

## MINUTES OF THE AXE BRUE FULL BOARD MEETING HELD AT BRADBURY HOUSE AND VIA ZOOM ON 15 OCT 21

<b>Attendance:</b>			
<b>Elected Members:</b> Mr B Clapp Mr J Fear Tessa Munt Mrs P Thorne Mr D Tratt Mr M E Wall Mr M Watts	<b>Appointed Members:</b> Cllr J Cousins Cllr B Filmer Cllr A Gilling (C) Cllr A Hendry Cllr W Human Mr R Keen Cllr M Martin Cllr A Matthews Cllr M Murphy Cllr C Riches Cllr L Scott	<b>Officers:</b> Mr I Sturdy Mrs C-A Morgan Mrs M Hammond Mr R Kidson Mr R King Mr M S Wall Mr P Brewin Mr A Dowden	<b>Public:</b> Data Protection Officer
<b>Approved Apologies:</b>			
Mr C Durston Mr A Franks Mr R Stitch Mrs W Welland			
<b>Non-Approved Apologies:</b>			
Mr N Lukins	Cllr P Clayton Cllr M Healey		

<b>Agenda Item:</b>	<b>Detail:</b>	<b>Action:</b>
1. Attendance and Apologies	1.1. Apologies as per the above Attendance List.  1.2. The Acting CEO advised that the Meeting was being recorded for the purposes of Minute preparation.	
2. Member Training	<u>Data Protection</u>  2.1. One West provided Member training covering aspects of Data Protection including, but not limited to: <ul style="list-style-type: none"> <li>• Personal data - definition</li> <li>• Special categories of personal data</li> <li>• Data processing</li> <li>• Data controller/processor/Data Protection Officers</li> <li>• The information Commissioner's Office</li> <li>• Data protection principles</li> </ul>	

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>2.2. The Chairman thanked the Data Protection Officer for her time and the informative session.</p> <p>New Action: <b>AB/20211015-01: The Acting Clerk took an Action to circulate the DPO presentation to all Members.</b></p> <p>2.3. The Data Protection Officer left the Meeting.</p>	<p><b>New Action: AB/20211015-01: Acting Clerk</b></p>
3. Items additional to the Agenda	<p>3.1. The Chairman reported that the CEO/Clerk had left the organisation, stating the Board was grateful for the work he undertook and wished him well. Any enquiries to be directed to Dir Ops.</p> <p>3.2. No additional items had been submitted prior to the Meeting.</p>	
4. Opportunity for Members of the Public to address the Meeting	<p>4.1. Members of the Public had been given the opportunity to register their expression of interest for the Meeting via the Board's website.</p> <p>4.2. Tessa Munt expressed concern that the website was not explicit. The Meeting was advised that the Agenda and invitation to register interest were available.</p> <p>4.3. No Members of the Public were present.</p>	
5. Declarations of Interest	<p>5.1. Mr Watts specifically commented that he currently supplied a number of Contractors and land owners with building materials. He also registered a personal interest for any matters relating to Mr Adlam.</p> <p>5.2. Cllr a Gilling declared an interest in any and all matters relating to Ashford's Solicitors.</p> <p>5.3. Cllr J Cousins specifically commented that he currently sits a member of the SRA Joint Scrutiny Panel.</p> <p>5.4. Cllr M Martin specifically commented that he is currently a member of the SRA.</p> <p>5.5. Mr A Dowden declared a personal interest in fencing at Railway Ditch (Item 8 and 10).</p> <p>5.6. Mr D Tratt declared a personal interest in Animal Farm Country Park (Item 10).</p> <p>5.7. Members were requested to submit declarations as necessary throughout the Meeting.</p>	
6. Approval of Minutes	<p>6.1. Mr Watts objected to the Minutes, stating that a statement made at the previous Meeting had not been recorded and he felt that it should be included.</p>	

