

MINUTES OF THE NORTH SOMERSET LEVELS INTERNAL DRAINAGE BOARD FULL BOARD MEETING HELD ON 21 JUN 2023 AT 14:30 IN KINGSTON SEYMOUR VILLAGE HALL

Attendance:			
Elected Members: Mr T Bush (C) Mr N Cole Mr J Harris Mr P Kingcott Mr A Mead Mr R Mitchell Mr C Pyke	Appointed Members: Cllr P Burden Mr J Cato Cllr M Pepperall Mr R Westwood Mrs D Yamanaka Mr P Harris	Officers: Iain Sturdy Naomi Johnson Phil Brewin Giles Oliver Anthony Brinson Maggie Hammond Matthew Wall Rob King Virginie Martin	Public:
Approved Apologies:			
Mr E Adams Mr B Letts Mr C Redding	Cllr C Gibbons Mr J Tonkin	David Crossman Dan Alsop Rob King Matthew Wall	
Non-Approved Apologies:			
Mr G Plaister Mr R Parsons	Mrs M Crosby Mrs S Hearne		

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. One item additional to the agenda was notified to the Board by G Oliver; Permissive Path Agreement with North Somerset Council, covered later in the meeting.	
3. Declarations of Interest	3.1. None were made	
4. Opportunity for Members of the Public to address the Meeting	4.1. No members of the Public were present.	
5. Approval of Minutes	5.1. The minutes of the NSLIDB Full Board Meeting held 19 April 2023 had been provided to the Board in advance.	

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>Proposed by Cllr P Burden, seconded by Mr C Pyke, ‘That the Full Board Minutes of 19 Apr 23 were accepted and signed by the Chair as a true and accurate reflection of the Meeting.’</p> <p>Vote: All agreed</p>	<p>RESOLUTION 1</p>
<p>6. Matters Arising</p>	<p><u>Review of Actions</u></p> <p>Action NSL/20220413-1: Consortium Environment Committee to set measurable standards/objectives in regard to climate change and biodiversity: This is a difficult action. ADA will be working on a Climate Change Policy for all drainage boards. There is also work within the Local Authority around their climate emergency plan and also their local nature recovery strategy and aligning ourselves with that may be the best way to move forward. The Clerk suggested a change to this action to read “The ecologist to engage with government standards being developed through ADA and engaging with local nature recovery strategy” The Clerk reported that the Action had been completed however, there were still a small number of members who had not yet responded. Action closed.</p> <p>Action NSL/20220622-1: Review of the risk register to inform the RFO review of reserve levels: The Clerk reported that a watchful eye had been kept on the risk register but a thorough deep dive of the risk register is required so the RFO can complete the work on reserve levels.</p> <p>Action NSL/20220622-2: Board to engage with Ashford solicitors and North Somerset Council regarding public access and the legal agreement: The Clerk reported that this was nearly concluded. At this point Giles Oliver was asked to discuss the AOB he raised. He advised that the agreement has been drawn up by solicitors. The Council have obligations to maintain their part of the cycleway and the Board are focused on the limited area within the sluice. We have permissive rights to use the cycleway on the sluice to complete our maintenance. Health and Safety measures are in place so the the sluice can be maintained whilst the public are using the cyclepath. There is a 28 day notice period for us to do formal work but emergency work does not require this notice. The running surface is the Council’s liability.</p> <p>Today seeking permission for the Chairman and Clerk to sign the agreement.</p> <p>Proposed by Cllr P Burden, seconded by Cllr R Westwood ‘That the Full Board gives permission for the Chairman and Clerk to sign the Legal Agreement.</p>	<p>Action NSL/20220413-1: Ongoing</p> <p>Action NSL/20220622-1: Ongoing</p> <p>Action NSL/20220622-02: Closed</p>

