



Representing Drainage Water Level & Flood Risk Management Authorities

ADA POLICY & FINANCE COMMITTEE MEETING

Minutes

Remote Meeting via Zoom
Wednesday 17 June 2020
DRAFT FOR APPROVAL

Invitees					
Name	Representing	Present	Name	Representing	Present
Jane Froggatt	CE & Clerk Lincoln & District IDBs	Y	Brian Stewart	Chair – Anglian RFCC	Apol.
Beverly Agass	Clerk – Bedford group of IDBs	Y	David Sisson	ADA Policy Advisor	
Peter Bateson	ADA Company Secretary	Y	John Cook	Assoc. Dir. - Towergate Insurance	
Andrew McGill	CE & Clerk - Lindsay Marsh DB	N	Karen Daft	ADA Finance Adviser	Apol.
Robert Caudwell	ADA Chairman	Y	Lorna McShane	Assistant Clerk - MLC	Y
Ian Moodie	Tech Manager - ADA	Y	Rachael Hill	EA	Y (from 12.36)
Innes Thomson	Chief Exec - ADA	Y	Phil Winrow	ADA Governance & Audit Adviser	Y
Tim Farr	ADA Policy & Finance Committee Chairman	Y	Matt Harrison	Project Dev. Officer – Lincs DC	
Trevor Purlant	ADA Technical & Environment Committee Chairman	Y	Sofi Lloyd	Committee Secretary & Tech. Officer - ADA	Y
Sue Crowther	ADA Finance Officer	Y	Angela Cowen	Strategy Mgr - Ouse & Humber DB	Y
Carol Tidmarsh	Flood Mgmt Team DEFRA	Y	Bill Symons	Clerk & Engineer - York Consortium of IDBs	Y
Nigel Everard	Clerk – Selby area IDB	Y	Bethany Garry	DEFRA	Y

Ref	Minute	Action
1510	Apologies and welcome to new members TF - Apologies as above. TF - Welcome to Beverly Garry at DEFRA who is working on land drainage policy and land drainage consents.	
1511	Declarations of Interest TF - No declarations of interest received.	

1512	Approval of Minutes of meeting 8th January 2020 TF - Minutes of 8 th January 2020 approved subject to following amendment: Action: Change 1509 ADA updates final paper to read ASA not ADA.	IM
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	<p>PW – Happy to share guidance paper re. precept and higher land contrib’s authored in previous years with the group. Action: PW to share guidance written with ADA.</p>	PW
1513	<p>Matters Arising (and not covered in meeting agenda) TF – None</p>	
1514	<p>Committee Workstream Updates 2020 <u>Educational Resources</u> IM - LEAF educational package was originally aimed at GCSE Science level but have struggled to gain traction at this level. Case studies include Somerset levels but could do with another version for the Fens and northern areas. Next step may be training ambassadors for the scheme with LEAF. Action: Would be grateful for any ambassador volunteers.</p> <p>TF – Have any delays been experienced due to COVID-19? IM – No not much.</p> <p><u>Developer Contributions Guidance</u> IM - Some delays in sharing, apologies. Editing and formalising underway and 3 of 4 chapters done so will share ASAP. BA – Can we please have a draft of the papers prior to formatting so we can prepare? IM – Yes will send. IM – Make draft developer contribution paper available while formatting is completed.</p> <p><u>Updated Model Bylaws and Enforcement Procedures</u> IM – Met with DEFRA re model bylaws. The work is almost complete – awaiting DEFRA to publish final version. CT – DEFRA just checking how the changes could apply to other areas i.e. other drainage systems before signing-off draft. IT – Calls received from some requiring new bylaws ASAP so an expected timescale for completion and publication would be helpful. CT – Will draft a timeline. Action: CT to share timeline of bylaw publication</p> <p>TF – Worried about the interpretation of a drainage system so do appreciate the extra checks being undertaken. BS – Thanks to DEFRA lawyers & ADA. It has been hard to define a drainage system. PB – Lincs Clerks do need timescales urgently, and thanks for the hard work.</p> <p>NE – How much has been done on enforcement guidance? IM – Not much. BS – It is difficult to progress the enforcement guidance until the final bylaw letters and guidance have been received but may be able to start the land drainage parts first.</p> <p><u>Future project proposals (Future workstream proposals)</u> IM – The ADA team may be able to begin another workstream once those underway have been finished. The 2 priorities discussed previously and with the T&E Committee are 1) sediment management and 2) climate change. The former, it is proposed, will be led by the T&E Committee and the latter by P&F. The climate change workstream could begin to look at the requirements the Climate Change Act in respect of Public Authorities as there is a possibility that ADA could perform the functions required within the Act on behalf of IDB’s.</p> <p>PW – Is it the intention to focus on a particular climate change topic similar to the EA’s net zero project? Or would it be better to separate out carbon-neutral aspirations from a climate change project? IT – Probably the net-zero focus but will check with Rachael Hill.</p>	<p>ALL</p> <p>IM</p> <p>CT</p>