	<p>Acting CEO reported that Board Minutes are not recorded verbatim however they do reflect discussion and decision, stating that one line of discussion would be out of context. He further stated that recordings were used for the preparation of Minutes and not routinely held on file, however he would seek advice on this matter.</p> <p>Tessa Munt and Cllr Cousins suggested that as a public body Meeting recordings should be kept on file.</p> <p>6.2. Cllr Gilling proposed, seconded by Mr Fear <b>“That comments of concern from Mr Watts were noted and the Axe Brue full Board Minutes of 21 Jun 21 be accepted.”</b></p> <p>Vote: unanimous.</p> <p>The Chair signed the Minutes as a true and accurate reflection of the Meeting.</p>	<p><b>RESOLUTION 1</b></p>
<p>7. Matters Arising</p>	<p>7.1. Following a question from Mr Clapp concerning on-call capability, Dir Ops replied that the Board has a 24 hour out of office telephone service and that emergency cover is provided as necessary at the goodwill of Staff. He further reported that the review of the Strategic Review of People, Plant &amp; Machinery will address this matter.</p> <p>7.2. <u>Review of Actions</u></p> <p><b>Action: AB/20210201-02: The Clerk to provide a short monthly email update to Members of key issues.</b></p> <p>Acting CEO reported that this Action remained extant. Acting CEO and Acting Clerk will review to understand what is to be included in a monthly email.</p> <p><u>Staff Update</u></p> <p>7.3. Acting CEO reported that the Board continues to deliver outcomes as usual, and that he and the Acting Clerk are working longer hours to minimise any risk to reductions of service. He strongly recommended that the Board via the Chair and Vice Chair meet with the SDBC to commence discussions on the way forward.</p> <p>7.4. He further reported staff updates as:</p> <ul style="list-style-type: none"> <li>• Iain Sturdy - formally Acting CEO</li> <li>• Carrie-Anne Morgan - formally Acting Clerk</li> <li>• Matt Eldridge – formally Acting up to Operations Technician</li> </ul>	<p><b>Action AB/20210201-02: On-going</b></p>

	<ul style="list-style-type: none"> <li>• Rob Kidson – successfully moved back to Project <b>AB/20210621-01: RFO Engineer</b></li> <li>• Jenna George – temp Consents Officer; successful recruitment</li> <li>• Development Control Officer &amp; Consents Officer recruitment on-going</li> <li>• Apprentices – unsuccessful WEW recruitment, to be re-advertised with an uplift to starting salary</li> <li>• Resignations – Pete Struck, Jack Roberts and Roger Burge. Acting CEO reported that there is nothing unfortunate to the Board in any of these circumstances.</li> </ul> <p>7.5. Tessa Munt expressed concern that Environment job availability was not on any job portal. Acting CEO advised that Apprentice positions were advertised directly via the Government Apprenticeship portal, and that Development Control and Consents Officer positions were widely available on job portals.</p> <p><b>Action: AB/20210621-01: The RFO to detail ‘Miscellaneous Income’ on future Year End reports.</b> Dir Fin reported that miscellaneous income will be included with year-end reports. The Action was closed.</p> <p><b>Action: AB/20210621-02: The Clerk took an Action to investigate why the Board had not been consulted on recent Catchment Partnership events and report at a future Meeting.</b> Acting CEO will take this Action and report at a future Meeting. The Action remains extant.</p> <p><b>Action: AB/20210621-03: The Clerk took an Action to provide the full Risk Register to all Board Members as an excel spreadsheet.</b> The full Risk Register was included with the Meeting documents to all Members. This Action was closed.</p>	<p><b>Action: AB/20210621-01: Closed</b></p> <p><b>Action: AB/20210621-02: On-going</b></p> <p><b>Action: AB/20210621-03: Closed</b></p>
8. Governance	<p><u>New Model Byelaws</u></p> <p>8.1. The Clerk reported that Defra had published revised model Flood risk and Land Drainage Byelaws for IDBs with the following changes:</p> <ul style="list-style-type: none"> <li>• Byelaw 3: Non-development water discharges to be revised as ‘No person shall for any purpose, <u>including as a result of development...</u>’</li> <li>• Byelaw 10: Linear features along watercourses and fences to read ‘No person without the previous consent of the Board shall erect any</li> </ul>	