	<p>Vote: All agreed Action closed.</p> <p>Action NSL/20220622-3: The Ecologist to spend more time in the NSL area over summer to check processes and report back to the board at the next meeting: To be discussed within the environment and engineering report.</p> <p>Action NSL/20221116-2: A task and Finish Group debate investments across the consortium and develop a policy for investment: The RFO confirmed that this first meeting of the Task and Finish Group had been held and it was a very positive meeting. A meeting had been held with Mr R Mitchell to talk through some concerns and the policy now needs to be revised and brought back to the Task and Finish Group. Once agreed by the Task and Finish Group the policy will be brought to a Full Board meeting for adoption.</p> <p>Action NSL/20221116-3: New sluice to improve water levels on Claverham Drove; designs have been completed and prices to be sought: An update was provided within the engineering report. Quotations have still to be obtained. Once quotations have been received we will approach Yatton Wildlife Conservation Group for contributions to the scheme.</p> <p>Action NSL/20221116-4: Make available a copy of a report due from ADA on managing peat resources: The report being written by Robert Cauldwell (ADA) at DEFRA's request is still unavailable.</p> <p>Action NSL/20230209-1: Letter to be sent to George Atwell to invite him to be co-opted onto the Board. To invite Mr Atwell to the next Board meeting: The Clerk reported that order of things need to be considered as there was no vote to co-opt George Atwell at the last Board meeting, just voted to invite him to the meeting. If we then voted at the meeting it could be a little bit awkward if some members voted against. The Chairman confirmed that it was suggested that George Atwell be invited to join the Board and confirmed that he has not yet been invited to join. There are 3 vacancies and he has spoken with Simon Hutchings who would be keen to join the Board. The Chairman would therefore like to put forward that both George Atwell and Simon Hutchings be co-opted members and be invited to the next Board meeting. Proposed by Cllr P Burden, seconded by Richard Westwood 'That both George Atwell and Simon</p>	<p>Action NSL/20220622-3 : Closed</p> <p>Action NSL/20221116-2 : Ongoing</p> <p>Action NSL/20221116-3 : Ongoing</p> <p>Action NSL/20221116-4 : Ongoing</p> <p>Action NSL/20230209-1 : Ongoing</p>
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	<p>Hutchings be invited to join the Board as co-opted members and receive invites for the next meeting. Vote: All agreed</p> <p>Action NSL/20230209-2: Ongoing Enforcement; Youngwood Lane/Netherton. Area supervisor to make an inspection of the Taylor Wimpey Site following reports of flooding at Four Gables off Netherton Wood Land. Continue to keep J Tonkin appraised: Virginie Martin has visited the site and has spoken with the site manager. They have planning permission for phase one and are over half way through phase one. Attenuation facilities have already been built and should not increase flood risk in the area. Outfall all connected and is consented. The chairman asked if the issue of silt running into the River Kenn had been dealt with. It was pointed out that the area had flooded in the past and flooding may not be due to the new development.</p> <p>Action NSL/20230209-3: Formation or reconvening of Hewish Office Sub Committee: The sub committee has been held and the outcome of that meeting is that the lease at Cider Barn would be renewed for a further year. Within that year we would conclude whether we need an office and secondly if it should be the Cider Barn.</p>	<p>RESOLUTION 2 Action NSL/20230209-1 : Ongoing</p> <p>Action NSL/20230209-2 : Closed</p> <p>Action NSL/20230209-3 : Closed</p>
7. Health & Safety	<p>7.1. The Health and Safety Coordinator asked that the contents of the paper be noted. It was clarified that the incident report covered the whole Consortium and was included so lessons could be learnt by all Boards.</p> <p>7.2 The flailing incident was highlighted as an incident in another Board where lessons have been learnt by all Boards.</p> <p>7.3 The chairman noted there was one incident where an employee had come across an accident and asked if this was an incident. The Health and Safety Coordinator confirmed that this was recorded as an environmental incident even though it was nothing that we did. We did use our spill kit at the accident. It was suggested that there be a new category for this type of incident.</p>	
8. Governance Updates	<p><u>Correspondence</u></p> <p>8.1. The Clerk gave an update on recruitment:</p> <ul style="list-style-type: none"> • Nicky Cornish has been appointed as the Ratings Assistant. • We are now recruiting for a receptionist and we have had good response to the advert. 	

