

	<p>2.4 New Members were welcomed – Mr J Harris, Mr O Matthews. The Chairman has written to all retiring members.</p> <p>2.5 The Chairman reminded members to follow the Nolan Principles when attending board meetings and to use moderate language and no direct attack on other members, officers or other employees of the Board.</p> <p>Any personal issues should be discussed with the CEO, chair or clerk. All Board Members were reminded that Register of Members Interest should be filled in as soon as possible and returned to the office within 28 days</p>	
3. Items additional to the Agenda	3.1 None	
4. Declarations of Interest	4.1 Mr C Redding declared a personal and pecuniary interest in the Cider House, Hewish.	
5. Opportunity for Members of the Public to address the Meeting	5.1 Simon Bunn in attendance.	
6. Approval of Minutes	<p>6.1 Proposed by Mr P Burden, seconded by Mr J Tonkin, That the Full Board Meeting Minutes of 22 June 21 were accepted and signed by the Chair as a true and accurate reflection of the Meeting”</p> <p>Vote: All agreed</p>	
7. Matters Arising	<p><u>Review of Actions</u></p> <p>NSL/20210202-01 To establish a Task & Finish (T&F) Group Meeting to discuss the Cider House lease. To be discussed later in the meeting</p> <p>NSL/20210622-01 To prepare a paper to detail the Board’s view on re-wilding ADA producing and promoting the Environmental Good Governance Guide. Phil Brewin and Iain Sturdy to investigate further and take to the Environment Committee</p> <p>NSL/20210202-01 The Chairman wanted to discuss the issue of the Cider House and reminded Members that it was agreed when joining the Consortium there was a proviso that we keep our operational hub in the district. It has been suggested since that this may not be a sensible use of public funds.</p>	<p>Action NSL/20210622-01: Ongoing</p>

	<p>At this point C Redding was asked to leave the room and was placed in the zoom waiting room because of his declaration of interest.</p> <p>P Burden – need to retain meeting space in district, possibly rent room from a town council</p> <p>J Harris – board needs office in district</p> <p>P Kingcott and N Cole agreed with J Harris.</p> <p>J Cato agreed with P Burden that an office is necessary but the cost of the Cider House is very high.</p> <p>A local office is invaluable for D Crossman for viewing maps and paperwork.</p> <p>P Burden - not appropriate for SDBC staff to be using North Somerset offices. A paper was requested for consideration before the next meeting.</p> <p>Iain Sturdy agreed with concerns re staffing and that the original paper on the Cider Barn should be refreshed and represented to the board.</p>	<p>Action NSL/20210622-01 Closed and replaced by New Action NSL/20211108-01</p>
<p>8. Governance Update</p>	<p>Iain Sturdy showed slides and explained the current staff situation;</p> <ul style="list-style-type: none"> • Iain Sturdy - formally Acting CEO • Carrie-Anne Morgan - formally Acting Clerk • Matt Eldridge – formally Acting up to Operations Technician • Rob Kidson – successfully moved back to Project Engineer • Jenna George – temp Consents Officer; successful recruitment • Development Control Officer & Consents Officer recruitment on-going • Apprentices – unsuccessful WEW recruitment, to be re-advertised with an uplift to starting salary • Resignations – Pete Struck, Jack Roberts • Negotiations still being carried out with Kay White regarding the Consents officer position. <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"> • Byelaw 3: Non-development water discharges to be revised as ‘No person shall for any purpose, <u>including as a result of development...</u>’ • Byelaw 10: Linear features along watercourses and fences to read ‘No person without the previous consent of the Board shall erect any building, structure (<u>including a fence</u>), whether temporary or permanent...’. <p>If the members do not wish to accept the Byelaw they do not have to. The Clerk recommended that the wording is included. The other Boards in the consortium have approved the changes.</p> <p>R Adams raised concerns regarding fencing. The CEO explained that the Byelaws applied to all watercourses within the Boards’ area which are not main river. Boards are able to formulate a policy which may say that certain types of fencing are allowed under the byelaws. The distinction must be drawn between the byelaw and the policy. This would not affect any previous fencing issues, it would only be applicable on new issues.</p> <p>Proposed P Burden, seconded B Garner “That the North Somerset Levels Board adopt the new Model Byelaws and proceed with a 30-day public consultation as prescribed in the Land Drainage Act 1991.”</p> <p>Vote - 17 for, 1 against, 0 abstention</p> <p>An advert will be placed in the Western Daily Press for all 3 boards and a consultation will go to the local authorities, EA and Natural England. It will be a 1 months consultation, any observations will need to be reviewed. A meeting will be called if required. An application will be made to DEFRA which will be approved and signed.</p> <p>8.2 Data Protection Officer - One West have been appointed on a 3 year contract.</p> <p>8.3 Standing Committees – Election update – 2 members retired who have come back on after the section 17 notice was advertised – Ben Letts and Peter Kingcott.</p> <p>They can be accepted as co-opted members. Members agreed to approve their co-option. 1 elected vacancy is still available which could be co-opted. Clerk suggested any suggestions are sent to the Chairman.</p>	<p>RESOLUTION 1</p> <p>New Action</p>
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	<p>There is 1 appointed vacancy available. The Clerk will contact North Somerset Democratic Services for a replacement.</p> <p>Chairman advised that members that had retired were 2 from the north area and 1 from the south. The 2 new members are both from the north area. Chairman asked members from south area if they were aware of anyone who would be a good candidate to let him know.</p> <p>Sub committees – slide shown of previous members and committees.</p> <p>2 vacancies on Finance and works for elected persons. Meetings are held 4 times a year.</p> <p>1 vacancy for an elected member on SDBC management committee. Meetings twice a year.</p> <p>H&S committee vacancy for either appointed or elected member, meetings are twice a year.</p> <p>Environment committee vacancy for either appointed or elected member. Meetings twice a year.</p> <p>F&W committee – C Redding volunteered. Proposed P Burden seconded J Harris that C Redding is appointed to the Finance and works committee. All in favour</p> <p>J Harris volunteered to join the F&W committee.</p> <p>A Mead volunteered to join the SDBC committee</p> <p>P Harris volunteered to join H&S committee</p> <p>J Harris volunteered to join Environment committee</p> <p>8.4 IT and Mobile Phone Policy – update. Security procedures are fully robust. Policy has been reviewed and should be uplifted to make it even more robust. The policy will be shared for members to make any comments. It will be reviewed at the SDBC management committee in December with a view to endorse it.</p>	<p>NSL/20211108-02 acting Clerk</p> <p>RESOLUTION 2</p>
<p>9. Finance Report</p>	<p>9.1 M Hammond (RFO) confirmed all banks have been reconciled up to 30 Sept 2021. October being carried out.</p> <p>9.2 AGAR – external auditor has found no errors and nothing needs to be brought to any ones attention. The reports are available on the website.</p> <p>9.3 The RFO requested a write off of a drainage rate of £24.57. Land has been transferred to the current owner but previous owner cannot be found. Proposed J Tonkin P Burden scoded that debt is written off. All in favour</p>	<p>RESOLUTION 3</p>