	<p>building, structure (<u>including a fence</u>), whether temporary or permanent...’.</p> <p>8.2. Mr watts commented that the Boards had previously permitted temporary stock fencing. Acting CEO replied that the Boards could detail acceptable temporary stock fencing within the Watercourse Management Policy.</p> <p>Mr Tratt proposed, seconded by Mr Fear <b>“That the Axe Brue Board adopt the new Model Byelaws and proceed with a 30-day public consultation as prescribed in the Land Drainage Act 1991.”</b></p> <p>Vote: unanimous</p> <p>8.3. The Acting Clerk reported that following interviews and quotes received for Data Protection Officer services, One West, Bath had been appointed on a three-year term as an SDBC joint contract with Parrett &amp; North Somerset Levels Boards. One West had served historically as DPO for North Somerset Levels IDB.</p> <p><u>Committee Membership</u></p> <p>8.4. Acting CEO reported that a discussion from other Consortium Boards indicated a preference for the minimum number of Finance &amp; Works (F&amp;W) meetings possible, to reduce repetition at full Board. Member’s discussion included the following points of note:</p> <ul style="list-style-type: none"> <li>• F&amp;W is repeated at full Board</li> <li>• F&amp;W duplicates procedure for Members and Officers</li> <li>• Full Board does not allow time for full finance discussion</li> <li>• Essential to hold 2 or 3 F&amp;W Meetings per year</li> <li>• All Board Members should be invited to all sub-committee Meetings for full understanding when discussion reaches full Board.</li> </ul> <p>8.5. Acting CEO will look into the suggestion of sharing documents with all Members and website.</p> <p>8.6. Director of Finance (Dir Fin) stated that the June F&amp;W meeting will be repeated at full Board to enable accurate AGAR reporting, and that the Jan F&amp;W Meeting is essential for full detail and discussion of budget and rate setting for recommendations at full Board.</p> <p>No outcome was agreed.</p>	<p><b>RESOLUTION 2</b></p>
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## Committee Membership Review

8.7. Committee membership was confirmed as:

### Finance & Works

- Cllr Andrew Gilling
- Mr Jeff Fear
- Mrs Pamela Thorne
- Mr Maurice Wall
- Mr Martin Watts
- Cllr Will Human
- Mr Roger Keen
- Cllr Alan Matthews
- Cllr Liz Scott

### SDBC Management

- Cllr Andrew Gilling
- Mr Jeff Fear
- Cllr Peter Clayton
- Cllr Alistair Hendry
- Mr Roger Keen
- Mrs Pamela Thorne
- Mrs Wendy Welland

### Health & Safety

- Mr Roger Keen
- Mr Noel Lukins
- Cllr Charlie Riches

### Environmental

- Cllr Peter Clayton
- Cllr Liz Scott
- Mr David Tratt

### Policy Update

8.8. IT & Mobile Phone Policy – Members were advised for information that the Policy had been uplifted to achieve continued Cyber Essentials Accreditation. SDBC Management Committee would consider and endorse. Minor changes were required for a more robust Policy e.g.:

- If users become aware of an actual or suspected compromise of any password, this must be immediately changed. Users may change their own password themselves, or seek assistance as soon as possible.

