



## BOARD MEETING

**Minutes of the Meeting held on Tuesday 13<sup>th</sup> February 2018 at  
CIWEM Venue, 106-109 Saffron Hill, London EC1N 8QS**

- Directors Present:**     **Robert Caudwell (RC) – (Chairman)**  
 Tony Bradford (TB) after 13.00, Keith Caswell (KC), Malcolm Harris (MH), David Hickman (DH), David Jenkins (DJ), Andrew McLachlan (AMc), John Markwick (JM), Trevor Purlant (TP), Chris Rusbridge (CR) (Defra), Ian Thornton (ITn), Duncan Worth (DW), Catherine Wright (CW)
- Company Secretary:** Peter Bateson (PB)
- In Attendance:**       Innes Thomson (ITh), Ian Moodie (IM), Sue Crowther (SC), Priscilla Haselhurst (PH), Bronwyn Buntine (BB).
- Vice Presidents (not present):** Anne McIntosh (AM), Neil Parish (NP), Jean Venables (JV), David Riddington (DR)
- Apologies:**             Lord De Ramsey (LDR), Bryan Collen (BC), John Heading (JHg), James Hereford (JHd), Michael Watson (MW)

Ref	Minute	Action
134	<p><b>Welcome, Apologies and Declarations of Interest</b>            RC welcomed everybody to the meeting, especially PH attending as an observer from Medway Council, North Kent Marshes IDB for ADA’s South Eastern Branch; and Bronwyn Buntine from Kent County Council on behalf of LASOO/ASA.</p> <p>The Board stood to observe a minute’s silence in memory of James Epton MBE, who had recently passed away. RC remembered James as a huge supporter of ADA, internal drainage boards and water level management in Lincolnshire and nationally. James was pivotal in bringing members together in the ADA committees he had chaired and events and demonstrations he had helped coordinate. A full obituary to be included in the Spring 2018 ADA Gazette.</p> <p>See above for apologies. There were no declarations of interest.</p>	
135	<p><b>Minutes for Approval</b>            The Minutes of the Board meeting held on <b>17 October 2017</b> as presented at this meeting were agreed as a true and fair record by the Board.</p>	
136	<p><b>Matters arising</b>            Item 128a. – ITh reported that a health and safety questionnaire was still in development. ITh was working with Ian Benn, ADA Health &amp; Safety Adviser, and the aim is to develop a relatively short and easy to complete questionnaire that provides comparable data with other sectors and repeatable annually. ITh hopes to report on progress by or at the next Board meeting. CW said the Environment Agency would be happy to assist on this matter, the wellbeing of workforces being a matter of shared importance and that Peta Denham would engage on this.</p> <p>Item 131d. – RC thanked PB for representing ADA and speaking at Floodex Europe 2017.</p>	
137	<p><b>Association of SuDS Authorities (ASA) Collaboration</b>            ITh outlined the background to a potential collaboration between ADA and a prospective new local authority SuDS association, ASA. ITh noted the continued close working between risk management and planning authorities on sustainable drainage. In short the aim remained for ADA to assist with further developing the sustainable drainage agenda in England.</p>	

BB started by presenting the motivation for forming an Association for SuDS Authorities. The key drivers being:

- the failure to fully enact Schedule 3 of the Flood & Water Management Act 2010,
- disjointed policy drivers for Defra and DCLG, flood risk versus housing demand/targets,
- ongoing issues with the adoption and management of SuDS,
- the remaining rights to connect to sewer network,
- withdrawal of activity by Environment Agency in specific areas,
- variability in capacity and knowledge across LLFAs to consider surface water matters.

BB discussed the background to LASOO (Local Authorities SuDS Officers' Organisation) as an informal group of 300 users on the KnowledgeHub online forum. The group had been useful to authorities developing their LLFA role in relation to SuDS and LASOO had held a conference event for local authority officers on SuDS in 2017 at which a proposal for forming a more formal association was put to attendees and supported by a majority.

BB reported that a number of authorities (~50) had already committed to funding a new association, whilst a handful of others had responded positively to the premise but did not have funds to commit to an association at the present time. LASOO had approach Defra for setup funding to establish such an association, but this had been declined.

