



BOARD MEETING

**Minutes of the Meeting held on Wednesday 13th February 2019 at
CIWEM, 106-19, Saffron Hill, Farringdon, London EC1N 8QS**

DRAFT FOR APPROVAL

Directors Present: **Robert Caudwell (RC) – (Chairman)**
 Tony Bradford (TB), Keith Caswell (KC), Tim Farr (TF), Priscilla Haselhurst (PH), John Heading (JHg), James Hereford (JHd), David Hickman (DH), David Jenkins (DJ), Andrew McLachlan (AMc), John Markwick (JM), Chris Mutton (CM), Trevor Purllant (TP), Will Staunton (WS), Duncan Worth (DW), Catherine Wright (CW)

Company Secretary: Peter Bateson (PB) (apologies)

In Attendance: Innes Thomson (IT), Ian Moodie (IM)

Vice Presidents (not present): Henry Cator (HC), Anne McIntosh (AM), Neil Parish (NP), David Riddington (DR), Jean Venables (JV)

Apologies: Lord De Ramsey (LDR), Peter Bateson (PB), Hazel Durant (HD) (Defra)

Ref	Minute	Action
172	<p>Welcome, Apologies and Declarations of Interest RC welcomed everybody to the meeting and introduced Chris Mutton (CM) as the new Board Member appointed by the ADA Eastern Branch.</p> <p><i>Action: RC to write with thanks on behalf of the Board to Bryan Collen for his contribution to ADA.</i></p> <p>See above for apologies. There were no declarations of interest.</p>	RC
173	<p>Minutes for Approval The Minutes of the Board meeting held on 16 October 2018 as presented at this meeting were agreed as a true and fair record by the Board.</p>	
174	<p>Matters arising The Board discussed the actions completed following the previous meeting.</p> <p>Item 166a - CW sought specific examples of issues/delays regarding the FCERM capital scheme approvals process.</p> <p><i>Action: Board members to seek relevant examples from risk management authorities.</i></p> <p>163 IT reported that advertising the job vacancy would start in February.</p> <p><i>Action: IM to send an electronic invitation to Directors for upcoming meetings.</i></p> <p>171 AMc requested that the byelaws workstream be broadened to consider conveyancing.</p> <p><i>Action: IM to brief David Sisson, who is coordinating the Committee workstreams, on conveyancing issue. AM to be part of the byelaws workstream.</i></p>	<p>ALL</p> <p>IM</p> <p>IM / AMc</p>
175	<p>Finances and Business Planning</p> <p>a) Finance Report for 2018 and 2019 Budget</p>	

