

MINUTES OF THE NORTH SOMERSET LEVELS INTERNAL DRAINAGE BOARD FULL BOARD MEETING HELD ON 22 JUNE 2022 AT KINGSTON SEYMOUR VILLAGE HALL

Attendance:			
Elected Members: Mr T Bush (C) Mr N Cole Mr R Mitchell Mr R Parsons Mr C Redding	Appointed Members: Mr P Burden Cllr J Tonkin Mrs D Yamanaka Cllr R Garner Cllr S Hearne Cllr A Harley	Officers: Iain Sturdy Maggie Hammond Matthew Wall Rob King David Crossman Anthony Dowden Phil Brewin Dan Alsop Giles Oliver Kay White Anthony Brinson	Public:
Approved Apologies:			
Mr P Kingcott Mr A Mead Mr G Plaister	Cllr J Cato Mr D Dash Cllr C Gibbons Cllr P Harris Mr C Webb Cllr R Westwood		
Non-Approved Apologies:			
Mr E Adams Mr J Harris Mr B Letts Mr O Matthews Mr C Pyke	Cllr S Hogg Cllr M Crosby Cllr K Haverson		

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 items additional to the agenda were notified	
3. Declarations of Interest	3.1 Cllr J Tonkin regarding Tutshill Sluice cycle way. 3.2 Mr C Redding regarding the Hewish Office	
4. Opportunity for Members of the Public to address the Meeting	No members of the public wished to speak	
5. Approval of Minutes	5.1. The Minutes of the NSLIDB Full Board Meeting held 13 April 2022 (Enclosure 1) had been provided to the Board in advance and were taken as read.	

	<p>Vote : The minutes of the meeting held on 13th April 2022 were approved Unanimously</p> <p>5.2 The Un-redacted minutes including the commercially sensitive closed session details were circulated at the meeting for approval.</p> <p>Vote : The minutes of the meeting held on 13th April 2022 were approved unanimously</p>	<p>RESOLUTION 1</p> <p>RESOLUTION 2</p>
6. Matters Arising	<p>6.1 I Sturdy informed the Board that a sub group has been set up to investigate unconsented watercourse – covered in Item 10.</p> <p>6.2 To discuss at the Consortium Environment Committee set its own measurable standards/objectives in regard to climate change and biodiversity. I Sturdy covers more in Item 13.</p> <p>Following enquiry by the Chair about reporting on water quality, P Brewin gave a brief run-down of the Nutrient Neutrality article in the Ada Gazette relating to an overburden of nutrients in watercourses nationally and how this might impact the obligations of the Board in reporting this. I Sturdy advised that there is no statutory responsibility for the Board currently but this would be kept under review. P Brewin offered spare copies of the Gazette to those who would like to read it and advised that they can be included in the circulation by registering with ADA online.</p> <p>6.3 D Alsop enquired about the back end of Portbury Docks (Agenda item 14, AOB Minute 11.2) He would like to discuss this with Cllr R Westwood with a view to inclusion of this and other north area sites in the planned tour.</p> <p>6.4 I Sturdy advised that the tour is being planned for w/c 22/08/2022 G Oliver and K White are making the necessary arrangements.</p>	<p>Action: NSL20220202-2 Complete</p> <p>Action: NSL20220413-1 Ongoing</p> <p>Action: NSL20220413-2 Ongoing</p>
6. Health & Safety	<p>6.1 The Boards across the consortium have a Health and Safety Policy, which was reviewed in February 2021 by the H&S Committee and approved. Some minor ammendments have been made. With the experience of the COVID pandemic, particular changes have been made to the policy to aid resilience by encouraging staff to work from home when displaying</p>	

