

MINUTES OF THE AXE BRUE FULL BOARD MEETING HELD VIA ZOOM ON 16 APR 21

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

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. No additional Items were requested.	
3. Declarations of Interest	3.1. Mr Watts specifically commented that he currently supplied a number of Contractors with building materials. 3.2. Cllr A Gilling declared an interest in any and all matters relating to Ashford's Solicitors.	
4. Opportunity for Members of the Public to address the Meeting	4.1. There were no Members of the Public present at the Meeting.	

<p>5. Approval of Minutes</p>	<p>5.1. The Full Board Minutes of 01 Feb 21 were accepted unanimously and signed by the Chair as a true and accurate reflection of the Meeting.</p> <p>5.2. Following a question from Cllr M Martin, Mrs Hammond (Dir Fin) confirmed that Year-End surplus usually feeds into the general (free) Reserves, however the Board may decide to ring-fence surplus funds for specific items.</p> <p>5.3. Following a question from Mr B Clapp, the Clerk stated that although phosphate levels may affect planning 106 agreements, the Board was not a Statutory Consultee in this process. He further reported that a Meeting had been held with the Chair and Cllr Martin to review implications on the Board. The Board's responsibilities were to manage levels and conduct maintenance sympathetically, all which affect water quality. IDB and members of the public have a responsibility to report pollution to the EA.</p>	
<p>6. Matters Arising</p>	<p><u>Review of Actions</u></p> <p>Action AB/20201016-01: Clerk to meet with Cllrs A Gilling and M Martin to understand Section 106 Notices and raise an extraordinary full Board Meeting if necessary: The Clerk reported this Action as complete; a Meeting had been held on 18 Feb 21 with Cllr Gilling & Cllr Martin to better understand the issue on Phosphate level constraints on the planning Authorities and the implications on the Axe Brue Board.</p> <p>Action AB/20201016-02: Clerk to re-issue the Register of Members Interests for signature by those Members not-held and return within 28 days: The Clerk reported that this action was ongoing whilst awaiting the final returns from Cllr Hendry and Cllr Cottle.</p> <p>Action 20201016-4: The Clerk & Asst Clerk to provide Options for the recovery of outstanding rates for persistent non-payers additional to Liability Orders secured at Magistrates Court. The Clerk commented that this action was being discussed as a Joint Board issue through the SDBC Management Committee as it was equally applicable to the other Boards of the Consortium and would be reported back in due course.</p> <p>New Action: AB/20210201-01: to review of the Complaints Procedure with regards to complaints against Board Members and report back to the Board. The Clerk reported that the Complaints Policy had been uplifted following review of the SDBC Management Committee and now included reference to</p>	<p>Action AB/20201016-01: Closed</p> <p>Action AB/20201016-02: Ongoing</p> <p>Action AB/20201016-04: Ongoing</p> <p>Action AB/20210201-01: Closed</p>

	<p>actions with respect to complaints received against Board Members. The Policy was available to view on the Boards' website.</p> <p><i>New Action: AB/20210201-02: The Clerk to provide a short monthly email update to Members of key issues.</i> The Clerk reported that this Action had not been completed due to the relatively short timescales between meetings and with four sub-Committee Meetings having been held since the Feb 21 Meeting. This Action therefore remained extant.</p>	<p>Action AB/20210201-02: On-going</p>
<p>7. Health & Safety</p>	<p>7.1. The Clerk reported that the H&S (joint Board) sub-Committee Meeting held on 26 Feb 21 was favourably received with the following points of note:</p> <ul style="list-style-type: none"> • Draft H&S Policy review underway following endorsement of the Strategic Review of Plant, Machinery & Manpower. • H&S training for Staff and Members – ADA had produced generic 15 min on-line presentations which would be available prior to full Board Meetings from Jun 21. • Internal audit process to be conducted by Board Members. The first Internal Audit process was underway for COSHH and Health & Well-Being of Staff. <p>The next H&S sub-Committee Meeting was reported as 07 May 21.</p>	
<p>8. Governance Updates</p>	<p><u>Strategic Review of Plant, Machinery and Manpower:</u></p> <p>8.1. The Clerk reported that implementation of the agreements within the Strategic Review was proceeding well, with Staff arrangements progressing to new roles:</p> <ul style="list-style-type: none"> • Mr M Andrews had moved to Area Supervisor, Line Managed by Mr R King as Operations Manager across all three Boards. • Mr M Wall had taken on the role of Contracts Manager, as a single point of contact for maintenance Contracts for all three Boards. • Mr A Dowden had moved to an Operations Consultant position, providing support to all three Boards but in the immediate term to transfer knowledge of the Upper Brue area to the Operations Team through oversight and training of Staff. • Unfortunately, Mr S Bunn, Development Control Officer has resigned to become Flood Risk Manager at North Somerset Council. He would be replaced by Mr R Kidson, currently Project Engineer focussed on SRA projects. 	

