

BRADBURY HOUSE, 33-34 MARKET STREET HIGHBRIDGE, SOMERSET, TA9 3BW

TEL: 01278 789906

EMAIL: admin@somersetdbs.co.uk

MINUTES OF THE AXE BRUE FULL BOARD MEETING HELD AT THE CANALSIDE ON 11 APRIL 22

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

Agenda Item:	Detail:	Action:
Attendance and Apologies	1.1 Apologies as per the above Attendance List. Iain Sturdy asked members to record mileage to enable expenses to be made	
Items Additional to the Agenda	lain Sturdy – in Any Other Business – information regarding the Wessex Regional Flood and Coastal Committee meeting	
3. Declarations of Interest	Declarations of 3.1. Mr Watts commented he currently supplied a	

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.

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	3,4 lain Sturdy mentioned he had carried out research and it is not necessary to declare the same interest at every meeting, declarations only need to be made if there are new items that may be discussed at the meeting. The record of members interest should always be kept up to date.	
4. Opportunity for Members of the Public to address the Meeting	None	
5. Approval of the Minutes	5.1 - 5 October 2021 – Iain Sturdy reminded members that minutes were not signed as there was an issue with Carrie-Anne Morgan's agreement to edit the minutes regarding the issue with the relationship between Mr Adlam and Mr Rowlands. An edit has been made to the attached minutes on page 3. The minutes read as follows "It was agreed that the meeting would remain unchanged, however Mr Watts request that CAM statement that her lack of knowledge that Mr Ray Adlam was related to Mr Rowlands would be recorded in these minutes and this minute is amended as above to do so". 5.2 Tessa Munt raised a query regarding the training in 2.2 as it had been curtailed and due to be completed at a later date and asked that the minute be amended	
	accordingly. Iain Sturdy agreed with Tessa Munt and asked to agree some wording to enable the Chairman to sign the minutes. 5.3 Martin Watts asked to change item 5 from Adlam to Attwell	
	5.4 With these amendments members approved the minutes to be signed by the Chairman – all in favour	
	5.5 - 31 Jan 2022 - Jeff Fear page 8 item 13 Upper Brue should be Upper Axe	
	5.6 Wendy Welland asked to be recorded as she was delayed and attended by zoom	
	5.7 Tessa Munt asked that she be addressed as Ms Tessa Munt	
	5.8 With these amendments members approved the minutes to be signed by the Chairman	
6. Matters Arising	6.1 Martin Watts – page 2 item 4 – In response to Mr Higgins address to the members – when will this be carried out	
	6.2 Iain Sturdy advised that his query has been dealt with through the Freedom of Information Act and part of that full and final response the board will not deal with any further queries. If he wishes to take matters further he needs to do this through IOC.	
	6.3 Martin Watts – page 5 item 5.8 – what happened when Mr Higgins left the room? Iain Sturdy informed Mr	

Watts that there is a full and thorough record of the discussion held in a private session and therefore not open to the public as a whole. Members are entitled to see the minurtes on request.

6.4 Bob Clapp – page 5 item 5.7 – staff situation – Have we lost any more staff? Iain Sturdy replied that currently no more staff have left. Anthony Dowden stated that a member of staff had left between the two lots of minutes. Iain Sturdy replied that we have not lost any effective staff ie. Staff who were actually working) therefore our capability has not changed and there would be an update later in the meeting.

6.5 Martin Watts – page 8 Stoke Moor Pumping Station – Iain Sturdy advised that this item will be dealt with later in the meeting.

6.6 Table of Actions -

item 1 AB/20220131-1 to investigate the letter from Mr M Higgins – complete

Item 2 AB/20220131-2 - complete - Hard copies of papers will now be sent via Royal Mail. Tessa Munt commented that she thought papers should be received 7 days prior to a meeting. Iain Sturdy replied that the Standing Orders are mute on this point for the individual Boards, the Consortium are explicit and say that for the Consortium they should be sent out 2 weeks before. Previous practice was to send out papers 14 days before a meeting to enable members to read through and come to the meeting fully informed and the objective is to return to that position when possible. Currently the notification of the meeting is sent to members and the calendar of meetings is on the website. Maggie Hammond added that the dates and papers are all available on the website. Mr J Cousins had not received any papers and asked if an order should be added to the Standing Orders. Iain Sturdy replied that this is something that would have to be sent to Defra for signing off. Iain Sturdy will make enquiries but the Board can decide to do that without having to change the standing orders.

