

**Executive**  
**Wednesday 15 March 2023**  
**10.00 am Luttrell Room - County Hall,**  
**Taunton**



**SUPPLEMENT TO THE AGENDA**

To: The Members of the Executive

We are now able to enclose the following information which was unavailable when the agenda was published:

Item 16	Somerset Rivers Authority (SRA) 2023-24 Enhanced Programme of Flood Risk Management Works and signing the SRA Memorandum of Understanding and Constitution (Pages 3 - 54)
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Published on 10 March 2023

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## Decision Report - Executive Decision

Forward Plan Reference: FP/23/01/03

Decision Date - 15/03/23

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Somerset Rivers Authority (SRA) 2023-24 Enhanced Programme of Flood Risk Management Works and signing the SRA Memorandum of Understanding and Constitution

Executive Member(s): Cllr Sarah Dyke - Lead Member for Environment and Climate Change

Local Member(s) and Division: All

Lead Officer: Michele Cusack, Director Economic and Community Infrastructure Commissioning

Author: David Mitchell, Somerset Rivers Authority Manager

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### 1. Summary / Background

- 1.1.** Winter 2013-14 was the wettest in Somerset for 250 years. Around 150km<sup>2</sup> of land was submerged for weeks, 165 homes flooded, 7,000 businesses affected, 81 roads closed. An Economic Impact Study estimated the cost to Somerset as being up to £147.5m. The Somerset Rivers Authority (SRA) was launched in January 2015 to provide an extra level of flood protection and resilience for Somerset. Through the SRA an additional £22.8m has already been raised to reduce the frequency depth and duration of flooding and increase resilience to flooding across the county. 2023-24 will be the eighth year that the SRA funds an 'Enhanced Programme' of projects to tackle flood risk
- 1.2.** Somerset is unique in having the SRA and the ability to raise funds in the way it does. The SRA is currently a partnership of Somerset County Council, the four district councils, two Internal Drainage Boards, the Environment Agency, Wessex Regional Flood and Coastal Committee and Natural England. After vesting day all councillor representation will come from Somerset Council
- 1.3.** In 2022-23, a further £3,030,000<sup>1</sup> will be raised locally and spent on 12 different projects and activities. SRA activities stretch across the county. Full details are provided in Appendix 3 and 4.
- 1.4.** As Somerset County Council has been the accountable body for the Somerset Rivers Authority (SRA) for the last eight years each year a key-decision has been taken to approve the allocation of funds, raised through an alternative notional amount on Council Tax and contributions from Somerset Internal Drainage Boards for use in the coming financial year. This year Somerset County Council Executive is being asked to take the decision on behalf of the new Somerset Council.

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<sup>1</sup> Includes £10,000 from the Axe Brue Internal Drainage Board and £10,000 from the Parrett Internal Drainage Board.

- 1.5.** The alternative notional amount (ANA) is the formal name for the process used by central government to allow Somerset councils to make a small increase to council tax charges in the 2016/17 financial year solely for the purpose of funding the activities of the Somerset Rivers Authority. This ensured funding the SRA did not reduce funding for other services. This ANA is rolled forward each year to fund the SRA. The amount charged is fixed at 1.25% of the 2016/17 council tax charge. For 2023-24 the charge per band D property will be £14.65, resulting in approximately £3.01m being raised for the SRA.
- 1.6.** The purpose of funding raised for the SRA is to deliver an extra level of flood protection and resilience to Somerset residents using locally raised funding to deliver on locally agreed priorities. The SRA Board each year approves a series of projects which are collectively referred to as the Enhanced Programme. Since 2015 the SRA Board has approved funding for approximately 240 projects. The 2023-24 Enhanced Programme will see a further 12 separate projects funded; full details contained in Appendix 3 (confidential) and 4 (public).
- 1.7.** Finally, the Executive is asked to review the 2023-24 SRA Memorandum of Understanding (MOU) and approve the signing of the current MoU by the Lead Member for Environment and Climate Change. The MoU and Constitution will be completely reviewed to reflect the situation and new SRA appointments under the new Somerset Council between 1 April and 16 June 2023.

## **2. Recommendations**

### **2.1. That the Executive agrees**

1. To Somerset Council taking on the roles of Host Authority and Accountable Body for the Somerset Rivers Authority.
2. To approve the revised Local Memorandum of Understanding (including the Constitution of the SRA) set out in Appendix 1 and authorise the Lead Member for Environment and Climate Change to sign this on behalf of Somerset Council.
3. The case (set out in 'legal implications' for exempt information) for Appendix 3\_ CONFIDENTIAL\_2023-24 SRA Enhanced Programme scheme descriptions WITH COSTS to be treated in confidence, as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.
4. To exclude the press and public from the meeting where there is any discussion at the meeting regarding exempt or confidential information (Appendix 3).
5. To approve the SRA Budget and SRA Enhanced Programme for 2023/24, (Appendix 2 ITEM 9 2023-24 Enhanced Programme and Budget) in accordance with the recommendations of the SRA Board from its meeting on the 3rd of March 2023.

6. To the release of funding committed from all sources in 2023/24 for the purposes of the SRA, subject to receipt of those funds, in accordance with the budget for 2023/23 as set out in item 5 above.
7. That the detailed management of the 2023/24 Budget and Enhanced Programme within the control total allocated to the SRA is undertaken in accordance with the constitutional, financial regulations and decision-making arrangements of Somerset Council as Accountable Body.

### **3. Reasons for recommendations**

- 3.1** Somerset County Council is the accountable legal body for the Somerset Rivers Authority until such time as it becomes a separate legal entity.
- 3.2** The recommendations, once approved, will confirm Somerset Council as the accountable legal body for the Somerset Rivers Authority. This will enable the SRA to continue to work with partners to deliver the actions within the agreed Somerset Flood Action Plan, leading to an enhanced level of flood protection and resilience in the county.
- 3.3** The majority of the £3,013,125 funding raised will be used to fund enhanced programme activities with the remainder (£280,000) covering SRA staff costs, overheads and running costs. The 2023-24 Enhanced Programme will consist of 12 different projects aimed at reducing flood risk, increasing resilience to flooding and encouraging adaptation to the water related impacts of climate change across Somerset. Full details are contained within Appendix 4.
- 3.4** The allocation of funding to specific projects within the 2023-24 Enhanced Programme is proposed, if required, to be considered in exempt session to avoid compromising the procurement position of the delivery partners (Appendix 3).
- 3.5** The Local Memorandum of Understanding (MoU) and Constitution which set the context for the work of the SRA has been revised to reflect changes relevant to 2023-24 and the transition period to Somerset Council. Changes made to the MoU are highlighted in in the document itself in Appendix 1.
- 3.6** The MOU must be formally agreed by all Partners to ensure the ongoing support of Partners in delivering the SRA Enhanced Programme of work and provide a clear governance structure for setting and managing that work. SRA funds are not disbursed until the MoU has been signed by all parties. The MoU will be signed on behalf of Somerset County Council by the Lead Member for Environment and Climate Change.

### **4. Other options considered**

- 4.1.** The only alternative option is for Somerset Council not to take on the role of the host authority for the SRA and not to approve the funding for use by the SRA. This would result in the SRA being unable to proceed in its current form, or at all. The funding raised through the alternative notional amount is

explicitly for the funding of SRA activities. If the funds are not used for the SRA they will be lost to the county and the extra benefits the SRA brings will also be lost. This is not considered to be a viable option. As SRA funding is raised through council tax no other organisation can fulfil the role that the council can.

## **5. Links to County Vision, Business Plan and Medium-Term Financial Strategy**

**5.1.** SRA schemes and projects add to the wider priorities of Somerset's local authorities and the forthcoming Somerset Council and support the new council's strategies and objectives. The SRA is also reviewing Somerset's 20 Year Flood Action Plan.

**5.2.** SRA activities directly contribute towards meeting priorities of the current County Business Plan. Specifically County Business Plan Outcome 2: Safe, vibrant and well-balanced communities able to enjoy and benefit from the natural environment whilst addressing climate change. The Key priorities supported are:

- A Somerset which is prepared for, and resilient to the impacts of Climate Change
- Ensure flood prevention remains a focus for the protection of communities in Somerset.

**5.3.** The work of the SRA addresses a number of the priorities in the recently adopted Somerset Council Plan and the "Vision" for Somerset Council. The draft vision states:

"The new Somerset Council will build a fairer, greener, more flourishing, Somerset that cares for the most vulnerable and listens to you."

SRA activity delivers against the priorities of:

- A Greener, more sustainable Somerset
- An environmentally sustainable and more resilient Somerset

Climate change is increasing the likelihood and impacts of flooding. The work of the SRA helps Somerset prepare for, mitigate the impacts, become more resilient to and ultimately adapt to the impacts of climate change

**5.4.** The work of the SRA directly supports achieving Goal 3 of the Climate Strategy – 'To have a Somerset which is prepared for, and resilient to, the impacts of Climate Change. Through delivering the Somerset 20 Year Flood Action Plan, the SRA partners undertake projects and activities that contribute towards tackling many of the climate change related risks identified in the Somerset Climate Emergency Strategy.

**5.5.** The work of the SRA directly supports the objectives contained within Somerset County Councils Local Flood Risk Management Strategy.

- 5.6.** It was resolved at Full Council on the 22 February 2023 to agree to set a Council Tax precept of £14.65 (Band D) within the base budget for the Somerset Rivers Authority. This amount replaces the council tax requirement previously set by the districts and the county council. This results in a Council Tax Requirement of £3,013,125.

## **6. Consultations and co-production**

- 6.1.** No specific consultations were undertaken. However, represented on the SRA board are Somerset County Council (SCC), the district councils and Internal Drainage Boards (IDBs), the Environment Agency, Natural England and Wessex Regional Flood & Coastal Committee. The Board is responsible for overseeing the delivery of the Flood Action Plan. The SRA Enhanced Programme of works, which delivers against the Flood Action Plan objectives, was developed by all the partners working together to address issues of concern to local communities and local stakeholders.
- 6.2.** SCC representation on the current SRA Board includes Councillor Mike Stanton (SRA Chair) and Sarah Dyke, Lead Member for Environment and Climate Change. The SRA Board approved the 2023-24 SRA Enhanced Programme on the 3rd of March 2023. In considering this proposed decision, the conclusions and recommendations of the SRA Board have been taken into account.

