

JOINT SCRUTINY PANEL OF SOMERSET RIVERS AUTHORITY

Minutes of a Meeting of the Joint Scrutiny Panel of Somerset Rivers Authority held virtually on **Friday 12 February 2021 at 2.00 pm**

Present: Cllr S Coles (Chair, Somerset West & Taunton), Cllr B Smedley (Sedgemoor), Cllr A Betty (Sedgemoor), Cllr A Groskop (Somerset CC) and Cllr L Lisgo (Somerset West & Taunton)
D Vigar (Parrett Internal Drainage Board) and W Welland (Axe Brue Internal Drainage Board)

Other Members present: Cllr M Caswell, Cllr D Hall, Cllr T Munt and Cllr C Paul (Somerset CC)

Apologies for absence: Cllr John Hunt (Somerset CC) and Cllr P Maxwell (South Somerset)

1 **Membership update** - Agenda Item 1

The Clerk to the Panel updated the Panel on the following changes to membership since last meeting:

Mendip Council – currently 2 vacancies - Cllr Cottle and Cllr Leyshon have both stood down as members on the Panel. Mendip Council have advised that they intend to fill the vacancies at its Council meeting on 22 February 2021.

The current terms of reference of the Panel were NOTED.

2 **Appointment of Chair and Vice Chair for 2021** - Agenda Item 2

Cllr Simon Coles was re appointed as Chair of the Panel for the ensuing year.

COUNCILLOR COLES – in the Chair.

There were no nominations for the position of Vice Chair - AGREED that the Vice Chair position would be considered at the next meeting.

3 **Declarations of Interest** - Agenda Item 4

The following declaration of interest was made at the meeting: -

- (a) Cllr A Betty – Sedgemoor DC representative – personal interest – member of the Parrett Internal Drainage Board.

4 **Minutes from the previous meeting held on 17 July 2020** - Agenda Item 5

The minutes of the meeting held on 17 July 2020 were confirmed as a correct record.

5 **Public Question Time** - Agenda Item 6

There were no public questions.

6 **Quarter 2 2020/21 Finance Report** - Agenda Item 7

The Panel received a report from David Mitchell, Senior Manager, SRA, which provided information on the financial position at the end of Qtr2 2020/21 which is the latest period full financial data is available.

It was noted that this report, together with the associated document, deliver the financial reporting requirements consistent with the Somerset Rivers Authority (SRA) Constitution and Local Memorandum of Understanding. Somerset Rivers Authority does not deliver projects, instead the partners that make up the SRA partnership deliver projects on behalf of the SRA and once projects are complete, claim back the cost of the works.

Mr Mitchell highlighted some key points from the paper: -

- Chart B shows forecast claims from SRA partners in future years. In Q1 2020/21 it was forecast that the SRA would receive claims for almost £4m during 2020/21. In Q2 there has been a significant change with forecasts now showing approximately half as much will be claimed in 2020/21. The main reasons for this change are reported as the impacts of Covid-19 and planned works on the River Sowey-KSD enhancements scheme being delayed to 2021-22.
- Explained that with regard to the pioneer dredging – River Parrett (Northmoor to M5), reallocation of funds to contingency of £441,000 – was due to more cost effective method being used (water injection dredging method).
- SRA contingency increased by £433k from £635k to £1,068k which means that SRA contingency funds as at the end of Q2 2020-21 equals 12.5% of Local Partner funds (currently 7%), with the remainder allocated to specific schemes. This will enable the SRA to deliver extra [projects in future years.
- Outlined the situation with regard to the precept for the SRA.

The Panel NOTED: -

1. The financial performance as at the end of Quarter Two 2020-21.
2. That the 2020/21 detailed commercially sensitive update had been circulated to the Panel.

