



Association of Drainage Authorities

Rural Innovation Centre, Avenue H,
Stoneleigh Park, Warwickshire, CV8 2LG
Telephone +44 (0)2476 992889
Email admin@ada.org.uk
Website www.ada.org.uk

TECHNICAL & ENVIRONMENTAL COMMITTEE

**DRAFT - Minutes of the Meeting held on Wednesday 11 May 2016
at CIWEM Offices, Saffron Hill, London EC1N 8QS**

Present: Trevor Purllant (TP) (Chairman)

Ian Benn (IB), Alison Briggs (AB), Cliff Carson (CC), Rob Cathcart (RCt), Robert Caudwell (RC), Henry Cator (HC), Chris Manning (CM), Andrew Newton (AN), Martin Shilling (MS), Nick Stevens (NS), David Thomas (DT) (Honorary Secretary), Innes Thomson (IT) (Chief Executive)

Apologies: Paul Burrows (PBw), Ken Pratt (KP)

In Attendance: Ian Moodie (IM), Ian Russell (IR)

Ref	Minute	Action
1378	Declarations of interest – None	
1379	Approval of Minutes – Minutes of the meeting held on 11 January 2016 were agreed as a true and fair record.	
1380	Matters arising Min 1362 - IR had spoken to Steve Whittam (Environment Agency) regarding ground pressure tires, who was keen to work with ADA and IDBs on this. Action: IR to take forward action on ground pressure tires with Steve Witton. Min 1374 - IT said that ADA was keen to work with CIWEM more closely especially regarding how best to engage the industry on professional qualifications.	IR
1381	Health, safety and welfare update IB went through the briefing he had provided on HS&W issues. Action: IM to circulate HS&W notes by IB to committee members and compile for ADA Gazette. The Committee discussed how to engender greater ownership of HS&W responsibility amongst IDBs of all sizes. The Committee agreed that raising awareness amongst Drainage Board members is vital. Board members are collectively legally responsible for all health and safety matters, and could be liable for manslaughter if negligent in their duties. For smaller Boards especially, better understanding their legal responsibilities was highlighted, and how ADA	IM

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can make clear the steps it is taking to inform and advise Boards on their responsibilities.

DT was supportive, must not lose sight of protecting people, and thinking properly about and minimising the risks, with the paperwork following. He felt method statements are less useful than risk assessments, the latter which require people to stop and think about the individual task being completed.

IR had found that in setting up PSCAs, the vast majority of Boards had HS&W paperwork and those with gaps had put procedures in place.

The Committee discussed opportunities for ADA to support training packages or information sharing, possibly utilising ADA's Branch structure.

DT stated that Croner currently provide HS&W services to his local IDBs, giving updates on legal changes etc. They have increased their number of annual visits to four per year. This enables the setting up of meetings with IDB officers and chairmen looking at what measures they have in place and what are the gaps.

IT asked whether ADA could act as a broker between Croner and IDBs in the future to help disseminate information.

IB suggested that it would be helpful to look into the accident statistics across the industry. Need to understand the culture and situation, near misses within the industry.

CM suggested making links with NFU Mutual who had led on campaigns to increase HS&W awareness in farming.

JO emphasised the need to be careful setting out the path ADA takes and avoid dictating to Drainage Boards. It was important that Boards were recognised as responsible public bodies.

CC noted that having had visits from health and safety officers in the past, they had looked for the culture and what general measures were in place.

DT asked about which IDB operations are covered by CDM regulations. As there was uncertainty over routine maintenance activities such as dredging or vegetation cutting and whether these required full or 'light CDM'?

IB explained there were split views on this. The Environment Agency had been very keen on CDM applying across majority of operations, especially relating to embanked watercourses, but this does not apply to IDB normal watercourse maintenance. However, as soon as works became channel/embankment re-profiling, then CDM does apply. In terms of general maintenance, whilst CDM may not apply in all circumstances, it is important to draw from the best principles contained within the regulations.