	<ul style="list-style-type: none"> <li>• Remote access to Axe Brue corporate systems from company-provided or personally-owned computers must have a compliant level of security.</li> <li>• Appendix A: Miscellaneous Policies: to satisfy the requirements of Cyber Essentials</li> <li>• Firewalls' passwords are changed to something strong as and when they're supplied to us from our IT provider, and a policy check is in place to ensure this.</li> </ul> <p><u>Meetings Calendar 2022</u></p> <p>8.9. The draft Meetings calendar was presented to Members for discussion.</p> <p>Tessa Munt commented that staffing is to be considered for the timeframe of number of meetings scheduled.</p> <p>New Action: <b>AB/20211015-02: The Acting Clerk took an Action to share the draft Meetings calendar with all Members for further comment.</b></p>	<p><b>New Action: AB/20211015-02: Acting Clerk</b></p>
<p>9. Finance Report</p>	<p>Quarterly Reconciliation of Bank Statements</p> <p>9.1. Dir Fin, as the Responsible Finance Officer (RFO), reported that a full bank reconciliation by Officers had been completed to end Aug 21. However, due to the ongoing Covid-19 situation, the internal reconciliation by Cllr Human had been delayed.</p> <p><u>2020/2021 AGAR</u></p> <p>9.2. Mrs M Hammond, RFO, commented that no errors had been identified with the AGAR figures however, one issue of concern was raised:</p> <ul style="list-style-type: none"> <li>• A previous year's template had been used for the audit Notice, although the correct dates had been entered.</li> </ul> <p><u>Write Offs</u></p> <p>9.3. The RFO recommended the following debt were written off:</p> <ul style="list-style-type: none"> <li>• A debt from pre-April 2011 had been entered into the Finance System, £214.81 to Bartlett, Gooding &amp; Wheelan.</li> <li>• The historic records had been checked and much of the archived material is on floppy discs, so is unobtainable.</li> </ul> <p>Mr Fear proposed, seconded by Mrs Thorne <b>“that the Axe Brue Board write off an historic debt to Bartlett, Gooding &amp; Wheelan of £214.81.”</b></p> <p>Vote: unanimous</p>	<p><b>RESOLUTION 3</b></p>

9.4. The RFO recommended the following extensive research, seven Drainage Rate debts were written off to the value of £703.93:

£22.90	Land sold in 2017.	Owner unknown
£49.32	Land transferred 2019	Owner unknown
£103.75	Land sold 2018	Debtor deceased, no estate details
£33.48	Land sold	Unknown occupier
£22.63	Land sold 2015	Owner unknown
£419.59	Land sold 2011	Owner unknown
£54.26	Land transferred 2015	Owner unknown

Mr Fear proposed, seconded by Mrs Thorne **“that the Axe Brue Board write off seven historic Drainage Rate debts to the total value of £703.93.”**

Vote: unanimous

SDBC Accounts

9.5. The RFO reported on the SDBC Asset Register with the following points of note:

- Additions of £22,432.26
- Vehicles - £18,402.16 (3 Ex Parrett Vehicles, 1 Ex NSL vehicle, 1 new vehicle)
- Office Equipment - £1,872.78 (New VOIP telephone system)
- Portable Equipment - £2,157.32 (Strimmer and Toughbook)

9.6. Following a question from Cllr Martin regarding sale of vehicles, Acting CEO reported that the Strategic Review of Plant & Machinery included sale of plant & machinery. The Boards equipment is currently being appraised to provide proposed sale value to be reported to the Board in due course.

He further reported that the purchase of new vehicle was also included in the Strategic Review for use of the Area Supervisors.

9.7. The RFO provided an overview of the accounts and year-end status with the following points of note:

- As at 31 August 2021 surplus of £28,753
- Year-end forecast is a favourable variance of £76,685 mainly due to the following:
- Staff Cost Recharge, Adv £54,645; Recharging mainly SRA, impact of temporary DCO cover
- Salaries & On-costs, Fav £115,860; Due to vacancies DCO, CO, Ops Tech and WEW

**RESOLUTION 4**



- Recruitment, Adv £3,000; DCO, CO and other vacancies, more than budgeted for
- Cleaning, Fav £4,350; cleaning company tendered notice and reduced requirement due to Covid office closure
- Telephone, Fav £2,768; Impact of remote working and new VOIP system
- Photocopier Fav £1,128; Impact of remote working
- Mobile phones, Adv £1,725; 12x handset uplift to comply with Cyber Essentials accreditation
- Insurance, Fav £4,465; Estimation of budget requirement following review higher than required
- Operating Leases, Adv £1,914; Cost of new franking machine and replacement printer renewal contract
- Vehicle Depreciation, Fav £1,447; additional Board vehicle purchased in year