	<p>CT – It is great that IDB’s want to look at climate change mitigation activities. DEFRA’s climate change policy team are working on the 3rd reporting cycle of the Climate Change Act, which is due in Dec. 2021 and are aware that there is a potential for ADA to progress actions and report on behalf of IDBs and it is a welcome potential. Could ADA voluntarily submit a report into the Dec. 2021 reporting cycle? There is no template to facilitate this at the moment but let us set up a meeting to discuss the requirements with the DEFRA policy team.</p> <p>Action: IM & CT to meet to progress proposal</p> <p>BA – How do we scope the climate change workstream? Should it be considered alongside natural capital accounting so we are being more strategic? IM – We will focus on the required outputs to define the scope.</p> <p>IT – Agreed re. scoping. Like to use the concepts of resilience and adaption when defining climate change mitigation activities. The water energy nexus is an interesting angle and the EA have their eye on pumping electricity costs. Northern Germany use wind energy to drive pumps and shares the excess generated with the local community. CT’s proposal re. climate change report is welcomed.</p> <p>TF – Sounds exciting and possible. Addressing this subject area is timely and important.</p> <p>BA – Would be happy to join any climate change working group. PB – also happy to be involved in a work group for this.</p>	IM/CT
1515	<p>Covid-19 Response</p> <p>IM – The focus has been on assisting with background operations. Thanks to BG & CT for their help with board meeting changes etc. All outstanding standing orders have been sent out. We have been grateful of the flexibility with audits. DEFRA and representative IDB clerks met to discuss the elections changes required. DEFRA raised some questions i.e. how would we cope if a poll was required which needs looking at. Elections should go ahead. TF – Can we postpone elections? IM/CT – Not really as it would require a legislation so better to work with the flexibility we have within current legislation.</p> <p>PW – Thought the climate change paper was good and on that note, hope we don’t go back to having lots of face to face meetings when zoom for example is more carbon efficient. This should be covered in standing orders. TF – Remote meetings can be better in many ways.</p> <p>IT – Thanks to DEFRA, who have been quick and positive to respond to the proposed workarounds. Some may find it difficult to adapt to a more technology-reliant approach but the majority have adapted.</p> <p>RC – Could do with some on-line meeting platform consistency though. RFCC’s, LA’s & EA use teams. TF – Zooms pre-registration requirement for security is good. IT – We are discussing options. JF – Need to maintain a choice at the moment though as some will have signed contracts for one service which would be expensive to change now. BS – Webex is used by many also and is good. PB – Zoom may have had perceived security issues at first but expect these have been resolved now.</p> <p>IM – ADA have shared existing info and guidelines re. social distancing during operations.</p>	

	<p>IT – Track & trace system may present issues to ops teams. For example, can those quarantined be allowed to work alone on a dedicated piece of machinery?</p> <p>JF – IDBs have put in measures i.e. using dedicated machinery for each person, personnel pairings, wiping down, not using depots & not using communal facilities etc.</p>	
1516	<p><u>Land Drainage Act 1991 Consents & Fees</u></p> <p>BG – Working on this topic with all RMA's. Looking into updating fees and policy proposals. Incorporating the local government proposals done a few years ago into secondary legislation. The IDB working group have tested the calculations to check the impacts of the drainage fee changes proposed in the Env. Bill.</p> <p>IT – Thanks BG for the hard work. The ADEPT committee were great also and Julia Beeden & Max are happy to be contacted.</p> <p>IM – Volunteers needed to form a working group for BG and suggests the group become a formal sub-committee. Also need volunteers to join the DEFRA PAG group as IDB representatives needed and will involve 3-4 meetings per year. Looking for one from each Committee. IM will send out email requests for both.</p> <p>Action: IM will send out request on email for volunteers for DEFRA PAG.</p>	IM
1517	<p><u>Other recent ADA Policy work</u></p> <p><u>EFRA Committee Inquiry</u></p> <p>IM – ADA responded the EFRA Committee and thank-you for all comments received. IT has also spoken with the Committee.</p> <p><u>EA WFD RBMP Challenges & Choices Consultation</u></p> <p>IM – Deadline extended until late Sept for WFD consultation. Please send respond individually and forward comments to SL for inclusion in ADA's response.</p> <p><u>Environment Bill</u></p> <p>IM – BAP template & metrics will help to meet the reporting requirements. We should keep an eye on the net gain elements for the Bill.</p> <p>CT – Really pleased with the investigations ADA have done into the Env. Bill and report is really helpful. SL – Can DEFRA help with identifying the potential opportunities for IDB's as either responsible bodies in terms of Conservation Covenants and if they will be able to put forward net gain sites? CT – yes will do.</p> <p>Action: CT to request more info on IDB's opportunities in conservation covenants.</p> <p>BA – Is there a better way to get involved with planning for Net gain and development planning? SL – The EA are leading the development of the rivers element of the Biodiversity 2.0 metric to be used in net gain calcs and SL is in touch to see how we can get more info.</p> <p>TF – Seems to be a lot of work expected of LA's. SL – It is expected that much of the work will be a partnership approach.</p> <p>PB – Is there more work for IDBs to do relating to Env Bill? There are opportunities from being involved more.</p> <p><u>FCERM Funding</u></p>	