Action: Working group on HS&W to be brought together from T&E Committee IB

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	<p>and wider ADA membership led by IB.</p> <p>Action: Article in Autumn Gazette emphasising importance of engendering HS&W responsibility at Board level.</p>	IB
1382	<p>SuDS amendments to Housing & Planning Bill</p> <p>IT explained that during the discussion of the Housing & Planning Bill in the House of Lords, a successful cross party amendment had required sustainable drainage systems (SuDS) to be included in new developments, including small-scale developments, and to remove the automatic right to connect to existing drainage systems. However, the amendment was later withdrawn following a government pledge to carry out a review of existing planning policy related to flooding.</p> <p>The Committee discussed the amendment and SuDS in general within the planning system. The Committee agreed that the most important factor wasn't simply the design of SuDS but about ensuring their maintenance. The Committee felt that Sustainable Drainage Approval Bodies (SABS) had appeared to be a hopeful way forwards until they were ditched. Finding an effective mechanism for IDBs and others to adopt SuDS from a developer was viewed as the best approach where possible. There was a preference for commuted sums/voluntary contributions from developers to IDBs/other risk management authorities.</p> <p>JO highlighted the importance of finding upfront SuDS solutions before development and ensuring what is built can be maintained economically.</p> <p>NS highlighted that his Boards had not seen any development go through wanting to support a commuted sum. Most want a development company approach, but these came with the risk of not delivering long term maintenance. Somerset IDBs wanted a bylaw to ensure the maintenance of SUDS.</p> <p>DT was keen that commuted sums for SuDS should look beyond the 30 year rule to the life of development - 50 to 100 years.</p> <p>AB was concerned about the idea of 'in perpetuity', and believed commuted sums require ministerial approval having sought a legal opinion on this.</p> <p>DT stated that his Boards were seeking a voluntary contribution towards adopting a drainage requirement from a developer.</p> <p>CM highlighted the value in developing more strategic, more joined up, easier to maintain SuDS.</p> <p>AB noted that some SuDS were within the middle of developments, and about the wellbeing of residents as well.</p> <p>Action: ADA to maintain dialog with Defra about their planned intentions for</p>	

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	<i>SuDS and SABs</i>	IT/IM
1383	<p>FLOODEX 2016</p> <p>IT reported that FLOODEX had signed up a good number of exhibitors and the focus was currently on ensuring that plenty of visitors attend, with strong support from across the industry. IT highlighted the seminar programme that ADA had put together and welcomed the support from members of the Committee. The EA would be taking a stand and bringing their flood incident support vehicle. Visitors from similar Associations in Germany, Italy, the Netherlands and Portugal would be attending in advance of an informal EUWMA meeting on the Thursday evening discussing WFD and future submissions to the European Commission. IT expected the event to provide ADA with a profit.</p> <p>The Committee discussed the work undertaken by ADA's event partner Indigo Media to promote the event in the construction and local press.</p> <p>DT had been encouraged by the number of sales companies who have sent through flyers for the event.</p> <p>Action: Committee members to promote FLOODEX 2016 event to colleagues and Board Members.</p>	All
1384	<p>ADA Policy & Finance Committee updates</p> <p>IT took the Committee through the agreed P&F workstreams and agenda items which would be discussed on 12 May 2016, including a paper on reviewing ADA subscriptions for 2017 and 2018. IT reported that good work had been started by Phil Camamile, Craig Benson and Karen Daft on a trial approach to rating land in drainage districts based on an updated methodology and values. This approach would now be trialled by other IDBs.</p> <p>DT felt that issues regarding ADA subscriptions in 2016 were around the scale of the increase and uncertainty in what more members would receive for this investment. DT felt it was important to now set out what ADA has done and what ADA wants to do. Also, announcing subscription increases at Conference (now regularly in November) is too late in the year, need to learn from this.</p> <p>The Committee discussed the importance of ADA Branches providing views on subscriptions and outputs from ADA.</p> <p>CC said that revising the subscription scale would be attractive to smaller boards.</p> <p>IT reported that P&F Committee Member, Andrew Morrith would shortly be moving back to Coal Authority from Ouse & Humber Drainage Board to become their expert on flood and drainage matters.</p> <p>Action: IM to include link to Committee minutes in ADA News Stream emails.</p>	IM