	<p>IT presented ADA's unaudited end of year income, expenditure, and bank balance figures for 2018. Income was in line with the 2018 budget, and expenditure comfortably inside of the budget. Savings had been achieved around overhead costs and spent in 2019.</p> <p>IT reported that underspend on professional activities reflected income to be carried forward into 2019. This was for the five Good Governance Workshops to be held in March and April, and for legal work relating to byelaws.</p> <p>DJ welcomed the summary approach to key financial figures provided in the meeting papers.</p> <p>Board welcomed the consistent income from subscriptions, but noted challenges ahead for local authority members.</p> <p>RC reported on discussion regarding ADA reserves at the previous Policy & Finance Committee meeting. RC keen for ADA to have a clear policy for reserve and their use, setting out what liabilities should prudently be covered.</p> <p>The Board noted the summary of ADA debtors as at 24 January 2019. IT highlighted the eight local authorities that had been credited having not paid their subscription for 2018. IT emphasised that local authority membership remained an area of focus for ADA. Board agreed that this required a proactive and positive approach from ADA.</p> <p>PM asked whether ADA's current financial/subscription year may be better to start in April for local authorities. IT noted that other local authorities welcomed the subscription renewal invitations arriving before their financial year end. On balance the current subscription term for ADA was felt to be the best compromise.</p> <p>IT reported that some local authorities had joined ADA in 2018/19 and the Board welcomed the support received from Derek Antrobus (Salford Council) who had highlighted the work of ADA to local authorities, particularly in the North West.</p> <p>AM noted that a handful of smaller IDBs simply could not afford membership and asked whether there remained any ongoing work around IDB subscription fee scales, such as a further lower band on the scale.</p> <p>Action: Light touch review of subscription fee scales to be considered within the drafting of the ADA Business Plan 2020-2023.</p> <p>IT presented a revised ADA budget for 2019 including income carried forward from 2018. IT thanked CW for clarification regarding a ~£10,000 accrual to the Environment Agency had been cancelled that was related to the form ADA/EA Partnerships Manager role. This had concluded with the retirement of Ian Russell.</p> <p>b) Spending on non-business ADA Staff activities in 2018 The Board noted ADA spending in 2018 towards non-business staff activities, in line with limits previously approved by the Board. The total spent was £1,119.01 in 2018.</p> <p>c) Business Plan 2020-2023 IT reported that TF had volunteered to help to coordinate the drafting of the next ADA Business Plan. The current Business Plan had largely been developed by PB and IT with the assistance from representatives from both of ADA's Committees. IT wished to utilise a similar breadth of skills and knowledge this time. IT requested an ADA Director to engage in the working group being established. IT reported that the plan was to bring a first draft of this Business Plan to the July 2019 ADA Board meeting and a Final Version for approval at the October 2019 meeting.</p> <p>Action: Board members to contact IT if they are able to assist with Business Plan 2020-2023 development.</p> <p>d) Membership update IT acknowledged the resignations of local authorities previously mentioned, but highlighted recent new members that had joined in 2019. These included: Network Rail (National Authority Member), Water Resources East (Associate Member), and West Sussex County Council (Local Authority Member).</p>	<p>TF</p> <p>ALL</p>
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	<p>IT highlighted the risks to the strategic rail network from flooding and that some of their route corridors were actively exploring the value of coordinating management activities with Risk Management Authorities, such as IDBs. There was the potential to utilise a PSCA type agreement for managing assets and systems outside the safety critical rail corridor. IT also reported that he was discussing ADA membership with two water companies serving northern England.</p> <p>WS and KC noted the number of culverts and ditches associated with the rail network within their respective internal drainage districts. These needed active management and maintenance and it was hoped closer working could help address these Network Rail responsibilities.</p> <p>AMc noted work between IDBs and Highways England in Yorkshire, which may provide the potential opportunity to form closer working with ADA.</p> <p>Action: AMc to provide Highways England contact information to IT.</p> <p>e) Auditors and audit procedure IT reported that he had approached a range of audit providers, including ADA's existing auditors, for quotes to provide the external audit of ADA's accounts from 2020. Some of these firms had suggested changes to the level of audit services ADA currently procures in order to better reflect the type and scale of ADA's business. This would potentially provide both a better service to ADA and a cost saving. However, such a change would require changes of ADA's Memorandum and Articles of Association which would need to be approved by ADA's membership at a future AGM.</p> <p>Action: IT/PB to present a more detailed proposal regarding ADA audit services at the July Board Meeting.