BB concluded her presentation highlighting the need for further engagement by and between local authorities on SuDS and such an association could deliver on technical aspects, and communicate these outputs through newsletters, guidance and workshops.

RC stated that such an association would need to have clear products, outcomes, and outputs that are currently unavailable from existing sources.

DH agreed that SuDS remains a key part of the broader water management environment and warranted close attention. DH asked what assessment and engagement had been made regarding where ASA would best fit with existing associations, namely ADA and ADEPT (Association of Directors of Environment, Economy, Planning & Transport).

BB had engaged with ADEPT and noted that it was director led and focused on county, unitary and metropolitan authorities and had an existing Flood & Water Management Group led by Steve Willis from Lincolnshire County Council. BB stated that ADEPT engaged well on strategic issues, but its focus to date had been less on surface water and SuDS. BB noted that any collaboration with ADA should not act as a barrier to collaboration with ADEPT on shared topics and issues. The importance of regular feedback to members was highlighted as important and something that ADA could provide.

ITh noted that ADA was looking to strengthen links in this area with local authorities.

AMc recognised, as a former local authority officer, the frustrations stemming from the failure to create SuDS Approval Bodies, which had substantially held back the management of surface water in England. AMc asked whether ASA would look to continue to lobby around the adoption of Schedule 3 of the Flood & Water Management Act 2010.

BB had worked on the technical standards and the issues in taking forward SuDS Approval Bodies were around DCLG's objection to increasing council taxation. Fundamentally ASA would focus on the integration and regulatory side of SuDS focus is on technical output in first instance and better guidance/training to avoid differences in interpretation of standards and legislation between authorities. BB saw ASA providing knowledge and data to other organisations like ADA, LGA and ADEPT to make those points.

ITh thanked BB for her paper, presentation and for answering Directors' questions.

BB left the meeting to enable the Board to discuss the proposals put forward.

DJ recognised the fragmentation and supported ADA's aspiration to cover a broader assemblage of risk management authorities and water management matters. DJ felt the proposals was an important opportunity to move forwards both ADA's aspirations in this area and those involved with LASOO. DJ had wondered about ADEPT too, but convinced that ASA could be the best vehicle on this matter.

	<p>DW agreed this was a very important area, and that ADA should be involved. Wanted assurance about how it will work with ADA's existing business needs.</p> <p>ITh stated that the proposal enabled ADA and ASA to operate as separate entities. Would utilise ADA's existing ability to administer a membership body, such as managing a website, newsletters and collecting funding/subscriptions. ADA would therefore be providing a service to ASA. The proposal would however require a new technical person to lead on ASA matters.</p> <p>CW understood the problems related to SuDS but needed to see clarity of outcomes regarding ASA. Wanted to understand how this would integrate with any ongoing work being undertaken by Defra.</p> <p>PB highlighted three points: 1. check ADA's Memorandum and Articles of Association to check that partnership with ASA would be possible on existing terms, 2. needs a group to flesh out in more detail the proposed outputs and the financial impacts to both associations and a budget, 3. Make clear what success look like to ASA, and also ADA within such a partnership.</p> <p>TP questioned whether ADA had the available resources to facilitate another association at the present time.</p> <p>DH felt that ASA group within ADEPT could work and wanted to see more detail on what ADA would be signing up for.</p> <p>ITn wanted to make sure both organisations were clear on how they could exit such partnership arrangements when necessary in the future.</p> <p>RC concluded the discussions noting that there was cautious support amongst directors for such an association and collaboration with ADA, but that more detail was required on the outputs/objectives of ASA, an outline budget and business plan, and contractual arrangements between both associations that include an exit clause. RC highlighted that any collaboration needed to ensure it remained cost neutral to ADA.</p> <p><i>Action: ITh to investigate provisions for collaboration with other authorities contained within ADA's Memorandum &amp; Articles of Association.</i></p> <p><i>Action: ITh to provide feedback to BB and request further details as outlined.</i></p> <p><i>Action: ITh and BB to develop draft contract for collaboration between ASA and ADA.</i></p>	
138	<p><b>Business Planning and Finance</b></p> <p><b>a. Finance Report for 2017</b> ITh took the Board through his financial report, highlighting income from subscriptions, ADA Gazette and events, most notably Floodex UK 2017. On expenditure, highlighted staff costs as the largest costs, but also included one officer's time focused on the ADA Gazette and this had not been separated out as per the budget for 2017 and as proposed for 2018.</p> <p><b>b. Budget for 2018</b> ITh presented the budget proposed for ADA during 2018. ITh highlighted that the PR contract held with Kendalls runs until July and the budget contains only funding to cover those arrangements contracted. There was a need to look closely at the value for money offered by the existing Kendalls contract before making a financial commitment beyond July 2018.</p> <p>DW and AM highlighted the need to have further funding available beyond forecast income for PR activity.</p> <p>RC need to evaluate the benefits provided by Kendalls, and see whether ADA can be more effective and efficient with this spend.</p>	