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<p>1385</p>	<p>ADA Board updates</p> <p>HC said that the focus of the Board is currently on collaboration and partnership within the industry to achieve better action and outcomes on the ground. The Board is interested in any gaps where this isn't currently working. Communication was the other key area and a refresh of ADA's website was needed. ADA would be recruiting following FLOODDEX for a suitable replacement for Ellie Cave who had been appointed as maternity cover for Heather Bailey (Communication & Events Officer), and so there was currently a temporary gap in ADA staff resource. IM was focusing on FLOODDEX Handbook and Seminar delivery and ADA Summer Gazette in the interim.</p> <p>IB concurred that promoting IDBs as responsible public bodies is key and exciting. If Defra see IDBs as a safe pair of hands then the industry will have wider opportunities in the future.</p> <p>IT reported that IM and IT had recently attended meetings in the Lyth Valley and Waver Wampool catchments regarding new IDBs. There had been a positive discussion in both meetings regarding the value of modern IDBs. IT reported that ADA is also talking to the LGA, ADEPT and the District Councils Network regarding partnership opportunities for ADA and risk management authorities.</p> <p>HC said the Board was also committed to getting younger people involved in the work of Drainage Boards. He ask the Committee for its views on how we should engage more with younger members?</p> <p>IB agreed that IDBs need to involve younger farming groups and felt that Boards larger than 20 members made it harder to deliver outcomes.</p> <p>TP said that his local Board has been looking at challenge of bringing in new younger members but has proved challenging.</p> <p>Committee agreed ADA should have a role in communicating the value and purpose of IDBs to potential new members of Boards by articulating their role within the wider farming and local government communities.</p>	
<p>1386</p>	<p>Environment Agency updates</p> <p>IR provided updates from the EA. IR said the EA's stand at FLOODDEX would focus on partnership working and the WEM framework.</p> <p>Forthcoming reports due to be published before the summer recess at the end of July:</p> <ul style="list-style-type: none"> • National Flood Resilience Report • Cumbria Flood Action Plan • Review of the F&WM Act 2010 • Report on how incident response management is handled. <p>An updated Environment Agency capital works programme for 2016-17 should</p>	

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	<p>be published in a similar timeframe. This includes an extra £40 million per year for the next four years towards maintenance as announced in the 2016 budget.</p> <p>The Committee discussed how IDBs can support maintenance operations funded by the additional £40 million. IT explained that Jim Barlow and Alison Baptiste had a key role in securing its effective delivery. The Committee agreed that the key was to ensure maintenance operations are undertaken well and efficiently, delivering good value for money and not about who does what.</p> <p>IT noted that whilst EA maintenance would continue to be prioritised on high medium and low basis, the new funding would hopefully bring the cut off line further down the list and allow for greater local cooperation on delivery and maintenance planning which should be welcomed by all.</p> <p>NS noted that it had reduced the line on SAMPs from 8 to 1 to 4 to 1 benefit. Precept funding being freed up to spend on other priorities. This could be utilised to bring assets into condition to pass on to other organisations better placed to maintain them in the future.</p> <p>RCt had been talking to the Somerset Consortium of Drainage Boards about the currently unlicensed transfers of water into national nature reserves and other designated sites. RCt was talking to Defra and EA nationally, and requested to share notes on water transfer licencing further with ADA. Hannah Weatherall from Natural England would be visiting Somerset soon to understand this issue better.</p> <p>IT felt that it was important that the benefit from IDB water level management operations to these sites was recognised by those involved in setting the new regulatory regime. It was important that those affected were talking to Defra in order to find practical solutions.</p> <p>Action: IM and RCt to discuss water transfer licencing further outside of meeting.</p>	IM/RCt
1387	<p>Eel Regulations update and fish passage developments</p> <p>AB attended the most recent eel stakeholder meeting in April, at which it was confirmed that the Environment Agency's regulatory position statement on eels needed to be updated following Defra's guidance update.</p> <p>The Committee felt the new position was helpful and more pragmatic and agreed that medium and low priority sites should still be worked on if the situation arises if work is to be undertaken anyway. It would be important to continue to look for opportunities where tackling a site could be wrapping in with other sites nearby to provide a better solution.</p> <p>There was some discussion about what component part of a structure can be refurbished without the need for consent under the eel regulations. AB stated that any changes that might alter the passage of an eel would require consent</p>	