Item 3 AB/20220131-3 - complete

Item 4 AB/20220131-4— Board is following protocol of other organisations and Drainage Boards. Recordings of meetings are not routinely kept and once minutes are approved the recordings are destroyed unless contentious issues remain unresolved in which case they are kept to assist with concluding the matter in question.

Item 5 AB/20220131-5 Sign the October minutes following their update – Complete

Item 6 AB/20220131-6 To set up a meeting to discuss Stokemoor Pumping Station – ongoing action – still gathering information

ACTION AB/20220411-1

	Item 7 AB/20220131-7 To set up a sub-cimmittee & arrange a site visit to Harter Hill farm – Sub committee has met and will bring recommendations to the board later in the meeting. Pam Thorned asked for it to be recorded that she did not attend the site meeting	
7. Health & Safety	This item will be dealt with in the Engineers Report	
8. Governance & Staff Update	8.1 Iain Sturdy showed a slide of the staff structure shown at the SDBC meeting. One thing that has changed – Carrie-Anne Morgan was employed as Deputy Clerk acting up as Clerk which she was asked to do from September. She has been absent from work duties since October/December on and off and then permanently since beginning of the new year. Her formal resignation has now been received. As well as her resignation she is also seeking through ACAS and her union a case for unlawful constructive dismissal. There are a lot of sensitivies around her departure and it would be unwise to make too much contact at this time to proctect her position and also making sure the position of the Board is not compromised. Bob Clapp asked if she has resigned will there be any further issues? Iain Sturdy advised that this is the procedure in these cases. Carrie-Anne is no longer on the payroll and this allows the board to restructure where staff are concerned.	
	8.2 Recruitment – SDBC have appointed Chairmen and vice Chairmen of the boards and Colin Passmore to deal with this issue. There have been constraints recently but the group has now met and agreed the following approach.	
	8.3 Bullet points 1 – 5 – Iain Sturdy to act as Clerk/CEO to the end of August	
	8.4 Maggie Hammond to continue with Deputy Clerk duties	
	8.5 Iain Sturdy acting as interim Clerk/CEO will consult with sub committee to agree options for future management team structure. Advertisements will go out as quickly as possible. With regard to the rest of the vacancies the staff structure will be worked out and look to have an organsiation that is fit for purpose in terms of delivering things on the ground. The aim is to be as quick as possible.	
	8.6 Tessa Munt stated that the vacancies shown on the front page of the website also need to be added to the job section. She also had a query regarding the situation of the previous Clerk/CEO. Is there outstanding legal action relating to the previous individual? She felt that board members should be privy to any information regarding the situation. Iain Sturdy confirmed there is no outstanding legal action or unfinished business in relation to the previous Clerk/CEO. Tessa Munt asked if an exit interview was carried out? Iain Sturdy confirmed	

that the normal process was carried out but is not able to give details. As he has stated before, the interests of the Board were extremely well looked after and within the relevant budgets, as people had been concerned about multi million pound settlements and other inappropriate rumours. The board has acted in an exemplary and model way to deal with those unfortunate circumstances that had been presented and there are no unfinished items of business regarding Mr Burge.

8.7 Jeff Fear asked if an advert had been placed on the Dillington website. Iain Sturdy confirmed a general advert for staff had been placed on their website and he has been approached by 3 people so far. Naomi Johnson has been looking at other sites to use.

