



Representing Drainage Water Level & Flood Risk Management Authorities

POLICY COMMITTEE

Minutes

Wednesday 11 September 2024

Venue: Westminster Kingsway College, 76 Vincent Square, London SW1P 2PD

10.40 – 15.30

FINAL

Invited					
Name	Role and organisation	Present	Name	Role and organisation	Present
Charles Mills (CM)	Committee Chairperson, Deputy Chair, ADA	Y	Oliver Pantrey (OP)	Clerk, Upper Medway IDB	Apologies
Ed Johnson (EJ)	Committee Secretary, Committee Deputy Chair Chief Engineer, Witham Fourth District IDB	Apologies	Richard Powell (RP)	Chairperson, Anglian (Eastern) RFCC	Y
James Addicott (JA)	Manager Engineering – Policy, Environment Agency	Y	Iain Sturdy (IS)	Chief Executive, Somerset Drainage Boards Consortium	Y (online)
Robert Caudwell (RC)	Chairperson, ADA	Y	Innes Thomson (IT)	Chief Executive, ADA	Y
Nigel Everard (NE)	Clerk, Selby Area IDB and Kyle & Upper Ouse IDB	Y	Carol Tidmarsh (CT)	FCERM Team, Defra	Y
Matthew Harrison (MH)	Flood & Water Manager, Lincolnshire County Council	Apologies	Diana Ward (DW)	Ecologist for Bedford Groups of IDBs	Y
Mat Jackson (MJ)	Senior Flood Risk Management Officer, West Sussex County Council	Y	VACANT	Natural England	
Steve Larter (SL)	Finance Director, Witham & Humber IDBs	Apologies			
David Letellier (DL)	Head of Operations South Wales Central, Natural Resources Wales	Y (online)			
Andrew McGill (AMG)	Chief Executive, Water Management Consortium	Y	In attendance		
Andrew McLachlan (AMN)	Chief Executive, Yorkshire & Humber Drainage Boards	Y	Ryan Dixon (RD)	Publication & Communication Officer, ADA	Y
Ian Moodie (IM)	Technical Manager, ADA	Y	Andrew Cooling	Government Development Lead, BSI	Y (online) (Item 27)
Nicola Oldfield (NO)	Chief Engineer, Middle Level Commissioners	Y (online)	Antonia Moore	Training Solutions Manager, BSI	Y (online) (Item 27)

Ref	Minutes
16	<p>Welcome and apologies</p> <p>All apologies were noted as indicated above.</p>
17	<p>Declarations of interest</p> <p>SL declared a conflict of interest in relation to Item 25 as relative works for Balford Beatty.</p>
18	<p>Minutes of previous meetings</p> <p>Minutes of the former ADA Committees were tabled as follows:</p> <ul style="list-style-type: none"> • ADA Policy Committee meeting (22 May 2024)
18	<p>Matters arising</p> <p>Item 04 Good Governance Guide (GGG) – SM requested an update on timescales to publication with particular interest for councillors recently appointed as members to IDBs. IT highlighted ADA’s workloads during 2024, but assured that it was still in production.</p>
19	<p>ADA Forum updates</p> <p>Engineering Forum – IM provided an update on behalf of EJ. Possible change to the Forum’s name to be considered to bring in a broader group of technical officers that work for IDBs.</p> <p>Environment Forum - IM circulated Meeting Notes from the most recent meeting held on 09.09.2024.</p> <p>DW discussed advice regarding badgers and the CL27 licence for IDBs to interfere with badger setts for watercourse and drainage purposes. This licence has been modified by Natural England following legal advice sought by several IDBs, and has resulted in significant clarifications. DW would be writing a future article in the ADA Gazette to explain the changes.</p> <p>IM shared details of a visit by the National Beaver Management Forum to East Kent in June 2024. IM reported that beavers in the River Stour catchments had thus far remained within lowland areas, but had now spread as far upstream as Ashford. IM was organising with Natural England and the Environment Agency a two day beaver licence training course for IDB environment officers to take place in East Kent in November 2024. In addition the Environment Agency had established an sub-group of the Beaver Management Forum looking at the impacts and mitigation related to infrastructure. The Environment Agency were appointing consultants to write a beaver guidance manual for infrastructure managers.</p> <p>The Committee discussed concerns surrounding the growth of beaver populations, and the risk to embankments from burrowing in particular. The River Stour IDB had shown evidence of damage to banks and control structures and relatively low cost mitigations and repairs, but these required early intervention we has evidence of damage to wooden structures. IM reported the concern that often no damage to a structure may be visible from burrowing until there is a failure, and remote monitoring solutions have thus far not proved effective for water infrastructure managers in other parts of Europe. The Committee were concerned around the timescale for securing relevant licences for repair or mitigation work and how this could significantly increase cost burdens. There were concerns that the broad consensus from the general public and the media was in favour of further releases, but that the hazards were not fully being articulated. RC encouraged that</p>