	<p>The Board approved the proposed budget for 2018 subject to a revision regarding PR funding post-July 2018.</p> <p><b>Action: ITh to provide Board members with a revised budget in line with comments regarding PR funding.</b></p> <p><b>c. New Chair for Policy &amp; Finance (P&amp;F) Committee</b> RC recorded thanks from the Board of Directors to ITn for his service as chair of ADA's P&amp;F Committee from which he was to step down from at the conclusion of the meeting.</p> <p>Tim Farr was approved by the Board as the new chair of the P&amp;F Committee, with effect from 1<sup>st</sup> April 2018.</p> <p><b>d. Update on 2017 spending on non-business ADA staff activities</b> ITh presented spend on these activities, which were approved by the Board.</p> <p><b>e. Business Plan 2017 to 2020</b> ITh presented progress against the business plan since the last meeting. It was noted that some areas had improved but some had changed to amber, notably regarding member communications having failed to deliver an ADA news stream email in January 2018 and on policy work having not formally responded to the National Infrastructure Commissions' consultation.</p> <p>The Board discussed progress towards delivering a comprehensive GIS layer showing the boundaries of all IDBs in England. IM reported that the work was close to completion, but was still awaiting GIS files from two IDBs to complete the project.</p> <p>The Board also noted that ADA's local authority membership remained below the target of 41.</p> <p><b>f. ADA Membership Questionnaire</b> ITh reported that ADA had only received 12 responses to the membership questionnaire issued in December 2017.</p> <p>DW highlighted the need to specifically email members to encourage responses for future surveys of this nature. RC suggested taking feedback through ADA Branch meetings.</p> <p><b>g. Membership update</b> ITh reported on 2017 membership which remained stable, but too early to report on 2018 renewals/cancellations although it was encouraging that some IDBs that had not been members for the past couple of years had or were intending to re-join. The financial position of Local Authorities was coming under increasing pressure and several have not renewed their membership as a result of cost saving directives.</p> <p><b>h. Company Secretary updates</b> PB nothing recently filed an update with Companies House but will make the necessary changes to Directors following change of chair of P&amp;F Committee.</p> <p><b>i. ADA Salaries in 2018</b> RC, ITh, IM and SC vacated the room to facilitate discussions. ITn took the chair for the Board's discussion on salaries.</p>	
139	<p><b>Defra and Environment Agency Matters</b> CW reported on:</p> <ul style="list-style-type: none"> <li>Environmental Permitting Regulations (EPR) Charges consultation, now closed, and the Environment Agency were currently looking through responses. The next steps included looking closely at permits for environmental schemes and where there is a wider public good, and also identifying more clearly how the charges have been calculated and see how savings could be achieved. The Environment Agency were moving into a decision making phase, that would require Environment Agency, Defra and Treasury approval. More opportunities to look at existing flexibility to make the permits more streamlined. Make efficiencies within the system, streamlining to digital systems. Clear response from ADA and others. Keep the dialogue open, through the decision making process.</li> </ul>	

CR noted an amendment to EPR to enable enforcement on flood risk activities and that Defra would be consulting on some aspects, namely exemptions and exclusions.

CW stated that when flood defence consents moved into EPR for main river activities in April 2016 and enabled for a significant increase in charges at that time and variability in charges dependent on scale, risk and type of activity including exemptions and standard rules permits. Currently 25% of users seek an exemption for the activities they register. CW noted that it was clear to the Environment Agency that some of these exemptions are currently tighter than they need to be and some users miss out.