	<p>mild illness, thus reducing the chance of cross infection.</p> <p>6.2 Slight revisions to the Committee Terms of Reference to include</p> <ul style="list-style-type: none"> - Wording change frequency of meetings from '<i>Bi-annually</i>' to '<i>at least twice a year</i>' - The addition of a requirement to review changes to legislation and the potential impact to Board policy and process. - Wording change section 4 of constitution '<i>receive and agree</i>' <p>Proposed by Cllr J Tonkin, Seconded by Cllr S Hearne 'to adopt the latest version of the Health and Safety Policy'</p> <p>Vote : unanimous</p>	<p>RESOLUTION 3</p>
<p>7. Governance & Staff Update</p>	<p>7.1 Correspondence</p> <p>I Sturdy advised that the Board have been represented at three high level conferences recently:</p> <ul style="list-style-type: none"> - ADA Keep Our Rivers Flowing Summit 2022 on the 12 May. - Flood and Coast (former DEFRA conference) - Somerset Water Forum <p>He reported that there was a focus on climate change and adaptation, looking at the challenges facing organisations such as ours. There is a need for us to be present and engage with external interested bodies, be cooperative and helpful.</p> <p>7.2 Revised autumn Board meeting</p> <p>I Sturdy notified the Board that the next meeting will be moved to Wednesday 09 November 2022, this helps with the logistics of organising the tri-annual elections for the other two boards and means that the three Board meetings are held on consecutive days.</p> <p>7.3 Recruitment update</p> <p>The CEO/Clerk role has been advertised on the ADA website and on the consortium website in accordance with the sub-committee recommendation. The closing date is 25th June 2022.</p> <p>The operational and technical posts are formally advertised locally and nationally.</p>	
<p>9. Finance Report</p>	<p>9.1 Maggie Hammond, Dir Fin. reported that the Bank reconciliation has been completed, there were no issues and it is all up to date.</p>	

	<p>9.2 The Consortium End of Year Accounts have been considered by the F&WC and were provided to the Board in the papers for this meeting.</p> <p>Proposed by P Burden, Seconded by Cllr J Tonkin ‘to accept the SDBC Accounts for 2022’ Vote : unanimous</p> <p>9.3 The NSLIDB End of Year Financial Report 2022 (Enclosure 2) have been considered by the F&WC, were provided to the Board in the papers for this meeting and were taken as read.</p> <p>Proposed by B Mitchell, Seconded by R Parsons ‘to accept the NSLIDB Accounts for 2022’ Vote : unanimous</p> <p>9.4 Maggie reported the findings from the NSLIDB Internal Audit. The auditors have given a ‘Substantial Assurance’, we have good systems in place and that the governance risk and control framework is working well. The auditors noted that we use SAGE, that we have accurate accounting and record keeping. Only two issues need to be brought to the Board’s attention; firstly that policies should be kept up to date and secondly the auditors queried the content of the aged debtors report from DRS. It was noted that given the staffing constraints some policies had not been updated. Both of these observations were accepted by Maggie and will be addressed going forward.</p> <p>9.5 Maggie presented Stage 1 of the AGAR, which had been circulated with the papers and taken as read.</p> <p>Proposed by P Burden, Seconded by J Tonkin ‘that all questions on section 1 of the AGAR be approved collectively’ Vote : unanimous</p> <p>9.6 Proposed by R Garner, Seconded by D Yamanaka ‘that all questions in section 1 of the AGAR for 2022 were answered yes’ Vote : unanimous</p> <p>9.7 Maggie presented Stage 2 of the AGAR, which had been circulated with the papers and taken as read.</p> <p>Proposed by B Garner, Seconded by B Mitchell ‘that section 2 of the AGAR be agreed’</p>	<p>RESOLUTION 4</p> <p>RESOLUTION 5</p> <p>RESOLUTION 6</p> <p>RESOLUTION 7</p> <p>RESOLUTION 8</p>
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	<p>Vote : unanimous</p> <p>9.8 Maggie advised the Board that new signatories would be required for the Nat West account following the departure of the CEO and Deputy Clerk. Maggie suggested that we have the Chairman plus named posts as follows to act as signatories: CEO Director of Finance Director of Operations Contracts Manager</p> <p>B Mitchell asked if a plan of use would be implemented to ensure that only appropriate people were allowed to sign. Maggie assured the Board that all the checks and balances including the Scheme of Delegation were in place to ensure this.</p> <p>It was proposed by Cllr S Hearne, Seconded by R Mitchell ‘that new signatories as above should be arranged with Nat West Bank’</p> <p>Vote : unanimous</p> <p>9.9 Maggie advised the Board of the outstanding drainage rate position (16th June 2022) £36,527.19, so £60% of drainage rates have been collected without the 1st reminder being sent.</p> <p>9.10 Reserve position was confirmed; free (non ringfenced) reserves as of April 2019 £256,000. Now £293,000. Maggie advised the Board of her plans across all three Boards to investigate what the level of reserves should be and report back in November.</p>	<p>RESOLUTION 9</p> <p>Action: NSL20220622 - 1</p>
<p>10. Engineering & Operational Report</p>	<p>The Engineering and Operational Report (Enclosure 3) had been sent out in advance of the meeting and was taken as read.</p> <p>(H&S policy update dealt with at Agenda Item 7)</p> <p>10.1 Further to the report R King, Operations Manager, updated the Board as follows:</p> <ul style="list-style-type: none"> - Area Supervisors will have all completed a Water Safety Awareness course in the next couple of weeks. - Contractor Xylem have been appointed to carry out regular servicing to Sampsons Sluice Irrigation Pump. - H&S vehicle checks will be carried out in the next few weeks with a consent workshop bolted on to 	