## **7. Financial and Risk Implications**

- 7.1.** Funding amounting to £4,005,000 is available to the SRA for 2023-24, of which Somerset Council will contribute £3,013,125 from Council Tax receipts (as confirmed at the Full Council meeting on the 22nd of February 2023). Funds raised for use by the SRA do not reduce the funds available to SCC through council tax.
- 7.2.** SRA funding is raised by a 1.25% 'alternative notional amount' (ANA) added to council tax bills. The funds raised are in addition to that raised for core SCC functions. Funds raised for the SRA cannot be used for other reasons as this would be in contravention of why the alternative notional amount was originally approved by central government.
- 7.3.** Somerset Council, as the Accountable Body, will be responsible for the proper oversight, management and accounting of all funds raised for, and spent by the SRA. All SRA funds will be managed through Somerset Council and overseen by a Somerset Council finance manager. The SRA Board allocates SRA funding as grants. The SRA's constitution defines the Board's purpose and authority of the Board and sets out delegations for financial decisions. All SRA Board decisions must align with Somerset Council Standing Orders and, where necessary, a key or non-key decision will be taken by the relevant council officer or Executive Member to ratify the decision of the SRA Board.

**7.4.** The long-term aspiration is to see the SRA established as a major precepting authority. This would remove the need for Somerset Council to raise the precept on behalf of the SRA. However, securing the major precepting status will continue to be difficult. In December 2020 Rebecca Pow MP, and Parliamentary Under Secretary of State at the Department of Environment Food and Rural affairs, in a response to a letter from the SRA Chair reiterated the government's support for the SRA but explained that due to a full legislative agenda and coronavirus it had not been possible to make any progress with legislation for Rivers Authorities.

**7.5.** The flexibility afforded to Somerset's current local authorities to raise a 'shadow precept' through council tax for funding of SRA activities will continue for as long as the new Somerset Council chooses to raise it.

**7.6. Key Risks:**

The primary risk of not approving the SRA funding and Enhanced Programme would be that the SRA could ultimately be wound up. Without funding the SRA would be unable to deliver its objective of an extra level of protection from flooding and an increase in resilience to flooding. The momentum achieved since the SRA's inception in 2015 in mitigating the intensity and duration of flooding events will not be maintained.

**7.7.** There is a risk of reputational damage to Somerset Council if funding is not approved and the SRA ceases to continue in any meaningful form.

**7.8.** If funding is not approved there is a risk of (4) staff redundancies within the SRA team and a potential financial liability for Somerset Council from redundancy payments. This is mitigated by the agreement to use any remaining SRA funds to settle this liability in the first instance.

**7.9.** The SRA provides grant funding, paid in arrears, to SRA delivery partners upon evidence of agreed and eligible works being completed to the required standard. Organisations delivering SRA funded projects must first settle any charges and then claim funds back from the SRA by submitting a grant claim. Claim forms must be signed off by a suitably qualified financial officer from the delivery organisation giving the SRA assurance that any claim is for eligible spend. This process minimises the risk of funds being spent on ineligible activity. The SRA undertakes an audit annually of selected claims to provide an additional level of assurance that SRA funds are being spent for the intended purpose.

**7.10.** Just as some projects underspend, so some SRA projects occasionally face cost increases. In such a case, there is a risk that an SRA delivery partner may be unable or unwilling to absorb those costs. In this instance the SRA may be asked to fund the cost increase. When this occurs the delivery partner must seek approval for additional funding from the SRA Board. This approval process allows the SRA Board to consider funding requests in advance of committing to those cost increases and allows the Board to manage its available funds in a



prudent manner and to consider any impacts on the overall Enhanced Programme and budget. Where a cost increase occurs that could not be identified in advance, the SRA Board has the option to not fund that cost increase and the delivery partner would be liable for that cost. Any decision taken by the SRA Board must also follow council Standing Orders and, where necessary, a key or non-key decision will be taken to ratify the SRA Board decision.

- 7.11.** The Local Enterprise Partnership (LEP) granted £13.049m to ‘Somerset Flooding’ project in 2015. These LEP funds are now fully claimed. Project delivery is still underway using match funding. There is a risk that the LEP could claw back previously granted funds if a project was not completed or it was found that the funds had been incorrectly spent. This is mitigated by the SRA claims procedure which requires any partner claim to be certified by a suitably qualified finance officer or other senior officer of the organisation claiming and also by annual auditing procedures
- 7.12.** Somerset County Council agreed to ‘own’ the risks associated with spending of LEP funding on behalf of the SRA. This commitment will pass to the new council. This risk is mitigated by the fact that SCC has signed ‘strategic grant agreements’ with the SRA delivery partners which makes the delivery partner liable for the risk of LEP funding clawback. All LEP funds have now been claimed from the LEP further reducing this risk.
- 7.13.** Due to the measures and procedures set out above, financial risk to Somerset Council as Host Authority and Accountable Body for SRA is deemed to be low. The SRA follows strict processes for the allocation and management of the grant funding that it provides. These processes mean there is a low likelihood that the SRA will exceed its available budget. The likelihood and impact of the above risks coming to fruition have been assessed as having a low likelihood but a high impact.

Likelihood	2	Impact	5	Risk Score	10
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## **8. Legal and HR Implications**

- 8.1.** If Somerset Council agrees to be the Accountable Body for the SRA, then all decisions will be taken in accordance with Somerset Council’s Standing Orders and procedures. This means that SRA Board decisions, where relevant, will be decisions in principle until ratified by the Accountable Body. For example, if the SRA Board takes a significant financial decision, this will be accompanied by a key or non-key decision by the Accountable Body.
- 8.2.** The amendments to the SRA’s memorandum of understanding and constitution do not carry any legal implications for Somerset Council or any of the SRA partners. The MoU confirms organisational support for the SRA and

codifies the governance arrangements for the proper operation of the SRA Board.

- 8.3.** Appendix 3 contains exempt information. "Exempt information" is defined by Section 100 of the Local Government Act 1972 and by Schedule 12A to that Act. The information in Appendix 3 is exempt information because it is considered to fall within paragraph 3 of Schedule 12A:

*"Information relating to the financial or business affairs of any particular person (including the authority holding that information)" .*

The public interest test is then applied and in this instance it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information for the reasons set out in paragraph 1.3 in the *Background* section below.

- 8.4.** Somerset Council will act on behalf of the SRA Board as Host Authority. It will employ SRA staff (x4). As such Somerset Council will be responsible for all HR related matters for the SRA team.

## **9. Other Implications**

### **9.1. Equalities Implications**

This decision relates purely to the role that Somerset Council will fulfil as Host Authority and Accountable Body for the Somerset Rivers Authority (SRA). In this role the council will take a formal decision to allocate the funds raised through the 'SRA shadow precept' for the activities of the SRA as set out within the SRA's Enhanced Programme.

- 9.2.** Equalities and due regard issues have been considered. Project specific due regard issues will be considered on a project by project basis. The SCC Lead Equalities Officer has confirmed a full equalities impact assessment is not required for this decision.
- 9.3.** The SRA Enhanced Programme of works is a series of mostly relatively small-scale interventions related to flood risk management. The work often has very localised impacts and is developed in consultation with landowners, property owners and statutory bodies such as Lead Local Flood Authority, Environment Agency and Natural England
- 9.4.** Where community-based work is undertaken as part of the Programme, such as building community resilience, these will be undertaken in an inclusive manner with reference to Somerset Council standards on publications, communication and consultation.
- 9.5.** Representation of the communities of Somerset, and their various characteristics, will be achieved through councillor representation on the SRA Board. SRA projects often involve stakeholder groups from across Somerset.

The SRA funds community engagement officers that work in communities at risk of flooding across Somerset. SRA meetings are public meetings.

**9.6.** The local Memorandum of Understanding sets out that the SRA shall, where relevant and unless otherwise agreed, operate in accordance with Somerset County Council practices and procedures, relating to:

- Equalities policies.
- Policies for dealing with access to information and data protection.

After vesting day, the same will apply with the policies of the new council.

### **9.7. Community Safety Implications**

There are no implications with regard to crime, but the aim of the funding is to improve community safety by reducing risks associated with flooding.

### **9.8. Sustainability Implications**

The aim of setting up the SRA is to provide a long-term sustainable funding solution to enhance flood risk management in the county. The SRA will directly support Somerset Council to respond to the challenges of climate change. SRA funds will invest in projects that will support adaptation to climate change and help communities and businesses be resilient and sustainable into the future. Many SRA funded projects deliver multiple benefits such as water quality, carbon sequestration etc. SRA projects will directly support delivery of the Climate Emergency Strategy.

### **9.9. Health and Safety Implications**

None identified.

### **9.10. Health and Wellbeing Implications**

The aim of the Programme as a whole is to improve community well-being. There are specific actions in the Programme that are aimed at improving community resilience. The health and wellbeing of residents potentially impacted by flooding is improved through increasing resilience to flooding and protection from flooding.

### **9.11. Social Value**

This decision will not instigate any procurement directly but rather releases funds that can then be allocated as grants for SRA projects which are delivered by SRA partners. To date SRA funds have been used to directly support local businesses on many projects – this will continue into the future. SRA funds support community resilience officers who are helping local communities to increase the capacity they have to respond to the risk of flooding and adapt to likely future impacts of climate change.

## **10. Scrutiny comments / recommendations:**

- 10.1.** The Chair of the Scrutiny for Policies Environment Committee received a report on the SRA and potential implications of Somerset Council being Host Authority and Accountable Body on 28/02/2023. No concerns were raised, and committee members were supportive of the work of the SRA.

## **11. Background**

- 11.1.** Winter 2013-14 was the wettest in Somerset for 250 years. Around 150km<sup>2</sup> of land was submerged for weeks, 165 homes flooded, 7,000 businesses affected, 81 roads closed. An Economic Impact Study estimated the cost to Somerset as being up to £147.5m. The SRA was launched in January 2015 to provide an extra level of flood protection and resilience for Somerset; it was an Action in Somerset's 20 Year Flood Action Plan (FAP) drawn up at the Government's request in 2014 to reduce the severity, duration, frequency and impact of flooding.
- 11.2.** The SRA is a partnership of existing Flood Risk Management Authorities (FRMAs). Its members are currently Somerset County Council, the four district councils, the Environment Agency, Natural England, the Wessex Regional Flood & Coastal Committee, the Axe-Brue IDB and the Parrett IDB. The SRA does not diminish the roles, funding and responsibilities of any of its Flood Risk Management partners - nor indeed of landowners (who have their own riparian responsibilities). Somerset Council will appoint council representatives to the SRA Board.
- 11.3.** Through the SRA, additional work is undertaken with increased coordination. The aim is to ensure that Somerset residents benefit from organisations' collective experience and knowledge. The SRA does extra, not instead of. It delivers an extra level of flood protection and resilience for the whole of Somerset. It raises extra money. It enables extra work.
- 11.4.** The Medium-Term Financial Plan (MTFP) 2023/24 to 2027/28 for Somerset Council was considered by Full Somerset County Council on 22nd February 2023. The Council resolved to continue the Council Tax precept of £14.65 within the base budget for the Somerset Rivers Authority). This results in a Council Tax requirement of £3,013,125 as detailed in paper A, appendix 15 of Item 5, *Budget, Medium Term Financial Plan and Council Tax Setting*. The outcomes of that meeting can be found by visiting the Somerset CC website - [Full Council Agenda and Decisions](#). This funding, committed by Somerset County Council on behalf of Somerset Council, plus £10,000 from the two Somerset Drainage Boards totals £3,033,125 and is ring-fenced to finance the SRA in 2023/24, its 9th financial year. The SRA budget will have a neutral impact on Somerset Council's own budget.
- 11.5.** This local funding will deliver a range of flood risk management activities across all areas of Somerset as part of the SRA Enhanced Programme.

