

MINUTES OF THE NORTH SOMERSET LEVELS INTERNAL DRAINAGE BOARD FULL BOARD MEETING HELD ON 19 JUNE 2024 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 R Mitchell Mr C Pyke Mr C Redding	Appointed Members: Cllr P Burden Cllr J Tonkin R Westwood Cllr C Gibbons D Yamanaka	Officers: Iain Sturdy Naomi Johnson Phil Brewin Giles Oliver Anthony Brinson Maggie Hammond Matthew Wall David Crossman Dan Alsop	Public: Annemieke Waite (North Somerset Council)
Approved Apologies:			
Mr E Adam Mr G Plaister Mr G Atwell Mr J Cato Mr R Parsons	Cllr M Bird Mr P Harris Cllr D Thomas Cllr J Tonkin Ms S Hearne Cllr C Hunt		
Non-Approved Apologies:			
Mr B Letts Mr A Mead	Cllr M Pepperall Cllr B Petty		

Agenda Item:	Detail:	Action:
1. Attendance and Apologies	1.1. Apologies as per the above Attendance List. 1.2. The Chairman introduced George Maltby, new Enforcement Officer working within the Development Control Team. 1.3. The Chairman also welcomed Annemieke Waite from North Somerset Council to the meeting.	
2. Items Additional to the Agenda	2.1 Maggie Hammond (MH) took the opportunity to remind members that this is one meeting and please do not hold separate conversations during this meeting as it makes transcribing the minutes very difficult for staff.	
3. Declarations of Interest	3.1. None were made.	
4. Opportunity for Members of the Public to address the Meeting	4.1. There were no members of the public present at this meeting.	

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>5. Approval of Minutes</p>	<p>5.1. <i>‘That the minutes from the meeting held on 17th April 2024 are a true and accurate record of the meeting’</i> Proposed: J Harris Seconded: P Burden All in Favour</p> <p>5.2 The Chairman went through the minutes page by page and gave the members an opportunity to raise any issues.</p> <p>P13 – John Harris (JH) asked is this issue that involves the Eastern Counties? The Chair replied yes and this has recently been mentioned in the ADA Gazette.</p> <p>IDS added it is to do with extending boundaries and creating new IDBs. The current methodology doesn’t allow that to be done easily. The previous data sets are no longer current. This is about a new methodology, although it is also partly to do with the Eastern IDBs and the huge costs incurred with dealing with storm Henk and asset failures associated with this. There is £75 million made available from the government, that can be accessed, £25 million of this has already been allocated to the Eastern Counties, however IDS has made a case via ADA and he is working with the EA to make a case for funding to maintain and repair failing Main River assets.</p>	<p>RESOLUTION 1</p>
<p>6. Matters Arising /Review of Actions</p>	<p>6.4 <u>Review of Actions</u></p> <p>NSL/20221116 – 2 – MH said she has done a refresh of the policy which she has shared with IDS. She is waiting for IDS to read this before the committee can be reconvened. IDS said that ethical investments had been discussed. IDS said we are not far off completing this. Chris Redding asked how ethical is defined? IDS said there will be a discussion around this it will ultimately be a Board decision. IDS feels that this is a valid concern.</p> <p>Bob Mitchell (BM) said that he had experienced difficulties with his involvement with the Church of England and there were limited investments that they could buy ethically as most companies have some link to military activities.</p> <p>C Redding (CR) said from his perspective he’s been net zero for 6 years. The poor in this country need access to heat and light, we must be sensible about these things. IDS from conversations in the Finance Committee there does appear to be an appetite for treasury bonds as a secure way of investing some funds.</p>	

