

MINUTES OF THE AXE BRUE FULL BOARD MEETING HELD AT COSSINGTON VILLAGE HALL ON MONDAY 07 NOVEMBER 2022

Attendance:			
Elected Members: Mr J Fear (C) Mr A Franks Mr D Tratt Mrs W Welland Mr M Watts Mr T Whitcombe Mr M Lunnon Mr N Lukins	Appointed Members: Cllr J Cousins Cllr B Filmer Cllr A Gilling (VC) Cllr W Human Cllr A Matthews Cllr C Riches Cllr M Healey Cllr A Hendry Cllr M Murphy Cllr P Clayton	Officers: Mr I Sturdy Mr R King Mr P Brewin Mr A Dowden Miss N Cornish Mr R Kidson Mr N Stevens Mrs V Martin	Public:
Approved Apologies:			
Mr B Clapp Ms L Scott	Cllr R Keen		
Non-Approved Apologies:			
	Cllr M Martin		

Agenda Item:	Detail:	Action:
1. Attendance and Apologies	1.1 Apologies as per the above Attendance List.	
2. Report on governance complaint	2.1 IDS updated Members on the complaint against Andrew Gilling by Tessa Munt saying that Wilkin Chapman had thoroughly and impartially investigated and the complaint had not been upheld.	
3. Election of Chair	<p>3.1 IDS asked for nominatons for the Chair, for a 3 year term to 31.10.2025. Andrew Gilling was nominated by Cllr Alan Matthews nominated and seconded by Cllr Peter Clayton. Andrew Gilling thanked the Chairman but declined saying he was not prepared to stand again and instead nominated Jeff Fear and was seconded by Cllr Will Human.</p> <p>Andrew Gilling nominated seconded by Cllr Will Human ‘that Jeff Fear stands as Axe Brue Chairman’</p> <p>All in favour with two Members abstaining - Mark Lunnon and Martin Watts.</p>	RESOLUTION 01

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>3.2 Martin Watts didn't think the rules allowed Jeff to stand as he had previously stood for 2 terms as Chair but Iain Sturdy said that was 2 full terms in succession, Nick Stevens advised members that there is guidance from ADA and others but no legislation. Jeff accepted the nomination, thanked Andrew Gilling, welcomed the new Members and congratulated Iain on his new position of CEO/Clerk.</p>	
4. Election of Vice Chair	<p>4.1 Jeff Fear asked for nominations for Vice Chair for the 3 year term until 31.10.2022.</p> <p>Cllr Alan Matthews nominated Andrew Gilling, seconded by Cllr Peter Clayton.</p> <p>All in favour with 1 abstention from Mark Lunnon</p>	RESOLUTION 02
5. Items additional to the agenda	5.1 Martin Watts asked to discuss unauthorised infilling of ditches at Queens Sedgemoor.	
6. Members of the Public	6.1 None	
7. Declarations of Interest – Register of Members Interests and Code of Conduct	<p>7.1 Martin Watts as a supplier to contractors and regarding the item to be discussed at AOB.</p> <p>7.2 Andrew Gilling, anything relating to Ashfords</p> <p>7.3 David Tratt, items relating to Bristol Water.</p> <p>7.4 Cllr Jon Cousins as a member of the SRA Scrutiny Board.</p> <p>7.5 IDS reminded Members to fill in their 'Register of Members Interests and to return them to the Office within 28 days. He added that the practice of asking officers to photocopy previous years, and asking them to fill them in for members will no longer be allowed.</p> <p>7.6 IDS reminded Members to refresh themselves with the code of conduct. And that induction of new members in April 2023 will also include guidance. If in doubt please consult the Clerk/CEO</p>	
8. Appointment of Representatives and deputies to the Consortium Management Committee	<p>8.1 IDS asked for representatives and deputies for the Consortium Management Committee. Currently the Members are; Andrew Gilling, Jeff Fear, Cllr Roger Keen, Wendy Welland, Cllr Peter Clayton and Cllr Alistair Hendy. All were prepared to continue to be part of the Consortium Management Committee.</p> <p>Cllr Mike Murphy proposed and Cllr Peter Clayton seconded 'all current Members to hold their positions and Cllr Alan Matthews to fill the vacant position. All in favour.</p> <p>Jeff Fear asked if any Members would like to become deputies. Alan Franks and Cllr Mike Murphy volunteered with all Members in favour.</p>	RESOLUTION 03