- Maggie Hammond has been appointed as the Business Services Manager.
- There is a temporary solution to the Consents and Enforcement Officer with agency staff. This is temporary because it is expensive.
- There has been no luck with the recruitment of Engineers/Technicians.

8.2 To deliver our programme of outstanding works we have thought outside of the box. Giles Oliver and Dan Alsop work for NSLIDB and are supporting the rest of the business. We are still looking to appoint engineers to the permanent positions. In looking at other ways to provide the engineering service the CEO has come across and organisation called Calm Engineering. Calm Engineering have provided services to the EA, SRA and Mendip DC. They are offering up to 6 chartered civil engineers who are available up to 20 hours per week each with favourable hourly rates when compared to others and are available to start next week. The other two Boards have heard this proposal. Within our procurement procedures a Single Source Option has been considered and is justified as we have tried every other avenue available to fill the roles and have been unable to secure the necessary resource. It is a call off contract, so does not have a value to it and will be a NEC contract for services.

John Harris advised that there are a number of Ukrainians who are qualified, but their qualification is not recognised in the UK. There are some drainage engineers amongst them. The CEO advised them to apply for the jobs through the website.

Proposed by Mr A Mead, seconded by Mr J Harris **‘That the CEO is authorised to appoint Calm Engineering to provide engineering services.**

Vote: All agreed

- The other boards have adopted the system written by David Colbourne for managing consenting. This new system will help to get through the backlog of consents and enable us to be more effective in future. The CEO is very pleased with this development.
- Unfortunately Michelle Crossman has resigned from her post of Deputy Area Supervisor. The CEO will talk with David Crossman to see what support he needs and how we can provide that.

RESOLUTION 3

	<ul style="list-style-type: none"> • Notification has been received from Dan Alsop that he would like to increase his fees, which he hasn't done since 2017. <p><u>Byelaws</u></p> <p>8.3. The Clerk confirmed that the original process for adopting the new Byelaws was not concluded. He was happy to report that DEFRA have now confirmed the newly adopted byelaws and they are now in operation.</p>	
9. Finance Report	<p><u>Quarterly Reconciliation of Bank Statements:</u></p> <p>9.1. Business Services Manager, as the Responsible Finance Officer (RFO), reported that a full bank reconciliation by Officers had been completed to the end of May 2023. It was agreed that Bob Mitchell continue to be the Board member to countersign the bank reconciliations.</p> <p><u>End of Year 2022/2023</u></p> <p>9.2. SDBC Accounts: Mrs M Hammond, RFO, provided an overview of the End of Year Report with the following points of note:</p> <ul style="list-style-type: none"> • Year-End SDBC surplus of £266,225 had been divided between Axe Brue, Parrett and North Somerset Levels in accordance with the Consortium Agreement. • Expenditure variance was primarily due to vacancies in SDBC Staffing. • I&E Report and Notes to Accounts were accepted 'as read'. <p>John Cato asked about website development. The RFO confirmed that there is a budget for website development but no development had happened during 2022/23.</p> <p>John Cato asked about contractor costs and the variaince shown. The RFO confirmed that this was due to a contractor not doing as many hours as budgeted for.</p> <p>John Harris mentioned the Internal Auditor report which would be discussed later within the Finance report.</p> <p>Proposed by Cllr J Cato, seconded by Mr J Harris 'That NSLIDB accepts the SDBC accounts for 2022/23.</p> <p>Vote: All agreed</p> <p>9.3. NSLIDB Accounts: RFO, provided an overview of the End of Year Report with the following points of note:</p> <ul style="list-style-type: none"> • Year-End NSLIDB surplus of £14,062. • Income was over achieved and expenditure under spent. 	<p>RESOLUTION 4</p>

- Small repairs going well
- Smaller works 7.11 new culvert and 7.18 environmental control of the report are 2 jobs in one.