	<p>NSL/20221116 – 3 – Dan Alsop (DA) said tenders are out and would be opened on Tuesday. The IDB will need to meet with YACWAG re the division of cost. The Chair asked have we agreed what our likely contribution will be?</p> <p>DA said there is £5k in the capital budget, this should cover our cost, but a discussion before the meeting is needed.</p> <p>The Chair said we must decide what we put in. Phil Brewin said he’s in agreement with DA. The Chair said the Board need to agree our cost contribution first.</p> <p>DA said the £5k is a reserve, not a commitment. GO added that there was a £2,500 Budget for North and South areas, as there was nothing pending in the South this was all moved to the North. This was therefore intended as an environmental contribution towards YACWAC.</p> <p>The Chair said there wasn’t an opportunity to discuss this if it wasn’t discussed today.</p> <p>IDS suggested that this decision was delegated to the Chair and Officers. Within the budget the scheme of delegation means that this can be moved forward by IDS. IDS suggested that once the tender cost is known the Chair and Officers can agree the contribution to this project.</p> <p>Colin Pyke (CP) said as long as they put in more than we do. Is there any benefit to the Board?</p> <p>PB said that there is a duty to conservation that the Board has and it’s a good way to demonstrate this. It’s also good for our relationship with YACWAC.</p> <p><i>‘That the decision can be delegated to The Chair and Officers to decide the contribution made to the YACWAC project’</i></p> <p>Prop: P Burden Sec: C Redding All in favour</p> <p>NSL/20231017- 1 – IDS said this is ongoing by its very nature. We are dynamically assessing risk as we carry out our functions.</p>	<p>RESOLUTION 2</p>
<p>7. Health & Safety</p>	<p>7.1 IDS asked to take the report as read. The recent audits have come back; IDS is pleased with the outcomes and it shows that we are managing H & S well and a good culture is growing within the organisation.</p>	

	<p>There have been a few instances of staff falling in the water, IDS and NJ are looking at common themes and root causes for these incidents.</p> <p>John Harris asked about 'abrasive wheels' and what this means. IDS replied it means angle grinders.</p>	
<p>8. Governance Update</p>	<p>8.1 <u>Elections</u></p> <p>IDS said there is a process that must be gone through for the elections this year. Firstly, the Register of Electors must be approved. There were no objections to the Electoral register, therefore we can formally adopt it. The process requires a notice to be issued both on our website and in a newspaper, which is the Western Daily Press.</p> <p>IDS made the recommendation that the <i>'Register be approved by the Board'</i></p> <p>Prop: John Harris</p> <p>Sec: Nigel Cole</p> <p>All in Favour</p> <p>The next stage is early September where we will confirm the date for close of nominations. A public notice will be published on 11th Sept. On the 9th October is closing date for nominations.</p> <p>The Chair said if anyone knew of bright young landowners who would like to be involved to let them know about this. The Chair said looking at the Board demographic we could benefit from some younger brains.</p> <p><u>8.2 Recruitment Update</u></p> <p>IDS talked about forming, norming and storming. He feels we are still in the forming stage but doing well and making good progress.</p> <p>Engineering is well covered; Development Control is also now well populated.</p> <p>The biggest gap is the Clerks Assistant /Assistant Clerk/Deputy Clerk vacancy. Depending who is found for this vacancy and their experience - will depend on their level of seniority.</p> <p>There is an expression of interest internally and there is the potential to develop this person into the role, but we are also exploring the market for a readymade Deputy Clerk or similar.</p>	<p>RESOLUTION 3</p>

	<p>Currently this work is being covered by MH, NS, IDS and the Business Support staff but it's not an ideal situation as it takes these officers away from their work.</p> <p>Peter Burden said that succession planning is extremely important. IDS agreed</p> <p>The Chair mentioned that every year we budget for vacancies and then it becomes a surplus – should we stop doing this?</p> <p>IDS replied that we should continue to budget this way and then the budget can be used to fund Calm Engineering or other contracted services as needed. Even when we are fully populated, IDS believes we should retain contracted services to be able to do more work.</p> <p>IDS added that we are still missing a Deputy Area Supervisor in the NSL area and possible candidates are being interviewed but for now this is ongoing.</p>	
<p>9. Finance</p>	<p>Maggie Hammond (MH) presented her report and papers.</p> <p>9.1 Bank statements have been reconciled and are fine.</p> <p>9.2 Maggie Hammond (MH) drew the members' attention to the reports in their meeting pack. MH said that the Finance and Works (F&W) Committee had met on 5th June 2024 to scrutinise the finance report , audit and figures.</p> <p>The Chair told the members that the F&W Committee had met to scrutinise the report and felt confident that they can recommend that the Board answer 'yes' to the AGAR questions.</p> <p>9.3 MH asked the Board to '<i>approve the NSLIDB accounts for year 23/24.</i>'</p> <p>Prop: Bob Mitchell Sec Colin Pyke All in Favour</p> <p>9.4 MH asked the Board to look at Section 1 of the summary report. The Board decided to answer the AGAR questions as a block rather than 1 by 1.</p> <p>Prop Peter Burden Sec: Richard Westwood All in Favour.</p> <p>The Board answered 'Yes' to all AGAR questions on Section 1</p> <p>Prop: J Harris Sec: Bob Mitchell All in Favour</p>	<p>RESOLUTION 4</p> <p>RESOLUTION 5</p> <p>RESOLUTION 6</p>

