



Representing Drainage Water Level & Flood Risk Management Authorities

POLICY COMMITTEE

Minutes

Wednesday 22 January 2025

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

Ref	Minutes
29	<p>Welcome and apologies</p> <p>All apologies were noted as indicated above.</p> <p>Laura Lamb (LL) introduced herself.</p> <p>Rob Boutle was welcomed to the group for one session representing the Environment Agency for James Addicott.</p>
30	<p>Declarations of interest</p> <p>None.</p>
31	<p>Minutes of previous meeting</p> <p>Minutes of the ADA Policy Committee meeting on 11 September 2024 were tabled.</p>
32	<p>Matters arising</p> <p>Item 22a. AMG referred to Defra’s proposed review of the funding and costs of IDBs and raised the value of IDBs, and enquired about the outcomes of the extraordinary meeting of ADA’s Board of Directors held on 03.12.2024 about this matter. This was discussed further under item xx.</p>
33	<p>ADA Forum updates</p> <p>a. ADA Environment Forum</p> <p>IM circulated Meeting Notes from the most recent meeting held on 13 January 2025.</p> <p>DW acknowledged and thanked IM for arranging beaver licence training to the group. The group discussed watercourse buffer strips, IDB biodiversity reporting, Landscape Recovery and the upcoming ADA Environment Day on 05 February 2025. Representatives from Defra and Natural England were to be invited to the next ADA Environment Forum meeting to discuss the role of water level management and IDBs in relation to Landscape Recovery and Biodiversity Net Gain. Consequently, it was suggested that guidance on water level plans should be updated. The group also discussed discrepancies in metrics and terminology, such as the definition of terms like "ditch."</p> <p>b. Engineering Forum</p> <p>EJ summarised the recent meeting of the Lincolnshire IDBs’ Engineers Forum, which highlighted several critical issues concerning infrastructure management and safety. The next meeting is scheduled for 30 January 2025.</p> <p>i. Health and Safety Concerns</p> <p>Reports of overhead powerline strikes and near misses were discussed, underscoring the need for stringent safety protocols to prevent such incidents.</p> <p>ii. Asset Management and Culvert Ownership</p> <p>A significant point of discussion was the responsibility for culverts under highways.</p>

	<p>According to UK regulations, if a watercourse runs on or under your land, you are typically considered the riparian owner, responsible for its maintenance. However, when a watercourse or ditch within a highway has been piped, Authorities are increasingly taking the view that the responsibility generally remains with the adjoining landowners, unless the piping was done at the request of the highway authority to enhance the highway. This situation can place IDBs in a challenging position when seeking funds from ratepayers for maintenance.</p> <p>iii. Policy Discussions</p> <p>The meeting also touched upon the burdensome nature of asset management inspections. It was proposed that the ADA Policy Committee explore the possibility of establishing a central government fund for asset recovery. IT requested further detail on this proposal with a view to presenting it to the Flood Resilience Task Force on 05 February 2025 for further consideration.</p> <p><i>Action: Lincolnshire IDBs' Engineers Forum to provide IT with proposal details.</i></p> <p>iv. Challenges with Asset Responsibility</p> <p>Determining responsibility for assets remains problematic, especially in the absence of funds for necessary repairs. The aftermath of storms Henk and Babet last year has exacerbated these issues, increasing pressure on all stakeholders involved.</p> <p>v. National Underground Asset Register (NUAR)</p> <p>The meeting highlighted the importance of including all underground drainage assets in the government's NUAR, a digital map of underground pipes and cables in England, Wales, and Northern Ireland, aiming to improve the efficiency and safety of managing buried infrastructure. The project has made significant progress, with plans to move to 'public beta' version by spring 2025. A coordinated webinar for engineers is being organised to provide more information on this initiative.</p> <p>IT noted an ADA Gazette article from Autumn 2024 about the NUAR.</p> <p><i>Action: IT to provide contact details for NUAR lead (Holger Kessler) to EJ.</i></p>
34	<p>Reforms to flood funding</p> <p>IM introduced the discussion by noting the announcement in November 2024 by Emma Hardy that Defra would be looking to consult on proposals to reform the current flood management funding formula used in England.</p> <p>The Committee discussed a range of issues around flood management funding, including:</p> <ul style="list-style-type: none"> • Maintaining assets and systems - There is a huge backlog in maintaining existing flood adaptation/resilience assets in England, which goes back to policy changes implemented in the mid-1990s. The problem is now so significant that hundreds of millions of pounds will need to be spent on capital interventions to bring many of these assets up to a serviceable condition. • Revenue v capital investment - The need for a better balance of investment between building new assets and maintaining existing assets and systems. Current imbalance largely driven by HM Treasury and UK fiscal rules around taxation funding revenue needs and borrowing funding