Code of Conduct

8.8 Jain Sturdy wished to speak frankly and plainly. The Membes Code of Conduct is a document which is signed by all Board members. Recently there have been 2 unfortunate circumstances with senior staff members including the previous CEO resignation both of which relate to the members conduct. As an organisation we are supposed to work together as members and staff to provide a public service. He would urge everyone to think about the impact of what they say and do even if you are dealing with unpalatable subjects. We should be all on the same side and be respectful and supportive of each other. This has not gone well in the past and we could all do better. He is glad to receive any comments that members may have. Martin Watts asked if Registers of Interests should be renewed every year. lain Sturdy will look in it. Peter Clayton added that district councillors only have to do this when they are elected or when a change occurs. Will Human supported Iain Sturdy's comments that we are here to protect people and property and the board carries out its service extremely well. Iain Sturdy is happy to discuss the matter outside the meeting. Andrew Gilling pointed out that the board has a statutory duty protect property and life within the organsiation and he would endorse everything lain Sturdy has said regarding codes of conduct.

8.9 Martin Watts added that councillors should have a separate register and they should have a separate one for the Drainage Board. Councillors at the meeting agreed this has been done.

Strategic Review

- 8.10 The review of the plant and machinery was completed by the previous CEO.
- 8.11 This is due to be reviewed (Review 2)
- 8.12 Martin Watts queried a meeting of the investment group that had been set up. Iain Sturdy will bring the item forward to a later date.

	8.13 Axe Brue Election	
	Elections are due in October, assistance with the process is being provided sought.	
	8.14 SRA Membership	
	Maurice Wall has asked to vacate his role as SRA Deputy Member. A slide was shown of the current membership. Tessa Munt volunteered to replace Maurice as an SRA deputy member	
	Proposed: Noel Lukins seconded: Bob Clapp "that Tessa Munt is elected as Deputy Member of SRA" all in favour	ACTION AB/20220411 - 2
9. Finance Report	9.1 Maggie Hammond reported that bank reconciliations had been carried out and all accounts are fully reconciled. She referred to a report that had been circulated regarding the appointment of an internal auditor and asked for approval to award the work to TIAA. Bob Clapp asked why there was no interest from other auditors. Maggie Hammond confirmed that there is a shortage of staff. Bob Filmer asked if the timescale was sufficient. Maggie replied that TIAA are more expensive but they do understand Drainage Board work so the audit should be relatively straightforward. Bob Filmer asked for a timescale – Maggie felt it should take 8/9 days to complete the work across all the boards. Proposed: Martin Watts, seconded: Wendy Welland that the recommendation suggested by RFO is approved. All in favour	RESOLUTION 1
	At end of March 2022 - £4613.44 which is made up from 86 accounts in credit for £1353.77 and 98 accounts in debit for £5967.21. There were 17 court summonses with 7 still outstanding at a value of £2592.81. 1 of these at £1847.76. If there is non payment this year court action will be taken again.	
	9.3 The rates for 2022-2023 will be going out this week. Maggie commented that this is has only been possible despite the loss of the Deputy Clerk and the Clerk/CEO due to all the hard work of all the staff getting the rates out. The Chairman also thanked the staff. Bob Clapp asked if non-payers would be visited by bailiffs. Maggie confirmed that bailiffs are used very successfully. Currently liability orders are used for non-payment but these can easily be ignored so alternative methods of recovering the debt are being looked into. Bob Clapp added that in the past a board member had visited debtors to collect the debt. Martin Watts added if care should be taken as a staff or board members could be put at risk. Iain Sturdy said the process we use is sufficient without staff or members approaching rate payers. Maggie Hammond added that if any debtors have difficulty, arrangements can be made to pay in installments. Iain Sturdy reiterated that the correct process will be followed.	