	<p>9.5 Section 2 of the AGAR – MH asked the Board to approve this</p> <p>Prop: Bob Mitchell Sec: Peter Burden All in Favour</p> <p>9.6 MH showed the Board their reserve position at £420k. There is still a journey to get the reserve position to the agreed £750k.</p> <p>9.7 MH said that the drainage rate position is very good. The team has worked extremely hard to achieve this. The whole team works together to get this income in and she was very happy with this.</p> <p>The Chair thanked MH for her report.</p>	<p>RESOLUTION 7</p>
<p>10.Operational and Engineering</p>	<p>10.1 IDS asked the report to be taken as read. He stated that the report is very comprehensive and contains one Officer recommendation. Operationally it's been a difficult year so far with regards to managing water levels - the weather has been extremely wet. There are a variety of demands on the team outside of the usual penning work. The Area Supervisors are very challenged, but IDS felt that we are getting it right for most of the people most of the time.</p> <p>10.3 <u>Matthew Wall – Maintenance</u></p> <p>Matthew Wall asked to take his report as read. MW said that Andy Tucker (Contractor) completed the majority of the maintenance in the South area and was due to start in North area next week. So far there have been no issues.</p> <p>MW said that the CPI this year was 15.23% and will be applied to invoices as they come in. Meetings have been held with contractors regarding the work for the coming year and to look back on past work and talk through any issues or problems that they have faced.</p> <p>He said there is an issue with tracking through maize and crops and this causes issues with costs. MW said there is a need to be consistent across all Boards.MW is recommending that a Joint SDBC Committee is formed to agree a suitable policy across all Board areas in regards to this issue.</p> <p>The Chair asked for 3 volunteers for this Committee from the NSL Board.</p> <p>Nigel Cole (NC) agreed to volunteer.</p> <p>CR asked if we had any rights in regards to people not growing maize. The Chair said we have a right to gain access and do the work.</p> <p>The Chair felt that CR would be a good volunteer for this committee.</p>	

Peter Kingcott(PK) also volunteered.

MW said that he will be in contact with NC, CR and PK shortly with a suitable meeting date.

IDS said the Committee is a good opportunity for members to influence how officers work.
CR said it would be nice to know the law first.

David Crossman said if the committee decide to change what is currently done, the land owners must be given plenty of notice of this. The Chair agreed this is sensible. MW said any changes wouldn't be implemented until next year anyway.

DC said that getting to the rhynes is very hard. MW said we can pre-empt this and carry out some work early when we know the maize is small. Anthony Brinson said it works bringing the work forward.

Dan Alsop (DA) said it would be worth finding out what the EA policy is, as this is not a new issue.

IDS said a policy adopted and signed by the Board will help us hugely.

PB said the policy would need to be approved by the Board first. IDS agreed.

10.4 MW said there had been some access issues at Heath gate Rhyne - where a traveller site is situated. Mr Harraway, a land owner, had agreed access via a track machine. This will be done by the end of June and will be a one-off trip.

10.5 MW referred to a draft paper in the pack, tenders could be extended or retendered. MW had concerns about the size of the tenders and the lack of interest. He asked for guidance from the Board on how we can get others interested.

J Harris stated he can see the issue here but is wary of bringing in new contractors, especially if it reduces economy of scales with current contractors.

MW showed a slide showing contractor areas – there is a benefit of other contractors being a backup. JH said he agrees but it's expensive kit and smaller contractors could be wary of the expense.