	<p>ADA and its members' position should be against any unlicensed releases. IM reported that a position statement prepared by the NFU had been shared with the Beaver Management Forum prior to the general election, but had not been released.</p>
<p>20</p>	<p>Workstreams</p> <p>a. Ratings Working Group A meeting note from the meeting of the ADA IDB Ratings Working Group that took place on 09 May 2024 was tabled. The discussion is reported under item 23.</p> <p>b. Lowland Peat IM reported that 20 LAPSIP projects being delivered by IDBs were largely progressing well to provide small scale infrastructure to retain water safely within IDB systems for lowland agricultural peat. IM and the project consultants appointed by ADA had so far visited four of the projects with more planned. It was hoped that four of the projects would be completed by October 2024, and that all were still on track for completion by the deadline of quarter 1 2025. Some projects had been delayed by supplier issues, flood response and recovery in the first quarter of 2024, and issues related to specialist contracting needs for their sites. One project was still liaising with the Environment Agency on suitable eel passage solutions. Beyond projects completing the work on the ground, the next steps would be case study reports from each project and a final report to be prepared by ADA and submitted to Defra by 31 March 2025.</p> <p>IM also reported that he and RC had been on a fact finding visit to peatland areas within Friesland in the Netherlands to learn about the change being developed between the Friesland Water Board and farmers there. Solutions seemed to be being developed locally, bottom up rather than top down.</p> <p>For 2025, IM reported that Defra were looking to undertake a social research project looking at the views around the role of IDBs in managing water levels for lowland peat soils. This would mean Defra's research contractor wanting to engage with a number of IDB officers and board members over the coming six to nine months. There would be no further round of LAPSIP in 2025-26, but the hope was for grant funding for infrastructure projects to support retaining water safely in lowland peat areas would resume from 2026, incorporating learning from the LAPSIP pilot. IM encouraged IDBs to therefore develop proposals along the lines of their LAPSIP applications for further work so that they would be ready when/if they could apply for further grant funding in 2026.</p> <p>c. Climate IM open a broad discussion regarding IDBs' requirements to reduce carbon emissions and mitigate the impacts from climate change. Furthermore, what guidance and supporting role ADA should play in this regard. IM reported that ADA would need members support and was looking to establish the scope of work in this area, and was looking for volunteers from the Committee and membership more widely.</p> <p>The Committee had previously discussed ADA delivering the following during the next year:</p> <ul style="list-style-type: none"> ○ Climate Change Policy Statement for IDBs ○ Model format for Climate Change Strategies for IDBs ○ Guide for carbon reduction in lowland areas for water level managers, learning from existing best practice in the UK, Netherlands, and Europe. <p>IM reported that some of this work aligned with actions ADA would be taking forwards to support the Rural Flood Resilience Partnership, which it was a member of alongside the NFU, CLA, EA, ACRE, and NE.</p>