	<p>PW – EFRA should consider the risk management of watercourses. The impacts of the height of flow should be considered not just the overtopping and breaches.</p> <p>RC – May need a change from the focus on high-risk catchments i.e. may need to look at how catchments are designated as high/medium and low and costs of recovery from a flooding event need to be part of that consideration as recovery costs are huge.</p> <p>TF – The impacts of not doing something must be considered when prioritising maintenance funding.</p> <p>IT – Spoken to CW & JC and they do understand the concerns with capital vs. maintenance budget. Ultimately it is DEFRA’s decision on how the money is divided. No additional money is available which is understandable at the moment but the way the split is decided may be able to be changed.</p> <p>CT – DEFRA will be going out to consultation on partnership funding rules.</p> <p>TF – There are opportunities through the Env. Bill, Agric. Bill & new partnership funding rules for the next 6 years.</p> <p>IT – Settlement may be limited to 12 months at the moment.</p>	
1518	<p>ADA Finance & Governance <u>ADA audited accounts 2019</u> IT – Audited accounts show that income is short by 11k (£348k against expected £359k) but against a budgeted deficit of 14k so all OK. PB – Accounts process was smooth. There is a VAT issue on one item but will be resolved.</p> <p><u>Financial position</u> IT – Bank balance is a healthy £413k, just under the £435k position this time last year. £10k still outstanding from Floodex.</p> <p><u>Income</u> IT – Membership is stable but figures are the invoiced position not subs received position so some may not be paid, particularly associate members under the current pandemic circumstances. Some LA’s are unpaid but this is normal for LA’s. Income from Events will be down due to Covid-19 cancellations.</p> <p><u>Misc. Costs</u> IT - Have received the Environmental Good Governance Guide funding from DEFRA.</p> <p><u>Expenditure</u> IT - £30k below budgeted expenditure so far. This is mainly due to reduced travel expenditure as a result of Covid-19. This needs reflecting on in the future.</p> <p><u>Debtors</u> IT - Concerns about some i.e. LA’s and associate members but older ones are being chased. EUWMA is being paid imminently. Conversations happening with advertisers to get those received. EA payment outstanding has been approved Catherine Wright has confirmed, it is just payment which is delayed.</p> <p>IT – please also discount ASA as a creditor from the accounts as this is resolved.</p>	

BA – Please check our outstanding figure as believe we have paid this. Also, how has the ratio of income between membership subs and events decided? **IT** – Agree we need to look at diversification as Floodex income is lower now.

PW – Was there insurance in place which covered event cancellation and what are we doing to mitigate losses? **IT** – Venues were cancelled early to avoid charges.

RC – We are a membership organisation and other similar organisations who have moved away from a majority membership funded structure have not done so well. Need to maintain control through membership. **PW** – Agreed that it is a risk to move away from membership majority. **BG** – Meant more of what extra activities can ADA get involved with to earn income rather than reducing membership, i.e. could IDB's commission ADA to do work for them.

ADA Subscriptions

IT – Please indicate you support of a freeze in subs, 1% rise or 2% rise.

PB – Note that reserves are currently above the agreed minimum threshold.

All – Unanimous support for a membership freeze taking into account current pandemic circumstances.

Review of ADA's Memorandum & Articles of Association

IT – Looking into changing from an association to limited company. Also looking into widening membership. Any comments welcomed on the draft.