CR said Andy Tucker had bought a £300,000 Evergreen this week.

IDS said this was really good news for the Board. IDS clarified that this is not about restricting lots that contractors can bid for. Smaller contractors may bid for a several lots. It's a tight rope to walk but IDS said he

worries that should contractors be no longer available to the Boards, there would be competition or back up.

CR said he was worried about losing efficiency due to the current contractor knowledge.

IDS said that his worry is about securing a long-term service to the Board. There could be an option of awarding a longer contract and this may encourage competitive tension. On paper this would give us security.

The Chair said we could roll this particular contract over now.

MW said we need the agreement of the contractor.

IDS it could be a sensible decision for the Board to make. IDS said his concern is that when or if we lose this Contractor in future that would leave the whole area with no one covering it.

DC said 'I have got a letter here from Mr Tucker which I asked him to write as there are rumours going around that he is giving up. DC read this letter out to those in attendance.

Verbatim – 'As per request we have written this letter to you to clarify that we have no intention of retiring or cutting back on our drainage board contract, contrary to the rumours that seem to be circulating. We have in fact just spent a great deal of money on state-of-the-art machinery so that we can continue to offer competitive rates and ongoing standard of work. We hope this quashes any such rumours and we look forward to working with yourselves this year and hopefully for many more years to come. Signed Andrew Tucker and Mrs Tucker and dated 15/6/2024.'

MW clarified he was wanting to bring the situation to the Boards attention as there may be an issue in the future.

PH asked can we put it to the Board that we extend the contract at the present time?

Peter Kingcott said that we need a strategy in place for the future. PK said he was happy to roll over for 2 years subject to us starting to work on a strategy for the future now. We must show that we are competitive as a public body. Need a paper showing how we move forward.

The Chair asked MW when the tenders are given, do you always take the cheapest tender?

MW said cost is a principle consideration but also previous performance, capability, safety and environmental track record. No more than 50% of work to one contractor if possible. MW said his concern was if Mr Tucker were to retire (he was ill last year), he's not confident that someone could be found to fill the gap.

DC added even though Andy Tucker was ill last year - they did finish work on time.

Peter Kingcott said he's under contract therefore it's in the contractor's interest to have a backup.

IDS clarified, the contract places an obligation to complete the work, if the Contractor is unable to do this, a different contractor can be brought in; however, should that cost more it's the burden of the original contractor to cover this. We must be aware that Andy Tucker is a small contractor. We are all getting older therefore the risk increases in time. This is not a vendetta against Andy Tucker but is an effort to ensure continuity. We need to make sure that we can deliver the services to our ratepayers. We must be compliant with public procurement regulations. IDS considers Andy Tucker to be a highly valued Contractor.

IDS agrees we need a strategy and we must engage and consult in this.

RW said the officers may be happier if the contract was rolled over for a year.

DY said she would be happy with rolling over for 2 years but we must have a strategy.

MH said as RFO that there is a 3-year contract, Board members can roll over at the end of this period but there must be a procurement exercise.

The Chair said this is what was done last time but we couldn't accept people cherry picking work.

NC asked if the area could be fragmented?

MW said we could do. Previously though ,4 areas were not accepted by the Board.

RW said what PK has proposed is a way forward with pressure to do a strategy. IDS said a report should be produced with engagement with members.

It was recommended that the '**Contract be extended for a further year**'

Prop :Peter Burden

Sec : Cllr Richard Westwood

Before the above recommendation was voted on, an amendment was recommended that the '**Contract be extended for 2 years and for a strategy to be formed**'.

Prop: C Redding

Sec: Colin Pyke

Vote: 1 Against

RESOLUTION 8

Passed

DY recommended that this be on the next agenda for the November Full Board meeting. IDS agreed and said that he would also take this to the NSL Finance and Works meeting first which is the week prior to the FB meeting.

**Action: NSL
/20240619-1**

10.4 Giles Oliver - Engineering

GO asked that his report be taken as read.

GO shared a slide showing the structures and engineering projects in the Boards area. GO said that there is work to be done to improve these and to show timelines. GO said these projects and their status are available to view in the report papers.

