>th</sup> April 2018 (*Appendix 1*) had been distributed to all members and were taken as read. MB proposed, CR seconded and the meeting agreed that the minutes be approved as a correct record. They were then duly signed by the Chairman.

557. Matters Arising

The Chair formally nominated Mr P Kingcott as a member of the Board. This was proposed by CP and seconded by TB. There being no other nominations, and all Board members present being in favour, Mr P Kingcott was pronounced duly elected to the Board.

558. Rhynes Supervisors' Reports

Copies of the Rhynes Supervisors' reports (*Appendix 2*) had been distributed to all members and were taken as read.

The chair informed the Board of the South Area Rhynes Supervisor's current absence from work due to injury. The clerk advised the Board that a local contractor and the South Area Engineer were covering his duties and MB encouraged south area Board members to be extra vigilant during the absence of both the Rhynes Supervisor and the Engineer.

RA mentioned that concerns had been raised by residents of Kewstoke on social media around the disruption caused to wildlife by the keetching process. It was agreed that, upon his return the Engineer should provide a response to Kewstoke Parish Council on the Board's behalf to address the concerns of the local community. This response should clarify the necessity of the keetching programme and provide information on the steps taken to reduce the impact on wildlife.

**North Area (David Crossman)**

DC presented his report to the Board. Further to this he mentioned that the favourable weather conditions had meant that the keetching was progressing well despite accelerated vegetation growth both in the rhynes and on the banks. DC reported that current water levels were good despite the current spell of dry weather. He further noted that the EA keetching schedule was due to start in mid July.

*David Crossman*  
14 Aug 18



There was some discussion regarding further recourse to resolve the issue of BT openreach cables draped in the rhyme causing obstruction, the Board will continue to explore all avenues to open lines of communication with BT Openreach in order to reach a resolution.

559. Engineers' Reports

Copies of the Engineers' reports (*Appendices 3,4&5*) had been distributed to all members and were taken as read.

South Area Engineer's Report

SB reported in GO's absence and further to the report:

Huckers Bow: SP updated the Board on progress of the Huckers Bow project, namely that GO has had several meetings with the EA and the design is being refined. Once a method statement has been received the LDC for temporary works to include over pumping for the duration of the works can be agreed. Works are planned to start within the next month.

At a previous Board Meeting a representation was made by a landowner regarding a culvert that he had installed on a viewed rhyme requesting financial contribution from the Board. Following investigation the Engineer is asking approval from the board to negotiate with the landowner for a contribution towards the structure that is already in place and for future funding towards maintenance only when required, as the culvert would provide a much better and safe access for the Board. This would be on a 50% basis and only while the Board requires access. The Chair commented that this would mean a contribution of up to £4,000.00, a considerable amount considering the Landowner would gain more from the structure than the Board, whose use of it is limited. MB proposed that 3 or 4 Board members could pay a site visit to the site to consider the benefits, considering the substantial cost, this was seconded by CR and the Board unanimously agreed that on the return of the Engineer a site visit should be arranged.

The Engineer has requested that The Independent Health and Safety Advisor is invited to attend the Board meeting in August to make a presentation on the work carried out and the responsibilities of Board members on health and safety matters. The Board agreed that this would be beneficial.

DA drew attention to the section in GO's report regarding staffing issues in light of recent and current staff absence and asserted that this deserves more attention. CR observed that the Rhynes Supervisors' combined in-depth local knowledge on the rhynes system and that it would be beneficial to have another responsible person to whom this could be passed on to in order to cover eventualities of illness or absence. The Chair pointed out that the next FP&GPC meeting would be concerned with staffing, and these issues would be addressed as an agenda item at the meeting.

Development Control Report

Further to the report

Metrowest: SB informed the Board that the North Area Engineer had carried out site visits looking at the proposals and drawing up a detailed list of the Board's requirements, particularly with regard to access. DA responded that the developers are consulting on their proposals in five stages and there has been some duplication of instructions required as each new team is involved. As there are different consultants involved for different aspects of the project it is difficult to find an overall picture, DA felt that the engineers' involvement although lengthy would not be wasted and necessary to keep on top of what's been happening. SB has put together a small information document so that details do not have to be repeated.

Weston Parklands: The pre-loading has involved the Board to a considerable extent because the pre-loading has to go through some of our viewed rhynes because that is where some of the future culverts and structures are going to be. There have been a number of temporary diversions of rhynes which have required LDC and site visits.

JT stated that the planning application for housing North of Youngwood lane has been refused.

*W. Black*  
*14 Aug 15*



JI confirmed that the section 106 agreement for 15/P/0946/0 Hallam Development has been signed off. DA requested a copy of the section 106

#### North Area Engineer's Report

Network Rail: DA pointed out that the Board had recently received a memo from ADA specifically quoting NSLIDB's cooperation to carry out maintenance with Network Rail as example of good practice. Further works are planned later in the year and are intended to become part of an annual maintenance programme.