	<p>IT reported that Fens 2100+ was looking at this challenge and had asked about how their work could potentially assist ADA and IDBs.</p> <p>AMN offered the support of Dan Martin FROM Yorkshire & Humber Drainage Boards.</p> <p>No other volunteers were suggested at this time, despite the Committee emphasising the importance of work in this area.</p> <p>Action: <i>Committee Members to suggest further volunteers for a Climate Workstream Delivery Group.</i></p> <p>d. Further topics</p> <p>The Committee discussed growing areas of interest amongst members and society. IT highlighted that the new government will be interested in new initiatives and incentives related to the climate, but that ADA had limited resources on our own, but could be a conduit to collaborative work between members and others.</p> <p>There was discussion around the scale of urban development and the role and advice for IDBs, recognising that there is a particular focus on water pollution. The discussion highlighted whether a clearer steer for IDBs in terms of their scale and capacity to manage this and other work, and to enable IDBs to become a stronger partner in their locality.</p> <p>AMN offered to put paper together considering how IDBs are involved within the planning system.</p> <p>RP reported on a meeting a number of RFCC chairs had had with the Flood & Water Minister including the Land Use Framework, risk of missing the houses protected target, carbon budgets, and what comes next for FCERM Partnership Funding beyond 2027.</p> <p>IT reported that the Government’s new Flood Resilience Task Force was set to have its first meeting on Thursday 12 September, which IT and RC would be attending.</p> <p>SL highlighted a main river breach from last winter’s storms within the lowland River Witham catchment that had still not been repaired by the Environment Agency.</p> <p>MJ proposed that it would be useful for ADA to develop some communication strategies for RMAs.</p>
21	<p>Defra IDB Recovery & Improvement Grant</p> <p>JA reported that there was still no confirmation of Tranche 2 funding for asset improvement by IDBs, the matter was still with Defra ministers for discussion. The Environment Agency had received 145 bids for Tranche 2. Moderation and decisions had been made as to which projects would proceed when/if funding confirmed.</p> <p>IM reported that ADA had received feedback from IDBs regarding regulatory matters that could delay projects, and that delaying the commencement of projects substantially raised concerns about whether these would be deliverable by the 31 March 2025 deadline. ADA was advising Defra to extend delivery through to 31 March 2026.</p> <p>IS highlighted that they had looked to use Tranche 1 funding for IDB recovery to support Environment Agency maintenance underinvestment within the Somerset Levels & Moors</p>

	<p>where needed.</p> <p>JA agreed to look into informing unsuccessful applications as soon as possible.</p> <p>Later in the meeting IT and RC provided a brief update following their meeting with Emma Harding, Flood & Water Minister, Defra. This had been positive with discussions regarding Tranche 2 funding, PSCAs, and funding of maintenance of flood defence assets. RC had committed to providing the Minister with examples of successful funding projects led by IDBs.</p>
22	<p>Updates:</p> <p>a. Defra</p> <p>CT highlighted Defra Ministers five priorities:</p> <ol style="list-style-type: none"> 1. to clean up rivers, lakes and seas; 2. create a roadmap to move Britain to a zero waste economy; 3. to boost food security, 4. to ensure nature’s recovery, and 5. protect communities from the dangers of flooding. <p>The new Flood Resilience Task Force would meet regularly (quarterly). The Government was reviewing all areas of funding ahead of the Autumn Budget on 30 October, and the Spending Review that would be released in 2025. Emma Hardy was looking at reviewing FCERM Partnership Funding. Guidance to accompany the IDB ratings statutory instrument guidance was being drafted with a small working group with the intention to submit the papers to Parliament by the end of 2024.</p> <p>Defra were developing a research project look into the funding of IDBs. AMG raised that any review of IDBs should look at the value and benefits that IDBs provide.</p> <p>Defra were progressing with seven orders requested by IDBs for schemes to reorganise IDBs (amalgamations, reconstitutions etc.). Defra team were looking to introduce templates to help speed up these processes. Defra had released a revised IDB1 form and owing to the delay had provided a five month deadline extension to allow IDBs to complete this annual return.</p> <p>The data compiled from IDB1 forms is published annually by Defra via: https://www.data.gov.uk/dataset/internal-drainage-board-expenditure-and-administrative-data.</p> <p>b. Environment Agency</p> <p>JA reported that the Environment Agency had responded to a letter from IT regarding the use of badger licences in relation to flood defences and the costs associated with such work. JA reported that costs were hard to disaggregate from those for other species and other types of works. However, there had been 426 instances of the Environment Agency using its organisational licence for badgers between 2020 and 2024.</p> <p>c. Local Authorities</p> <p>MJ noted that there was ongoing discussions between local authorities and Environment Agency in West Sussex regarding the future direction of the River Arun Internal Drainage District. Advice had been sought from ADA on the formation of a new IDB and there was wider local support from the RSPB in principle.</p> <p>Funding remained a challenge for LLFAs, but positively a new income was being charged locally for pre-application advice.</p>