capital investment. Consequently, investment in new flood defences had significantly outstripped investment in maintaining watercourses, and existing assets and systems over the past two decades, even though investment in maintenance is considered to be more cost beneficial.

- **Valuing the benefit of maintaining assets and systems** - Need a mechanism for valuing the benefit of maintaining existing systems and assets. Looking at the net position on the number of properties better protected within a catchment / coastline to look better at any trade-offs between new capital assets and maintenance of existing assets. Rather than looking at the specific number of properties better protected by an individual capital project in isolation from the worsening condition of existing flood defences. Should be clear in identifying any disbenefits of not maintaining assets and systems, e.g. declining water quality.
- **Outcome Measures** - Existing Outcome Measures used in FDGiA can draw out the wrong focuses for investment, and drive the wrong decision-making, as they distort the benefit-cost analysis.
- **Benefit apportionment** - Current methodologies within appraisal guidance struggle to grasp the impact on an area or community of the cumulative impact of flood risk from different sources, particularly in areas where there is overlapping fluvial, surface water, and coastal flood risk, such as extensive lowlands like the Fens or Humberhead Levels. Consequently, this can often promote the delivery of nationally backed schemes above locally perceived priorities in some instances. This can create a significant barrier to engaging with local communities and promoting better understanding of the risks posed where vulnerable communities are subject to risk from multiple sources of flood risk.
- **Other funding models** – Investment in FDGiA should take a system led approach to investment rather than capital project funding model. Merit in investigating other models used in other countries, such as funding mechanisms used in the Netherlands.
- **Balancing environmental concerns** - Committee members expressed that there was a severe reluctance within parts of the Environment Agency to spend on watercourse maintenance for fear of internal concerns raised by fisheries biodiversity and geomorphology colleagues, which has created a culture of reluctance to proceed with channel and embankment maintenance works. There were increasingly delays to projects in order to receive environmental consents/approvals (e.g. protected species / Habitats regs etc) – concern that these were disproportionate to the risk of environmental harm, which were often short term, and not maintaining such systems risked much greater environmental degradation over time.
- **Flood response and recovery funding** - Need for a clear and transparent system for allocating funding across all risk management authorities following major flood events
- **Assessing the multiple benefits** - Need to look more widely at benefits beyond homes – to look at value provided to jobs, health, landscape, infrastructure, agricultural land and productivity etc. Should also address savings to CO2 emissions, and enhancements in soil condition (peatlands), water resources (retain water safely), environment beyond protected sites and species.
- **Environmental Statutory Allowance (ESA)** - Specific concern raised by some IDBs about availability of funding within FDGiA for existing protected sites, and the availability of such funding for non-EA RMAs.
- **Accountable body** - Whether there should be a separation of the accountable body responsible for allocating, apportioning, and appraising projects, separate from the Environment Agency as a delivery body completing projects.