Appendix 3 of this report gives details of the projects with costs. Appendix 4 has project details without costs for the public. Appendix 3 is confidential to avoid compromising commercial negotiations with contractors when tenders are published for project delivery by grant recipients.

- 11.6.** In January 2016, the Council entered into a Funding Agreement with the Heart of the SW Local Enterprise Partnership (LEP), committing £13.049m of Local Growth Fund to be used on a package of measures to reduce the duration, depth and frequency of flooding on the Somerset Levels and Moors. This project is known as 'Somerset Flooding Project'. These funds have now been spent and reclaimed from the Heart of the SW Local Enterprise Partnership (LEP) however the SRA continues to deliver the Somerset Flooding Project using other public and private matched funds until end December 2024.
- 11.7.** Based upon advice from Somerset County Council legal services it is recommended that current SRA Board Members that are county and district councillors should sign the SRA 2023-24 Memorandum of Understanding (MoU) on behalf of their current organisation. The MoU and Constitution will then be fully refreshed after vesting day to reflect any necessary changes as result of Somerset Council taking on the role of Host Authority and Accountable Body. A copy of the 2023-24 version of the MoU is attached as Appendix 1 of this report.
- 11.8.** The Scheme of Delegation referenced in the SRA Constitution will be met by adherence to the Somerset Council constitutional arrangements and schemes of delegation. This is appropriate given that Somerset Council will be the accountable body, and the SRA in its current form lacks status as a decision-making body. Appendix 6 of the SRA Constitution (contained within Appendix 1 of this report) outlines the SRA decision making processes and reflects that these decisions are decisions 'in principle' and are subject to formal approval by its host authority and the accountable body for all SRA funding.
- 11.9.** The proposed budget, and associated SRA Enhanced Programme was approved by the SRA Board on 4th of March 2023

## **12. Background Papers**

- 12.1.** Appendix 1 SRA 2022-23 Revised Memorandum of Understanding and Constitution  
Appendix 2 SRA Board paper ITEM 9 2023-24 Enhanced Programme and Budget  
Appendix 3\_ CONFIDENTIAL\_2023-24 SRA Enhanced Programme scheme descriptions WITH COSTS  
Appendix 4 2023-24-SRA Enhanced Programme scheme descriptions

## **Report Sign-Off**

		Date completed
Legal Implications	Honor Clarke	08/03/23
Governance	Scott Wooldridge	06/03/23
Corporate Finance	Jason Vaughan	06/03/23
Customers, Digital and Workforce	Chris Squire	06/03/23
Property	Oliver Woodhams	06/03/23
Procurement	Claire Griffiths	06/03/23
Senior Manager	Michele Cusack	06/03/23
Commissioning Development	Sunita Mills	06/03/23
Executive Member	Cllr Sarah Dyke - Lead Member for Environment and Climate Change	08/03/23
<b><u>Sign-off Key Decision / Consulted on Non-Key Decision</u></b>		
Local Member	All – when published	
Opposition Spokesperson	Opposition Spokesperson - Environment & Climate Change - Cllr Connor Payne	08/03/23
Scrutiny Chair	<a href="#">Click here to select the relevant Scrutiny Chair</a>	28/03/23

# 2023-24 Somerset Rivers Authority (SRA) Local Memorandum of Understanding & Constitution

<p><b>1. Background and Context</b></p>
<p><b>1.1 The Parties</b></p> <p>Somerset County Council (SCC), the Axe Brue and the Parrett Internal Drainage Boards (IDBs), Mendip District Council, Sedgemoor District Council, South Somerset District Council, Somerset West and Taunton Council, the Environment Agency, Natural England, and the Wessex Regional Flood &amp; Coastal Committee (together the “Parties”) comprise the Somerset Rivers Authority (SRA). These Parties, to whom this Local Memorandum of Understanding (MoU) applies, are those agreed to be represented on the SRA Board.</p>
<p><b>1.2 The Somerset Flood Action Plan</b></p> <p>The Parties, together with Department for Environment Food and Rural Affairs (Defra) and Department for Levelling Up, Housing and Communities (DLUHC) - formerly MHCLG - the Ministry of Housing, Communities and Local Government - are committed to reducing flood risk and increasing resilience to flooding in Somerset via implementation of the Somerset Flood Action Plan, including the delivery of its Vision for the Levels and Moors (<i>Appendix One</i>). The SRA Board agreed that this will require additional expenditure on water and flood risk management and that this should be secured via an SRA precept.</p>
<p><b>1.3 Memorandum of Understanding 8 December 2014 and sustainable funding mechanism</b></p> <p>Pursuant to the commitment in para 1.2 above, on 8 December 2014, a Memorandum of Understanding was agreed by the local authorities, the IDBs, Defra and DLUHC which confirmed funding totalling £2.7m available to the SRA for 2015-16. That MoU included a commitment to work together to review the options for a sustainable local funding solution for the work of the SRA from 2016-17 onwards and provide an assessment of the options for consideration by Ministers in July 2015.</p> <p>In September 2015, it was decided that the preferred funding mechanism was the establishment of the SRA as a precepting body and the Chairman of the SRA wrote to both the Secretaries of State for Environment, Food and Rural Affairs, and for Communities and Local Government with a view to discussing and agreeing how to implement this as soon as possible.</p> <p>The government in its response to the Environment Food and Rural Affairs (Efra) Committee report on Future Flood Prevention, published in February 2017, gave a commitment to put the long-term funding of the SRA on a statutory basis when parliamentary time allows.</p>

**1.4 Local Government Finance Settlement 2016-17**

The Local Government Finance Settlement 2016-17 included the provision of alternative notional amounts for council tax levels so that pending the establishment of the Somerset Rivers Authority as a precepting body, Somerset County Council and all Somerset district councils could set a shadow precept of up to the equivalent of a 1.25% increase in Council Tax, for the purpose of funding the Somerset Rivers Authority.

**1.5 This Local Memorandum of Understanding (Local MoU)**

This Local MoU document is not intended to be legally binding on the Parties, but the Parties agree to the Local MoU, intending to honour their obligations set out in it. It will cover the period up to 31 March 2024. Section 2 of this Local MoU sets out a constitution for the SRA. Information on background papers, technical terms and acronyms, can be found in Appendix Two.

**1.6 Term & Amendment**

This Local MoU shall come into effect on 1 April 2023 and shall continue in force unless terminated in accordance with this Local MoU. It will be reviewed before the end of the financial year, no later than 31 March 2024.

Proposals for amendments should be communicated to the SRA Senior Manager, no less than 30 days ahead of any Board meeting at which they would need to be considered. Proposals would then be circulated for comment, and any recommendations made to the SRA Board would, in accordance with its decision-making arrangements, be decided by a simple majority.

**1.7 Previous Arrangements**

Prior to this Local MoU, the Parties have worked collaboratively in relation to the Somerset Rivers Authority through a Local MoU dated March 2021. Those arrangements will be superseded by the arrangements put in place under this Local MoU.

Signed by **Mike Stanton** for  
and on behalf of **Somerset  
County Council**

**Date**

Signed by **Tony Bradford** for  
and on behalf of the  
**Parrett Internal Drainage  
Board**

**Date**



Signed by **Emma Baker** for  
and on behalf of the  
**Environment Agency**

**Date**

Signed by **Michael Caswell** for  
and on behalf of  
**Sedgemoor District Council**

**Date**

Signed by **Jeff Fear** for  
and on behalf of the  
**Axe Brue Internal Drainage  
Board**

**Date**

Signed by **Claire Newill** for  
and on behalf of **Natural  
England**

**Date**

Signed by **David Jenkins** for  
and on behalf of the  
**Wessex Regional Flood &  
Coastal Committee**

**Date**

Signed by **Matthew Martin**  
for and on behalf of **Mendip  
District Council**

**Date**

Signed by **Sarah Dyke** for  
and on behalf of **Somerset  
County Council and South  
Somerset District Council**

**Date**

Signed by **Dixie Darch** for  
and on behalf of **Somerset  
West and Taunton Council**

**Date**

## **2. Somerset Rivers Authority (SRA) - Constitution**

### **2.1 Legal Status of SRA**

The SRA will continue as an unincorporated association. This does not require any new statutory powers. In participating in this association, the Flood Risk Management Authorities (FRMAs, see para 2.3.1) are acting in accordance with the co-operation duty under the Flood and Water Management Act 2010, Section 13.

The SRA Board has agreed it is committed to enabling the necessary legislation to be enacted to establish the SRA as an independent precepting body as soon as possible.

The government in its response to the Environment Food and Rural Affairs (Efra) Committee report on Future Flood Prevention, published in February 2017, gave a commitment to put the long-term funding of the SRA on a statutory basis when parliamentary time allows.

### **2.2 Purpose of the SRA**

**2.2.1** To bring together and co-ordinate the Environment Agency, Natural England, the Somerset Internal Drainage Boards (IDBs), the Lead Local Flood and Highway Authority (Somerset County Council - SCC) and the other Somerset local authorities, in their roles as FRMAs.

**2.2.2** To provide a strategic overview of the continued delivery of the Somerset Flood Action Plan, and Flood Risk and Water Level Management in Somerset.

**2.2.3** To provide a public forum and single point of contact for collective decision-making in respect of Flood Risk and Water Level Management in Somerset.

**2.2.4** To identify, prioritise, find funding for and oversee the delivery of additional flood risk and water level management work across the whole of Somerset, over and above that which the FRMAs are able to justify within their existing funding streams and to prepare an annual programme detailing that work, to raise the necessary funds and to oversee its delivery.

**2.2.5** To enable the FRMAs to take on a broader role, to ensure that Somerset's flood risk and water level management activity benefits from the collective wisdom, experience and knowledge of all its members.

**2.2.6** To undertake the detailed planning and, with government, put in place the necessary arrangements for the establishment of the SRA as a precepting body.

**2.2.7** To achieve long-term sustainable flood risk management funding for Somerset.

### **2.3 Scope of Activities**

**2.3.1** The geographic scope of the SRA is the whole of the area administered by Somerset County Council.

**2.3.2** The SRA does not diminish the responsibilities of the individual Parties or those of riparian owners. The existing FRMAs and their existing associated funding streams, responsibilities and accountabilities continue, and their existing powers and discretions are unaffected. However, opportunities will be taken to join up delivery where agreed.

**2.3.3** The SRA makes publicly available, in one place, information about all the planned inland flood risk and water level management activity in Somerset, funded from Somerset FRMAs' and other local partners' existing budgets. This information is called the Somerset Common Works Programme.