Land Yeo: DA reported that negotiations with the EA to secure funding for the necessary bank repairs and improvement works on the Land Yeo to prevent flooding, had been unsuccessful. After some discussion PB proposed that this matter be brought to the attention of Nick Brain, as North Somerset Council are the lead flood risk authority. This motion was seconded by CW and the board were all in favour that a letter be drafted to Nick Brain expressing the concerns of the Engineer. It was further noted that contact should also be made with the MP for the area to make him aware of the situation. DA has initially estimated repairs at £20,000.00 plus ongoing maintenance.

The Cut, Portishead: Following discussion regarding the overgrowth on the Cut which is preventing access for maintenance, PB proposed, JT seconded and the Board voted in favour that the Board's intention to initiate enforcement action be communicated to the Persimmon-led consortium responsible for the land. Furthermore it was decided that the Board's concerns also be communicated to the leader of North Somerset Council.

There was some discussion regarding the Board's involvement in planning permission decisions and what could be done where the Board's development control stipulations have not been adhered to. It was acknowledged that the Board are not statutory consultees on planning but instead perform an advisory role.

#### 560. Recommendations of the Finance, Policies and General Purposes Committee

Copies of the minutes of the FP&GPC meeting held on 7<sup>th</sup> June 2018 (*Appendix 6*) had been distributed to all members and were taken as read. TB Proposed, MB seconded and those FP&GPC members present agreed that the minutes were an accurate record of the meeting, after which they were duly signed by the Chairman.

All matters, comments and recommendations within the minutes were noted and considered when dealing with agenda items 8b), 9 & 10. (*See 561, 562 & 563 below*)

Minute 201: TB proposed, MB seconded and the Board voted in favour that the FP&GPC recommendation regarding data management be accepted. Namely that invoices to the end of September be paid and that the contract be extended to enable ongoing work to continue.

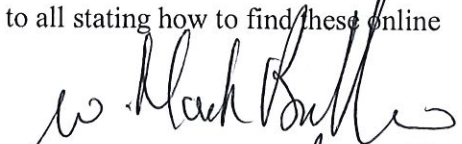
Minute 204: The Chair confirmed the retirement date of the Clerk. PB proposed, MB seconded and the Board voted in favour that a special meeting of the FP&GPC meeting be set up to discuss the wider aspects of staffing for the Board and initiate the recruitment process for the Clerk's replacement.

#### 561. Publication Scheme Policy Review

Copies of the policy (*Appendix 7*) had been distributed to all members and were taken as read. DS queried how long records are kept for and suggested that charges should be levied for hard copies of minutes. DP proposed, PB seconded and the Board voted in favour that, with the 'number of IDBs' revised to 121, the Publication Scheme continue be used in its current form with a further review within a year.

#### 562. Annual Governance & Accountability Return (AGAR) – Section 1 Annual Governance Statement

Copies of blank AGAR Section 1 (*Appendix 8*); and Governance & Accountability – Practitioners' Guide 2018 'Foreword' plus schedule of 'Amendments for 2018/19' (*Appendix 9*) had been distributed to all members. Other papers (*Practitioners' Guide Sections 1-5, Accounts & Audit Regulations 2015 parts 1, 2, 4 & 5, and the National Audit Report on IDBs*) only sent out to those who had not received them previously. The agenda had included an explanatory note to all stating how to find these online

  
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and advising that hard copies were available from office on request for anyone who had mislaid their earlier copies. All of the above were taken as read.

After discussion, mindful of the above and of all systems and measures in place and reviews carried out during the year, DP proposed, PB seconded and the Board voted in favour that each of the 8 statements contained within Section 1 'Annual Governance Statement 2017/18' be approved as correct. The Chairman ticked each box 'Yes' in turn and the document was duly signed by the Clerk and the Chairman.

563. Draft Annual Accounts & AGAR Section 2 (Appendices 10 – 17)

Copies of the following had been distributed to all members and were taken as read:-  
draft Accounting Statements - AGAR Section 2, with Reconciliation between these and the draft Unaudited Management Accounts (underlying detailed financial statements) on the reverse (*Appendix 10*); draft Unaudited Management Accounts (*Appendix 11*); Variances from last year on the Accounting Statements and explanations of any significant variances (over 15%) (*Appendix 12*); Bank Reconciliations with copies of bank statements as at 31 March 2018 (*Appendix 13*); Reconciliation between AGAR Section 2 Boxes 7 & 8 with list of Debtors & Creditors (*Appendix 14*); List of Accruals & Prepayments (*Appendix 15*); Internal Audit Reports – AGAR page 3 (*Appendix 16*) plus full Final Report, (*Appendix 17*).