<p>23</p>	<p>Digitisation of ratings support for IDBs</p> <p>The Committee discussed developments related to the replacement of the existing DRS (drainage ratings system). ADA had formed a Rating Working Group of IDB clerks and finance officers. IM had prepared a bid for Tranche 2 funding to create a subscription funding and oversight by IDBs of a new system that has been developed by the Water Management Alliance. However, immediately prior to submission a group of IDBs had informed ADA that they would be developing their own system. ADA did not therefore submit this bid for funding as it would have brought the association into direct competition with a number of its members.</p> <p>ADA understood that the WMA’s new system was close to completion and would still be offered to other IDBs. The other IDBs system was also under development. ADA did not plan to intervene in these systems, beyond encouraging IDBs to properly consider how they retain accurate ratings data to underpin the drainage rates and special levies that they charge.</p> <p>IM had written a second Tranche 2 bid for guidance and support for IDBs looking to digitising land parcel data onto GIS. The bid also contained a proposal to write a third GGG document focused on IDB rating, given the small cohort of experts within the sector on this subject.</p>
<p>24</p>	<p>Watercourse rights and responsibilities</p> <p>AMN highlighted the recent successor guidance to ‘Living on the Edge’, called Your watercourse: rights and roles and published on GOV.UK. The Environment Agency had consulted on a draft two years ago and ADA’s response had been critical of its coverage on ordinary watercourses and the role of other RMAs. There was a feeling that the now published version, whilst improved, overall still had shortcomings in coverage in several areas related to the need to maintain and manage lowland watercourses. In particular: development control around the building and modifying of structures and introduction of flow or effluent, vegetation management in and adjacent to watercourses, appropriate channel maintenance, bylaws (both LLFA and IDB), and proportionate biodiversity considerations.</p> <p>AMN proposed ADA writing a leaflet and was happy to spend time creating draft content. JA reported that the Environment Agency would be happy to support a new document focused less on main river, but would not be looking to update the new Your watercourse: rights and roles guide. The main expense to ADA would be around seeking legal checks and advice.</p> <p>Action: Policy Committee supported the proposed guide, and would welcome sight of a document setting out the scope of coverage/chapters/headings etc.</p> <p>Action: IT to approach ADEPT and ASA regarding the proposed guide.</p>
<p>25</p>	<p>SCAPE Framework contracting – Presentation by Balfour Beatty</p> <p>Item postponed.</p>
<p>26</p>	<p>Eel Regulations</p> <p>IM reported that IDBs had provided feedback from LAPSIP and Tranche 1 works highlighting that further consideration of the application of the Eel regulations may be needed in relation to emergency repair works, particularly to pumping stations.</p>

	<p>NO reported that the Middle Level Commissioners LAPSIP project to replace a control structure with a tilting weir was being delayed by EA fisheries deciding on the appropriate fish passage at the structure now that two-way eel passage was required under national guidance at such structure.</p> <p>The Committee would welcome feedback from members on such matters.</p>
27	<p>BSI Training</p> <p>Antonia Moore and Andrew Cooling from the British Standards Institute (BSI) joined the meeting to provide an update regarding training for staff around management systems and best practice.</p>
28	<p>Any other business</p> <p>NE asked about the Environment Agency’s position on demaining and ceasing the maintenance of main river assets. The report of the findings from the demaining pilots had never been published.</p> <p>JA reported that his team within the Environment Agency was now responsible for looking at demaining and asset transfer/ cessation of maintenance etc and the processes around demaining were currently being reviewed.</p> <p>AM offered JA with his experience to assist on demaining.</p> <p>IM reported that good progress was being made with recruiting a Membership Officer to the ADA team. First interviews had been held during August and second interviews were underway, with the intention to have the new person start during October 2024.</p>
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