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	<p>and it would be for the IDB/asset owner to take a view.</p> <p>The Committee noted that some local EA fisheries were saying that soft start pumps, which are only fish friendly at some revolutions, might have restrictions placed on their use. Soft start pumps had been looking at the best possible solution, but cost benefit calculator is key, to identify the best solution.</p> <p>Proportionality, FDGiA is for funding flood risk whilst maximising environmental outcomes. EA cannot provide FDGiA without partnership funding for most schemes. IDBs should also look at approaching EA fisheries, Rivers Trusts etc for such funding in future.</p> <p>DT noted that soft start pumps was talking about inverter driven pumps. Concern this could end up with a more technically complex pumping station, which may increase risk of failure. Where you have low pump hours, doesn't make sense where you have a static head. Can't just say you'll buy a fish friendly pump and then run it at twice the speed and some pump manufacturers weren't always challenging this.</p> <p>AB suggested Boards should keep a constant dialogue with their local EA fisheries team. Sometimes looking at sites, there simply isn't the upstream habitat available, and sites can be quickly downgraded if this is found.</p> <p>CM noted that it is similarly worth looking at some of the old pumps, which may actually be fish friendly in operation owing to a slow RPM, even if they are not badged as 'fish friendly'.</p> <p>DT said that there was still no firm date for a consultation on further fish passage regulations that Defra ministers had mentioned.</p>	
1388	<p>Managing assets & systems</p> <p>IB provided an update on the workstream and discussed the value of improving professional standards around asset management. IB highlighted ISO 55000</p> <p>IB noted that the industry needed to avoid overemphasis on capital expenditure and instead look to move toward total expenditure on assets and systems, building in revenue costs.</p> <p>HC asked about low carbon modernisation.</p> <p>IB said the industry should look for opportunities to reduce carbon through, wind pumps, merging assets, mothballing or removing completely. Isle of Axholme strategy is looking at this alongside asset transfer to IDBs in the future.</p> <p>IB said that looking at catchments holistically, will present opportunities, but will need to look at water storage. Reducing carbon emissions and footprint is important.</p> <p>DT said that modelling work was predominantly based around flow and not</p>	

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	<p>geo- and hydro-geomorphology, modelling of rivers in their entirety. By doing this allows maintenance and watercourse management aspects to be better integrated and valued potentially.</p> <p>DT felt the industry needed to take a more proactive approach with regards to geomorphology.</p> <p>HC asked if there was the potential opportunity for a PhD in this area.</p> <p>DT would be interested in a study looking at comparing the cost of completing work verses the cost of deferring the works.</p> <p>IR felt that this was critical in ensuring we recognise the optimum time to undertake maintenance, he felt that the EA may already have some ongoing/completed projects in this area</p> <p>JO would strongly welcome ADA leading on this work as it was felt the SAMPs route was not desirable.</p> <p>The Committee working group needed to have a broad discussions regarding total catchment management and that water resources was another critical issue given pressures experience in drought years.</p>	
1389	<p>Water Transfer Licencing</p> <p>DT reported that Sarah Hendry from Defra had suggested that the EA may want to divest themselves of some of their responsibilities, and therefore pass on some of these tasks to other authorities in the future. Abstraction licencing was on their radar to transfer it to others, including IDBs. However, DT reported that the Middle Level Commissioners felt uncomfortable with that approach and preferred the current arrangements which looked at the wider interests.</p> <p>DT felt that licencing felt that licencing was a very specific regulator tool, and it might be better to be more flexible regarding transfer licencing and situations where IDBs and farmers may seek to refill reservoirs during periods of higher water, regardless of season.</p>	
1390	<p>Data & evidence</p> <p>IT discussed a recent meeting with Oliver Harmar from the EA's data and evidence team who was looking to find opportunities to start working more closely with IDBs. This could provide an opportunity to embed an IDB liaison person within the EA's data and evidence team to disseminate key information to Boards.</p> <p>JO raised concerns regarding the freely available data that the EA made available such as indicative flood maps which were only able to remodel and map main river and not ordinary watercourses.</p> <p>NS reported that Oliver Letwin MP had said that post flood measurements in Cumbria will take lessons learned and then remodel Cumbria, but unclear on</p>	