9.4 Asset Registers

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)

9.5 The RFO provided an overview of the SDBC 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
- 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

C Redding – D Colbourne computer system – will it be abandoned and should be included as part of the accounts? The CEO confirmed it forms part of the North Somerset Levels accounts and the Clerk referred to Item 9.9 from previous minutes where C Redding had raised the same issue. The Rate Manager system had not been abandoned and continued to be utilised by appropriate staff.

9.6 North Somerset Levels Accounts

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

The accounts show an annual budget, a roll over budget and the forecast year position and forecast variance. The roll over is money raised in previous years that has not been spent and has not been put in reserve, being held in a different pot of money for various items, assigned to the lines on the report.

- Rechargeable works – spend of £1,039 which is from the previous year RFO to investigate
- Consent fees - £2,000. When budget was put together no money had been received – £2,000 has now been received from National Grid so forecast is incorrect
- Business rates – RFO was dealing with finance officer at North Somerset – refund has been received since 1st floor vacation
- Maintenance items – R King and M Wall have looked at budgets and forecast spend for non routine maintenance of £4,500
- Tree and vegetation £8,000 -roll over money will be available
- Repairs and renewals expecting to spend £40,000, still £18000 roll over left
- Invasive Weeds – expecting to spend £3,000 – variance of £1,700
- Schemes – raised £64,700 – roll over of £335,128 forecast £239,936 leaving £158,000 in roll over pot for board schemes
- RFO has no concerns over budget for North Somerset

C Redding – understood that no Winter Maintenance for the last 2 years and had we entered into contracts to spend this money in an effective way?.

M Wall confirmed he had nothing identified at this time. Unfortunately Giles Oliver was unable to comment due to technical difficulties. The Acting CEO arranged to meet with Mr Redding, M Wall and G Oliver after the meeting to discuss the matter. D Crossman confirmed that maintenance work had been carried out in the North area.

B Garner queried 3 nominal codes on the accounts – the RFO will amend and re-issue the spreadsheet

J Cato – query on maintenance sundry costs – RFO will speak to budget manager. He also queried the board schemes figures -CEO confirmed figures match the programme of works.

