

ADA South East Branch
Minutes of the Meeting of the
ADA South East Branch held on
Thursday 26th April 2018 in the
Amos Meeting Room, Hobbs Parker Offices
Ashford Cattle Market, Monument Way, Orbital Park
Ashford, Kent. TN24 0HB

Present

N Botting, Cllr M Burgess, P Bush, D Chalcroft, Cllr P Coe, F Cooke, L Cooke, P Dowling, A Eastwood, Cllr G Etheridge, B Gower, P Haselhurst, Cllr A Hicks, D Lovejoy, Cllr M Martin, R Monje, Cllr D Smith, Cllr H Stummer-Schmertzing M Tapp and M Watson.

In Attendance

R Caudwell (ADA)
I Nunn and I Murrell (Environment Agency)
A Brauningner (Kent County Council)
Cllr A Hills (Kent County Councillor)

Apologies for absence

Apologies for absence were received from P Camamile, Cllr M Conolly, Cllr A Cragg, D Linfoot, Cllr Mog Ovenden, Cllr P Sims, G Steed, D Wimble and M Wrout.

Welcoming

The Chairman welcomed everyone to the meeting and informed the Branch that Richard Hinge, Chairman of the Lower Medway IDB, had sadly passed away earlier in the month. The attendees were then asked to introduce themselves to the Branch; special mention was given to Robert Caudwell, Chairman of ADA and Ian Nunn and Ian Murrell of the Environment Agency.

Election of Branch Chairman

The Branch Secretary took the Chair and asked for nominations for the position of Branch Chairman; it was proposed by D Lovejoy, seconded by M Burgess and resolved unanimously that Larry Cooke be reappointed as the Branch Chairman.

Election of Vice Chairman

The Chairman explained that Mike Dobson was standing down as Vice-Chairman and therefore the Branch needed a new Vice-Chair. After brief discussion it was proposed by M Tapp, seconded by P Dowling and resolved unanimously that Cllr Aline Hicks be appointed as the Branch Vice-Chair.

Election of Branch Secretary

It was proposed by L Cooke, seconded by M Tapp and resolved unanimously that Nick Botting be re-appointed as the Branch Secretary.

Election of Director to ADA Board

With Mike Watson standing down, the Chairman asked for nominations for a new Director to sit on the ADA Board. It was proposed by P Dowling, seconded by M Burgess and resolved unanimously that Priscilla Haselhurst be appointed as an ADA Director for the next three years.

Minutes of the Previous Branch Meeting

Minutes of the Branch Meeting held on 27th April 2017 were received and unanimously agreed to be a correct record of the previous meeting.

Matters Arising from Minutes

Mike Watson asked for an update on the use of Glyphosate for aquatic weed control. R Caudwell replied that although its use was still authorised, debate continued on its possible harmful side effects to health.

Matters for Discussion

ADA General Update

Robert Caudwell gave an overview of ADA's recent activities including discussions with the EA on the newly introduced Water Transfer Licences. He acknowledged the subject would be covered later in the meeting but stated that ADA were not opposed to the licensing of water transfers but were against charges being imposed on IDBs, primarily as they were not the beneficiaries of the water.

He informed the Branch that ADA were producing a guide for Boards on best governance practice. He explained that the National Audit Office Report from the previous year had highlighted Boards with high numbers of members, which meant that full Council representation was difficult to achieve; he cited one example where a local authority was expected to field 25 representatives. The Chairman suggested that high Board numbers did not mean poor governance; Mr Caudwell replied that if good governance was demonstrated this may be the case but it was onerous for a council to stand 25 appointed members which meant that acceptable attendance at meetings could be compromised. He added that potential future de-manning projects would not go forward without a Board demonstrating good governance.

The subject of the upcoming General Data Protection Regulations, due to take effect on 25th May 2018, was raised. Mr Caudwell told the branch that ADA was working on clarification with regards to how the regulations applied to IDBs. The Chairman suggested that ADA prepare a template for Boards to work from, this was echoed by Pete Dowling who believed that Boards should have a consistent approach to the implementation of the regulations. Cllr Gary Etheridge warned that the regulations meant that all communication should carry disclaimers to protect Boards, as potential fines for non-compliance were substantial. Cllr Peter Coe stated that he understood there would be a 2 year phased approach to the regulations, but authorities must be able to demonstrate that they had taken measures to implement new working practices that complied with the changes to the law. Ian Nunn expressed concern that Boards would not be able to supply landowner/occupier details to the EA for maintenance operations without the person or persons written consent, meaning possible time delays. Priscilla Haselhurst suggested that caveats may apply where information is given for shared purposes, e.g maintenance works. The Branch concluded that the guidance to date had been confusing but agreed that a unified approach to the implementation of the regulations was required.