Hurst Pool Rhyne has presented long standing challenges. GO said they are looking at putting in a new tilting weir and trash screen. This needs to be done as it's a critical structure and currently on its last legs.

GO said regarding Elver passes he is currently talking to a company called Fish Net in Devon who are experienced in installing these. A meeting will be happening shortly regarding moving this forward.

Northfield Rhyne – there has been a problem with keeping water in the Kewstoke catchment – CALM are in a detailed design phase to move this structure forward.

DA added that Crossman's Hatch notices are going out to land owners, Phil Brewin is looking at the Environmental assessments. The basic engineering design is ok.

GO said that Samsons Sluice cycle path is opening on Friday 12th July, it will involve a lot of operation from Anthony and the team so there will need to be procedures for safety put in place. Hopefully the Board will have a reasonable outcome in this project.

Bob Mitchell said if GO was invited to the opening of the site, tell them that it wasn't the Drainage Board that insisted on spending £220k in tarmacking the old railway. GO said we certainly didn't ask for this.

Nigel Cole said on the middle section there is tar and grit and there has been an issue with trying to compact this. There was also an issue with the EA and the security section where the council wouldn't let them through. There will be some teething issues to expect. GO said that reversing signs are also required.

JH said overall that there should be more green status on the project chart and as a Board member it is necessary to comment on this.

IDS said that JH's comment was noted.

P Kingcott asked if we were working with the EA regarding Eel passes.

GO replied that at Huckers Bow there is a rubber strip instead on the flap valve that allows elvers to pass in the early stages of an incoming tide.

10.5 Virginie Martin – Development Control Update

VM said that the Development Control team have been doing really well. They are now almost fully populated in the team and as a result they have been able to deal with consents in a timelier manner and have engaged more in planning processes.

The Chairman asked about the run off levels of 2 litres per second per hectare and asked if this was an industry standard?

VM replied the industry standard is Q bar (mean annual flow) or 2 litres per second per hectare. The Chairman said this seems low. VM said this is what we have to deal with currently.

DA added that years ago when this was assessed a level of 1.76 per hectare was agreed and this was linked to pumping stations capacity at the time. Over the years this was rounded up to 2 litres per second per hectare.

10.6 Phil Brewin – Environment

PB apologised that his report was issued late.

PB said that the Environment Committee met last week and several constructive discussions were had.

PB discussed the Eel DNA technique and said that it would be a helpful technique to gather information on where eels have been present in the watercourses. He mentioned that there was an Eel conference coming up in Glastonbury soon that several officers would be attending.

PB discussed the prospect of a Beaver Strategy. Beavers are now present in Somerset and the strategy will look into how the activities of Beavers should be managed in the future – Beavers are a protected species.

PB discussed the Local Nature Recovery Strategy and said it has been a slight challenge to get involved with this and make input – it has been a little stop and start.

	<p>PB will be inviting an officer to present more information on the strategy at the next board meeting in November.</p> <p>The Peat Project - PB said that there will be a NSL telemetry project starting from scratch. A pilot will be carried out on the Old Bridge River and this will be evaluated before rolling out telemetry to 10 sites in the NSL area.</p> <p>CR asked about floating pennywort. He said that there is £12k in the budget and he felt that an officer with a backpack spraying was not appropriate and the use of a hedger with a sprayer was more appropriate for the scale of the issue.</p> <p>PB said little has been done this year.</p> <p>MW said that some contractors have been approached but had a limited response. CR said why not ask our small contractors. MW said important not to over spray and kill all vegetation. PB added spraying alone will not work.</p> <p>BM said that his niece is senior in environmental work – she said that pennywort is clever at absorbing the spray but doesn't take it into its main plant which makes it difficult to manage.</p> <p>PB it is an intensive issue and needs consistency.</p> <p>BM asked how far we have got with the weevil. PB replied it's been released and being evaluated in other parts of the country.</p> <p>RW said the recent Environment Committee was fascinating and said that Beavers are animals whose activities are in conflict to the Boards' activities so it will be interesting to see how things move forward.</p> <p>Annemieke Waite (NSC) asked is the eel project linked to Wedmore. PB responded yes and he would pass on relevant information to her.</p>	
<p>11. Issues to be raised with ADA</p>	<p>11.0 IDS said he felt that we could use ADA much more than we currently do. IDS said he had been able to talk to Innes Thompson during the latest SWADA event and he said that ADA is a great way to be able to raise our issues and concerns at a higher level as ADA are a very well connected body.</p> <p>IDS said almost all the issues they deal with come from the east of the country and therefore it's an opportunity to raise west country issues too. Each Board meeting</p>	