CEO meets with engineering team on a monthly basis, the programme tool used is reviewed and RFO is also

**New Action
NSL/20211108-
03 Acting CEO**

	<p>invited to the meetings for accurate figures in the budget monitoring. A narrative is provided in the engineering report.</p> <p>9.7 RFO explained the reserve status. Estimate for April 22 schemes ring fenced fund is reducing. Non ring fenced reserve is going up from £215,000 to £224,000 based on assumption and forecast shown.</p> <p>9.8 Clerk updated members regarding outstanding drainage rates. Court summonses on 22 Oct 2021 - 4 Liability Orders awarded. All gone to bailiffs for compliance letters and actioning. At 31 March 2021 from last years summonses still 2 outstanding and are included in the 4 taken to court this year.</p> <p>Total rate outstanding at 5 Nov 2021 from 46 accounts is £6,660 which is 7.4% of total rate set. This time last year it was £16,000 which was 19% of rate set. Much better position than the board has been previously. There are regular offenders but the system in place now is working well to resolve any issues regarding non payment of rates.</p>	
<p>10.Engineering & Operational Report</p>	<p>10.1 The CEO asked members to take the report as read, any questions please speak to Rob King or Matthew Wall. An additional paper was sent over the weekend around contract strategy for the keetching work as existing contracts are coming to an end. Simon Bunn was asked to leave the meeting and was placed in the Zoom waiting room.</p> <p>Rob King gave an update regarding penning – from today the south area will be at half penn and full penn from 15 November. North area will be at full penn from 15th November.</p> <p>Matthew Wall asked D Crossman to update members. Work is being carried out in the Gordano Valley in a tracked machine. The work should be finished in the next couple of days.</p> <p>A Mead – queried penning timings. Rob King reported that expeditors have been controlling structures, however some area are tide locked and we have experienced a very wet autumn.. CEO advised that 1st December is always the notional date and we are constrained by Main River levels</p> <p>Matthew Wall asked members to refer to papers sent out at the weekend for the new contracts for the next years maintenance. More contractors are required to put forward tenders for the work.</p>	

	<p>Resolution 1 – handwork to be included in the contract to be more effective. Proposed P Burden, seconded C Redding that Proposal 1 is approved by the Board. Unanimous</p> <p>Resolution 2 – Officer recommendation is to specify the work required within the Tender Specification but not to specify how the work is delivered. Also to ensure the resources available to the Board through the contract eg plant, machinery and man power are fully considered in the tender assessment model. This relates to the board specifying the type of equipment that is required. Historically, the current contractor has used a conveyor flail which is very effective. This is not the case in the rest of the consortium but the work is still delivered satisfactorily. He does work in the other areas but we do not specify that he uses a conveyor flail. To ensure fair tendering the Board should specify the work to be done, but should not knowingly specify equipment to be used when only one contractor on our approved list has that equipment, if the work can be done by other means. C Redding raised concerns with lowering standards to accommodate alternative contractors.</p> <p>P Burden – it is for the contractors to decide on the machinery and for the board to monitor the standards. Deborah Yamanaka – ask contractor to stipulate the equipment they are going to use</p> <p>N Cole – Regarding the conveyor, in the Kingston area there is a problem with hemlock and a conveyor does not encourage the ditcher bucket to raise roots to the banks.</p> <p>CEO thanked members for comments and reminded them that it is the principle of contracting and procuring the service which is the concern.</p> <p>D Crossman disagrees with CEO. If the Board has determined the machinery to be use this should be upheld.</p> <p>CEO - if board decided that they must use a conveyor flail on members advice we must seek contractors we know can provide that service. Cannot go to one contractor as we know he is the only one that has that flail.</p> <p>John Cato – it is a retrograde step if we follow this particular resolution. We know the value of this coneyyor.</p> <p>C Redding – We voted for this as a Board 15 years ago and was not a decision by administrators.</p>	<p>RESOLUTION 4</p>
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CEO – the board will ultimately decide what they want to do. The officers have made recommendations for members to consider, the board will decide.

P Burden – concerned with the contracts of the board. Any other contract let has stipulated the outcome we want. We then go into weighting on the quality side we assess the capability of doing it. To say at the very beginning we must use a particular bit of kit is hampering the tender process and could lead to problems. I don't disagree that this bit of kit does the job well but there has to be a possibility of someone to do it in a different way and we should be able to assess that. As a Public Body it is totally wrong to stipulate a particular machine or a particular method of working. We should stipulate the outcome we require and ask the contractor to come back with the most efficient way of doing that.