**2.3.4** The SRA prepares an annual Enhanced Programme detailing the additional work outlined in 2.2.4. The SRA commissions the delivery of such actions, details of which in respect of the 2023-24 Enhanced Programme, can be found in Appendix Three.

**2.3.5** The SRA co-ordinates the implementation of the Somerset Flood Action Plan whose outstanding actions are contained in either the Somerset Common Works Programme or the Enhanced Programme.

**2.3.6** Public Sector Co-operation Agreements under the Flood & Water Management Act 2010 section 13(4) will be used as appropriate.

**2.3.7** Where works are undertaken by a Party, the practices and procedures of that Party shall apply. Each of the Parties shall take responsibility for its own liabilities, including insurance: for example, through appropriate insurance cover or indemnity of Members and officers.

**2.3.8** The SRA will not include within its scope activities associated with emergency response and recovery.

**2.3.9** The SRA will not generally include within its scope of activities issues associated with coastal flood risk. In instances where the SRA Board agrees that a coastal flood risk project supports Flood Action Plan objectives, grant funding could be considered.

## **2.4 Funding**

**2.4.1** Funding totalling £2.960,800m will be available to the SRA for 2023-24, raised by Somerset's local authorities and the Parrett and Axe Brue IDBs as follows:

<b>Authority</b>	<b>Contribution</b>
Somerset County Council	£3,013,125
Somerset Internal Drainage Boards	£20,000
<b>Total</b>	<b>£3,033,125</b>

**2.4.2.** Somerset Council will account for the use of all funds to the Parties as set out in para 2.7.

## 2.5 Host Authority

**2.5.1** As recipient and accountable body for the funding contributions from Somerset's local authorities, **Somerset Council** shall act on behalf of the SRA Board as Host Authority.

In particular it shall:

- Provide the services of its Chief Financial Officer and Monitoring Officer at no cost
- Provide accounting, financial analysis, accounts payable and receivable
- Provide procurement services to all contracts **Somerset Council** awards on behalf of the SRA and, on request, on those of the SRA's delivery partners as required
- Employ any Host Authority staff and provide Human Resources (HR) and Information Technology (IT) services in support of them and the SRA website
- Respond to requests for information
- Carry out such other functions as may be agreed

**2.5.2** The costs of the Host Authority in this role shall be covered by the funding available to the SRA and shall be separately identified in the SRA budget for the year as shall any interest accruing in respect of funding made available at the beginning or during the year.

**2.5.3** The SRA shall, where relevant and unless otherwise agreed, operate in accordance with Host Authority practices and procedures, including the following:

- Procedural standing orders for the conduct of meetings
- Financial regulations
- Equalities policies
- Policies for dealing with access to information and data protection
- Employment Policies
- Formal decision-making procedures

## 2.6 Conduct of SRA Board Members

Members of local authorities, IDBs and Regional Flood & Coastal Committees are bound by their own codes of conduct, as are staff of the Environment Agency and Natural England.

SRA board members, including any co-opted members, will in particular need to comply with the principles of the Host Authority's Members' code of conduct as it applies to the declaration of interests, and compliance with the principles of public life set out by the Nolan Committee on Standards in Public Life.

## 2.7 Obligations

**2.7.1** As the accountable body for the funding, **Somerset Council** shall ringfence the funding, provide quarterly information on spend to date against budget and interest accrued to the SRA Board.

In particular, **Somerset Council** will apply its normal financial probity and accountability controls, and will maintain reliable, accessible and up-to-date accounting records with an adequate audit trail for at least six years.

**2.7.2** The other Parties shall pay to the Host Authority their contribution (see para 2.4.1) on 1 April 2022, following receipt of an invoice from the Host Authority, and shall provide timely information relating to progress, costs, benefits and impacts in connection with their roles as delivery partner in relation to the SRA 2023-24 Enhanced Programme (see *Appendix Three*).

**2.7.3** The Parties shall, by 31 March 2023, agree the budget for 2023-24, arrangements as to the way in which SRA funding for 2023-24 shall be spent, managed and accounted for. These shall include mechanisms for handling any underspends against budget, for managing the risk of cost increases, and for facilitating the flow of funding from Somerset Council to meet agreed expenditure incurred by another Party.

**2.7.4** **Somerset Council** will settle all payments within 30 days of agreement and submission.

## **2.8 Member Organisations (The Parties)**

Somerset County Council / **Somerset Council**, the Axe Brue and the Parrett IDBs, Mendip District Council, Sedgemoor District Council, South Somerset District Council, Somerset West and Taunton Council, the Environment Agency, Natural England, and the Wessex Regional Flood & Coastal Committee.

## **2.9 SRA Board**

**2.9.1 Composition of Board:** 5 representatives from Somerset Council, One representative from the Environment Agency, Natural England and the Wessex Regional Flood and Coastal Committee. 2 representatives from each of the Internal Drainage Boards. Totalling 12 members.

**2.9.2 Authority of Board:** The SRA Board has the authority to:

- Agree the SRA annual Enhanced Programme and authorise SCC to release SRA funding for the delivery of its current year's activities
- Endorse programmes that reduce both the risk and impact of flooding and other activities supporting the delivery of the Vision and the Flood Action Plan to be carried out by the Parties
- Determine the scope of services provided by SCC as Host Authority

**2.9.3 Appointment of Board Members and Period of Office:** The Parties have appointed representatives to serve as members of the SRA Board. Board members shall hold office until written notification of their removal and/or replacement is received

by the Host Authority or shall cease with immediate effect if they cease to hold office within that member organisation.

**2.9.4 Nomination of Deputies to Attend Meetings:** Each of the Parties shall nominate a deputy for its appointed Board member, to attend and to vote at any meeting of the Board in place of the appointed Board member, who for any reason is unable to attend.

**2.9.5 Appointment of Chair and Vice-Chair:** The SRA Board will elect a Chair and a Vice-Chair who are members of the Board. Thereafter, and until the SRA is set up as a separate precepting authority, they will hold office until they cease to be members of the Board or at the two-year anniversary of the last election, whichever is the earlier. If neither the Chair nor Vice-Chair is present, then a member shall be elected from those present to act as Chair for that meeting.

**2.9.6 Co-option of additional Board Members:** The SRA Board shall have the power to appoint additional non-voting members to the Board. The process for co-option is to invite expressions of interest following agreement to do so by the SRA Board. Any expressions of interest would need to be accompanied by a curriculum vitae setting out relevant skills and experience of the invited individual or representative of the invited organisation. To ensure that adequate time is available for consultation on any co-option proposal any expressions of interest should be forwarded to the SRA Senior Manager, for circulation to Board Members for comment no less than 30 days ahead of any Board meeting at which they would need to be considered. Proposals would then be put as recommendations to the SRA Board, and in accordance with its decision-making arrangements, be decided by a simple majority.

**2.9.7 Voting:** Decisions to be made by a simple majority of voting members attending. In the event of a tied vote, the Chair shall have a casting vote. In the event of a disclosable pecuniary interest and/or a prejudicial interest arising, a member will need to abstain from participation in accordance with normal practice.

**2.9.8 Quorum:** A minimum of 9 voting members, including the accountable body for the funding.

**2.9.9 Access to Meetings and Information:** SRA Board meetings will be open to the public. Papers will be published on the SRA website 5 clear working days prior to meetings. Minutes of Board meetings will also be published on the website.

**2.9.10 Public Speaking and Questions:** Guidance is published on the SRA website as follows:

***“Public Question Time***

*“You may ask questions and/or make statements or comments about any matter on the agenda. The length of public question time will be no more than 30 minutes in total, unless extended at the discretion of the Chair.*

*“If you wish to speak at the meeting then you will need to submit your statement or question in writing by 5pm three clear working days ahead of the meeting. This can be done by sending an email to [sra@somerset.gov.uk](mailto:sra@somerset.gov.uk)”*

*“A slot for Public Question Time is set aside near the beginning of the meeting. However, questions or statements about any matter on the agenda for this meeting may, at the chair’s discretion, be taken at the time when each matter is considered.”*

*“You must direct your questions and comments through the Chair. You may not take direct part in the debate, unless invited to do so by the Chair.”*

*“The Chair will decide when public participation is to finish.”*

*“The amount of time you speak will be restricted normally to three minutes only, although it can be extended at the discretion of the Chair.”*

**2.9.11 Frequency of Meetings:** A calendar of meetings for each Board year will be approved by the Board and published by the beginning of each financial year. Full Board meetings are held quarterly, and extra meetings will be called in the event of an urgent decision.

**2.9.12 Attendance at Meetings:** Each of the Parties shall be responsible for meeting any remuneration, costs and expenses associated with attendance at meetings where the purpose is to represent their parent organisation.

**2.9.13** Where a Board representative is required to attend meetings or functions on behalf of the SRA travel and subsistence costs will be met by the SRA. Expenses and costs will be refunded in accordance with Somerset County Council’s travel and subsistence policy.

## **2.10 Officer Support and Availability of Information**

**2.10.1** Where appropriate, the Parties shall make such of their officers and their information available for the purposes of the SRA, and for the Host Authority to meet its responsibilities, and in particular for updating and implementing the Flood Action Plan, the outstanding works of all SRA Enhanced Programmes and Somerset’s Common Works Programme.

**2.10.2** An officer Management Group has been set up to oversee the delivery of the SRA’s Enhanced Programmes and the outstanding actions of the Flood Action Plan. Their terms of reference are set out in Appendix Four and members of the SRA Management Group are senior officers as follows:

- **TBC (Chair) Somerset Council** Michele Cusack (*Chair*), Somerset County Council
- **TBC Somerset Council** Doug Bamsey, Sedgemoor District Council
- **TBC Somerset Council** Jonathan Stevens, Somerset West and Taunton Council
- Haylee Wilkins, Mendip District Council
- **TBC Somerset Council** Katy Menday, South Somerset District Council
- Donna Gowler, Natural England



- Iain Sturdy, Somerset Drainage Boards Consortium
- Dr Rachel Burden, Environment Agency
- David Mitchell, Somerset Rivers Authority

**2.10.3** An officer Technical Group has been set up in support of the Board. Their terms of reference and membership are set out in Appendix Five.

## **2.11 Delegations / Urgent Business**

**2.11.1** The SRA delegations are outlined in Appendix Six.

## **2.12 Dispute Resolution**

**2.12.1** All disputes between the Parties on the meaning and interpretation of the constitution, and all disputes or differences in any way arising from the constitution, shall in the first instance be referred to the next meeting of the SRA Board for resolution.

**2.12.2** In the event that the dispute is not resolved through this mechanism, it shall be referred to a mediator in accordance with the Centre for Effective Dispute Resolution (CEDR) Model Mediation Procedure.

**2.12.3** All parties shall use their reasonable endeavours to conclude the mediation with 40 business days of referral of the dispute to mediation.