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	outputs.	
1391	<p>Nationwide reviews following 2015/16 floods</p> <p>IT reported that ADA had responded to the EFRA Committee’s inquiry into Future Flood Prevention.</p> <p>IT reported that HC & IT had attended a session of the Government’s National Flood Resilience Group. IT had been alarmed that the resilience risk to critical infrastructure sites owing to failures of secondary infrastructure (transport, communications, power etc) were not being properly considered. IT highlighted the closure of Immingham Port owing to failed points motors on the port’s railway line as an example of the vulnerability of some key infrastructure.</p>	
1392	<p>Total Catchment Management</p> <p>JO reported that the working group on this would meet after the Committee meeting to discuss further. The stance to take, would be that IDBs think catchment wide from day one, holding back water locally in clay pits, not new to us. Want to bring everything together and be an honest broker of opportunities.</p> <p>RC reported that in the South Forty Foot Catchment Anglian Water are interested in building a multiuse reservoir and are looking to progress that with other partners including the IDB to provide water for industry, agriculture and domestic use, as well as for environment/habitat enhancement and flood attenuation.</p> <p>IB said that a colleague at JBA Consulting Steve Rose had recently given a presentation on the different work being undertaken on NFM measures. One area of interest was construction of bunds along field stream boundaries, collecting silt that would otherwise go straight into the local watercourse.</p> <p>DT suggested ADA could think about conducting webinar sessions on key topics themes like this. Could be covered in an hour.</p> <p>IT suggested creating video clips of good work conducted by ADA members.</p>	
1393	<p>Ecological improvement</p> <p>CM reported that RCT’s Biodiversity 2020 paper had set out the agenda for this workstream. The working group had held a telecom, and were due to hold a further call in July.</p> <p>There was a discussion on IDB biodiversity action plans which were due a refresh. There was a feeling that many original BAPs were over ambitious and challenging to deliver on some outcomes but there had been positive work on cooperative projects as well.</p> <p>CC reported that each of his Boards’ BAPs included support for the creation of ponds and reedbeds. He said by Boards putting such objectives in had given succour to those Board members who had then taken opportunities to dig</p>	

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	ponds to provide wider benefits. This illustrated the value of including some more ambitious objectives.	
1394	<p>Public Sector Cooperation Agreements</p> <p>IR gave an update on progress with rolling out PSCAs to risk management authorities. Regarding using PSCAs with emergency response, he have explored this and talked to other groups, shared partner resources. Looking forward how do we make best use of PSCAs?</p> <p>JO asked whether PSCA can have multiple signatories as the Bedford Group of IDBs currently undertakes consenting for multiple bodies, and have a memorandum of understanding to cover this.</p> <p>Action: IR to confirm whether PSCA would be relevant in the above circumstances.</p>	IR
1395	<p>AOB</p> <p>None</p>	
1396	<p>Date of next meetings:</p> <p>Thursday 22nd September 2016 – all day meeting – London, venue to be confirmed</p> <p>AB asked whether there remained plans to holding meetings at IDB offices?</p> <p>RL said that BWB have an Office near London Bridge, and would be happy to offer free of charge.</p> <p>Dates for 2017 – 10th Jan, Weds 24-25 May, 19-20th September 2017.</p> <p>The following dates were proposed for Committee meetings in 2017:</p> <ul style="list-style-type: none"> • Tuesday 10 January – joint meeting with Technical & Environment Committee • 7 or 8 June, • 19 or 20 September. 	