</p> <p>IT reported that ADA was to change its payroll services provider from 1 April 2019. This was having sought quotes from a number of potential providers. It was hoped that this change would give ADA a more tailored service.</p> <p>TB asked whether advice was available from ADA regarding the prudent scale of reserves that should be held by IDBs. IM noted that broad advice was available in the Good Governance Guide for IDB Members.</p> <p>f) Company Secretary updates RC proposed that TF and TP be appointed as Vice Chairs of ADA in line with ADA's constitution, with terms in line with their existing appointments as ADA Committee Chairs.</p> <p>Resolution: The Board unanimously agreed TF and TP's appointment as Vice Chairs.</p> <p>g) Working with ASA (Association of SuDS Authorities) Going through the process of becoming a Community Interest Company. IT to bring Memorandum of Understanding (MOU) and Service Level Agreement (SLA) to Board Members by correspondence between now and July meeting. If needed a special meeting could be called. SC to increase hours to pick up administrative and bookkeeping associated with ASA support.</p> <p>Action: IT to distribute MOU and SLA between ADA and ASA with Board Members for approval.</p> <p>h) Future ADA Presidency The Board discussed the proposed role of a future ADA President to succeed LDR, and potential candidates. The term of appointment and general responsibilities presented were agreed. In addition the Board had a preference for a President who was able to engage at a senior level in topics and issues relevant to ADA's membership, rather than a patron.</p> <p>Action: IT to revise ADA Presidential role briefing to reflect Board discussion.</p> <p>Action: IT/RC to informally approach candidate favoured by the Board.</p> <p>Action: IT to circulate in confidence a list of potential candidates for further consideration by Board Members.</p>	<p>AMc</p> <p>IT/PB</p> <p>IT</p> <p>IT/RC</p> <p>IT</p>
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<p>i)</p>	<p>ADA Salaries in 2019 IM, IT and RC vacated the meeting before discussion of this item as paid staff of ADA.</p> <p>TF assumed the chair of the meeting for this item.</p> <p>Resolution: Following discussion the Board unanimously supported the proposal for ADA salaries in 2019.</p>	
<p>176</p>	<p>Environment Agency update CW reported on Environment Agency matters.</p> <p>EU Exit: Work in preparation to differing options for the United Kingdom exiting to the European Union was increasingly diverting staff resources from flood risk management within Defra and the Environment Agency towards contingency planning related to no deal scenarios and the associated regulatory requirements.</p> <p>Rivers Authority & Land Drainage Bill: The Private Members Bill had passed its second reading with Government backing.</p> <p>National FCERM Strategy: IT and RC were actively involved and ADA was one of 90 organisations engaged by the Environment Agency. The consultation due in February had been delayed until May 2019, but this was dependent on other wider issues, including EU exit. CW would be speaking on the National FCERM Strategy at Floodex 2019, including about some of the ideas that have come out of steering groups and workshops.</p> <p>Capital programme: IDBs were contributing to the Government’s targets across some 32 projects with £24million allocated to IDBs over the next couple of years. Two larger schemes were highlighted: Islington Catchment Flood Risk Management Scheme, led by King’s Lynn IDB, and Muckfleet Main Drain by Broads IDB.</p> <p>New Apprenticeship Standard for Water Environment Workers: Was being launched and had been highlighted in the Winter 2018 ADA Gazette. CW hoping for good take up across risk management authorities including IDBs and local authorities.</p> <p>The Committee discussed concerns around the current and future availability of FDGiA funding towards capital schemes, particularly in rural areas such as internal drainage districts tackling legacy land drainage assets and pumps.</p> <p>DW, WS and AMc noted pressures on IDB funding, and current limitations on self-financing schemes. AMc noted that existing guidance and the process of benefits apportionment were proving to be a barrier to schemes progressing. This was particularly in relation to parts of the country facing different forms of flood risk, where schemes were being put forward by different risk management authorities, effectively competing for a finite number of beneficiaries.</p> <p>CW noted recent and ongoing work to streamline the approvals process and sought further details of specific concerns. CW highlighted that the Environment Agency had sought from area teams an ‘unconstrained bid’ for capital schemes to assess gaps. Board members were not aware of this involving IDBs.</p> <p>Action: CW to investigate involvement of other risk management authorities in ‘unconstrained bid’ assessment by the Environment Agency.</p> <p>Action: TP to ask T&E Committee to develop a work stream related to FDGiA capital projects approvals and processes.</p> <p>DJ noted that there was still no indicative allocation of FDGiA funding from Defra beyond the current Spending Review period and this was a growing concern for RFCCs, as it was becoming a barrier to carrying forward the flow of flood defence schemes (especially larger schemes) into the next spending period. The Minister of State had been adamant that she was unable to agree any funding beyond the current period, but this urgently needed to be resolved.</p>	<p>CW</p> <p>TP</p>