<p>9. Appointment of Finance & Works Sub Committee</p>	<p>9.1 IDS told Members the current F&W Committee Members consisted of Andrew Gilling, Jeff Fear, Martin Watts, Cllr Will Human, Cllr Alan Matthews, Cllr Roger Keen, Liz Scott and there are currently two vacancies. Andrew Gilling nominated Cllr Mike Murphy and Cllr Charlie Riches as new Members.</p> <p>The Board agreed that the existing members of the Finance and Works Committee should continue in that role and that Cllr Murphy and Cllr Riches should fill the vacant positions. All in favour.</p> <p>David Tratt will become the reserve Member for this Committee</p> <p>9.2 Martin Watts suggested that all Members are involved in the F&W committee so matters are only discussed once rather than repeating everything at Full Board. IDS said this committee was particularly needed at budget and rate setting time and again once the rates have come in so there needs to be at least two meetings per year.</p> <p>9.3 Martin Watts proposed that the two new Members, Trevor Whitcombe and Mark Lunnon become part of the F&W Committee. IDS suggested that they came to the meetings as observers so they can see the way it works and the issues involved.</p>	<p>RESOLUTION 04</p>
<p>10. Appointment of Health & Safety Joint Sub Committee</p>	<p>10.1 IDS informed Members that Cllr Roger Keen, Noel Lukins and Cllr Charlie Riches are the current Members. All are happy to continue.</p> <p>The Board agreed that the existing members of the Joint Health and Safety Committee should continue in that role. All in favour.</p>	<p>RESOLUTION 05</p>
<p>11. Appointment of Environment Joint Sub Committee</p>	<p>11.1 IDS told Members this committee will be very important going forwards. The Board will start to understand the impacts of climate change and the impact on land management. The current Members are Cllr Peter Clayton, Liz Scott, David Tratt. The deputies are Cllr Jon Cousins, Wendy Welland and Alan Franks.</p> <p>The Board agreed that the existing members of the Joint Environment Committee should continue in that role. All in favour.</p> <p>11.2 Phil Brewin would like to invigorate the Environment Committee and will possibly have an open meeting with Members in the spring to highlight issues the committee will be working on.</p>	<p>RESOLUTION 06</p>
<p>12. Appointment of representatives and deputies to</p>	<p>12.1 IDS discussed the Boards role in the SRA and said that Jeff Fear and Andrew Gilling are the Members representatives. The current deputies are Alan Franks and Tessa Munt, as Tessa didn't stand again and Alan</p>	

<p>the Somerset Rivers Authority</p>	<p>Franks is prepared to step down new deputies are needed. Trevor Whitcombe and David Tratt had volunteered to become the new deputies. The Board agreed that the existing representatives on the Somerset Rivers Authority should continue in that role and that Trevor Whitcombe and David Tratt would be deputies. All in favour.</p> <p>A further volunteer is required for the SRA scrutiny panel as Wendy Welland has stepped down. After discussion Alan Franks agreed to accept the position.</p> <p>The Board agreed that Alan Franks should be the Board’s representative on the SRA Scrutiny Committee. All in favour</p>	<p>RESOLUTION 07</p>
<p>13. Minutes of the Full Board Meeting held on 20 June 2022</p>	<p>13.1 Nick Stevens handed out redacted minutes of the meeting held on the 20 June 2022 for Members to read through.</p> <p>13.2 Martin Watts asked about the dredging to which IDS responded the project still has funding and the SRA are managing a team of consultants to model the Brue so they can test the benefits of dredging.</p> <p>David Tratt proposed and Alan Franks seconded ‘that the minutes be signed as a true and correct record’</p> <p>All in favour with two absentions from Mark Lunnon and Trevor Whitcombe.</p> <p>Regarding the redacted minutes there were no questions or comments.</p> <p>Cllr Charlie Riches proposed and Cllr Bob Filmer seconded that “the redacted minutes be signed as a true and correct record’</p> <p>All in favour with two absentions from Mark Lunnon and Trevor Whitcombe.</p>	<p>RESOLUTION 08</p> <p>RESOLUTION 09</p>
<p>14. Matters Arising</p>	<p>14.1 IDS updated Members on the matters arising saying that:</p> <ul style="list-style-type: none"> • AB/20220411-1 - Currently recordings of meetings are kept until the minutes are approved and any changes to standing orders will need approval from DEFRA. This action is ongoing. • AB/20220411-2 – Regarding the investment group meeting to discuss investing reserves, Cllr Will Human and David Tratt had volunteered to become Members and at the current meeting Cllr Mike Murphy added his interest in joining the committee. Jeff Fear concluded that the committee would reform and come back to Full Board with a plan. <p>Proposed by Andrew Gilling & seconded by Alan Franks ‘to reform a group to discuss investing reserves with support from the Auditors’</p>	<p>ACTION: AB/20221109-01 – reform a sub-committee to</p>