All of the above were noted and items 10 to 15 were taken in conjunction with the comments and recommendations of the FP&GPC, it being noted that both Internal Audit Reports had been carried out after the date of the FP&GPC meeting.

Following discussion on all of the above, during which the Clerk commented on the papers and answered questions from members, DS proposed, MB seconded and the Board voted in favour of the FP&GPC recommendation that the Accounting Statements - AGAR Section 2 and the Management Accounts be approved; these were then duly signed by the Chairman. In addition, JI proposed, RG seconded and the meeting agreed that the other documents as presented be approved. Members were pleased to note that the Internal Audit Reports contained no matters to be brought to the attention of the Board.

564. Comparison to Budget plus Engineers' Budget Roll-overs Request

Copies of The Comparison to Budget (*Appendix 18*) and the Engineers' Budget Roll-overs Request (*Appendix 19*) had been distributed to all members and were taken as read. The Clerk gave a report on the final accounts as compared to budget, including explanation of requested rollover of budgets and the difference between her maintenance budget rollover figure that presented by the Engineers.

Discussion ensued regarding the operational rollover amount having increased year on year due to both weather constraints and limited resources. The North Area Engineer assured the Board that he and the South Area Engineer are confident that the roll-overs requested this year represent a realistic target. PB proposed MB seconded and the Board voted in favour that the operational rollovers of £163.6K be approved along with the rollovers of £2.5K for H&S Professional Advice and £2K for Water Level Management Plans.

The clerk requested rollover from the admin budget to cover furniture and equipment including alterations to the upstairs office, a screen and projector plus rollover of IT provision for compliance with GDPR. Decisions on these items were deferred to the FP&GPC and the Board confirmed that the committee was given the authority to decide on these.

565. Scope of Internal Audit and Review of effectiveness of the System of Internal Audit

Copies of the Draft Scope of Internal Audit Paper, Review of Effectiveness/Check List and Internal Auditors Letter of engagement (*Appendix 20*) had been distributed to all members and were taken as read with all content noted.

*W. Mark Bull*  
16 Aug 18

566. Review of Health Safety and Welfare Statement

Copies of the Statement of Health Safety and Welfare Policy (*Appendix 21*) had been distributed to all members and were taken as read. After discussion JI proposed, CP seconded and the Board agreed that the existing Health Safety and Welfare Statement be re-approved without amendment.

567. Administrative Matters

Councillors experienced difficulty in viewing some the content of the Board papers on their Ipads during the meeting, despite previously having no difficulties on other devices. The administrative assistant will ensure that the document is tested in the office on an Ipad prior to sending out future papers. Additional printed papers can be made available at the meeting if requested in advance.

The Clerk read out recent correspondence regarding Council Appointees availability during an election year. The Head of Legal and Democratic Services at North Somerset Council has proposed that in an election year (2019) the executive will be invited to delegate the nomination of IDB appointees to the respective group leaders and notify NSLIDB of the NSC nominations shortly after the district elections on the 2<sup>nd</sup> May or by the end of May at the very latest.

The Hinckley Agreement has now been signed, it just remains for the solicitors to settle the costs with National Grid and copies will be sent out.

Triennial Election : The date for a nomination meeting has to be between 24<sup>th</sup> and 30<sup>th</sup> September and a poll, if required, between 24<sup>th</sup> and 30<sup>th</sup> October. Public notices to be published in the local press and on the Board's website.

GDPR : ADA still working on model documents and guidance specific to IDBs. Now expected to be ready early to mid August. Due to increased complexity / workload Board to consider using the services of an external Data Protection Adviser. Clerk to make enquiries.

Byelaws : The revised Byelaws approved by the Board earlier had not yet received ministerial approval. Most recent advice from ADA was that this version should not be taken up as ADA and Defra are currently revising them. The Board decided to continue to operate under existing byelaws for the time being.

568. Treasurer's Report and List of Payments

Copies of the Treasurer's Report and List of Payments (*Appendix 22*) had been distributed to all members and were taken as read. Clerk reported on the Treasurer's Report. It was proposed by MB, seconded by TB and agreed by the meeting that the List of payments be signed by the Chairman as a correct record.

Updated investments list was circulated. (*Appendix 23*)

569. Any Other Business

A previous concern of a landowner was raised again regarding damage to ancient drains on his land. The Chair will ensure that this is raised again with the engineer.

The Clerk thanked all the members of staff for their efforts during her absence due to illness.

570. Confidential Business

No confidential business was discussed.

Meeting Closed 21:35

*W. Mark Smith*  
14 Aug 18

