



BOARD MEETING
Minutes of the Meeting held on Wednesday 16 October 2019 at
CIWEM, 106-19, Saffron Hill, Farringdon, London EC1N 8QS

DRAFT FOR APPROVAL

Directors Present: **Robert Caudwell (RC) - Chairman**
 Keith Caswell (KC), Tim Farr (TF), Priscilla Haselhurst (PH), John Heading (JHg),
 David Hickman (DH), John Markwick (JM), Andrew McLachlan (AMc), Chris Mutton
 (CM), Trevor Purlant (TP), Catherine Wright (CW) [from item 201b until 204c].

President: Lord De Ramsey (LDR)

Company Secretary: Peter Bateson (PB)

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

Vice Presidents (VPs): VPs are routinely invited to attend the July ADA Board meeting each year.

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

Apologies: Tony Bradford (TB), Hazel Durant (HD) (Defra), James Hereford (JHd), David Jenkins
 (DJ), David Sisson (DS), Will Staunton (WS), Duncan Worth (DW)

Ref	Minute	Action
196	<p>Welcome, Apologies and Declarations of Interest RC welcomed everyone to the meeting and noted those apologies received.</p> <p>IM reported that all directors of the ADA Board had completed a declaration of interest form in 2019. There were no further declarations of interest.</p>	
197	<p>Minutes for Approval The Minutes of the Board meeting held on the 3 July 2019 as presented at this meeting were agreed as a true and fair record by the Board with minor amends noted.</p>	
198	<p>Matters Arising IT presented a list of actions from previous ADA Board meetings in 2019. The ADA Board discussed the following items.</p> <p>Item Nos: 185b – PB asked that the precise changes to paragraphs within ADA’s Memorandum & Articles of Association, reflecting changes proposed by the ADA Board at its July 2019 meeting, be sent alongside a rationale for the change to all ADA member bodies, and be included in the ADA Conference Handbook 2019 to all delegates attending the ADA Conference & AGM 2019. The changes related to the audit of ADA’s accounts and governance, and a change from a statutory audit to an internal audit format.</p> <p><i>Action: IT to prepare and distribute the precise changes to paragraphs within ADA’s Memorandum & Articles of Association by letter to members and within ADA Conference Handbook.</i></p> <p>194 - IT reported that David Thomas from Middle Level Commissioners had taken the seat on the WRE Board for ADA on behalf of IDBs in Eastern England. ADA Branches had been supportive of the proposed approach to the funding of a director seat on the Board of WRE.</p> <p>TF noted that the Trent Branch were seeking views from their members before confirming the Branch’s support.</p>	IT