	<p>JH raised concerns regarding the presence and spread in Fenland watercourses of the bacteria that can cause brown rot in potato plants. As a notifiable disease Defra (Animal & Plant Health Agency) should be testing for its presence and asked if it should be providing advice to those managing local watercourses.</p> <p><i>Action: Seek view from Defra on appropriate and proportionate measures to manage the causative bacterium (Ralstonia solanacearum) in local watercourses.</i></p>	CW
177	<p>Committee Reports TP and TF presented draft minutes of the most recent meetings of the Technical & Environment Committee and Policy & Finance Committee to the Board.</p> <p>TF and TP emphasised the value of members getting involved in workstreams. IM reported that the workstreams agreed for 2019 would be highlighted to members in the Spring 2019 edition of the ADA Gazette, and March 2019 ADA News Stream.</p>	
178	<p>ADA National Activities</p> <p>a) Open Consultations IM reported on two Government consultations currently open for comment, which ADA would be responding to:</p> <ol style="list-style-type: none"> 1. Ministry of Housing, Communities and Local Government: Review of local authorities' relative needs and resources – ADA response to focus on funding on FCERM within local authorities and funding of other risk management authorities through local levy (RFCCs) and special levy (IDBs). 2. Defra: Improving our management of water in the environment – ADA response to focus on local flood defence funding proposals related to IDBs and Rivers Authorities, and suitable powers to transfer flood risk management assets and land between risk management authorities, as had been highlighted within the River Maintenance Transfer Pilot Projects. <p>DH highlighted the proposals contained within the Defra consultation that would create a regional framework for water resource planning for water companies. This could be significant as it could establish new regional bodies.</p> <p>The Board discussed IDB consenting to the discharge of water into internal drainage districts by water companies.</p> <p>b) River Maintenance Transfer (De-maining) Pilot Projects IM reported that all four de-maining pilots were progressing towards completion in the coming months, having completing their respective public consultations. A workshop for those involved would be held on 5 March in London.</p> <p>The de-maining pilots had taken so long as they attempted to establish new procedures for the Environment Agency, and tested legal processes regarding the transfer of assets as well as the proportionate scale of public consultation and engagement. PSCAs had proven to be an important stepping stone to de-maining in the pilots.</p> <p>The Board agreed that the process needed to be simplified using the learning from the pilots, to cut down on the repetitive nature of consultation, and facilitate the transfer of assets and land between risk management authorities. It was recognised that this latter point may require legislative change, and ADA would make this case within the upcoming '<i>Improving our management of water in the environment</i>' consultation.</p> <p>There is a requirement for risk management authorities and communities to think more carefully about funding delivery of local flood defence assets and systems. Going forward ADA would work to establish messaging with the EA, IDBs and local authorities that looked at cooperative approaches to long term asset management and funding, which would include PSCAs, asset transfer and de-maining amongst the options to be considered.</p> <p>c) Water Transfer Licencing</p>	

<p>c)</p> <p>d)</p>	<p>Flood & Coast 2019 IT reported that ADA was supporting the two papers submitted by IDBs to be included on the programme. 20-22 June 2019. The Conference had a close working relationship with ADA, a complementary event to Floodex, given its different areas of focus. IT highlighted the opportunity still available for members to apply for the Project Excellence Awards 2019.</p> <p>EUWMA 2019 IT reported that ADA is to host the next EUWMA annual meeting in York on the 8-9 September. Visit on the second day will focus on issues around the Humber Estuary. ADA's theme for its Presidency of EUWMA will be 'Multifunctional water management'.</p>	
<p>180</p>	<p>Any other business IT reported that ADA is routinely approached about nominations for the UK Honours System in about a month's time seeking nominations for honours. ADA had not submitted proposals in recent years, but noted the success of Environment Agency colleagues involved in flood risk management.</p> <p><i>Action: Directors were asked to contemplate potential candidates for honours nominations and raise this with colleagues through their respective ADA Branches.</i></p>	<p>ALL</p>

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