B Garner fully agreed with P Burden. If you specify how to do a job you are opening the floodgates of trouble you should specify the end result. If you specify a method it implies you have researched everything and have come up with a conclusion, then you might specify how to do it

Chairman asked for a reminder of the proposal – “Officer recommendation is to specify the work required within the Tender Specification but not to specify how the work is delivered. Also to ensure the resources available to the Board through the contract eg plant, machinery and man power are fully considered in the tender assessment model” **proposed: P Burden seconded B Garner 8 for, 4 against, 0 abstentions**

Resolution 3 – Officer recommendation is to align NSLIDB with other Boards in the SDBC by using the NEC Short Form of Contract and the contract duration of 3 years with the option to extend if desired or suitable.

Proposed J Harris seconded C Pyke that the NSLIDB is brought into line with other Boards in the SDBC by using the NEC Short Form of Contract and the contract duration of 3 years with the option to extend if desired or suitable.

All in favour

Resolution 4 – Officer recommendation is that only CPI inflationary increase will be permitted within the contract. The paper explains due to the uncertainty between using red or white diesel, getting prices for both we will know the exposure the Board and the contractor has. The other matter is that with the NEC short form of contract a change in the law is a change in the contract, therefore if

RESOLUTION 5

RESOLUTION 6

	<p>the contractor has to use white diesel that will force a change in the contract to take that into account.</p> <p>D Yamanaka had concerns using the CPI. CEO explained that CPI is the correct measure for our sector.</p> <p>Proposed C Redding seconded B Mitchell “that CPI inflationary increase will be permitted within the contract”</p> <p>8 for 1 abstention 0 against</p> <p>Resolution 5 Officer recommendation is to divide North Somerset into 2 contracted areas, North and South to avoid a monopolisation of contracted services to encourage a larger contracting resource and the opportunity to tender for the board work and to ensure tendering remains competitive.</p> <p>Proposed N Cole seconded C Redding to accept Resolution 5 “to divide North Somerset into 2 contracted areas, North and South to avoid a monopolisation of contracted services to encourage a larger contracting resource and the opportunity to tender for the board work and to ensure tendering remains competitive.. All in favour</p> <p>Simon Bunn was brought back into the meeting</p>	<p>RESOLUTION 7</p> <p>RESOLUTION 8</p>
<p>11.Somerset Rivers Authority Update</p>	<p>CEO updated members on the work the consortium is carrying in conjunction with the SRA. The Board is delivering the penultimate maintenance dredging on the River Parrett and the Tone which was a 5 year arrangement.</p> <p>Funding is available for culverts under highways.</p> <p>A technical group meeting will be held on 11 November 2021.</p> <p>A management group meeting will be held on 15 November 2021</p> <p>A Somerset Water Forum has been promoted by SRA with the Somerset Catchment Partnership, Farming and Wildlife Advisory Group and the EA but has been cancelled due to covid cases. Proposed date March 2022</p>	
<p>12.Risk Review</p>	<p>CEO referred to paperwork supplied and commented as follows</p> <ol style="list-style-type: none"> 1. Operationally business as usual 2. Major structure failure – actions in the programme of works 3. Cut Backs – RFO managing budgets very well 	

	<p>4. Well under control</p> <p>5. Risk has not changed</p> <p>6. Biggest risk is covid and mental health issues, good covid secure environment in place is very important and also making sure staff have ability to keep in touch with colleagues on a regular basis</p> <p>7. Going through correct election process</p> <p>8. Insufficient contractors – Board is seeking to expand Approved Suppliers List</p> <p>9. Pollution – dealing with through RAMS</p> <p>10. Invasive species – good steps have been taken this year, wise step to budget for these occurrences</p>	
13.Any Other Business	Bob Garner – Re-wilding should be taken very seriously, it could have a major impact on boards activities. A paper will be presented at a future meeting and B Garner to be invited to the Environment Committee	
14.Date of Next Meeting	<p>Finance and Works committee – 19 January 2022</p> <p>Full Board 2 February 2022</p> <p>Draft calendar of meetings to be shared with all members</p>	
	Meeting closed at 17.00	

Annex:

A. NSLIDB Board – Table of Outstanding Actions

CHAIR.....DATE

NSLIDB BOARD – TABLE OF OUTSTANDING ACTIONS

Action Number:	Action:	Actionee:
NSL/20210622	To prepare a paper to detail the Board's view on re-wilding.	Acting CEO
NSL/20211108-01	To refresh the original paper regarding the Cider Barn and consider it before the budget setting meeting	Acting CEO
NSL/20211108-02	To contact North Somerset Democratic Services for a replacement appointed member	Acting Clerk
NSL/20211108-03	To hold a meeting between Mr Chris Redding, Iain Sturdy, M Wall and G Oliver re Winter Maintenance	Acting CEO