Martin Watts asked if there is much land in the areas where funds are outstanding. Maggie advised that this is currently being worked on. Andrew Gilling thanked Maggie for stepping up to the mark and for the first class work she is doing. And asked for his gratitude to be passed onto the office team particulary for their forebearance and willingness to step in. 10. Engineering & lain Sturdy asked members to take the paper as read. Operational Report Rob King updated members as follows 10.1 Summer pen is now in place except for the Waste and Common Moor 10.2 Hartlake door has been repaired and re fitted. There is a possibility of fitting a new structure such as a penstock or tilting weir in the future but at this point there was no consensus as to what could be done so no further action would be taken 10.3 Matt Eldridge has now passed his final written exam and now only has to complete the final practical exam to become a qualified Water and Environment Worker. 10.4 Structure BO3 in Highbridge has been repaired Recommendation 1 Matthew Wall updated members as follows 10.5 Catcott routine maintenance – invitations to tender have gone out to contractors on the approved suppliers list 10.6 Matthew Wall asked that the meeting now goes into private session. Iain Sturdy stated that the resolution will be for public knowledge. THE MEETING WENT INTO PRIVATE SESSION FOR ITEM 10.7 DUE TO THE COMMERCIALLY SENSITIVE NATURE OF THE DISCUSSION. 10.7 Matthew Wall circulated the tender award paperwork for members perusal. In confidence. Proposed: Pam Thorne, seconded: Will Human. 11 **RESOLUTION 2** for 0 against 3 abstentions. Tessa Munt said it would be a named abstention. "to note the contents of this paper and award contracts where the recommendation has taken into account best value for money balanced with spreading the work load amongst contractors who tendered; keeping significant contractors available to avoid financial monopoly and operational risk". lain Sturdy thanked members for working through the item. Jeff Fear asked what was happening regarding the

Catcott maintenance. Matthew Wall advised that the work would be going out to tender.

Matthew Wall reported the ongoing issue with the price of fuel. He would like to set up a sub committee with the other boards to discuss the matter. 3 board members are required from each board – Will Human, Andrew Gilling and Alan Matthews volunteered. Matthew Wall will prepare a paper to take to the meeting containing all the facts and figures.

10.8 Recommendation 2

lain Sturdy referred to the paper regarding the infilling of ditches at Queens Sedgemoor and asked members to consider the recommendation at the end of the paper. After a site visit it was decided that there was no significant impact on the water level management. Martin Watts declared an interest and referred to the paper item 3 regarding a previous infringement. Iain Sturdy explained that this was something that occurred several years ago when the Upper Brue Board was in place, no action was taken at the time and no further action needs to be taken. Martin Watts also asked about item 4 "where has the flood water been displaced to". lain Sturdy replied that it was not significant and this was his only comment. He reminded Martin Watts that he had declared an interest but Mr Watts wished to say that the recommendations of the sub committee is a total disregard of the byelaws. Iain Sturdy reminded Martin Watts that they had already discussed the matter. The byelaws are formed under the Act and give the board the ability to consider things that are either contrary to or undertaken without formal consent. It does not say that works can not be carried out, it says works should be consented consent. When these things occur with no application for consent the board has to consider whether there is significant impact that would warrant enforcement action. The sub committee had considered the problem and along with officers decided it was not significant enough to require formal enforcement action and serving of notice. It has been determined that the board will acknowledge the fact that the landowner has carried out unconsented works and will write to him accordingly and will advise if he wishes to carry out any further works he will need the permission of the board to do so in the future and having "breached byelaws in the past" those sorts of things would be taken into consideration in our view as whether to take enforcement action against further indisgressions. Martin Watts commented that if someone else filled in 5 watercourses what would we do? Mr Atwell filled in 5 watercourses but no action was taken. You cannot have 1 rule for 1 and another for someone else, a precident has been set. Iain replied that a full technical debate should not be carried out in a board meeting but explained that enforcement is to be reasonable proportionate and consistent. Consistency does not mean doing the same thing every time, it means taking a consistent action when all other things are the same.

Our approach would be consistent and we would consider his action and whether the impact is significant and would affect other people. We would then consider whether or not to serve notice. Iain Sturdy asked for a vote to be carried out.

Martin Watts was asked to leave the room. Iain Sturdy explained he had asked for Mr Watts to leave before the vote was carried out as he has large interest in the area in question. Jeff Fear commented that in the third recommendation regarding the gateway, the Upper Brue allowed the landowner to fill in a very large portion of the ditch for a gateway to allow lorries to turn. The drove is in a terrible state but is not the boards concern. Bob Clapp commented that the work had been carried very well and had no affect

Proposed: Pam Thorne

Tessa Munt stated that Martin Watts had asked for a recorded vote and said that she would be seconder for that to happen. The Chairman asked if anyone knew anything about a recorded vote. There was no response apart from Tessa Munt who said Mr Watts had asked her to ask for a recorded vote.