7 **SRA Enhanced Programme and Budget 2021-22** - Agenda Item 8

The Panel received a report from David Mitchell, Senior Manager, SRA, which invited the Panel to review and comment on the draft 2021-22 Enhanced Programme and budget, to meet the objectives in the Flood Action Plan, in advance of the SRA Board considering the proposals at their meeting on 5 March 2021.

Mr Mitchell highlighted some key points from the paper: -

- Tranche 1- had fewer bids than previous years – due to impact for COVID-19 for example – and the value of bids was 1.88m. This represents 10 bids, across 5 workstreams as set out in Table A of the report. A short description of the Tranche 1 schemes, which have been provisionally approved are detailed in Appendix 1 to the report
- Tranche 2 - the remaining precept and contingency funds has created opportunities for a further £1.861m to be allocated to SRA projects and referred to the details set out in the report – a further 19 proposals / expressions of interest have been received to value of 4.3m. The schemes will be scored by the SRA Team in consultation with Technical Group officers and proposals considered at the Board meeting in March 2021.
- Referred to the summary in Table B and the summary of the proposals in Appendix 2 of the report.
- Highlighted that workstream 1, to value of £3,345,000 included a number of large projects – Bridgwater Tidal Barrier, Dunball Smoothing, Strategic mitigation plan implementation.

The following questions / comments were made: -

- The Chair commented that he was encouraged by the position and welcomed the fact that the SRA is in a strong position to move forward and take on additional work.
- Cllr Smedley – asked some questions about the Bridgwater Tidal Barrier (BTB) project and funding – Mr Mitchell that this is a major project led by the Environment Agency and Sedgemoor District Council – most funding for the project will come from central government. As background, a 2m grant had been received from the Heart of the south-West Local Enterprise Partnership (LEP) to help accelerate the development of the BTB project and the SRA Board is looking after the funding essentially, and reporting on to the LEP. The project has moved on and now has approval from government for the financial package. Sedgemoor DC is assembling a local match-funding package and has also approached the SRA for contribution towards that, from the shadow precept. No decision yet been taken at this stage as to whether the SRA will contribute to it or the amount.

The Panel NOTED: -

1. The strong position with regard to the draft 2021-22 Tranche 1 and 2 enhanced programme of projects and welcomed that additional projects which will be considered by the SRA Board at its meeting in March.
2. That the confidential 2021-22 enhanced programme list with costs (Appendix 3 to the report) had been circulated to the Panel.

8 **Heart of The South West Local Enterprise Partnership (LEP) Project Update** - Agenda Item 9

The Panel received a report from David Mitchell, Senior Manager, SRA, which updated on progress with Heart of the South West Local Enterprise Partnership (LEP) funded projects recognising that the end of financial year 2020 - 21 was the original date by which all LEP funds were to be spent.

Mr Mitchell highlighted some key points from the paper: -

- In 2015 the Heart of the South West LEP allocated £13.049m of 'Growth Deal' funding to the 'Somerset Flooding' project. The project was described in the funding agreement as - Phase 2 of the Somerset Levels and Moors 20 Year Flood Action Plan and consists of a package of measures to reduce the duration, depth and frequency of flooding on the Somerset Levels and Moors. This will safeguard houses, commercial premises, communities and infrastructure on the Somerset Levels and Moors and increase business confidence, contributing to the creation of new jobs and new houses.
- The project funding was originally split across 5 categories – Dredging and river management; River Sowey / Kings Sedgemoor Drain enhancements (including Beer Wall and Chedzoy); Bridgwater Tidal Barrier; Land Management; and Taunton Strategic Flood Alleviation Improvements.
- The vast majority (90%) of the funding will be spent by the end of the current financial year.
- During the summer of 2020 it became apparent that it would not be possible to spend all of the LEP funds by the agreed deadline (£1.14m)
- The LEP approved a variation request to allow carry over to 2021/22 financial year, which will allow more time to complete phase one of the River Sowey – Kings Sedgemoor Drain enhancement scheme. The spend on the other 4 projects is completed.