	<p>All in favour</p> <ul style="list-style-type: none"> AB/20220620-2 – Whether ratepayers should notify the Board if they have any notifiable disease. Wendy Welland asked if there was a policy. IDS responded to say he is sure there are procedures to notify DEFRA of any notifiable diseases but not a requirement for people to inform the IDB or other partnerships. The IDB must be sure to exercise bio-security where there are possible risks such as asking contractors to clean their machines when they move from one area to another to avoid spreading pennywort and parrots feather. Ongoing. 	<p>discuss – CEO & RFO</p>
<p>15. Governance Update</p>	<p>15.1 Martin Watts left the meeting at 11.42</p> <p>15.2 IDS advised Members that the elections have been concluded and all districts except for Wells to Nyland have been filled. There were two possible candidates for the position and they have both been written to, to enquire of their interest in being co-opted onto the Board. Only one responded, Joe Stradling.</p> <p>Cllr Mark Healey proposed and Noel Lukins seconded ‘to co-opt Joe Stradling to the Axe Brue Board’ All in favour</p> <p>15.3 Alan Franks suggested that Joe Stradling had a tour around the Wells to Nyland area with Anthony Dowden in order to learn how the area works.</p> <p>15.4 Jeff Fear wanted to draw Members attention to the SWADA AGM on 30 November being held at Canalside Bridgwater. The speaker will be Mhari Barns from the Environment Agency and he asked Members to attend if they possibly could.</p> <p>15.5 IDS advised Members the New Model Byelaws developed by ADA in association with DEFRA had been adopted at previous meetings. All initial steps in the procedure for creating amended byelaws been carried out but due to the departure of the Deputy Clerk they had not been the subject of public consultation and Ministerial approval. New notices will be placed on the website and the press and the new model byelaws will be adopted when the remaining procedure are completed.</p>	<p>RESOLUTION 10</p>
<p>16. Finance Report</p>	<p>16.1 In the absence of Maggie Hammond (DoF) IDS gave a brief overview of the SDBC finances saying there was a forecast variance of £226,692. It was suggested this underspend could be held in the consortium finances and ringfenced to use towards the costs of a new staffing structure.</p> <p>16.2 IDS then gave an update of the Axe Brue finances. The cost of legal fees is considerably over budget due to the complaint against Andrew Gilling. Also the contractor</p>	

	<p>costs for the year were over budget due to the Board spending money from previous years to deliver schemes already on the program and the Board is working through the backlog of schemes and money.</p>	
<p>17. Engineering & Operational Report; Environmental Report & Health & Safety Report</p>	<p>17.1 IDS asked Members to take the Engineering Report as read advising that all Officers involved in the delivery side of the business had contributed towards the paper.</p> <p>17.2 Rob King informed Members that maintenance was approximately 95% completed. He showed a plan indicating where work had been complete and identifying areas where work remained to be done, with some explanation of why that was the case eg. Barton St David, Burnham-on-Sea and Butleigh still to be finished due to the contractor having plant issues.</p> <p>He added with regards to capital work Butleigh Old Rhyne will have sheet pile structure put in place very soon. Cllr Jon Cousins queried the section in the report mentioning there had been some tampering of the structures. Rob King responded that due to the dry summer people were altering structures, this has been resolved by putting on more padlocks.</p> <p>17.3 Andrew Gilling asked on behalf of East Brent Parish Council about Brocks Pill Rhyne. IDS said the scheme had been delayed on the SRA programme to free up funds for other projects. The recommendation was made on the basis that on inspection the scheme is not currently as high priority as other work. There are some sections that may need isolated repairs in the meantime but it should be ok for another 12 months and will be monitored.</p> <p>17.4 David Tratt said he had received an email from the EA regarding Bleadon Sluice to say that because it is no longer operational they are currently unable to pump anymore feed water into the Mark Yeo system as the water level in the River Axe had fallen below the intake pipes at Whitehouse and Southill pumping stations. He wondered if the reduction in the retained water level can it be mentioned to the EA that they look at their pumping system. RCK advised that the EA are looking into the issue. IDS said Bleadon Sluice was an ongoing problem for the future and that he and Jeff Fear had a meeting planned with the EA on Friday and he would bring it up then.</p> <p>17.5 Virginie Martin (DCO) updated Members on Development Control telling them she has received a very large number of consent applications, mostly from National Grid.</p> <p>Isleport and Oaktree Arena sites were granted approval by the planning authority without taking into account the IDBs requirements.</p>	

Cllr W Human asked what the lack of consultation was due to. IDS advised that it was because the IDB initially provide standing advice to planning consultations and ask the planning authority to take that into account and advise the applicant that Land Drainage Consent will also be required from the Board. Unfortunately that advice is not always taken on board.