**2.12.4.** If the dispute is not resolved in accordance with para 2.12.2 within 40 business days, it shall be referred to an arbitrator to be agreed between the parties in dispute, and failing agreement, to an arbitrator appointed by the President of the Chartered Institute of Arbitrators, and the Arbitration Act 1996 shall apply to any such arbitration.

## **2.13 Withdrawal / Termination**

**2.13.1.** In order to withdraw from the SRA, any Party shall give not less than 3 months' notice in writing to the Host Authority to expire on 31 March in any year.

**2.13.2.** The Parties may agree to wind up the SRA through a decision of the SRA Board by giving not less than 3 months' notice to the Host Authority.

**2.13.3** If a Party serves notice to withdraw under para 2.13.1 above, or the Parties agree to wind up the SRA under para 2.13.2 above, the Host Authority shall arrange with that Party or the Parties, such operational, administrative and financial arrangements as may be agreed between the Parties.

**2.13.4.** A Party withdrawing from the SRA, or the Parties winding up the SRA, shall be entitled to receive a fair share of any assets held, offset by any liabilities, to be agreed between the Parties, at the date of the withdrawal or winding up, to be received when those assets are able to be realised.

**2.13.5** In the event of the Parties winding up the SRA all redundancy liabilities for directly employed SRA staff will, in the first instance, be met using remaining SRA funds. Should the SRA funds be insufficient then the funding partners (as set out in paragraph 2.4.1) will share the remaining liabilities across the funding partners in the same proportion as their annual contribution as at the start of that financial year.

#### **2.14 Overview and Scrutiny**

**2.14.1** An SRA Joint Scrutiny Panel has been established, comprising **2 members from each local authority (TBC)** and 1 member of each Internal Drainage Board, to oversee and scrutinise the activities of the SRA.

**2.14.2** Officer support and administrative services for the SRA Joint Scrutiny Panel will be provided by **Somerset Council's** Democratic Services team.

## Appendix 1: A Vision for the Somerset Levels & Moors in 2030

- We see the Somerset Levels and Moors in 2030 as a thriving, nature-rich wetland landscape, with grassland farming taking place on the majority of the land. The impact of extreme weather events is being reduced by land and water management in both the upper catchments and the flood plain and by greater community resilience.
- The landscape remains one of open pasture-land divided by a matrix of ditches and rhynes, often bordered by willow trees. Extensively managed wet grassland dominates the scene with the majority of the area in agriculture in 2010 still being farmed in 2030.
- The floodplains are managed to accommodate winter flooding whilst reducing flood risk elsewhere. These flood events are widely recognised as part of the special character of the Levels and Moors.
- The frequency and duration of severe flooding has been reduced, with a commensurate reduction in the flood risk to homes, businesses and major roads in the area.
- During the summer months there is an adequate supply and circulation of high-quality irrigation water to meet the needs of the farmers and wildlife in the wetlands. On the low-lying peat moors, water levels have been adopted which conserve peat soils and avoid the loss of carbon to the atmosphere. Water quality has improved and meets all EU requirements.
- The Levels and Moors are regarded as one of the great natural spectacles in the UK and Europe with a mix of diverse and valuable habitats. Previously fragmented habitats such as fen and flower-rich meadows have been re-connected and are widely distributed. In the north of the area over 1,600 hectares are managed as reed-bed, open water and bog. Elsewhere the populations of breeding waders exceed 800 pairs. Each winter the wetlands attract large numbers of wintering wildfowl and waders regularly exceeding 130,000 birds. Wetland species such as Crane, Bittern and pollinator populations flourish.
- Optimum use is being made of the agricultural potential of the Levels and Moors, particularly on the higher land, whilst unsustainable farming practices have been adapted or replaced to secure a robust, sustainable base to the local economy
- New businesses, including those based on 'green tourism', have developed, meeting the needs of local people and visitors alike, while brands based on the area's special qualities are helping farmers to add value to the meat, milk and other goods and services that they produce.

- The internationally important archaeological and historic heritage of the area is protected from threats to its survival and is justly celebrated, providing a draw to visitors and a source of pride and identity to local communities.
- Farmers and landowners are rewarded financially for the public benefits and ecosystem services they provide by their land management including flood risk management, coastal management, carbon storage and the natural environment.

*Somerset Levels and Moors Task Force, 31 January 2014.*

## Appendix 2: Background Papers, Glossary of Terms & Acronyms

### A1.1 Background Information and previous meeting papers

- Background information and previous papers can be found on the Somerset Rivers Authority website at [www.somersetiversauthority.org.uk](http://www.somersetiversauthority.org.uk)

### A1.2 Technical Terms

- **Prejudicial Interest** - An interest of an individual Board member, which could be perceived to represent a conflict of interest with any matter considered by the Board
- **Public Sector Co-operation Agreements** - The Flood and Water Management Act 2010 enables an FRMA to arrange for a flood risk management function to be exercised on its behalf by another risk management authority. This can be done under a Public Sector Co-operation Agreement.
- **Riparian Owner** - An owner of land or property adjoining a watercourse.

### A1.3 Acronyms

- CEDR           Centre for Effective Dispute Resolution
- DC             District Council
- DLUHC        Department for Levelling Up, Housing and Communities
- Defra         Department for the Environment, Food and Rural Affairs
- FRMA         Flood Risk Management Authority
- HR            Human Resources
- IDB           Internal Drainage Board
- IT             Information Technology
- MoU          Memorandum of Understanding
- SCC          Somerset County Council
- SRA          Somerset Rivers Authority

## **Appendix 3: 2023-24 Enhanced Programme**

**To be added following final Board Approval**

## Appendix 4: Terms of Reference – SRA Management Group

The SRA Management Group is a key part of the SRA structure providing a useful forum for consultation and information sharing between partners and the SRA Senior Manager about SRA progress and the business of the SRA Board. Members of the Group are drawn from senior officers of each of the SRA partners. The Group also oversees the delivery of SRA-funded activities and the outstanding actions of the Somerset Flood Action Plan.

The Group is involved with these programmes of work:

1. The SRA current year's Enhanced Programme. This comprises the flood risk management works for which funding has been agreed by the SRA Board.
2. The outstanding actions of the Somerset Flood Action Plan that are not included in 1. above.
3. The outstanding works of prior years' Enhanced Programmes

The Group will:

- With regard to the delivery of all the SRA-funded programmes:
  - hold the SRA Technical Group to account by monitoring overall progress and exploring in more detail where delivery/progress is flagged red (using a RAG status)
  - review key risks and issues and identify additional actions where these are insufficiently mitigated
- Monitor, update and review the framework for SRA Enhanced Programmes and prioritisation criteria, advise the SRA Board and direct the Technical Group accordingly
- Review all proposals for change to the agreed SRA Programmes that are outside the SRA scheme of delegation and provide a recommendation to the SRA Board
- Review and comment on all the other work of the SRA Board
- Review, comment and share information on all matters relating to the work of the SRA
- Review the individual Flood Action Plan work streams – overall content and progress

### Membership

Members of the Group are senior officers as follows:

- TBC - Michele Cusack (*Chair*), Somerset County Council
- Doug Bamsey, Sedgemoor District Council
- TBC - Jonathan Stevens, Somerset West and Taunton Council
- TBC - Haylee Wilkins, Mendip District Council
- TBC - Katy Menday, South Somerset District Council
- Donna Gowler, Natural England
- Iain Sturdy, Somerset Drainage Boards Consortium
- Dr Rachel Burden, Environment Agency
- David Mitchell, Somerset Rivers Authority

The Group will meet as required, but no more than monthly. A meeting quorum is a minimum of 6 members (or nominated substitutes) including the accountable body and two other funding organisations.

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## Appendix 5: Terms of Reference – SRA Technical Group

The SRA Technical Group is a key part of the SRA's structure. It consists of technical officers from SRA partners and associated bodies (such as Farming & Wildlife Group SouthWest and Wessex Water) who can contribute expertise towards a co-ordinated and efficient programme of flood risk management works.

The Group helps with the delivery of Flood Action Plan actions.

SRA Technical Group responsibilities include the following:

- Work together to identify opportunities for cost-savings through joining up activities from partner organisations and considering joint/alternative delivery approaches
- Identify opportunities for schemes with multiple benefits that a single organisation may not be able to justify in isolation
- With reference to SRA Enhanced Programmes:
  - Identify and bring forward potential schemes for funding
  - Review the viability of schemes put forward, with respect to benefits, costs, environmental impacts and deliverability, using a set of scoring criteria derived from the main objectives of Somerset's 20 Year Flood Action Plan
  - Prepare programmes of works from partners for approval by the SRA Board, taking demonstrable account of funding criteria and identifying delivery partners
  - Be accountable to the SRA Management Group for the delivery of SRA Enhanced Programme activities and provide information as required on progress with delivery
  - Provide a technical challenge (procurement strategy, flood risk management, project management) to implementation plans and performance
  - Identify any potential changes to Enhanced Programmes for recommendation to Management Group, and thence the Board
- Discuss issues of mutual interest in flood risk management with a view to improving practices and service delivery in Somerset
- Lead the delivery and regular monitoring of performance of actions in the Somerset Flood Action Plan

The Group has a "critical friend" role and as such officers from other organisations can take part of this Group to maximise the value it brings to the process.

## Membership

The Group will consist of a balanced mix of officers, including those from the following organisations, many of which contribute schemes to SRA Enhanced Programmes:

- Environment Agency
- Somerset Drainage Boards Consortium
- **Somerset Council** – (Lead Local Flood Authority and Highways)
- Wessex Water
- Farming & Wildlife Advisory Group SouthWest
- Natural England
- Somerset Catchment Partnership

SRA Technical Group meets every 6 weeks.

In addition to the roles above, the Group can also make comment or recommendations on other activities such as consultation requirements for particular schemes, etc.

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## Appendix 6: SRA Scheme of Delegation

### SRA decision-making processes

For as long as the SRA remains an informal partnership and not a legal entity, any decisions of the SRA Board are decisions 'in principle' and are subject to formal approval by its host authority and the accountable body for the funding it has access to. The host authority and accountable body for all the SRA funding is **Somerset Council** (SC), which makes the necessary formal decisions with regard to programmes of work and spend according to the **SC** decision making processes including the **SC** scheme of delegations. These decisions, however, are informed by the SRA Board's decisions, and the decisions it makes under its own scheme of delegation; it is expected that **SC's** decisions will follow the SRA Board's decisions, unless they are either illegal or go against **SC's** own code of conduct.

### SRA Delegations

The general principles guiding the SRA's scheme of delegations are as follows:

- The SRA Board approves all Programmes of work
- No works in any of the Board approved Programmes can be deleted without SRA Board approval
- No change can be agreed that means the total SRA expenditure exceeds the total funding available across all Programmes.
- All individual works within Programmes have tolerances set
- These delegations will be kept under review and amended as deemed necessary

The Programmes of work to which these delegations apply are shown below:

- The SRA's current year Enhanced Programme. This comprises the flood risk management works for which funding has been agreed by the SRA Board on 3 March 2023.
- Outstanding works from previous years of the SRA's Enhanced Programmes.