AMc highlighted areas where watercourses of IDB systems interface with main rivers and CW requested further details.

- De-maining, it was noted that the consultations on three pilots had recently concluded and that there had not been a high level of response to the three pilots' consultations but this was in part thanks to the engagement pre-consultation through notices, and drop-in meetings. CW requested partners express an interest with the Environment Agency with regards to the pilots if they wanted to. CW reported that the Environment Agency were continuing to investigate how land and assets could be transferred at no cost to the IDB to facilitate local management by IDBs, particularly in the case of the Snow Sewer pilot and that staff changes had delayed the pilot in Norfolk but that it was intended these would be consulted on later in the year.
- PSCAs continues to rise, some well supported workshops have taken place and an update to the PSCA user guide is in development following on from the workshops. The Environment Agency will seek ADA feedback on these modifications. The Environment Agency were also investigating with ADA how the agreement could cover flood incident response and recovery works with the aim of having something in place in Autumn 2018.
- Eel regulations, recent meeting of working group, latest summary on pumping stations work. Capital programme – CW met with ITh and Julie Fowley where IDB schemes will protect a number of properties

PB reported that the Anglian Northern RFCC have agreed to fund a post to assist IDBs with submitting FDGiA schemes.

TB was concerned about water transfer licencing being introduced by the Environment Agency affecting the supply of water from main river into internal drainage districts to serve designated habitats.

CW confirmed that the Area Manger FCERM Scheme of Delegation limit has been moved to £250,000.

***Action: CW and ITh to discuss ADA's response to Environment Agency Charges 2018 consultation further.***

CR reported from Defra that three IDB reconstitutions were currently ongoing to reduce the number of Board members, these were Axe Brue IDB, Parrett IDB and River Lugg IDB.

TB highlighted the urgency to progress the procedure for both Somerset IDBs as these Boards were due to conduct elections due in November 2018 and the Board would wish to resolve the reconstitution before this.

CR also reported:

- ADA had held a useful meeting with NFU, CLA, LGA and Defra on reforming IDB ratings during the previous week. It was recognised that Defra were now looking for a suitable legislative slot to facilitate the necessary changes;
- the public enquiry to decide the future of the River Arun Internal Drainage District would begin on 20 February;
- publication of Government's 25 Year Environment Plan;
- Defra Flood & Water Team would be moving to 2 Marsham Street from 19 February;
- Sarah Hendry, Director for Floods and Water, would be visiting the York Consortium of IDBs on 23 February.

CR had been analysing results from the IDB1 returns received in 2017 following on from the NAO's IDB report. Defra had found some interesting points including some areas of

	<p>potential misinterpretation by some IDBs. Defra will be discussing these further with ADA and governance remained the primary focus. Moving forwards with guidance and training on good governance should help significantly and Defra was pleased to be funding work in this area being undertaken by ADA.</p>	
140	<p><b>Reports from Committees</b></p> <p><b>a. Technical &amp; Environmental Committee</b> TP presented the minutes and key actions from the Committee meeting on 09 January 2018.</p> <p>TP noted that the Committee had agreed to trial a revised approach to working in 2018, and will conduct its next meeting as a teleconference call. The aim is to trial new ways of working to better integrate workstreams into the Committee’s project delivery before agreeing a new format for 2019. The preference was to give members greater direct ability to propose and be involved with the Committee’s project work.</p> <p><b>b. Policy &amp; Finance Committee</b> ITn presented the minutes and key actions from the Committee meeting on 09 January 2018.</p> <p><b>c. Updated Committees’ Terms of Reference</b> ITh introduced the revised ADA Board &amp; Committees Guide.</p> <p>DW stated the guide should clearly specify that committees are advisory to ADA’s Board and make reference to ADA’s Business Plan. DW also commented on the size of both Committees, noting that some special advisers were in effect permanent members of a Committee and asked whether Committee membership should be shrunk.</p> <p><i>Action: ITh to revise the Guide to reflect feedback, distribute to Board and Committee members and publish on the ADA website.</i></p>	
141	<p><b>ADA National Activities</b></p> <p><b>a. Responses submitted to recent public consultations</b> IM reported on consultations ADA had responded to since the previous Board meeting:</p> <p><b>b. River maintenance transfer (de-maining) pilots</b></p> <p><b>c. IDB Good Governance Guide</b> IM reported that ADA had engaged Iain Smith to assist with the writing of a guide aimed at Board members and that funding towards this work had been approved by Defra.</p> <p><b>d. Water Transfer Licences</b> IM presented the report on water transfer licences and that a meeting had been held between ADA, IDBs involved with this workstream and EA and Defra staff. Some clarity about the number of licences required per IDB had been provided but there remained a number of outstanding questions, especially in regards to the potential damaging impact on the water environment and IDBs’ statutory functions and support of Environment Agency’s management of flood risk and water resources.</p> <p><b>e. Eel Regulations</b> IM reported that IDB representatives from the ADA workstream on eels had met with Environment Agency colleagues and they had agreed on a set of shared issues to investigate through 2018. The success of the research funding donated by IDBs and ADA was highlighted, which had helped unlock a further £200,000 of funding provided by the Marine Management Organisation.</p>	
142	<p><b>Communication &amp; events update</b></p> <p><b>f. ADA Conference 2017</b> ITh reported that feedback received from members had been very positive following the ADA Conference 2017 and that ADA had delivered a fully booked event for the first time since the Conference returned to London. The conclusion being that the ICE</p>	