Schemes

- No updates from Dan Alsop
- A contractor is due to start work on gauge boards and benchmarks
- Sampson's Sluice electrics have been sorted out and are working well
- Sampson's Sluice condition assessment. At the previous Board meeting an executive summary was shared with members and a brief update was shared at the beginning of this Board meeting. Mr Oliver talked to this update. There are no major problems with the sluice. The update has a suggested timeline of when items should be fixed which will be drawn into a work programme. A review of works in 2015 is required to see what the Environment Agency did. The timeline for re-applying for Grant Funding is 7-10 years and the recent inspection will help us to put together a case for funding. We are still waiting for an independent valuation of the sluice.
- Working on improvements to the operation of Sampson's Sluice.

Development Control

- A pre-consent application meeting has been held for the Banwell Bypass.
- Mr Oliver has been involved with the National Grid where they are taking out temporary access culverts. A landowner would like to keep a culvert which was designed as temporary and they have been advised that they need to apply for consent.

16:00 Cllr M Pepperall left the meeting

The Chairman observed that it looks like Crossman's Hatch will not be done this summer. Mr Oliver assured the Chairman that progress was being made. The Chairman said that David Crossman believes that it is not far enough ahead to be done this summer and he thinks it will be next summer. Dan Alsop will be consulted for an update.

Cllr P Harris reported that Yeo Bank Outfall was looking in a sorry state. Mr Oliver confirmed that this was in the programme of works.

The Chairman noted that elver passes had been funded for years. Mr Oliver confirmed that the Board was trying to agree a reasonable specification and areas to install them. The Clerk advised that when resources allow the schemes will be worked through.

The Chairman asked if this was the same issue for telemetry. Mr Oliver confirmed that discussion had been held with a new supplier.

Mr J Harris pointed out that we are responsible for installing tilting weirs and that they should include elevel passes at that stage.

10.3 Phil Brewin talked to the Environment report.

- Eels are a very important species in Somerset and it is a legal requirement for us to consider their passage when installing new structures.
- The environment report is based on the Environment Committee meeting.
- Forthcoming strategy on water quality and phosphorus. Water quality is not a key job for us but we need to ask what can we do to mitigate the issues of water quality.

The Chairman commented that there are few of our rhynes with much flow and this underlies whether we have high phosphorus /excess nutrients. There is duck weed in stationary water.

Phil replied that this is a tricky problem and a lot of the strategy will focus on upstream measures in terms of source control.

- The Environment Committee discussed the development of the Nature Recovery Strategy which in the south of the Mendips is very much on the agenda. It is an opportunity for the Board to align some of our activities and actions with this strategy.
- The maintenance works was discussed at the last Board meeting with some recommendations being made, in particular how we do the early cut in the summer. Working in a wildlife friendly manner is the requirement and there are some areas where we can do better.

The Chairman noted that in the summary table red was bad and green was good and there was a lot of red. Phil pointed out that we need to be making more of an effort and would like the Board to think about their policy on this matter. The Environment Committee is working through the details across the Boards.

The Clerk confirmed he has asked Phil to work on a Best Practice Manual on maintenance specifications. This would demonstrate that the Board has considered it, come up with best practice and have implemented it.

It is a changing landscape in terms of regulations and legislation and we therefore have this balance to strike between flood risk, water level management and impact on the environment. We won't keep all of the people happy all of the time.