#### Axe Brue Accounts

9.8. The RFO provided an overview of the accounts and year-end status with the following points of note:

- As at 31 August 2021 surplus of £750,536, a favourable variance of £47,128
- The year-end forecast is deficit of £64,595 which is an adverse variance of £52,998, overspend mainly due to the following:
  - Building Maintenance Repairs, Fav £4,500; Budget for boiler replacement and responsive works. Not required this year
  - Legal fees – recoverable, Adv £1,792; Enforcement case awarded in favour of the Board. Costs being claimed via court.
  - Repairs and renewals Fav £5,000; Budget for responsive urgent repairs. Current estimate is a spend of £35k
  - Plant and machinery depreciation, Adv £1,784; Allows for depreciation to year-end. No budget set as plant was expected to be sold in-year
  - Biodiversity Action Plan, Fav £6,000; Estimated spend of £1,500
  - Water Level Management Plan, Fav £7,500
  - Board Schemes, Adv £77,400; Spend of funds raised in previous years – see engineering report

Following a question submitted by Mr Clapp, the RFO reported that ‘Miscellaneous Purchases’ included income received from other contributions i.e., Staff costs re-charged from National Grid.

9.9. Board Reserves: The RFO provided an overview of Board Reserves in each section, stating that she considered the Free Reserve adequate for unidentified risks:

- Specific Reserves
- Commuted Sums

	<ul style="list-style-type: none"> <li>• Bradbury House</li> <li>• Works Reserve</li> <li>• Non-ring-fenced Reserves</li> </ul> <p>9.9. Following a question from Mr Watts regarding specific reserves, the RFO reported that the reserve figure had not changed as no works connected to this reserve had been undertaken during the financial year.</p> <p>9.10. <u>Outstanding Rates</u> The Acting Clerk provided an overview Rates to-date:</p> <ul style="list-style-type: none"> <li>• £10,375.46 outstanding, being 4.6% of total Drainage Rate demands.</li> <li>• £3,908.59 being enforced by Bailiffs (included in total outstanding Drainage Rates).</li> </ul> <p>9.11. The Acting Clerk reported that following 6-years of Magistrates’ liability order awards, one rate payer debt stands at £1,847.76. She strongly recommended that as a point of principal the debt is recovered through Small Claims Court.</p> <p><b>Mr B Clapp proposed, seconded by Tessa Munt “that the Axe Brue Board undertakes Small Claims Court action for recovery of a 6-year Drainage Rate debt.”</b></p> <p>Vote: Unanimous</p> <p>9.12. Following a question from Cllr Riches regarding court procedure, the Acting Clerk reported that once a Summons Schedule has been approved by the court, it becomes a public document, however the Board does not publish the document.</p> <p>9.13. Members discussed the necessity to redact personal information from Minutes and Meeting recordings.</p> <p><b>Proposed Tessa Munt, seconded by Cllr Cousins “that the Axe Brue Board remove any identifying factors from Minutes and public recordings to provide minimum redaction to ensure GDPR compliance.”</b></p> <p>Vote: unanimous</p>	<p><b>RESOLUTION 5</b></p> <p><b>RESOLUTION 6</b></p>
<p>10.Engineering &amp; Operational Report</p>	<p><u>In-Year Maintenance:</u></p> <p>10.1. Dir Ops requested that the Engineering &amp; 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><u>Railway Ditch</u></p> <p>10.2. During routine maintenance of the Railway Ditch J Tucker &amp; Son reported an incident where the flail unit hit a concrete post which was not visible as it was covered by vegetation. Three large lumps of concrete broke the cab widow and entered the cab of the machine. Investigation into the incident has taken place to fully understand why this occurred.</p>	

Officers recommend removal and disposal of all concrete railway posts along the existing maintenance access strip on the section of the Railway Ditch abutting old railway line, and spoil bank levelling, estimated cost £1,500.

Mr Clapp proposed, seconded by Mr Tratt **“that the Axe Brue Board remove and dispose of all concrete railway posts along the existing maintenance access strip on the section of Railway Ditch abutting old railway line, with works to include spoil bank levelling at an estimated cost £1,500.”**

Vote: unanimous

10.3. The Axe Brue machine and attachments were being appraised for auction, with no obligation to sell at this time.

#### Harters Hill Farm, Coxley

10.4. Mr Watts declared an interest in Harters Hill Farm, Coxley.

Dir Ops reported as an update to the report that any further works in this location would require Land Drainage consent from the Board and retrospective works remain unconsented.