	<p>help the Area Supervisors understand how the Consent System works and make sure the correct H&S kits are on board.</p> <p>10.2 M Wall, Contracts Manager, referred to the Report from the Joint Fuel Price Sub-committee 24 May 2022 (Enclosure 4) Regarding the issue with the ongoing fuel price increase for contractors. The committee had discussed it and came forward with a recommendation to put before the Board which has been approved by the Axe Brue and Parrett Board. The proposal is detailed at Resolution 2.1c. 'The change in CPI between the month the contract was tendered (tender closing date) and the month in which the work was carried out to be applied to the price per meter'.</p> <p>C Redding felt that the NSLIDB system should have been adopted. He noted that it is unprecedented for diesel to treble in price in one year and if you expect contractors using 400/500 Ltrs diesel per day not to be recompensed it is seriously wrong. I Sturdy clarified that we don't have considerations of white and red diesel in the proposal and that it is purely a recognition of the unprecedented inflation being experienced at the moment and ensuring the additional cost are dealt with fairly. Within the existing contracts in years 2 and 3 the contractors are already eligible to receive CPI payments when the CPI rises above 2% in any year.</p> <p>Proposed P Burden, Seconded B Garner 'that Resolution 2.1c be agreed by the Board'</p> <p>Vote: For 9 Against 0 Abstentions 2 CARRIED</p> <p>10.3 Further to the report M Wall provided an Operational Maintenance update confirming that the south area is almost complete and the contractor will be moving to the north area. There were some issues with access in Puxton, Wolverhill access issues with the solar farm and also West Wick with Newt fencing erected within the 9m maintenance strip. This will be picked up next week with the Landowner.</p> <p>10.4 Returning to the CPI increase N Cole warned that there may be problems with the legality of Contractors itemising fuel surcharges when invoicing. It may not be</p>	<p>RESOLUTION 10</p>
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	<p>able to be itemised as fuel. M Wall will look at this. I Sturdy assured the board that we are referring to CPI and the form of contract used (NEC short form) is designed to enable variations to be agreed.</p> <p>10.5 D Alsop presented an update regarding Crossmans Hatch. An outline estimate of £90k for the whole job was previously provided and only recently has work been able to start there. The geotechnical investigation and site survey have been carried out and come in under budget. The tilting weir manufactured unit has gone out to tender anticipating an estimated cost of £37k, but due to the current pressures on manufacturing the average tendered price is £77k. The fact that the three lowest tenders were close, suggests that these are the kind of costs these manufacturers are incurring now. Funding constraints mean the tenders for the substructure will go out towards the end of the year with a view to commencing work early next year. Following scrutiny of all the tenders, the lowest tender from Waterfront meets all requirements at £65,381 including an elver pass.</p> <p>Proposed C Redding, Seconded N Cole ‘that the tender from Waterfront for the tilting weir at £65,381 be approved by the Board’</p> <p>Vote: Unanimous</p> <p>10.6 G Oliver briefed the Board on the site meeting which took place at Willow Close 15 June; in addition to board officers the Flood Risk officer and Planning Enforcement officer from NSC. Three properties there have buildovers in contravention of the plans submitted on the planning application. The land belongs to Highways England. NSC Flood Risk Officer will be going back to the Highways Agency to deal with this as a land ownership issue. P Burden asserted that it is the duty of the local authority to enforce the planning conditions and requested that the Board write to the planning authority to insist that they are enforced. I Sturdy agreed and observed from his site inspection that the channel is a substantial drainage feature which appeared to have been constructed either as part of the development or the motorway interchange and that either Highways England as the landowner or The Local Authority should act on it (as the asset owner or as the Planning Authority) and suggested a letter to each.</p> <p>Proposed P Buden, Seconded Anne Harley ‘that letters be written to both as per the CEO suggestion’</p> <p>Vote: unanimous</p>	<p>RESOLUTION 11</p> <p>RESOLUTION 12</p>
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	<p>10.7 Further to the report D Crossman, North Area Supervisor, added that on the Old Kenn River the EA will be maintaining the stretch between the motorway and the B3133 and the tilting weir is now working.</p> <p>10.8 Milleaze Outfall Broadstone Rhyne and EA Access culvert - a meeting has been arranged with the EA for 29 June 2022 to discuss these two issues.</p> <p>10.9 A Brinson added a comment regarding the Willow Close overbuilds, that originally there was one, now there are 3 and it needs to be stopped.</p> <p>10.10 D Alsop expressed concerns about changes being made to the Cycleway, which compromise our access for maintenance, without consulting the Board and so is appealing for formal liaison with the team at NSC. P Brewin has got to know the officer at NSC dealing with rights of way and so will help to facilitate this. D Alsop attends partnership meetings and can provide contacts in order for P Brewin to attend also.</p> <p>10.11 R Mitchell raised the point regarding Sampsons Sluice crossing. Discussion highlighted that the solicitors will need to be made aware of implications if the structure were to be relocated.</p>	<p>Action: NSL20220622-2</p>
<p>11.0 Environmental Report</p>	<p>11.1 P Brewin referred to section 8 of the Engineering and Operational Report, he drew attention to the invasive species update; the results of the test spraying are encouraging but we are developing our methods and techniques will need to think about upscaling work and rebuild capacity. Given the scale of work in NSL we will need additional resources and cooperation with the EA as there is a main river component.</p> <p>11.2 Regarding maintenance, P Brewin reminded the Board that we have enhanced duties under the Environment Act, the Government requires us to be more transparent in what we do to encourage Biodiversity. P Brewin plans to spend more time in the NSL area over the summer to check processes, make sure we have the right specifications for watercourses and report back to the Board at the next meeting.</p> <p>11.3 P Brewin briefed the Board on the work involved with DEFRA on the peat strategy and his hopes for cooperation and funding going forward.</p> <p>11.4 A query arose regarding the National Grid connection work, I Sturdy advised that beyond Board</p>	<p>Action: NSL20220622-3</p>