The IDB are now having to deal with the developers directly, and after the development at Oaktree arena was substantially underway which can be problematic. Cllr Will Human said the Board needs to be careful as there could be a risk from the wider world that the big developers are seen to get away with what they like but the small developers have to get everything correct.

17.6 Jeff Fear informed Members there are two recommendations in the report, one is about supplying pipes or costs to landowners when they are replacing a culvert which the IDB use for access.

IDS talked Members through the recommendation saying currently the Board supplies pipes to landowners where access is required by officers and contractors. Going forwards the Board would like the option to be able to ask the applicant to supply their own pipe and once work is completed, checked by IDB Officers and a receipt has been received to the Office the applicant can be reimbursed the cost of the pipe. Noel Lukins asked what would happen if the landowner puts in the wrong size pipe. IDS advised that they would not get refunded until it was correct.

Proposed by Cllr J Cousins and seconded by Cllr Will Human ‘ That the Board’s policy on the supply of pipes for access culverts be modified to include an option for officers to authorise the applicant to obtain a pipe, and for the Board to reimburse the applicant once the pipe has been installed to the satisfaction of the Board.

All in favour

The second recommendation is regarding Stoke Moor Pumping Station. IDS said he was asked to obtain some legal advice to find out whether keeping the covenants in place affects the Board and whether there are any risks or cost implications. The covenants can be challenged and it could be costly so there is a risk to the Board. There was discussion in previous meetings of forming a committee including Noel Lukins, David Tratt and Anthony Dowden. It was proposed that the group was reformed and empowered to make a decision and report back to the board.

**ACTION :
AB/20221109-02
– to reform a
committee to
investigate.**

Wendy Welland Proposed and Alan Franks seconded ‘the Board reform the Stoke Moor Pumping Station Task and Finish Group to consider and undertake any further action required in connection with the legal position of Stoke Moor Pumping Station building and land.’

All in favour

17.8 Phil Brewin talked Members through his Environmental Report saying there was a development in biocontrol in the form of a weevil to help suppress Floating Pennywort. The weevil has been tested over the past 10 years and has been licensed by DEFRA for release. It is not something the Boards will be using at the moment due to the cost. Cllr Jon Cousins asked what was used to control invasive weeds when not using nature. PAB informed the meeting that the controlled use of authorised herbicides was employed. PAB went on to discuss the Environmental Land Management Scheme saying it has taken the Government a long time to produce following our exit from Europe. There is an opportunity for farmers to get together and let DEFRA know what they think might work in terms of a scheme. FWAG have been running test and trials and there is one in Sedgemoor. He finished by adding that FWAG had requested to attend IDB meetings so that it can set out the Board’s interest in discussions with local farmers.

17.9 Will Barnard, a member of FWAG said the purpose of the test and trials is to allow the region to actively participate. Alan Franks asked if there was any consideration given to people who don’t want to be involved. Will Barnard added that everything is voluntary and they are involving the Drainage Boards and the EA so as not to disadvantage anyone unintentionally. IDS suggested that PAB and AJD attend some meetings with FWAG.

17.10 IDS moved on to the Health & Safety Report and asked Members to take it as read. Points to note are:

- All Area Supervisors have completed a 1 day banksman training course.
- 7 Members of Staff undertook Water Safety Awareness Training.
- First Aiders will be completing their annual first aid refresher courses in the near future.
- All equipment has undergone a LOLER bi-annual inspection and testing.
- All electrical equipment has now received a PAT test and will continue to do so annually.

	<ul style="list-style-type: none"> • There is now a Legionella Management Plan following guidance in the Risk Assessment carried out earlier in the year. 	
18. Somerset Rivers Authority update	18.1 IDS gave an update on the SRA works on the River Sowy saying they are currently trying to get phase 1 on the Sowy Project finished with the EA.	
19. AOB	19.1 The AOB recorded at the beginning of the meeting was not discussed as Martin Watts had to leave early.	
20. Date of next Meeting	20.1 The next meeting will be on 30 January 2023	

Annex:

A. Axe Brue Board – Table of Outstanding Actions

CHAIR.....DATE

**ANNEX A TO
AXE BRUE BOARD MINUTES
DATED 07 NOVEMBER 2022**

AXE BRUE BOARD – TABLE OF OUTSTANDING ACTIONS

Action Number:	Action:	Actionee:
AB/20220411-1	To make enquiries about changing the standing orders.	Clerk Ongoing
AB/20220411 - 1	To carry forward to a later date the investment group meeting	Clerk & RFO Ongoing
AB/20221109-02	To set up a meeting to discuss Stoke Moor Pumping Station.	Mr M Wall & Mr A Dowden and Mr Sturdy Ongoing