Councillor Groskop asked a question about phosphates and foul water issues and implications on the SRA. The Chair mentioned that Somerset West and Taunton Council is close to releasing a phosphate calculator (mitigation) and this will involve the SRA in the future. Mr Mitchell said that the issue of phosphates was more for the county council and the District Councils (as the local planning authority), rather than the SRA to tackle.

The Panel NOTED the latest position regarding the LEP funded projects.

9 **Flood Action Plan Review** - Agenda Item 10

David Mitchell, Senior Manager SRA, provided a verbal update on the review of the Flood Action Plan: -

- 6 years into the plan – is being updated / reviewed to ensure the aims / objectives are appropriate, takes into account relevant strategies, Defra work etc
- The review will begin in April – likely to take 12 months
- Will run workshops and seek input from the SRA / partners

The Panel NOTED the position and requested an update at the next meeting.

10 **Raising Awareness of Riparian Responsibilities** - Agenda Item 11

The Panel received a report from Mr Jonathan Hudson, SRA on the issue of raising awareness of riparian responsibilities. – that is, the obligations that come with owning a watercourse. The paper provided a summary of the David Jenkins review - Mr Jenkins is the Chair of the Wessex Regional Flood & Coastal Committee and Somerset Rivers Authority (SRA) Board member; information on the content of the report; and what it is proposed to do nationally and locally in response / next steps.

Mr Jenkins' commends an online guide to *Owning a Watercourse* published by the Environment Agency (EA). The SRA does promote this but there are issues still around understanding of riparian owners' responsibilities with regard to flood risk management and maintenance which needs to be addressed still. Whilst there are limits as to what the SRA can reasonably be expected to achieve with regards to riparian responsibilities, that is over and above what is done by other Flood Risk Management Authorities such as the Environment Agency, the Internal Drainage Boards and Somerset County Council as the Lead Local Flood Authority, there is scope for the SRA to raise awareness and compliment what Defra and the EA will be doing and the SRA has begun to use and promote the EA guidance.

The Panel has considered this important issue on a number of occasions and wants to see significant progress on this issue.

Cllr Munt asked about the role of the SRA on issue of minerals / peat. Mr Hudson said that the SRA does what it can to nudge people in right direction. Mr Mitchell said that he would seek advice from the SCC Minerals Team and would respond to Cllr Munt.

Mr Vigar commented that Parish Councils cannot find information on riparian responsibilities to convey to people, so the guide will be very useful therefore. Ms Welland mentioned issues in urban area around Burnham and ditches and people not being aware of ownership as the Land Registry does not show watercourses.

In conclusion, the Chair said that there is no easy fix to this issue but its around having the conversations and welcomed the work being done.

The Panel NOTED:-

1. The David Jenkins' *Report of a review for the arrangements for determining responsibility for surface water and drainage assets* and its two recommendations for national moves by the Environment Agency and Defra (Department for Environment, Food and Rural Affairs) to review guidance on riparian owners' responsibilities, to promote that guidance.
2. That Defra has accepted Mr Jenkins' two recommendations about riparian responsibilities and that Somerset Rivers Authority has offered to pilot initiatives.

11 **Date of next meeting** - Agenda Item 12

The next meeting will be held on **Friday 2 July 2021 10.00 – 13.00**

12 **Any other urgent items of business** - Agenda Item 13

- (a) Bleadon Sluice - referring to the minutes of the last meeting of the panel, item 7 refers, Cllr Munt asked for an update on discussions with the Environment Agency. David Mitchell advised that this is not an 'SRA' funded scheme and that he had raised this matter with the Environment Agency (EA) and that Rachel Burdon has offered to help and meet with her. The EA are waiting information from Wessex Water.

Cllr Munt said that she would be happy to take up the offer to meet with the EA. The Chair and Wendy Welland also said that they would also interested in attending the meeting. AGREED.

(The meeting ended at 3.27 pm)

CHAIR