	<p>IDS is keen to identify issues that need to be passed onto ADA.</p> <p>David Crossman said that the EA are short of funds for summer maintenance and the EA staff are despondent.</p> <p>Peter Harris put forward the same query as David, he said it's very concerning.</p> <p>IDS agreed that this is a huge worry for all of us that nationally and locally the funding for the EA maintenance has been severely cut this year and likely to be so in future years.</p> <p>IDS has been working alongside EA staff in the Axe Brue area following the winter floods. He has been working to expose the reality of some of the asset conditions that are quoted. They quote 94% of assets are in target condition and often the target condition is poor has no target condition – therefore the percentages and quotes are misleading.</p> <p>IDS said he felt there has been underinvestment in EA asset maintenance for many years.</p> <p>IDS said that in the AB area they have been awarded just 31% of what they have asked for to maintain assets. There is also an overtime ban on staff. IDS has raised these issues through ADA, RFCC and higher up in the EA. RFCC met recently and have agreed that the balance between revenue and capital is wrong. Flood risk standards are at risk. RFCC have raised with the ministry, civil service and the EA Board who have said this is an immediate priority they will take up with the new Government after the election.</p> <p>IDS thanked DC for raising this important issue.</p>	
12. Engagement with other Authorities	<p>12.0 IDS said as part of business we engage with partners such as EA and Natural England.</p> <p>Moor Associations are being created in other Board areas, largely to deal with Agri environment schemes. There will be a role that the Boards can play engaging with these associations going forward. IDS expects a huge amount of conflict in these areas with people's expectations and needs.</p>	
13. Board Site Inspection	<p>13.0 IDS suggests early September for this Board site inspection.</p>	

	<p>The Chair suggested that Sampson Sluice should be visited. He also suggested Crossman’s Hatch and asked DA if there will be access to this. DA said it will be across a lot of fields to get access so the ground conditions will need to be favourable.</p> <p>MH asked members if there are any preferred days. IDS suggested we look at early September in general at the moment and suggest an appropriate day. IDS to arrange a date for Site Inspection in Early September.</p> <p>IDS would also like to see someone else’s work such as a major infrastructure project that may impact on us. He suggested we could also look at eel passes, pennywort and the environmental sites.</p>	<p>Action: NSL /20240619 – 2</p>
14. AOB	None	
15. Date of Next Meeting	<p>15.0 The Chairman said that this may be his last meeting as Chairman. He thanked the members for their attention over the last 6 years.</p> <p>John Harris expressed thanks to the Chairman on behalf of all members and there was substantial applause for the Chairman.</p> <p>The Chairman said the date of the next meeting was 6th November 2024 at 14.30 and closed the meeting.</p>	

Annex:

A. NSLIDB Board – Table of Outstanding Actions

CHAIR.....DATE

**ANNEX A TO
NSLIDB BOARD MINUTES
DATED 19 JUNE 2024**

NSLIDB BOARD – TABLE OF OUTSTANDING ACTIONS

Action Number:	Action:	Actionee:
NSL/20221116 - 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
NSL/20221116 - 3	New sluice to improve water levels on Claverham Drove; designs have been completed and prices to be sought.	D Alsop - Ongoing
NSL/20240417 – 3 (amended)	To add a link to the video of a working silt pump to the website.	I Sturdy
NSL/ 20240619-1	To add extension of contract proposal and strategy to the next Full Board Meeting Agenda and take to the Finance and Works Committee meeting on 23th Oct 2024.	I Sturdy
NSL/ 20240619 - 2	To arrange a suitable date in Early September for a Board Site Inspection.	I Sturdy