	<p>JHg noted that there was now a strong imperative for WRE to start making tangible actions to improve water resource management across the area. KC said that the South Lincolnshire Water Partnership, involving Anglian Water, was now looking at a network of smaller reservoirs to support water resources resilience for the area in the future.</p> <p>186 – JHg asked about ADA’s policy towards subscriptions moving forwards.</p> <p>RC noted a 2% increase for 2020 had been agreed, reflecting current rates of inflation. ADA work hard to keep costs low. The ADA Board discussed recent increases above the rate of inflation for local levies that had been agreed at a number of recent RFCC meetings for 2020.</p>	
<p>199</p>	<p>IDBs’ Health, Safety & Welfare Survey 2018</p> <p>IT presented the draft note on the outcomes from the survey completed in 2020 of IDBs’ health, safety and welfare policies and practices. IT highlighted the proposed recommendations it contained for IDBs to further improve their practices, and proposed actions for ADA to support IDBs in this area of work.</p> <p>RC felt that this work was building on the Governance Guidance and workshops run by ADA for IDBs in 2018-19, and that it was important to ensure that ADA continues to provide leadership to IDBs on this subject. ADA should draw on support from Associate Members who could offer further specialist advice.</p> <p>LDR noted that having health, safety and welfare as a standing item at the top of all Board Meeting agendas had helped raise its profile on IDBs and other Boards of Directors he was involved with.</p> <p>PB suggested that ADA should be illustrating to members some of the penalties that exist for directors and senior staff of organisations that do not adequately manage health, safety and welfare risks.</p> <p>Action: IM to work with Ian Benn (ADA HS&W Hon. Adviser) to develop future ADA Gazette articles.</p> <p>TF was concerned about the non-responses to the survey from 25% of IDBs and felt that many IDBs would be looking for clearer guidance from ADA about legal requirements and policies.</p> <p>AMc would support the development by ADA of a set of generic IDB governance documents in this area.</p> <p>RC noted that responsibility clearly remained with individual IDBs, but ADA can provide templates, guidance and signpost to information.</p> <p>CM suggested ADA look to incorporate a workshop within FLOODEx 2020, similar to those held in 2016.</p> <p>TP stated that the key role for ADA was to ensure that Board Members take their responsibilities seriously. TP reported that Welland & Deepings IDB had used its own response to the survey to review their own practices and identify areas for improvement themselves. TP hoped, and would encourage, other IDBs to take a similar approach.</p> <p>CT noted that the latest IDB1 form contained questions for IDBs on health and safety that could be expanded further.</p> <p>Action: IM/CT to review and expand the health safety and welfare questions asked within the IDB1 form from 2020.</p> <p>The ADA Board discussed the potential opportunities for IDBs to access and utilise an existing risk management system, such as those provided by the NFU Mutual through some form of affinity agreement.</p> <p>Action: RC/IT to explore opportunities to enable ADA offering a members’ benefit package to IDBs for the provision of risk management systems/guidance from a specialist health, safety and welfare advisory service (e.g. NFU Mutual or Croner).</p>	<p>IM</p> <p>IM/CT</p> <p>RC/IT</p>

	<p>PB noted that there remained a clear role for ADA to give guidance and encouragement towards what IDBs should be doing and putting in place.</p> <p>Decision: <i>TP proposed and TF seconded recommendation to circulate a revised version of the Advice Note with small alterations to wordings as agreed to ADA members.</i></p> <p>Action: <i>IT to circulate revised version of the Advice Note to ADA Board members for active response and support before dissemination to ADA members before the end of 2019.</i></p>	IT
200	<p>Committee Reports Reports from ADA's T&E and P&F Committees' recent meetings on 4 September 2019 were taken as read by the ADA Board.</p> <p>TF was concerned from the discussion at the Committee meeting that the opportunity for learning and developing the approaches to asset transfer and de-maining, that were identified within the Rationalising the Main River Network project, may be lost without clearer direction and support from the Environment Agency and Defra.</p> <p>PB asked whether the guidance in relation to development contributions took into account those bodies managed and administrated by a commercial organisations.</p> <p>Action: <i>PB/IM to feed back this query to workstream lead for consideration.</i></p> <p>AMc raised concerns about the CDM regulations clause in the new PSCA agreement drafted by the Environment Agency. This relates to which body under the agreement is the client as defined under the CDM regulations.</p> <p>Action: <i>IM to invite AMc to upcoming meeting between ADA, invited IDBs, and Environment Agency regarding CDM regulations and PSCAs.</i></p> <p>Discussion on Protected species in relation to flood and water level management works JHg asked whether ADA had a policy in relation to protected species, namely water voles and badgers.</p> <p>RC should avoid burrowing animals in engineered flood defence/water management structures. Need to have effective regulations that enable all risk management authorities to operate effectively.</p> <p>IM highlighted the work ongoing through ADA's T&E Committee to ensure that class licences related to the disturbance of both species is practical for all risk management authorities when undertaking flood and water level management works.</p> <p>AMc noted the challenges and costs associated with rehoming badgers that had dug into flood defence embankments, and noted that these costs remained considerable and prohibitive for a number of important flood risk management maintenance works.</p> <p>JHg was concerned that mitigation measures were taking too much time and man power under existing regulations to administrate, and needed to be applied proportionately.</p> <p>TF noted the need for a proactive approach in terms of mink eradication. This was raised at recent T&E Committee meeting and would be developed through an upcoming technical article in the ADA Gazette and the ongoing work on updating IDB biodiversity action plans.</p>	<p>PB/IM</p> <p>IM</p>
201	<p>ADA National Activities</p> <p>a) Consultation responses IM reported that ADA had responded to the recent consultations by the Environment Agency on the new National FCERM Strategy and by Defra on FCERM policy.</p> <p>b) EUWMA Presidency 2019-20 RC reported that ADA hosted a very positive meeting in York and a visit hosted by AMc and the Ouse & Humber Drainage Board. He highlighted that EUWMA members were keen for ADA to take an active role in its presidential year, to strengthen and grow EUWMA's role and its membership. RC and IM would be travelling by invitation to Romania to visit and</p>	