	<p>Action: IM to circulate to Committee Members and IDB officers a summary of the key points raised to help shape ADA's response to the upcoming consultation.</p>
<p>35</p>	<p>Updates</p> <p>a. Defra/Environment Agency</p> <p>CT reported that the next meeting of the Flood Resilience Task Force would take place on 05 February 2025 chaired by Floods Minister, Emma Hardy. The meeting would focus on longer term strategy and resilience. On 15 January 2025 there was a Westminster Hall debate in Parliament on 'farmland flooding', and Minister Hardy discussed strategies for enhancing flood resilience with local authorities.</p> <p>Defra would shortly be publicly consulting on land use, which will inform a Land Use Framework, which will be developed by later in the year.</p> <p>i. IDB costs and benefits research project</p> <p>Defra's research project looking at the funding of IDBs was set to go ahead, covering expenditure of IDBs and the value/benefit of the work undertaken by IDBs. Defra had received feedback from the extraordinary meeting of ADA's Board of Directors on 03 December 2024, and Defra are looking at the next steps. Additionally, Defra's peatland team were also undertaking research on 'Understanding the role of IDBs in managing water levels for carbon', the research will be completed by October 2025.</p> <p>IT summarised the three recommendations from the extraordinary meeting of ADA's Board of Directors on 03 December 2024 regarding the Defra commissioned IDB research:</p> <ul style="list-style-type: none"> • ADA supportive of study with an additional ask that outcomes and benefits included, • would help to provide data as appropriate, • matter for Defra to ensure contractor was impartial. <p>ii. IDB Ratings Guidance and Statutory Instrument (SI)</p> <p>Defra's legal team were working on the Land Valuation SI, associated guidance for IDBs, and guidance for the creation of new IDBs. Draft new guidance is expected to be ready shortly and it is hoped to get Ministerial approval to place the SI before Parliament in the next couple of months.</p> <p>The SI will require data related to the value of non-agricultural land within drainage districts. IM mentioned that the Valuation Office Agency (VOA) is assisting Defra and ADA comparing its GIS data with IDB boundaries. This would require the boundaries defining areas within drainage districts with differential rates. ADA had taken an action to publish a revised data set on data.gov.uk in the next six months and will seek assistance from an IDB GIS officer for this work.</p> <p>Action: IM to commission an updated IDB boundary data set, including differentially rated areas with drainage districts. GIS data to be requested from IDBs.</p> <p>iii. IDB Storm Recovery and Asset Improvement Grant</p> <p>RB reported positive progress with the three tranches of funding to IDBs:</p> <ul style="list-style-type: none"> • Tranche 1. Storm recovery. A majority of the allocated funding had been paid to IDBs. • Tranche 2a Asset improvement. Half had been spent following November announcement of those receiving funding. • Tranche 2b Asset Improvement. The closing date for IDBs to apply for funding for works to be completed by 31 March 2026, was Friday xx January.

The Environment Agency has been undertaking an evaluation of the schemes in Tranches 1 and 2a.

IT thanked RB for his work on the allocation of the grant funding to IDBs, and the benefits this is providing to these smaller risk management authorities.

Action: RB/JA to confirm whether findings from evaluation of grant funded schemes will be shared with ADA/IDBs in due course.

b. Local Authorities

MJ read a short report provided by MH covering:

- recent flooding in Lincolnshire resulting in a near permanent state recovery following storm after storm. LLFA dealing with incident management as a result.
- Devolution White Paper and how a number of local councils are being asked to reevaluate core services, as they look at options for the creation of combined authorities.

SL discussed the recent meeting of the LGA IDB Levies Special Interest Group meeting with the MHCLG Secretary of State, with the feedback that the government are not looking at solutions for the budget issues of IDBs but rather reviewing that of local authorities. IT is continuing to maintain a link with the LGA.

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Workstreams

a. Ratings Working Group

The Committee discussed the ~18 IDBs working with the developers of a new ratings software system, which whilst not commercially available yet, but would be web-based, and was on track to be operational by the next financial year.

The Committee discussed legacy access to the existing DRS system, IT understood that this would be continuing, but without further support or update.

b. IDB governance

IM reported that the revision to the IDB Good Governance Guide is work in progress.

The Committee discussed several ongoing consultations from MHCLG. One on reforms to audit arrangements for local public authorities. The other on standards in local government and the creation of a conduct framework for local authorities. The proposals were interesting, including the suspension of elected officials where rules had been broken. However the MHCLG proposals included all forms of local government except IDBs. IM had been discussing the proposals with Wilkin Chapman LLP with a view to how these how could potentially apply to IDBs.

The Committee discussed closer alignment for IDBs with the governance regime of other local authorities, with a view that this would be beneficial but should also remain distinct and recognise differences in structure and purpose between the different types of authority, especially more specialist bodies such as IDBs.