Changes to the Programmes can be made by the SRA Senior Manager, in consultation with the Chair and Vice-Chair of the SRA Board, subject to the following:

- Each change requires a formal decision paper and a record of that decision will be kept
- A report of all changes made within the previous quarter will be reviewed by the SRA Board at the SRA Board meeting at the end of that quarter
- The SRA Management Group will review all changes made since the previous Management Group meeting.

The following changes can be made by the SRA Senior Manager in consultation with the Chair and Vice-Chair of the SRA Board.

1. Additional works can be added as long as they are the next affordable works on the prioritised list of works of the SRA Board approved Enhanced Programme. Tolerance up to £500,000.
2. New works proposed by the Technical Group can be added to the SRA's Enhanced Programme during the course of a year. Tolerance up to £20,000.
3. Cost increases to individual works in SRA Enhanced Programmes. Tolerance up to £500,000 or 30% of the original budget for that works, whichever is the smaller.

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## Appendix 7: SRA Grant Guidelines

SRA grant guidelines are approved by the SRA Board and used to ensure a consistent approach to assessing proposals submitted for SRA funding.

### 1. Geographic scope

- Fundable works can be in or outside the county as long as they deliver Flood Action Plan objectives of benefit to Somerset. Spend outside the county boundary will only be in exceptional circumstances.
- The important factor is where the benefit is gained i.e. there is no requirement for equal spend by district
  - We will develop a programme annually that is balanced, geographically, and by type of activity, and will use judgement to assess this balance
  - The SRA will not generally fund works for protection from coastal flooding, with the coast as defined by The Coastal Protection Act 1949

### 2. Financial

- The SRA will fund those projects and schemes that deliver our objectives that cannot be funded from current funding streams
- SRA funding is to deliver extra over and above what would otherwise be affordable. SRA funding cannot be used to replace existing funding
- The SRA will expect that partners and other applicants have tried to secure other sources of funding before seeking SRA funding
- The SRA will encourage proposals which will lever in additional funding from other sources (i.e. jointly funded projects/works)
- The SRA does not fund emergency response and recovery actions which are the responsibility of the agencies best placed to respond to such emergencies.

### 3. The long view

- The SRA will assess proposals for funding against the following:
  - a) Whole life costs – to understand if there will be ongoing costs and how they will be funded
  - b) Community benefits/dis benefits – to understand what additional benefits a scheme may deliver and if there could also be negative impacts
  - c) Economic benefits/dis benefits – to understand how a proposal will support the local economy and also if it could have a negative impact on it
  - d) Environmental benefits/dis benefits – to understand what benefits or possible negative impacts a proposal may have on wider environmental issues
  - e) Addressing the Climate Emergency – to encourage projects which directly support Somerset's response to climate change by increasing resilience and encouraging adaptation to the effects of climate change
  - f) Long-term strategic plans – to understand how the proposal can support the strategic plans and objectives of other organisations

#### **4. Flood Risk and evidence**

- The SRA will support proposals that meet one or more of the 6 Flood Action Plan flood risk management objectives
- Concurrent with taking action and delivering works on the ground the SRA will take the opportunity to gather evidence and monitor the impacts of its actions and activities
- The SRA will rely on technical professional judgement from SRA partners, combined with existing modelling to assess in-combination effects across the catchments

#### **5. Responsibilities**

- The SRA only funds and undertakes works/projects that benefit the wider community
- The SRA expects property owners (land, buildings and infrastructure) to make themselves and their property more resilient and put plans in place to manage their flood risk
- The SRA will seek to raise awareness about riparian responsibilities and encourage riparian owners to fulfil those obligations and responsibilities

#### **6. Relationships and weightings**

- The SRA uses a scoring mechanism, based on the six Flood Action Plan objectives, to determine the relative importance of different types and scales of need, flood risk management work and different benefits/dis benefits

## Somerset Rivers Authority Board Paper

### 2023-24 SRA Enhanced Programme and budget

#### RECOMMENDATIONS

The Somerset Rivers Authority (SRA) Board is asked to:

1. Approve the proposed 2023-24 SRA Enhanced Programme
2. Approve the 2023-24 SRA Budget

#### Purpose of the item

To consider and approve the proposed Somerset Rivers Authority (SRA) 2023-24 Enhanced Programme and budget.

#### 2023-24 SRA Enhanced Programme

#### Background and context

2023-24 will be the ninth year that the SRA funds an 'Enhanced Programme' of projects to provide an extra level of flood protection and resilience for Somerset residents. SRA funding is currently collected via a 'shadow precept' of 1.25% on council tax. This 'alternative notional amount'<sup>1</sup> (ANA) was granted by government explicitly for the purpose of funding the SRA. It is separate to other council tax funds and does not impact on the funds available to the council for core business. The Parrett and Axe Brue Internal Drainage Boards (IDBs) also contribute £10,000 each per annum.

For the past 8 years the shadow precept has been raised by Somerset County Council and the four district councils: Mendip, Sedgemoor, Somerset West and Taunton and South Somerset. The Parrett and Axe Brue Internal Drainage Boards (IDBs) also contribute £10,000 each per annum. As of the 1<sup>st</sup> of April 2023, all the councils listed will be replaced by a single unitary authority – Somerset Council. Council tax levels were set by Somerset County Council on behalf of the new Somerset Council on 22 February.

The final amount of the SRA 2023-24 shadow precept was confirmed on 22 February 2023 as £3,010,000. The Parrett and Axe Brue Internal Drainage Boards (IDBs) are also contributing £10,000 each. Item 9 on this agenda - 'Quarter 3 2022-23 SRA Finance

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<sup>1</sup> The shadow precept raised for Somerset Rivers Authority (SRA) by Somerset County Council and Somerset's four district councils is set at 1.25% of 2016-17 council tax rates. It is enabled through an Alternative Notional Amount mechanism approved by a resolution of the House of Commons in February 2016. The SRA's shadow precept can only be used for funding the work of the SRA. The level of the charge has not increased since 2016-17. It has been part of the council tax base since 2016-17

Report’ – further stated that £975,000 of contingency funds will be available this coming year for use on SRA activities.

The combination of the shadow precept, IDB funds and contingency funds provides up to **£4,005,000** for delivery of the 2023-24 Enhanced Programme, SRA staff and overheads costs, and an allowance for contingency.

### Latest status

In July 2022, due to cost increases on other projects, the SRA Board agreed to defer delivery of four schemes from the current Enhanced Programme. Deferral of these four schemes released funds to cover the cost increases. The SRA Board agreed that funding for the deferred schemes would be drawn down from the 2023-24 precept. The total value of the deferrals is £864k. The deferred schemes are listed below:

- Bridgwater Tidal Barrier contribution
- Taunton Flood Action Plan
- Brocks Pill Rhyne, East Brent Asset Improvements
- Land Management and Natural Flood Management in the Mendip area

Sixteen grant proposals with a total value of £2.545m were submitted by SRA delivery partners in August 2022. All proposals were scored against criteria reflecting the aims and objectives of Somerset’s 20 Year Flood Action Plan (FAP). They were then reviewed by SRA Technical Group members at a meeting on 9 November. Following the Technical Group review, 12 schemes were taken forward for consideration by the SRA Board. On 20 January 2023, the SRA Board provisionally approved these 12 schemes for inclusion in the 2023-24 SRA Enhanced Programme subject to funding being confirmed at Somerset County Council’s budget setting meeting. Funding was confirmed at the 22 February 2023 meeting.

### Recommendation to the Board

**Table A** below lists all the grant proposals that are proposed for inclusion in the 2023-24 Enhanced Programme. The ‘location’ column simply refers to the location an activity takes place, in many instances benefits of projects are realised across a wide area and in more than one district.

SRA Reference	Title	Workstream	Location
LHA04-24	Somerset Enhanced Maintenance: Drain Jetting.	W4	Across Somerset
LHA03-24	Somerset Enhanced Maintenance: Gully Emptying	W4	Across Somerset



FWCOAD3-24	Adaptations and Associations on the Somerset Levels & Moors	W2	Levels and Moors
EA17-24	Bridgwater Tidal Barrier	W1	Bridgwater
FAPW501-24	Building Local Resilience across Somerset	W5	Across Somerset
LHA01-24	Desilting Structures	W1	Taunton, Wellington
FWLM01-24	Hills to Levels – Somerset Land Management and Natural Flood Management (NFM)	W2	Across Somerset
LLFA27	Chard Urban Run-off Butts (CURB)	W3	Chard
SC04-24	Enhanced maintenance and restoration works in Mendip	W3	Across Mendip
IDB10-24	River Parrett Maintenance Dredging and silt monitoring	W1	Sedgemoor
SC03	SUDS inspections, mapping and monitoring	W3	Across Somerset
SC05	Tonedale Feasibility Study	W1	Wellington

Appendix 1 provides detailed descriptions for each proposal listed above.

### Table B: Workstream summary

SRA projects are sorted into five workstreams as set out in the Flood Action Plan, though in practice different elements sometimes overlap.

Workstream	Title	Value (£000s)	% of Total
W1	Dredging and River Management	£950	44%
W2	Land Management	£580	27%
W3	Urban Water Management	£100	5%
W4	Resilient Infrastructure	£375	18%
W5	Building Local Resilience	£130	6%
		<b>£2,135</b>	<b>100%</b>

### 2023-24 Budget Summary

Table C below presents the proposed SRA 2023-24 budget. The SRA income from the shadow precept and IDB contributions for 2023-24 is £3.030m. The available contingency of £975k is the amount indicated in the Quarter Three 2022-23 Finance Paper.

**Table C**

<b>Income and available contingency</b>	<b>£000's</b>
2023-24 shadow precept and IDBs' contribution	£3,030
Available contingency	£975
<b>Sub Total</b>	<b>£4,005</b>
<b>Proposed expenditure, starting contingency &amp; deferrals</b>	
SRA core staffing (4.2FTE) and overheads, legal, finance, governance, audit etc.	£280
2023-24 proposed Enhanced Programme ( <i>Table B</i> )	£2,135
Starting contingency	£726
2022-23 Refund to deferred schemes	£864
<b>Sub Total</b>	<b>£4,005</b>

## Summary

Twelve proposals are proposed for inclusion in the 2023-24 SRA Enhanced Programme.

The total forecast value of the 2023-24 SRA proposed Enhanced Programme, SRA core staffing and overheads, starting contingency fund and refund of deferred schemes is £4,005m. Forecast income is £4.005m.

## RECOMMENDATIONS

The Somerset Rivers Authority (SRA) Board is asked to:

1. Approve the proposed 2023-24 SRA Enhanced Programme
2. Approve the 2023-24 SRA Budget

**Date:** 23 February 2023

**Authors:** David Mitchell, Caroline Dunn, Somerset Rivers Authority

## Appendices:

Appendix 1: 2023-24 SRA proposed Enhanced Programme project summaries.