	<p>engage with their water management association about potential EUWMA membership. ADA also will be hosting a mid-term meeting in May 2020 to look at integrated water level management.</p> <p>IT raised that EUWMA would be looking to engage with colleagues in Switzerland as well during ADA's presidential year.</p> <p>RC noted the intense rainfall events that had recently happened in the eastern part of Spain. The events highlighted the linkage between water resources and flood risk moving forward owing to climate change.</p> <p>RC raised thanks from all of the ADA Board to Heather Bailey for her efforts in organising an excellent meeting, dinner, and visit.</p> <p>There was agreement amongst the ADA Board that AD should encourage greater joined up thinking between water resources management and flood risk management in England, within national regulators as well as between partners at a local level.</p> <p><i>Action: RC to raise with CW examples coming out of WRE meeting about regulatory restrictions on the conservation of water resources in the Fens during high flow periods.</i></p>	RC
202	<p>National updates</p> <p>a) Environment Agency CW updated the ADA Board on Environment Agency matters:</p> <ul style="list-style-type: none"> - FCERM Strategy – thanked ADA and members for ongoing engagement in its development and provided an update on the delivery timetable. Reported that the Environment Agency has been through all of feedback provided through consultation. Alongside the Strategy the Government were developing a new Policy Statement. The two documents were being closely coordinated in terms of timing. Environment Agency were hoping for both documents to be laid later this year and then the Environment Agency would be publishing a Strategy Action Plan in February 2020. These are timescales being worked to but may change owing to the current political circumstances. - EFRA Inquiry – The Environment Agency were due to be giving evidence to the EFRA Inquiry on climate change and coastal flood risk in November. - FCERM investment - Working closely with case for FCERM investment. Role forward of next year's funding and then greater discussions about the longer term programme. Seeking some critical flexibility in certain areas. Budget announcement due 6 November. - Carbon Emissions – On the Government's commitment to achieving net zero carbon emissions by the middle of the century, the Environment Agency were looking at its circumstances. It is noted that building defences and pumping operations are the two areas where EA creates substantial carbon emissions. CW highlighted that the Environment Agency would not cease activities essential to mitigating the impact of climate change, but would be exploring how the organisation adapts and find alternative energy sources. Also highlights the role of the supply chain in lowering carbon emissions. CW recently had met with NFU around commitments for net zero carbon emissions and would welcome a more substantive discussion with the ADA Board at a future meeting. - Visit to Bedford Group of IDBs – CW recent visit with IT had highlighted the work of the IDBs around strategic SuDS and opportunities within the Ox-Cam Corridor to bring in better water level management as part of new development. - Water Environment Worker Apprenticeship Standard – The standard had now been agreed and the Environment Agency were now enrolling apprentices under the standard that is also available to IDBs' staff. Thanks were raised to Carrie-Anne Morgan from the Somerset Consortium of Drainage Boards for their support in developing the standard. IM reported an article about the new standard would be included in the Winter edition of the ADA Gazette. <p>AMc was keen that the Environment Agency should be making the case to Government for carbon reduction being counted as a public benefit when looking at pumping station replacement and refurbishment.</p> <p>CW noted that there were currently large barriers for the replacement of assets at the end of their working life, and the Environment Agency had recently made some recommendations</p>	