*1250 Mr Fear left the meeting, submitting an apology to the Chair.*

Mr Watts expressed concern for implied permitting of unconsented works and for depriving him of the ability to drain his land.

Dir Ops responded that the Board reserves the right to request removal of works if they are shown to have disadvantage/impact to the district, and that the Board has a requirement to be reasonable and proportionate. He further stated, as per the Report, that the Environment Agency were investigating possible impacts of loss of flood storage capacity.

**New Action: AB/20211015-03: Dir Ops took an Action to arrange a site visit at Harter Hill Farm, Coxley to enable further understanding Members’ concern.**

10.5. Concern was expressed for direct interest of Members on matters being discussed. It was suggested that Members request discussion of Agenda items by another Member and be available to answer questions.

Tessa Munt volunteered to act as Member Representative for such matters.

10.6. Members expressed concern for climate change and agreed that discussions should be taking place within the Drainage Board on this matter.

The Boards Ecologist recommended the SDBC Environment Committee consider a Climate Change Action Plan.

## RESOLUTION 7

**New Action:  
AB/20211015-03:  
Dir Ops**

<p>11. Somerset Rivers Authority</p>	<p>11.1. The Acting CEO reported that the Board has withdrawn from leading the Brue Project, however is actively seeking involvement with partner organisations. Following a question from Cllr Martin regarding public perception of the Board not undertaking tasks without full knowledge of circumstances, the Acting CEO stated that he appreciated the Members' support however the concern should be directed to the SRA.</p> <p>11.2. Acting CEO reported that Bristol Water were not intending to replace Bleadon Sluice, however they do intend to undertake works at Brean Cross.</p> <p>He further reported that the IDB and EA had expressed concern at the intention.</p> <p>Acting CEO and Tessa Munt to discuss out of Meeting.</p>	
<p>12. Risk Review</p>	<p>12.1. The Acting Clerk had distributed the full Risk Register with the Calling Notice and the Acting CEO provided an overview of the Top 10 Risks as they stood at the Meeting.</p> <p>Tessa Munt stated that she was not familiar with the risk grid. To be discussed out of Meeting with Acting CEO.</p>	
<p>13. Any Other Business</p>	<p>13.1. Members were advised that the Key Principles of Public Life, known as the Nolan Principles are for all Board Members and are quoted in the Members' Code of Conduct.</p> <p>13.2. Mr Watts stated that he believed a letter should be distributed to all Members, however the Acting CEO did not know what letter was being referred to.</p> <p>13.3. Mr Watts questioned whether the draft Minutes would be available on the Boards' website for the Board to be open and accountable.</p> <p>Acting CEO replied that this question would be discussed out of Meeting as it had not been submitted in advance of the Meeting.</p>	
<p>14. Date of Next Meeting</p>	<p>14.1. The date of the next Meetings were reported as:</p> <ul style="list-style-type: none"> <li>• Finance &amp; Works – 17 Jan 22 @ 1030</li> <li>• Full Board – 31 Jan 22 @ 1030</li> </ul>	

	14.2. There being no other business, the Chairman thanked Members and Officers for their attendance, and the Meeting was closed.	
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Annex:

A. Axe Brue Board – Table of Outstanding Actions

CHAIR.....DATE .....

**ANNEX A TO  
AXE BRUE BOARD MINUTES  
DATED 15 OCT 2021**

**AXE BRUE BOARD – TABLE OF OUTSTANDING ACTIONS**

Action Number:	Action:	Actionee:
AB/20210201-02	To provide a short monthly email update to Members of key issues.	Acting CEO
AB/20210621-02	To investigate why the Board had not been consulted on recent Catchment Partnership events and report at a future Meeting.	Acting CEO
AB/20211015-01	To circulate the DPO presentation to all Members.	Acting Clerk
AB/20211015-02	To share the draft Meetings calendar with all Members for further comment.	Acting Clerk
AB/20211015-03	To arrange a site visit at Harter Hill Farm, Coxley to enable further understanding Members' concern.	Dir Ops