The Committee agreed that a consistent code of conduct would be beneficial for IDBs similar to those of other local public authorities.

	<p>c. Lowland Peat</p> <p>IM reported that good progress was being made with the completion of the various LAPSIP projects being delivered by IDBs, and provided an overview of the number of different types of infrastructure being installed and the benefits to better management of water levels in areas of lowland peat. IM reported that there was a completion deadline of 15 February 2025, but that a number of the projects had requested extensions through to the 31 March 2025. These were in the process of being granted by Defra.</p> <p>Consultants working on the project for ADA were in the process of writing a lessons learnt report. ADA was also discussing with Defra areas of further work around IDBs’ water level management and lowland peat for 2025/26, but that further funding of small infrastructure would not be likely until 2026/27 at the earliest. Work in 2025/26 could look at:</p> <ul style="list-style-type: none"> • Further investigating lessons learnt from LAPSIP projects, • Creating support for a pipeline of small water level management infrastructure projects in lowland peat areas, including preparing business cases. <p>d. Watercourse rights and responsibilities</p> <p>The Committee discussed arising issues regarding the responsibilities of public authorities for the management of assets such as bridges and culverts under highways. No conclusions were drawn or actions taken.</p> <p>e. Climate</p> <p>IM sought support for the creation of a further resources to assist IDBs around climate change and carbon reduction, and cautioned that further work was currently dependent on assistance from committee members and IDB staff.</p>
37	<p>Highland water and precepts</p> <p>Highland water contributions, which are discretionary payments to address the impact of additional volumes of water entering drainage districts from elsewhere in the catchment were under scrutiny.</p> <p>IT reported that the Environment Agency were proposing to pay 70-80% of the highland water claim submitted by each IDB in 2024/25. However, the Environment Agency were projecting that this would reduce to 50% of claims made in 2025/26.</p> <p>RFCCs are operating with reduced levies creating a significant funding shortfall. Many RFCCs have taken the decision to stop funding contributions toward highland water claims, but one continues to support funding such claims.</p> <p>It was noted that this could further exasperate operational issues for smaller IDBs struggling with rising costs, particularly due to electricity unit rates and standing charges required for pumping water.</p> <p>The Committee was frustrated that the budget for highland water contributions had not been adjusted to account for rising operational costs, including those associated with increased rainfall and incoming water volume.</p> <p>RB reported that a pilot study is underway to better understand costs and determine if arguing for highland water contributions is feasible. There was currently insufficient data on rainfall volumes and</p>

	<p>their contributions to highland water input volumes into drainage districts, complicating decision-making and funding justifications.</p> <p>The Committee asked RB if Defra are leading a review of highland water charges and he said he would query this with JA.</p>
38	<p>IDB Amalgamations presentation</p> <p>IM discussed the ongoing IDB amalgamations between two IDBs in Kent and three within the upper Great Ouse catchment, noting that these had an knock on impact to ADA's membership subscription income in the future. Furthermore, that interest in amalgamation was driving an increased number of requests to ADA from IDBs, Environment Agency and Defra for advice and support through the amalgamation process.</p> <p>IM sought support on creating more standardised guidance around undertaking amalgamations. The Committee did not want to pursue further support or guidance at this time, but wanted ADA to respond promptly to requests.</p> <p>IT reported that the Middle Level Commissioners had employed a consultant to look at the potential amalgamations amongst IDBs in their area, and IT hoped that their findings could be shared with the Ely Group of IDBs who were similarly considering amalgamation. IT was discussing amalgamation process with James Perkins, Team Leader within the Flood Policy Statement and Planning team at Defra, and wanted to identify how the process could be simplified and that Defra had sufficient resource to action these amalgamations when they come through.</p>
39	<p>ADAs position on planning matters</p> <p>The Committee discussed the role of IDBs within the planning process, specifically:</p> <ul style="list-style-type: none"> • whether IDBs should be statutory consultees, • increasing the charges for land drainage consent applications, as had been investigated by the LGA and discussed with MHCLG/Defra. <p>No decisions or actions were made.</p>
	<p>Close</p> <p>The Committee's next meeting would take place on Monday 12 May 2025, Westminster Kingsway College, London.</p>