	<p>in this area and in addition to how future property at flood risk could be included in benefit calculations in the future.</p> <p>Action: IM to provide contact information regarding the work of the Bedford Group of IDBs on strategic SuDS that were visited by CW.</p> <p>CW was grateful to those involved in successfully completing the RMRN pilot projects. The Environment Agency were working on a report from the project and guidance setting out what can be done to de-main stretches of main river and transfer assets within the existing rules. The pilot projects had also highlighted barriers to the process, particularly around the valuation and transfer of assets between public authorities and the Treasury's Green Book rules, which would need wider reforms. The ADA Board noted that the successful transfer of assets and de-maining was greatly assisted by having strong working relationships between IDBs and the Environment Agency already in place under PSCAs.</p> <p>Defra</p> <p>b) CT updated the ADA Board on recent Defra matters:</p> <ul style="list-style-type: none"> - Environment Bill – Had been published and introduced to Parliament. The Bill contained amendments to the Land Drainage Act 1991 that enable certain valuation calculations used by IDBs for rating purposes to be transferred to secondary legislation so that necessary updates to these calculations and data sources can be readily made. These amendments were originally contained in the former Rivers Authorities & Land Drainage Bill, but have been strengthened to reflect comments during the passage of that former Bill. The Environment Bill also contained provisions to: <ul style="list-style-type: none"> - strengthen public bodies' duty to enhance the environment, and adds to a duty for public authorities to 'strategically assess' the actions that they undertake for biodiversity, - introduce concept of mandatory biodiversity net gain into the planning system, to ensure that new developments enhance biodiversity, - create Local Nature Recovery Strategies (LNRSs) to set out priorities and opportunities for protecting and investing in nature within a local area. Aim to support better spatial planning for nature recovery. - Autumn Budget – Defra were putting together proposals for longer term funding for FCERM for an Autumn Budget. - Toddbrook Reservoir – Defra had commissioned an independent review of the incident to be led by David Balmforth, a former president of the Institution of Civil Engineers. - Environmental governance – Defra had awarded a grant of £15,000 to ADA to assist with the development of guidance with IDBs' environmental duties and governance. CT and HD were taking forward discussions with ADA around this work and its dissemination. IM noted that this work was separate but complimentary to existing practical guidance on drainage channel biodiversity and the work through an ADA Committee workstream to update IDBs' existing Biodiversity Action Plans. LDR was keen for ADA to change the name of BAPs and move toward a 'natural capital' approach, using a description more in line with recent Government reports. - The Board's gratitude was recorded to Defra for making this award to ADA. <p>Action: IM to explore alternative names for IDB BAPs with the Workstream Group to reflect wider focus.</p> <p>AMc asked whether the new Environment Land Management Scheme (ELMS) being developed offered opportunities to look at payments for controlled/managed flooding of agricultural land.</p> <p>Action: CT to make contact with the team at Defra developing ELMS.</p> <p>Regional Flood & Coastal Committees</p> <p>c) IM reported on behalf of DJ and updated the ADA Board on:</p> <ul style="list-style-type: none"> - The declaration of a climate emergency by many local authorities is tending to increase the priority given by some of them to FCRM spending. This is an opportunity, for instance the Wessex RFCC recently agreed, by a majority vote, to a 3% increase in local levy for next year. This is significant, against a very difficult financial climate for local authorities, and is a demonstration, to government and others, of their priorities. - The decision on IDB precept normally follows the local levy one, and the same proportion increase has normally been applied. This year, there was resistance in Wessex from the IDB representative present, and the recommendation in respect of the precept is 	<p>IM</p> <p>IM</p> <p>CT</p>
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	<p>an increase of 2%. The sums of money involved are small, but it represents an interesting divergence.</p> <ul style="list-style-type: none"> - DJ is undertaking a review on surface water and drainage assets at the request of Defra. The terms of reference, and support arrangements through Hampshire County Council. DJ noted that this had taken longer than anticipated to get established, but is now up and running. DJ shall be writing to ADA, as well as ASA for a view. IM sought approval of the ADA Board to respond on behalf of members and seek members' views. Approval was granted. <p>DH cautioned that there would not always be a direct link for local authorities between climate emergency declarations and changes in FCERM funding.</p>	
<p>203</p>	<p>Finance reports</p> <p>a) Bank Account Balance IT reported that ADA's bank account remains healthy with balances as follows: - 31 August 2019 £337,388</p> <p>b) Income & Expenditure IT reported that income, including from subscriptions and gazette advertising were in line with budget estimates made. Expenditure was slightly in excess of budget estimates made as a result of an underestimation of staff costs in 2019. Income relating to costs incurred by ADA in relation to FLOODEX 2019 had been paid by the event partners to ADA in October 2019.</p> <p><i>Action: ADA Board approved the new style for the summary of income and expenditure to be presented to the ADA Board and ADA Policy & Finance Committee, with a minor amendment to put all negative figures in brackets in the future.</i></p> <p>c) Debtors Report & Debt Recovery IT presented the current list of debtors to the ADA Board. IT was comfortable with the overall number of debtors, but highlighted the number of local authorities that had not yet paid their subscriptions for 2019. He felt that it was likely that around 11 local authorities would not renew ADA membership.</p> <p>d) Non-Business Staff Fund IT tabled a report of the monies spent on ADA staff to 30 September 2019 (£695.08).</p>	<p>SC</p>
<p>204</p>	<p>Business Planning</p> <p>a) Governance and Audit Support Following revisions made by P & F Committee, IT introduced a paper proposing Governance and Audit support to the Chief Executive. The Board supported the paper on condition that the sub-group was kept to a very limited size.</p> <p>The group will also make a recommendation to the Board on pay and will look at comparators.</p> <p>IT highlighted the need for ADA to change its pension contributions in 2020 to remain in line with legislation.</p> <p>b) ADA Business Plan 2017-20 IT presented the business plan tracker and noted the scale of wider work that ADA has also been undertaking in 2019 to the benefit of members.</p> <p>IT highlighted that ADA was struggling to make progress with objective (O3) to make better use of data derived from the publication of internal drainage district boundaries under an Open Government Licence. Most IDBs had given ADA their permission to proceed, but there were around a dozen IDBs that had not formally provided permission yet.</p> <p>Positively, IT highlighted progress with objective (O13), as ADA now had six national agencies in membership, in line with targets set. National Agency/Water Company members were:</p> <ul style="list-style-type: none"> - Environment Agency, 	