Bod Filmer declared that he did not want to delay the meeting any further but was confused by the issue of interests declared. He informed the meeting that at council meetings if an interest was declared the party was asked to leave at the start of the discussion do not take part in the debate and certainly cannot ask for types of votes. He asked if someone has declared an interest how can they be party to the debate and influence the vote. Tessa Munt withdrew her request regarding the recorded vote but said the Chair should have asked Mr Watts to leave the room before the matter was discussed. Therefore everything that had been discussed should be ignored. Iain Sturdy reminded members that the Board is not exactly the same as the council and as a board we value the local members input to the debates before something is voted on where appropriate. The Chairman added that he had attempted previously to calm Mr Watts down when this was debated. It was put that it would be on the agenda for todays meeting which should have been enough For Mr Watts to have taken notice of the fact that he should not, having declared an interest, have played a part in the debate. John Cousins had checked the Standing Orders and confirmed that nothing has happened that shouldn't have and it is down to the Chair's disgression to decide if someone has declared an interest whether or not they take part in the discussion or whether they can

Proposed: Pam Thorne, seconded: Will Human. Chairman asked for a show of hands. 11 for, 0 against, 0 abstentions. Motion carried To accept the recommendations in the paper of the sub committee"

10.9 Recommendation 3

RESOLUTION 3

Matthew Wall showed a plan of Animal Farm in Berrow. After a site visit had taken place by Matt Eldridge and Anthony Dowden it has been confirmed that the Board's instruction has been complied with. Local Board Member David Tratt is happy with the recommendation. Proposed: Bob Filmer, seconded: Peter Clayton "The matter has been partially resolved and the Board will write formally to the landowner stating that on the whole the requirement to remove the material has been complied with but it is noted that some material remains within the Board's 9m byelaw Zone and further works may be required at some point in the future to remove the material". 12 for, 0 against, 0 abstentions

lain Sturdy referred to the report and updated members. The IDB had become involved in an incident involving a dog and the contractor who was carrying out board business at that time. The matter was recorded by the board. Failure to report the incident could have an impact on the public therefore the matter was reported to

10.10 Health & Safety Report

the police.

RESOLUTION 4

11. Environment Report

Phil Brewin presented a paper on strategic environmental challenges and opportunities facing IDBs. The paper included and update on new legislation and developing national and local policies regarding climate change and biodiversity. It also highlighted developments in agricultural payments and the types of actions the Board might wish to include in a reworking of the Board's Biodiversity Action Plan and Water Level Management Plans.

The Board produced a Biodiversity Action Plan and a series of Water Level Management Plans some time ago and they are now in need of review and updating. This is something that needs to be picked up to show that we are complying with the Environment Act, which requires public bodies to report on their biodiversity work.

Martin Watts asked whether the peat moor should be wetter. Phil Brewin said a discussion needs to be held with the landowners and the government is keen to conserve and restore peat as an important carbon resource in Somerset. Iain Sturdy reminded members that this is what other organsations are suggesting is the way forward to meet the regional, national and international aims and objectives. He informed members that the Regional Flood and Coastal Committee have just approved a flood risk strategy for Wessex. This is looking at continuing what we do today, planning what needs to be done next and understanding what needs to be done in the longer term.

(Councillors Peter Clayton and Alan Matthews left the meeting.)

John Cousins queried whether the contractors that had been appointed to carry out the maintenance works would be contributing to Biodiversity Action Plans, do we