Appendix 2: Confidential – 2023-24 SRA proposed Enhanced Programme project summaries - with costs

## **Somerset Rivers Authority 2023-24 Enhanced Programme: descriptions of schemes proposed for inclusion**

### **Hills to Levels: Somerset Land Management and Natural Flood Management (NFM)**

#### ***SRA reference: FWLM01-24. Workstream 2***

Somerset Rivers Authority (SRA) funds a wide range of land management and natural flood management (NFM) activities, as part of the award-winning Hills to Levels initiative. Works across Somerset have two main aims. Firstly, to reduce local flood risks for people, properties, businesses and roads in upper and middle catchment areas. Secondly, to help protect vulnerable lower areas from flooding, by slowing the flow of water down through the catchments of the Tone, Parrett, West Somerset Streams, Brue, Axe and Somerset Frome.

Seven strands are proposed for 2023-24, which would all be delivered for the SRA by the Farming and Wildlife Advisory Group SouthWest (FWAG SW).

1. Design and implement up to 20 small-scale NFM schemes to hold back water in upper and middle catchments and reduce peak flows.
2. Increase uptake of better soil management techniques and cropping changes to improve the infiltration of water and reduce run-off on up to 25 farms. Initiatives in previous years have included split field trials, soil husbandry reports, and workshops.
3. Respond to up to 25 referrals of cases where better land management could help to fix problems such as roads flooding because of run-off from fields. Landslides and mudslides may also be investigated. In such cases it makes sense to address causes as well as symptoms. Extra SRA funding enables this to happen with partners working together to tackle issues beyond their usual limited remits.
4. Match-fund the Merriott Stream de-culverting and river restoration project, north of Crewkerne.
5. Model and monitor at sub-catchment scale to demonstrate the effectiveness of NFM measures installed in previous years. Merriott Stream will be one of the projects assessed for its value in reducing flood risks.
6. Deliver a floodplain re-connection scheme at Rodden near Frome.
7. Assess the condition of 20 NFM schemes delivered five or more years ago to assess their state of repair and the impact they have had on flows. Produce a report including feedback and evaluation from landowners. The significance of the five-year span is that when landowners get NFM grants from the SRA, they agree to maintain schemes for five years.

**River Parrett maintenance dredging and silt monitoring*****SRA reference: IDB10-24. Workstream 1***

Continued SRA funding for a successful programme of Water Injection Dredging and silt monitoring along the River Parrett between Burrowbridge and Northmoor. This work is part of a programme that is helping to protect around 1,300 homes and businesses, and around 7,500 hectares of land, including 5.3 miles (8.5 kilometres) of A-roads and 30 miles (48 kilometres) of minor roads.

The Parrett is a tidal river. Gigantic volumes of sediments flow in from the sea and from the river's big catchment (roughly 478 square miles in size, or 770 square kilometres). When sediments build up along the river channel, there is less space left for water, and this reduced capacity can have undesirable consequences for the area through which the Parrett flows. Since the devastating floods of 2013-14, a lot of dredging has been done to increase and then maintain the Parrett's capacity. SRA funding for dredging brings physical benefits and peace of mind to people.

Water Injection Dredging (WID) has been advanced as a technique for the SRA by the Parrett Internal Drainage Board since 2016. It is much cheaper, quicker and less disruptive than conventional dredging using excavators, partly because WID uses the Parrett's own tidal power. Moving along the river, a WID vessel pumps out high volumes of water targeted at sediment build-ups identified through silt monitoring and channel surveys. Sediments are forced off the river bed and then dispersed through natural processes, downstream as the tide goes out.

Regular silt monitoring and channel surveys also give the SRA and its partners greater understanding of how the Parrett system really works. Such knowledge has many uses, for example in helping to manage flows during times of flood.

**Bridgwater Tidal Barrier*****SRA reference: EA17-24. Workstream 1***

Bridgwater Tidal Barrier is a major £100 million project led by the Environment Agency and Sedgemoor District Council. Designed to help protect more than 11,300 homes and 1,500 businesses, it has three main elements: a tidal barrier on the River Parrett at Chilton Trinity, 2.67 miles (4.3km) of new flood defence banks and 1.74 miles (2.8km) of raised banks downstream at Chilton Trinity, Comwich and Pawlett, and fish and eel passage improvements at 12 sites upstream of the barrier, the furthest up being Bradford-on-Tone beyond Taunton, and Ham Weir between East Lambrook and Martock.

Most funding for this major project will come from central government major project funding. However, some local match funding is required to secure the national funding. Somerset Rivers Authority is making a local contribution in recognition of the important role that Bridgwater Tidal Barrier will fulfil in protecting Somerset residents, homes and businesses.

See also the section below about ringfenced parts of the SRA 2023-24 Enhanced Programme, which were previously approved.

## **Adaptations and Associations on the Somerset Levels & Moors**

### ***SRA reference: FWCOAD3-24. Workstream 2***

The SRA is keen to encourage more working together on the Somerset Levels & Moors, to strengthen flood resilience, and enable different kinds of adaptation to various threats and opportunities. As a low-lying landscape ringed by hills and sea, and criss-crossed by rivers and rhynes, the Levels are unusually vulnerable to climate change. As a wetland landscape, protected for their environmental value in many ways, the Levels are also very dependent on public payments, worth around £5 million a year. The Government's proposed phasing out of some of these payments will have big effects on the special characteristics of the Levels and Moors, and the people who make a living from that landscape.

The SRA is therefore proposing to fund a series of moves that will make it easier for people to co-operate and get things done, including:

- 1) Developing four new Moor Associations and continuing to support five already helped by the SRA. Land use on the Levels is very fragmented. For example, on Curry Moor (350 hectares, 173 fields) there are 32 landowners, so it is not easy to make arrangements for improvements involving everyone informally. Moor Associations are therefore being set up and run by local farmers and landowners to help them find new ways of working together for their mutual benefit. It is ultimately hoped to establish an encompassing body for all Moor Associations to give members more of a positive say in the Levels' future – and their own.
- 2) Exploring new economic possibilities that will also produce good environmental results – such as ways of earning payments for storing water to lessen flood risks, capturing carbon to combat climate change, improving water quality, helping nature to recover, and preserving peat. For example, the SRA will continue to support an active trial of mechanisms for preserving peat on Chilton Moor, Queen's Sedgemoor and Lang Moor, which is being run for Defra as part of its preparations for introducing Environmental Land Management Schemes (ELMS). ELMS are due to be Defra's main land management funding channel by 2024, focused on the delivery of "public goods for public money".
- 3) Working with communities to help people turn their own ideas about adaptation and resilience into plans for action, particularly as regards the water-related impacts of climate change (flooding and drought). Training sessions, for example, will cover Adaptation Pathways as a simple way of looking into complex issues, to see how different options interact in changing combinations of circumstance. Some of this work follows on directly from the Adapting the Levels initiative (2019-2023), jointly funded by the EU's Interreg 2 Seas programme and the SRA.

**Tonedale flooding study*****SRA reference: SC05. Workstream 1***

Tonedale in Wellington is a large and historically important textile mill site, a manufacturing complex which used to be fed with water by an intricate system of waterways and structures. As part of efforts by several organisations to preserve this complex, and find suitable modern uses for it, the SRA is proposing to fund a detailed and ambitious study of how it could be used to reduce flood risks around Tonedale, Wellington and the wider catchment, upstream and downstream towards Taunton.

The waterways that run through Tonedale are a combination of natural and diverted tributaries of the River Tone, interlaced with leats, mill-races, holding ponds, weirs and sluices. Some waterways sit within 63 acres of redundant farmland bought by Somerset West and Taunton Council (SWTC). The council has been leading efforts to secure Tonedale's future.

There is immense potential for Tonedale to advance the objectives of Somerset's 20 Year Flood Action Plan, which is overseen by the SRA. For example, combined with possible measures to reduce flood risks, there is great scope for environmental improvements.

Some investigations into other aspects of Tonedale's future are being carried out by other organisations. For example, a team from Historic England has spent two years researching the history of the site's waterways. Funding is being sought by SWTC for other complementary studies, covering, for example, water quality improvements and community access and involvement. Because of local government reorganisation in Somerset, responsibility for this project will be passed from SWTC to the new Somerset Council. The overall aim will still be to piece together an effective plan for a Grade II\* Listed site, considered by Historic England to be the most important complex of its kind in the South West, and one of the most important in England.

**Chard Urban Run-off Butts (CURB)*****SRA reference: LLFA27. Workstream 3***

Part-funding for a community project that will begin to address the causes of the bad flash flooding that twice hit Chard in 2021. Around 1,000 properties were affected.

An investigation by Somerset County Council as the Lead Local Flood Authority (LLFA) showed that one big reason for the flooding was that too much surface water was running over land and overwhelming Chard's combined sewers. Combined sewers take rainwater running off from gutters, drains and roads, as well as wastewater from homes and businesses.

As an initial step, the LLFA and Wessex Water want to team up with residents to help reduce the amount of water that runs off from the gutters of their homes into



Chard's drainage networks. Extra SRA funding will enable more people to take part, so together they can make a bigger impact.

The aim is to provide up to 1,000 water butts to hold back roof water from drainage networks in parts of north and west Chard, including Glynswood and Crimchard. The equivalent of up to 2,500 bathtubs of water could be stored, if people use their butts effectively. Part of this project will involve working with the Chard Area Resilience Group, and others, to find good ways of getting people to lower the amount of water stored in butts before periods of heavy rain. If space is freed up, more water can be taken from downpours at times when this will make a noticeable difference to local neighbourhoods.

Through such communal efforts, it is hoped that people will learn more about urban water management and climate change, which will help as further projects for Chard are developed. It is also hoped that people will start to see rainwater as a possible resource that can be useful in various ways. For example, if plants can be watered with stored rainwater not tap water, that saves money. Lessons learned should be useful elsewhere in Somerset.

### **Enhanced maintenance and restoration works in Mendip**

#### ***SRA reference: SC04-24. Workstream 3***

An ongoing project designed to reduce flood risks in the Mendip area. In earlier phases funded by the SRA, Mendip District Council flood risk consultants analysed sub-catchments in Mendip. Their focus was particularly on drainage infrastructure (such as culverts) and watercourses (excluding main rivers) which would benefit from improvements that no other person or body, on their own, would be in a position to carry out. The aim was to devise a programme of extra works that would fulfill the SRA partnership's chief purpose of getting more done to reduce flood risks than would otherwise be possible.

The SRA is now proposing to top up the budget for this project so that a series of high-priority works in flood risk areas can be delivered in towns and rural areas across Mendip, benefitting people, properties, businesses, roads and the environment.