	<ul style="list-style-type: none"> • Appreciation was expressed to Mr Bunn, with well wishes for his future. • Mr Kidson was welcomed to the new role. <p>8.2. Following a question, the Clerk reported that all the new Staff positions had been agreed within costings of the Strategic Review, which overall will provide savings to the Boards following restructure.</p> <p>He further reported that salaries were reviewed annually by the SDBC Salaries Committee and salary scales aligned against the Somerset County Council pay scales.</p> <p>He confirmed that no new Staff had been recruited, only restructure by internal Staff.</p> <p><u>Enforcement Action:</u></p> <p>8.3. The Clerk reported that, following delays incurred with the judiciary hearings as a result of the COVID pandemic, the prosecution through the Court of a Breach of Board Byelaws at Grange Paddock, Mark, had been resulted in a successful prosecution. The sentence Hearing held on 01 Apr 21 awarded a fine of £750 for the Breach and full costs incurred by the Board (approx. £4000). Costs for a Court’s administration error may be claimed by direct application to the Court.</p> <p>He further reported that additional mitigation works completed subsequently as a result of the revetment works were considered to be acceptable for the revetment to remain as it posed no additional flood risk at this time but would remain as ‘unconsented’.</p> <p>8.4. Following a request from Cllr Human, the Clerk took an Action to prepare a Press Release for consideration of the Chair, to summarise the successful prosecution and Enforcement Policy.</p> <p><u>Vacancy of Elected Membership of the Board:</u></p> <p>8.5. The Clerk provided an overview of the prescribed format timeline generated by the Clerk and Deputy Clerk.</p> <p>8.6. Mr J Fear proposed, seconded by Cllr M Martin <i>‘That, pending no Objections to the Register are received within 14 days of Public Notice of the Electoral Register being available to be inspected, the Board Approve the Axe Brue Electoral Register; otherwise an Extraordinary Meeting of the Board will be called.’</i></p> <p>Vote: All Agreed.</p> <p>8.7. Following a question from Mr Wall, the Clerk reported that a Register of Attendance was held for all Meetings and sub-Committee Meetings. Non-approved absence of Appointed Members had been raised with</p>	<p>New Action: AB/20210416-01: Clerk</p> <p>RESOLUTION 1</p>
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	<p>the Local Authorities, a response was expected in due course.</p> <p>The Clerk highlighted that the SDBC Management Committee membership would need to be reviewed if Appointed Membership changes in the future following the Local Authority Elections.</p> <p>He further reported there were currently no concerns over un-approved Elected Member absences.</p> <p><u>Members Code of Conduct:</u></p> <p>8.8. The Clerk had no further comment.</p>	
9. Finance Report	<p>9.1. Director of Finance, as the Responsible Finance Office (RFO), advised there was nothing to report and that the Year-End process was underway.</p> <p>9.2. <u>SDBC Year-End accounts</u> Estimated Year-End SDBC surplus to be divided between Axe Brue, Parrett and North Somerset Levels in accordance with the Consortium Agreement share to enable a zero balance; estimated Axe Brue £27k, however this could not be confirmed until the end-of-year accounts were concluded.</p> <p>9.3. <u>Outstanding Rates</u> The Deputy Clerk provided an overview:</p> <ul style="list-style-type: none"> • Outstanding Rates from last year were £2,686 (1.2% of total Rates). Of that, 7x accounts totalling £1,418 were subject to Liability Orders through the courts and recoup through Bailiffs. All outstanding debts had been carried forward into the current year's demands. • The Board reviewed the level at which the Board should seek Liability Orders (must be considered a justifiable expense of 'collection' by Para 55 (6) of LDA 1991) and endorsed the current process of all debts of £25 and above. 	
10. Engineering & Operational Report	<p><u>In-Year Maintenance:</u></p> <p>10.1. Dir Ops requested that the Engineering & Operations Paper be taken 'as-read' unless there were any questions arising from the Report which included an update on the current in-year maintenance.</p> <p>10.2. Following a question from Mr M Wall, the Clerk reported that the aspiration was to complete an approved Works Programme within budget and Officers would report where works would be out of budget.</p> <p>10.3. Following a question from Cllr Riches the Clerk reported that there was no appetite from other organisations to complete Brue de-silting works at this time but he considered this not to be a reason for the Board to undertake those works.</p>	