	<p>Cllr Peter Burden agreed that the way forward is a Best Practice Manual but we mustn't forget our primary role is land drainage. We must try to preserve as much as we can.</p> <p>Richard Westwood – Governments will look at environmental outputs and will benchmark on how environmentally appropriate watercourses are classed and therefore we need to get a policy agreed and we are going about it the right way.</p> <p>Phil reassured the Board that we want to make sure the watercourses function properly. Our specifications need to match what we do and we will show improvements.</p>	
<p>11. A.O.B.</p>	<p>11.1. The Clerk asked about sub committees and their frequency. One of the other Boards is minded to do most of its business in one meeting and have less sub committee meetings and he wanted to ask Board Members their thoughts.</p> <p>Cllr Peter Burden – at the moment the ability to cancel a meeting if there is nothing to discuss is perfectly valid. It was a pity the last sub committee didn't go ahead but it did clash with a Council meeting but the sub committees are worth sticking with.</p> <p>John Harris – sub committees do allow for in depth discussion which we can't possibly have in a Full Board meeting where there is too much formal work to be done.</p> <p>The Chairman shared his thoughts that the Finance and Works Committee could be superfluous. We go through it all again at the Full Board meeting.</p> <p>The RFO confirmed that 2 of the Finance & Works subcommittee meetings are invaluable. The budget setting meeting, where committee members have the chance to go through the budget a line at a time, which you would not want to do at a Full Board meeting and have a recommendation from the subcommittee to adopt the budget. All Board members would see the proposed budget in their meeting packs and can always ask her a question or ask for information to be brought to the Full Board meeting. This is also the same for the accounts meetings in June.</p> <p>The Chairman pointed out that there are some sub committees like the remuneration committee that wouldn't be appropriate to be held at a Full Board meeting.</p> <p>Cllr Peter Burden suggested that we stick with the structure as it is and review it after a year.</p>	

	<p>11.2. Cllr Peter Burden confirmed that there is not a full compliment of appointed members with there being one space and agreed to send the list to the Clerk.</p> <p>11.3 The Chairman apologised for not formally welcoming Cllr Clare Hunt to her first meeting as an appointed member.</p> <p>11.4 Richard Westwood confirmed he is still on the Board even though he is no longer a councillor. He asked if there will be a tour of inspection this summer. The Clerk commented that this will be difficult to organise and what we need to do more importantly is complete an induction for new members. There are new members in all 3 Boards and he would like to avoid 3 separate inductions. The principle of having a Tour of Inspection every year is great and is something we should do if we can. Richard suggested that the autumn maybe a good time for a tour, as the cyclepath over Sampson’s Sluice will be completed, which the Clerk took on board.</p>	
12. Date of Next Meeting	<p>12.1. The next Full Board Meeting is scheduled for :</p> <ul style="list-style-type: none"> • Full Board – 11 Oct 23 @ 14:30 <p>It was pointed out that this clashes with a NSC planning meeting. The Clerk agreed to look at moving this date</p> <p>12.2. There being no other business, the Chairman thanked Members and Officers for their attendance, and the Meeting was closed at 16:40.</p>	<p>Action NSL/20230621-1</p>

Annex:

A. NSLIDB Board – Table of Outstanding Actions

CHAIR.....DATE

**ANNEX A TO
NSLIDB BOARD MINUTES
DATED 21 JUN 23**

NSLIDB BOARD – TABLE OF OUTSTANDING ACTIONS

Action Number:	Action:	Actionee:
NSL20220413 - 1	The Consortium Environment Committee meet to set measurable standards/objectives in regard to climate change and biodiversity.	Phil Brewin Complete
NSL20220622 - 1	The risk register will need to be reviewed before the RFO can investigate what the level of reserves should be.	I Sturdy/M Hammond Complete
NSL20221116 - 2	Group of Board members to debate investments across the consortium of Boards and develop a policy for investment. The policy is currently under development.	M Hammond In progress
NSL20221116 - 3	New sluice to improve water levels on Claverham Drove; designs have been completed and prices to be sought.	D Alsop
NSL20221116 - 4	I Sturdy agreed to make available a copy of a report due from ADA on managing peat resource once available. Still unavailable – with DEFRA	I Sturdy
NSL20230209 -1	Letter to be sent to George Attwell to invite him to be co-opted onto the Board. Revised to include Simon Hutchins and for them both to receive invites for the next meeting Full Board Meeting (Correction – They have been elected by the Board, not Co-opted)	I Sturdy Complete
NSL/20230621-1	The Clerk to look at moving the date of the next Full Board meeting as it clashed with the NSC planning meeting	I Sturdy Complete