This project is being passed to the new Somerset Council. Work will be done with other SRA partners – especially the council's highways department and the Farming & Wildlife Advisory Group SouthWest – to ensure that improvements are made as effectively as possible and that other contributory factors are addressed. For example, if a culvert is silted up, efforts will be made – through better land management or suitable techniques of natural flood management – to reduce the amount of silt getting there in the first place.

## **Somerset Enhanced Maintenance: Gully emptying**

### ***SRA reference: LHA03-24. Workstream 4***

Gullies in places most at risk of flooding across Somerset are currently cleansed once a year by Somerset County Council's Highways Department. Extra SRA funding would mean that around 25,000 gullies could be emptied twice a year.

In common with the other proposal for Somerset Enhanced Maintenance detailed below (*Drain jetting*), the aim would be to help keep roads open in places highly susceptible to flooding, make them safer, preserve access for communities, and safeguard properties from flooding, all in line with the objectives of Somerset's 20 Year Flood Action Plan. These works would benefit residents, businesses and visitors. Where possible, they would be dovetailed with the Hills to Levels system of highway referrals to reduce run-off from land onto roads.

## **SUDS inspections, mapping and monitoring**

### ***SRA reference: SC03. Workstream 3***

The SRA is proposing to fund long-term monitoring of selected Sustainable Urban Drainage Systems (SuDS) across Somerset. At chosen sites, the aim would be to identify and map all SuDS elements either privately owned or adopted (by, for example, a water company or local authority), then assess them regularly.

Special attention would be paid to whether maintenance was being carried out exactly as pledged during the process of getting planning permission. SuDS review and inspection activities funded previously by the SRA have shown that ongoing maintenance arrangements can be fallible. Without proper maintenance, assets can deteriorate and become less effective.

Attention would also be focused on national SuDS Manual recommendations and the four pillars of SuDS (water quantity, water quality, amenity, and biodiversity). The SRA and its partners particularly want SuDS to be effective in managing surface water and reducing flood risks.

Data gathered through SuDS mapping and monitoring would be used for a range of purposes, including:

- identifying problems with SuDS early on – and determining the best mechanisms for resolving them
- gaining better understanding of the long-term maintenance requirements of SuDS systems
- providing better public information about SuDS
- enhancing SRA-funded Somerset-specific SuDS Developer Guidance
- supporting better planning decisions
- encouraging better management and maintenance of privately owned SuDS



## **Building Local Resilience across Somerset**

### ***SRA reference: FAPW501-24. Workstream 5***

Funding for the recruitment for two years of an SRA Community Engagement Officer and an SRA Community Engagement Support Officer. The two previous holders of these posts left in 2022 to work for the Environment Agency in Wessex and RSPB in Scotland, respectively. Their successors would pick up the important role of advancing the SRA's ambitions for Building Local Resilience across Somerset. One of this workstream's priorities is to encourage practical moves that help people to better protect themselves against flooding and recover more quickly afterwards. Another is to foster greater understanding of local flood risks, of the implications of climate change and of possible adaptations to that, and of the responsibilities that come with owning watercourses and structures such as drains and culverts.

The new officers would work – among others – with individual residents, urban and rural communities, flood groups and networks, new bodies such as the Somerset Water Action Network (SWAN), Chard Area Resilience Group (CARG), Moor Associations on the Somerset Levels & Moors, and Somerset's forthcoming Local Community Networks, the Somerset Prepared partnership, SRA partners and the Farming & Wildlife Advisory Group SouthWest (FWAG SW).

The new officers' jobs would include:

- raising awareness
- providing advice, information and support
- organising events
- developing new projects
- training people and helping to set up training
- assisting with the administration of small grants for training and equipment
- encouraging links between groups
- helping to develop Moor Associations and fresh community approaches to adaptation
- working on the development of very localised flood-gauge information and warning projects with communities in the Chard area, Croscombe, Monksilver, Porlock, Roadwater and Sampford Brett

## **Somerset Enhanced Maintenance: Drain jetting**

### ***SRA reference: LHA04-24. Workstream 4***

Extra SRA-funded drain jetting targets places across Somerset at high risk of flooding. Drains are usually only jetted by Somerset's Highways Department on a reactive basis: that is, once they have become blocked. Pro-active jetting is designed to stop drains from getting blocked in the first place, by removing silt and debris. Around 125 places are expected to benefit, depending on various unpredictable factors such as the weather.

**De-silting structures*****SRA reference: LHA01-24. Workstream 1***

For several years the SRA has given grants for de-silting structures. The idea has been that de-silting bridges and culverts, and re-aligning channels close to highways structures, improves the flow of watercourses, and increases the volumes of water they can carry. This reduces the risks of flooding for roads, nearby homes and land. Whole systems can work more efficiently when watercourse “bottle necks” are removed.

For 2023-24, Somerset County Council has proposed that the SRA should fund works at two places. Firstly, Hockholler Bridge, beneath the Blackbird Bends section of the A38 about half a mile north-east of Chelston, between Wellington and Taunton. The aim here is to de-silt the bridge as an interim measure while a study is carried out that was recommended in a previous SRA-funded A38 Blackbirds Bends investigation. At the 20 January SRA Board meeting, members approved funding for this previously recommended follow-up study.

Secondly, Hendford Hill in Yeovil. Hendford Hill and the busy Hendford roundabout at the bottom of the hill have long been known to be a Yeovil “wet spot”. In the Yeovil Urban Sustainable Drainage and Surface Water Management Study that was completed for the SRA in 2020 by Yeovil Rivers Community Trust, regular highway flooding was observed. De-silting will help to reduce this.

**DEFERRED SCHEMES FROM 2022-23**

During the 2022-23 financial year, the SRA Board agreed that some previously allocated funding could temporarily be re-allocated and spent on projects that needed to be able to go ahead soon.

SRA money was therefore temporarily re-allocated from Bridgwater Tidal Barrier to the Sowey-KSD Enhancements Scheme (Phase 1); from Mendip Natural Flood Management schemes to Rode and Beckington; from East Brent Asset Improvements to water injection dredging in January 2023; and from Taunton Flood Action Plan to the SRA’s contingency fund.

In every case it was agreed that money which had been diverted should be replaced with an equivalent amount from the SRA’s budget for 2023-24. This is why the SRA Enhanced Programme for 2023-24 includes the following four items from previous years’ Enhanced Programmes. The descriptions below largely follow the originals, with just a few necessary changes. For example, Taunton Flood Action Plan work was being taken forward by Somerset County Council. However, in April 2023 the county council will no longer exist, so a new Somerset Council will inherit this project.

**Bridgwater Tidal Barrier - £490,000**

Bridgwater Tidal Barrier is a major £100 million project led by the Environment Agency and Sedgemoor District Council. Designed to help protect more than 11,300

homes and 1,500 businesses, it has three main elements: a tidal barrier on the River Parrett at Chilton Trinity, 2.67 miles (4.3km) of new flood defence banks and 1.74 miles (2.8km) of raised banks downstream at Chilton Trinity, Combech and Pawlett, and fish and eel passage improvements at 12 sites upstream of the barrier, the furthest up being Bradford-on-Tone beyond Taunton, and Ham Weir between East Lambrook and Martock.

Most funding for this major project will come from central government major project funding. However, some local match funding is required to secure the national funding. Somerset Rivers Authority is making a local contribution in recognition of the important role that Bridgwater Tidal Barrier will fulfil in protecting Somerset residents, homes and businesses.

### **Mendip Natural Flood Management schemes - £140,000**

Funding for four nature-based schemes in sub-catchments with flooding problems that were analysed for the SRA in two earlier Mendip-wide investigations. Because of local government reorganisation in Somerset, responsibility for this project is now being passed from Mendip District Council to the new Somerset Council. The aim will still be to deliver a range of NFM measures including (where appropriate) 'Stage Zero' techniques of river restoration. Elements of existing infrastructure will be inspected to see if they need repairs or improvements in capacity, or if they could be re-naturalised (for example, could a stream be de-culverted?).

### **East Brent asset improvements - £144,000**

A scheme to help protect homes, businesses and farmland in and around East Brent. Funding from Somerset Rivers Authority will enable the Axe Brue Internal Drainage Board (IDB) to replace and upgrade unstable stone-filled cage defences along Brocks Pill rhyne, East Brent's main watercourse for drainage. Beneficiaries will include 12 homes and a holiday cottage business, Brent Area Medical Centre, the B3140, and around 20 hectares of agricultural land.

### **Taunton Flood Action Plan - £100,000**

A 25 Year Taunton Flood Action Plan will be produced to better co-ordinate the management of flood risks from all sources and boost investment. One major ambition is to join up the work done as part of the Taunton Strategic Flood Alleviation Improvements Scheme into risks from the River Tone and its many tributaries (fluvial flooding) with other efforts focused more on surface water and rainfall (pluvial flooding).

Elements brought together will include Somerset County Council's surface water management plan, the county council and Wessex Water's integrated catchment modelling, Wessex Water's drainage and wastewater management plans, the Environment Agency and Westcountry Rivers Trust's Tone catchment strategy, Somerset West and Taunton Council's Strategic Flood Risk Assessment and Taunton Garden Town plans, and the county council's partnership work on highways flooding hotspots, Sustainable Drainage Systems and the EU's Project Sponge2020.

This work will be led for the SRA by Somerset Council, working closely with Wessex Water and numerous other partners. The council is contributing to the costs of developing a Taunton Flood Action Plan. In line with the SRA's remit, the Plan is intended to open up new collaborative ways of getting funding and spending it efficiently. It should also help to provide environmental benefits such as better water quality and better habitats for wildlife.

The overarching aim is to make Taunton a safer, healthier and more attractive place to live.

## Somerset County Council

### Notice of private meeting

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#### **The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – Regulation 5**

Following prior publication in the Forward Plan on 1 February 2023, in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – Regulation 5, notice is hereby given that the Executive is requested to consider agreeing a resolution at its Meeting on 15 March 2023 to exclude the press and public from any part of the meeting where exempt information relating to the items below is to be disclosed:

#### **Item 14 Award of Professional Services Contract for Place Services**

Contact Officer: Mike O'Dowd-Jones, Somerset County Council

#### **Item 15 Award of framework agreement for Software Reseller services to the 3 preferred applicants**

Contact Officer: Andy Kennell, Somerset County Council

#### **Item 16 Somerset Rivers Authority (SRA) 2023-24 Enhanced Programme of Flood Risk Management Works and signing the SRA Memorandum of Understanding and Constitution**

Contact Officer: David Mitchell, Somerset County Council

#### Reasons for the items to be considered in private session at the meeting

Local Government Act 1972 – Schedule 12A

These items are likely to contain information relating to the financial or business affairs of any particular person (including the authority holding that information).

#### Representations received to hold the item in open session

None.

#### Council's response to representations received

Not applicable.

Circulation:

All County Council members  
Council's website

7 March 2023

Scott Wooldridge – Monitoring Officer

For questions about this notice please contact Mike Bryant, Democratic  
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