Environment Agency Update

Ian Nunn gave a presentation on the Agency's maintenance activities and funding moving forward. He stated that maintenance funding for the Kent and South London and Solent and South Downs regions would be reduced from over £13m to £10.5m by 2022 and 6% efficiencies were required. He noted that the EA's AIMS operations system had improved accuracy of expenditure and showed better transparency; Pete Dowling suggested it did remove some flexibility when making local decisions, a point Mr Nunn accepted. Mr Nunn informed the Branch that the Agency were making cost comparisons between contracting out maintenance work and keeping it in-house; there appeared to be significant savings using their own staff, which would aid towards efficiencies. The Agency's Public Sector Co-operation Agreement with the River Stour (Kent) IDB was operating well, with both Ian Nunn and Pete Dowling concurring the PSCA had shown savings by the IDB carrying out works on behalf of the EA. Robert Caudwell stated that nationally, savings were in the region of 15%. The precept payment paid by Boards to the EA was

commented on; Mike Watson found the reports on anticipated works unclear, Ian Nunn expressed disappointment and agreed to take the comment back to the relevant parties. Mr Nunn stated that serious discussions on the precept were required as increases were inevitable to cover maintenance costs on Main River. On a brighter note, he was pleased to inform the Branch that improvements to pumping stations were to be carried out in the Romney area, as capital funding was available.

The De-maining pilot scheme between the EA and the River Stour (Kent) IDB was briefly reported on by Mr Nunn; he stated that the consultation was complete with generally favourable views; the next step would be for ministerial sign-off before adoption by the Board.

Lastly, Mr Nunn referred to a review of EA regulatory charges which had been carried out in the last year; he said the purpose of the review was to make their activities self-funding. He also informed the Branch that, as part of the post 2012-13 funding agreement, the Government asked the Agency to gain ISO55000 accreditation for asset management to ensure consistent delivery of objectives. The EA's local asset management teams would be going through the process in the next 10 months.

Water Environment Grants

Priscilla Haselhurst (North Kent Marshes IDB) reported that she had recently attended a meeting where she learnt that 100% funding was available for works that improved designated sites such as SSSIs. Pete Dowling asked if 3 quotes were required before submission of an application; Ms Haselhurst replied that was normally the case. Ian Nunn suggested that applications for funding were often under-subscribed so authorities shouldn't shy away from applying. Ms Haselhurst added that the cut-off date was the 11th May so it would likely be too late to apply for the current year but suggested Boards could plan ahead for the following year.

Water Transfer Licensing

Iain Murrell (EA) gave a presentation on the newly-introduced water transfer licensing system. He focused on the possible implications for Boards although the EA operations teams would also be affected. He stated that the Water Act 2003, which amended the Water Resources Act 1991, looked to improve long term water resources management, hence the creation of a new form of licence. The new licence would have a one-off cost of £1500.00 per application and would normally expire after 12-18 years, if there was a potential to cause a detrimental impact, then a shorter duration was likely. Robert Caudwell stated that ADA opposed the fee as IDBs were not the beneficiaries of the transfers but would shoulder the cost if the current proposals were adhered to; he added that ADA were consulting with Defra on the matter. Iain Murrell replied that it was out of the Agency's remit, but they would consider multiple transfers, relating to the same source of supply and operated by the same body, as one application. He also stated that there were exemptions for certain transfers such as emergencies and abstractions of water within managed wetland systems. In the case of the latter, the exemption would be valid only if the transfer was solely for operations within that managed wetland system. The Chairman asked if pumping stations would each require a licence; Iain Murrell replied that they wouldn't if they gave flood defence benefit. The Chairman stated that some transfers benefitted sites designated by other organisations but it would be Boards that would be expected to pay; Robert Caudwell said that ADA would pick this point up with Defra. Cllr A Hills asked if the dewatering of gravel workings would be licenced; Mr Murrell replied that would be the case. The Chairman asked if the fee of £1500.00 would apply, Mr Murrell confirmed this but added that conditions on the abstraction could be applied to protect water resources. In conclusion Mr Murrell said the EA were to trial a pilot scheme with the River Stour (Kent) IDB on water transfer licences to determine the best way forward for IDBs in the area.

Mr Murrell gave an update on the water situation in the area focusing on river flows and groundwater; he informed the Branch that the situation had improved since Christmas, with local reservoirs now full, but the recharge to the area was beginning to slow.

Date of Next Meeting

It was agreed that the Upper and Lower Medway IDB would host the next ADA South East Branch meeting. The date to be Thursday 25th April 2019; venue to be The Amos Room, Ashford Cattle Market.

Any Other Business

None

Meeting Closed

There being no further business the Chairman declared the meeting closed at 1240pm and thanked all members for their attendance.