	<ul style="list-style-type: none"> - Natural Resources Wales, - Network Rail, - Coal Authority, - Department for Infrastructure Rivers (Northern Ireland), and - Anglian Water. <p>c) ADA Budget 2020 IT presented the proposed budget for 2020, noting a 2% deficit increase for 2020.</p> <p>The Board discussed the budget tabled and noted the deficit. It was noted that the deficit proposed in 2020 and forecast for 2019 follow several years where surplus results had contributed to increasing ADA's reserves.</p> <p>PB noted the need for the ADA Board to have agreed a clear reserves policy. Whilst the ADA Board had agreed the principles behind this, a more detailed policy setting out a percentage of turnover held in reserves and its use still needed to be completed.</p> <p><i>Action: IT/PB to develop a formal ADA reserves policy to be approved by the ADA Board in 2020 and set out in the ADA Business Plan 2020 - 2023.</i></p> <p>RC noted that there remained opportunities for growth in ADA's membership around Associate Members and local authorities. RC hoped that by engaging with ASA, ADA will gain a greater exposure to local authorities that are not currently ADA members, but are engaged in flood and water management issues.</p> <p><i>Decision: AMc proposed and CM seconded the ADA Budget for 2020 as tabled.</i></p> <p>d) ASA Administrative Services IT reported that ADA was now undertaking routine administrative services for ASA in line with the Service Level Agreement. However, the scale of works was lower than forecast, which related to a slightly slower start for ASA than originally envisaged. Therefore ADA's forecast an income of £2,500 from ASA to meet ASA related costs rather than £7,500 budgeted for 2019. IT reported that Martin Hurst, Chair of the Southern RFCC, had agreed to be a sponsor for the cause of ASA amongst RFCCs nationally.</p> <p>e) ADA Business Plan 2020-2023 TF reported that work was ongoing on ADA's next Business Plan. TF presented a comparison of the draft Plan against the existing Business Plan. TF highlighted that he was keen to add reference to ADA's role in relation to water resources in the next plan.</p> <p>IM highlighted that it would be good to encompass this within a Climate Change Adaptation and Mitigation heading/focus, which could be used to support members reporting in this area in the future.</p> <p><i>Action: IT/TF to present the ADA Business Plan 2020-2023 for approval to the next ADA Board meeting in February 2020.</i></p> <p>f) Company Secretary Updates PB reported that all forms and papers were up to date with Companies House.</p> <p>PB noted that the terms of office for five ADA Directors were due for renewal shortly. These were:</p> <ul style="list-style-type: none"> - 2019 JHd (ADA Marches Branch) - April 2020 KC (ADA Lincolnshire Branch), TB (ADA South West Branch), JM (ADA Cymru Branch), TF (ADA Policy & Finance Committee). <p>g) ADA Office Key Activities Forward Plan IT reported the recent and upcoming activities undertaken by IT, RC and IM as published on the ADA website.</p>	<p>IT/PB</p> <p>IT/TF</p>
<p>205</p> <p>a)</p>	<p>Events Updates</p> <p>ADA Conference 2019</p>	