	<p>remains a strong venue for hosting the Conference in terms of both the venue itself, service and its proximity to Westminster.</p> <p>ITh asked the Board for their views on the line up of speakers for 2018, and proposed inviting an opposition political view, potentially the shadow flood minister, or chair of the Environmental Audit Committee. Important for ADA to retain a balance of political perspectives as an apolitical organisation. This could be balanced against a senior Defra civil servant.</p> <p>Board members suggested seeking for the ADA Conference 2018 an international perspective on flood or water resource management, or a speaker highlighting climate change or critical infrastructure.</p> <p><b>g. Training events and seminars</b> ITh reported that ADA was looking to grow the training it can offer to members following on from delivering a new good governance guide for IDBs. ADA will be exploring how to better integrate training events into Floodex 2019.</p> <p><b>h. Flood &amp; Coast 2018</b> ITh reported that ADA will again have a stand at Flood &amp; Coast 2018, which will be used to promote the work of the association and the Floodex 2019 trade event. ITh is chairing an ADA led session within the conference proceedings.</p> <p>Action: Board Directors to promote Flood &amp; Coast 2018 to members as a useful professional development and learning opportunity.</p> <p><b>i. Floodex 2019</b> ITh reported that Environment Agency staff involved with Flood &amp; Coast had given assurance that Flood &amp; Coast 2019 would avoid conflicting with the dates proposed for Floodex 2019. Work was ongoing to collocate an allied event focusing on irrigation to be called 'Irrigex'. This event will integrate with a UK Irrigation Association spring conference. ADA was also working on developing a SuDS conference with those involved with LASOO, which was intended to proceed regardless of decisions around ASA.</p> <p>RC highlighted that the moving of the large agricultural machinery show LAMMA to the NEC in Birmingham might enable some local dealers and suppliers who previously exhibited at LAMMA to become interested in Floodex and Irrigex in 2019.</p> <p><i>Action: Board members to encourage members to put Floodex 2019 dates in their working calendars and look to facilitate board members and workforce staff wishing to attend.</i></p>	
143	<p><b>Any other business</b> RC stated that he wanted ADA to be an exemplar of good governance and had asked ITh to develop a risk register for ADA as an organisation. ITh thanked PB for sharing an example risk register from Witham Fourth District IDB.</p> <p><i>Action: ITh to present draft ADA Risk Register at next meeting for adoption.</i></p> <p>RC thanks on behalf of Board of Directors to ITn. Hoped would keep involvement with ADA.</p>	
	<p><b>Board meeting dates 2018</b> The Committee will meet on the following further dates in 2018, to be held at the CIWEM Venue in Farringdon, London:</p> <ul style="list-style-type: none"> <li>• 11.00 – 15.00, Wednesday 4 July 2018,</li> <li>• 11.00 – 15.00, Tuesday 16 October 2018.</li> </ul>	