	<p>involvement with installations close to the watercourse we have no involvement with the project timelines.</p> <p>11.5 P Brewin directed those with questions about resources for education to the website https://www.countrysideclassroom.org.uk/ which has resources about drainage authorities and a specific case study about the Somerset floods experience.</p>	
12. Risk Review	<p>12.1 I Sturdy reported that he plans to do a thorough Risk Review with his team as soon as time is available. However he has kept the risks under review himself and the greatest risks to the Board remain</p> <ul style="list-style-type: none"> - Staff recruitment and retention. Actions are in place to improve this. - Inflation costs (work funding and planning) We are offering to help our contractors, looking at the achievability of some of our programmes this year and taking a sensible approach to budget setting in an attempt to avoid unacceptable increases in rates/levy. - In terms of principle assets, Sampsons sluice is our single highest risk asset in terms of replacement. Progress has been made in getting access to EA frameworks for specialist consultants to help with the principle inspection of the asset. 	
13. Any Other Business	<p>13.1 There was some discussion regarding the use of and pressures put upon Sampsons Sluice. I Sturdy is hopeful that the life of Sampsons Sluice can be extended rather than have to build new and if at such times this will be necessary a Flood defence grant in aid will be available and the work phased accordingly.</p>	
14.Date of Next Meeting	Full Board 09 November 2022	
	Meeting closed at 16.26	

Annex:

A. NSLIDB Board – Table of Outstanding Actions

CHAIR.....DATE

NSLIDB BOARD – TABLE OF OUTSTANDING ACTIONS

Action Number:	Action:	Actionee:
NSL/20220202-2	To set up a Sub-Group to investigate unconsented watercourse	Anthony Dowden
NSL20220413-1	To discuss at the Consortium Environment Committee set its own measurable standards/objectives in regard to climate change and biodiversity	Acting CEO/Phil Brewin
NSL20220413-2	Organise a tour of inspection for 2022	G Oliver and K White
NSL20220622 - 1	Investigate what the level of reserves should be and report back in November	M Hammond
NSL20220622 - 2	Solicitors will need to be made aware of implications if the structure at Sampsons Sluice were to be relocated.	I Sturdy
NSL20220622 - 3	Spend more time in the NSL area over the summer to check processes, make sure we have the right specifications for watercourses and report back to the Board at the next meeting	P Brewin