	<p>IM reported that at the date of the meeting 105 delegates had booked a place at the ADA Conference & AGM 2019. ADA had secured two Associate Member sponsors for the event and a strong line up of speakers:</p> <ul style="list-style-type: none"> - Neil Parish MP, House of Commons EFRA Committee, - Julie Foley, Environment Agency, and - Stuart Roberts, NFU. <p>b) FLOODEX 2020</p> <p>IT reported that good progress was being made with preparations for the event on 26 and 27 February 2020. ADA has received agreement from event partners to develop a completely updated FLOODEX website, which ADA has designed in house with the skill of Ryan Dixon. ADA has handed over responsibility for preparing the FLOODEX Showguide to the event organisers for the 2020 event. The event organisers had reported to IT that 28 stands had been booked to date valued at £66,000 contracted, and over £100,000 expected to be realised by the end of October.</p> <p>IT was working with ASA to develop the seminar line up for next year's event. It was anticipated that the NFU and Anglian Water would both be exhibiting at the event. A VIP visitor had agreed to attend the event.</p> <p>An ADA Networking Dinner will take place on the evening of 26 February, guest speaker has been confirmed as David Jordan talking about his work with the charity, Excellent, of which David is Chair.</p> <p>IT confirmed that 2021 was the final year of the current contract with our event partners, Indigo Media, for FLOODEX.</p> <p>The ADA Board discussed opportunities for holding a demonstration type events in future years. The ADA Board agreed that to run such events ADA would need to seek an event organiser to work alongside ADA.</p> <p>RC felt that any future events should feature new thinking and ideas, and have a weatherproof contingency plan.</p>	
<p>206</p>	<p>Board Meeting Dates 2020</p> <p>The ADA Board agreed the dates for ADA Board meetings in 2020, all to be held at CIWEM Venue, Farringdon, London, dates as below:</p> <ul style="list-style-type: none"> - 11.00-15.00, Wednesday 12 February 2020 - 11.00-15.00, Wednesday 1 July 2020 - 11.00-15.00, Wednesday 14 October 2020 	
<p>207</p>	<p>AOB</p> <p>RC reported that he and IT are meeting with Rebecca Pow MP, Parliamentary Under Secretary of State at Defra on 11 November 2019. Rebecca Pow's Ministerial activities include:</p> <ul style="list-style-type: none"> - domestic natural environment, - 25 Year Environment Plan, - Environment Bill, - climate change adaptation, co-ordination of Defra input to net zero, land use, - floods and water, - resource and environmental management (including waste, air quality, chemicals, litter), - commercial projects including Covent Garden Market and waste PFI projects, - lead for Environment Agency and Natural England, and - Commons Minister for rural affairs, landscape, and adaptation. <p>Meeting closed at 14.45.</p>	