	<p>10.4. <u>SRA – Robbins Lane</u> The IDB had identified a scheme to uplift the network to alleviate flooding, unfortunately the scheme did not attract SRA funding due to alternative demands on the overall budget.</p> <p>10.5. Following concern expressed for the conveyance and flow at Cheddar due to a defective structure and impending development, Dir Ops agreed to discuss out of Meeting, and confirmed the structure has been listed on the Defects Register.</p> <p>10.6. Concern was expressed for minor works undertaken at Glastonbury, Dir Ops to discuss out of Meeting.</p>	
11. Environment Committee	<p>11.1. The Clerk reported the sub-Committee met in Apr 21 and discussed the following:</p> <ul style="list-style-type: none"> • Non-native invasive species – concern for abundance of plants, being tracked to combat the spread. • Badger Licence requirements had been agreed. • The new Environment Bill would increase Biodiversity and enhancement requirements on the Board. This matter is reportable annually to DEFRA via an IDB1 form. • The Boards’ Bio-security Policy highlights the need to clean machines and have good communication between contractors and landowners. 	
12. Somerset Rivers Authority	<p>12.1. The Clerk had no further comment.</p>	
13. Risk Review	<p>13.1. The Clerk had distributed the updated Risk Register with the Calling notice and provided an overview of the Top Risks as they stood at the Meeting which had reduced with implementation of the Strategic Review.</p> <p>13.2. <u>Risk 49 Red/White diesel</u> The Clerk reported this new risk as a result of current Government discussion. IDB’s historically used red diesel as IDB maintenance works had been considered agricultural.</p> <p>ADA had represented IDBs for endorsement to use red diesel in the future, however it is likely that white diesel will be enforced as of Apr 2022. He further reported that this would have a potential adverse impact on maintenance costs.</p> <p>The Clerk recommended that Board Reserves are reviewed in-line with the Risk Review at the Jun 21 full Board Meeting.</p>	

14. Any Other Business	<p>14.1. The Board conveyed Best Wishes to Mr Bunn for his future role and was thanked for his efforts with Development Control.</p> <p>14.2. The Chairman brought attention to a Somerset County Council public consultation on the A38 regarding access to Bristol Airport.</p>	
15. Date of Next Meeting	<p>15.1. Future Meetings were reported as:</p> <ul style="list-style-type: none"> • Joint H&S Committee – 07 May 21 @ 1030 • F&W Committee – 14 Jun 21 @ 1030 • Full Board – 21 Jun 21 @ 1030 <p>There being no other business, the Chairman thanked Members and Officers for their attendance, and the Meeting was closed.</p>	

Annex:

A. Axe Brue Board – Table of Outstanding Actions

CHAIR.....DATE

**ANNEX A TO
AXE BRUE BOARD MINUTES
DATED 16 APR 2021**

AXE BRUE BOARD – TABLE OF OUTSTANDING ACTIONS

Action Number:	Action:	Actionee:
AB/20201016-02	To re-issue the Register of Members Interests for signature to those Members not held – return within 28 days.	Clerk
AB/20201016-04	To provide options for recovery of outstanding rates for persistent non-payers additional to Liability Orders secured at Magistrates' Court.	Clerk and Deputy Clerk
AB/20210201-02	To provide a short monthly email update to Members of key issues.	Clerk
AB/20210416-01	To prepare a Press Release for consideration of the Chair, to summarise the successful prosecution and Enforcement Policy.	Clerk