	ask them for their policies regarding the environment	
	sufficiently?	
	Phil Brewin replied that we do communicate with our	
	contractors regarding environmental requirements. Iain Sturdy confirmed that contractors are asked what their	
	environmental policies are before they are allowed on	
	our approved supplier list. Martin Watts commented that	
	previously in the meeting the Queens Sedgemoor issue	
	agreed to fill in 5 watercourses. John Cousins reminded	
	members that he had been talking about the issues from	
	Phil Brewin's paper regarding climate emergency and	
	the policies of the board around handling procedures.	
	Mr Watts again stated the agreement to fill in 5	
	watercourses. Iain Sturdy stated again that the previous	
	matter had been resolved as insignificant to the	
	environment. Again Martin Watts stated that peat lands	
	should be kept wet and again referred to the fact that the	
	members had voted to fill in 5 watercourses. Iain Sturdy	
	said he had no doubt that the decision reached	
	previously was the correct one and has no doubt that	
	there is a huge challenge ahead that the board needs to engage with other organisations to address climate	
	change and contribute to future management	
	challenges. He congratulated Phil Brewin on his paper	
	and confirmed that no recommendations were required.	
	Phil Brewin would like to seek the boards approval to	
	take things back to the committee as there is more work	
	to do. Wendy Welland suggested the item is kept on the	
	agenda.	
12. Somerset Rivers	The SRA are updating their Flood Action Plan. A	
Authority Update	meeting was held last week discussing climage change	
	and increased coastal threat together with new challenges ahead such as international instability, food	
	and fuel security at home.	
13. Risk Review	lain Sturdy reported there are 2 main risks currently	
	which are staff issues and fuel costs.	
14. Correspondence	Iain Sturdy reported this item had been reintroduced as a	
	popular request and showed slides of correspondence	
	received as acting CEO he will deal with any issues.	
	Correspondence received:	
	Keeping Our Rivers Flowing Summit 12 th May.	
	Warwickshire	
	Invitation to Flood and Coast Conference 2022	
	ADA's draft response to DEFRA's Consultation	
	ADA's draft response to DEERA's Consultation	
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	on Biodiversity Net Gain (BNG) Regulations and Implementation	
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15. Any Other Business	15.1 Maggie Hammond reported that as a result of a complaint with Nat West Bank they had sent a chocolate hamper to the office as an apology. It was decided to raffle the hamper with donations being forwarded to the Ukraine appeal.	
	15.2 The next Finance and Works meeting should have a single item which would be regarding accounts only.	
	15.3 Iain Sturdy attended a recent meeting of the Regional Flood and Coastal Committee. They have finalised a Wessex Regional Floodrisk Strategy which has now been adopted.	
	15.4 Stoke Moor – A request for the Board to remove a convenant from a structure which was purchased by a Board member for a peppercorn price 30 years ago has been received. Minutes were checked by Mattew Wall and Anthony Dowden. Iain Sturdy is meeting with Ashfords solicitors later to seek advice on weather there was a risk to the members by removing the covennant. Martin Watts opinion was stated that the sale should have been cleared with the Secretary of State but it is unclear if this is correct. Anthony Dowden reported that at the time of the sale ADA had recommended that the convenant should be put in place to protect members against accusations of favourable treatment of members.	
16. Date of Next Meeting	Finance and Works – 13 June Full Board – 20 June	
	The Chairman thanked lain for his assistance throughtout the meeting and declared the meeting closed at 13.40	

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A.	Axe Brue Board – Table of Outstanding Actions	
СПУП	ND DATE	

ANNEX A TO AXE BRUE BOARD MINUTES DATED

AXE BRUE BOARD - TABLE OF OUTSTANDING ACTIONS

Action Number:	Action:	Actionee:
AB/20220131-1	To investigate the letter from Mr M Higgins	Complete
AB/20220131-2	To check papers were sent to Ms Munt	Complete
AB/20220131-3	To correct the minutes ofn the previous meeting	Complete
AB/20220121-4	To investigate whether recordings of meetings can be kept	Complete
AB/20220131-5	Sign the October Board minutes following their update.	Complete
AB/20220131-6	To set up a meeting to discuss Stokemoor Pumping Station.	Mr M Wall & Mr A Dowden
AB/20220131-7	To set up a sub-Committee & arrange a site visit to Harters Hill Farm to investigate infilling of watercourse	Mr M Wall & Mr A Dowden
AB/20220411-1	To make enquiries about changing the standing orders.	Acting CEO
AB/20220411 - 2	To bring forward to a later date the investment group meeting	Acting CEO