PW – Recommendation when presenting to the Board is to have a 1 page summary of what has been changed and why. Is it the intention that associate members have voting rights? **IT** – View is that all members are equal members. Proportion on membership types has changed however so we do need to look into this in more detail and consider all aspects. **PW** – Don't want associate members who would be set to benefit commercially from decisions made to hold a disproportionate share of the votes purely due to there being a bigger potential pool of associate members than of IDB's and LA's etc. **RC** – Associate members don't currently hold a place on the Board but we are seeing a growth in associate membership. Associate members should not have the ability to affect our lobbying priorities and capabilities with DEFRA. **IT** – In reality the last vote held at an AGM was a very long time ago. Associate membership is very important as provides sponsorship and constitutes 15% of membership income. Accept that IDBs should be core members. **TF** – Should associate members have a place on the board? We may need to take legal advice on this. They may be under-voiced. **RC** – Perhaps yes. **PB** – Associate members are invited to the Branch meetings though so do have a voice and a line to the Board through branch directors. **PW** – What about changing the term, to something similar to commercial members?

IT – Intend to present the amended memorandum of association at the AGM so will seek legal advice from Towergate prior to then.

Action – IT will seek legal advice on associate members and voting rights on the Board.

IT

Honorary advisers

PW – Prior to discussion, will just say that from an honorary advisors perspective, it is good to be able to contribute to the Committee. PW left the meeting.

	<p>IT – Don't want to exclude anyone who may want to contribute to an ADA Committee. IB & KD no longer continuing their advisor roles with ADA & we have had an RFCC and Environmental vacancy for some time now. What are everyone's thoughts on the future of honorary adviser roles to the Committees?</p> <p>PB – It is better to engage individuals who are actually show an interest when topics are raised than appoint them before knowing what the advice is that is required.</p> <p>IT – T&E Committee suggested that formal appointments may not be necessary going forward and that we should call for advice when needed. This is the approach suggested going forward.</p>	
1519	<p>EA Update</p> <p>RH – In terms of Covid-19 impacts, critical activity has continued and where there have been changes which have impacted IDBs they have been contacted. The Flood warning system has changed a little as a result of Covid-19 impacts but is still operating. The office staff have been working from home and field teams are beginning to get back out. Depots are still operating a one-in-one-out system. Office workers are not expected to return to offices for somewhere between 6-12 months.</p> <p>RH - The national strategy has been laid before parliament before the summer recess then needs to be in parliament for 40 sitting days so is expected to be finalised in Autumn.</p> <p>RH – Funding refresh is underway. 6 year programme of 125 million being allocated. IDB proposed projects have been submitted which make up 2.5 million. IDB's must liaise with area teams to agree allocation.</p> <p>RH - Flood recovery – All post incident inspections complete for the Nov & Dec floods which consisted of 20,000 inspections leading to 600 repair projects in order to restore the service standard by October. 51 have been completed to date.</p> <p>RH – DEFRA have requested a review of how precept is calculated and spent and reported. There is concerns around inconsistency in this across the country. Is using PW's guidance from 2014 which is being refreshed. The Aim is to align the approach across the country.</p> <p>TF – Is the allocation process being refreshed also? RH – Refreshing the mid-term plan has usually happened by now but has been delayed due to covid-19 and Feb floods so is being picked up now for the next 6 years. The local EA lead should have contacted their associated IDBs. Can expect confirmation and approval of allocation in October.</p> <p>PB – Is there any progress with rural aged asset replacement funding which isn't covered by FDGiA? RH – No update. EA assets need investment too and the conversations are happening with DEFRA. Have asked local EA leads to contact IDBs to request their project proposals and strongly recommends entering them into the pipeline for consideration regardless if they don't quite meet the criteria.</p> <p>RC – Can the ability to carry forward precepts be looked into? Precepts can't be carried forward as local levy can be. RH - Looking at this with DEFRA PAG as it is for DEFRA to decide this but EA supports the discussions re. overall funding. PW – It can be carried forward for future projects.</p> <p>PW – Under partnership funding rules, properties built after 2012 are excluded from calculations. Will they be included eventually as years go on?</p>	

	<p>RH – Use the consultation to raise this point. Believe that it is 2009 not 2012 that any new development needed to take into account climate change resilience.</p>	
1520	<p>Update from T&E Committee meeting 2nd June. SL – T&E meeting held on zoom was a success. Nothing to add to key points set out in supporting papers but will take any questions. <i>Key points as below:</i> <u>Biodiversity</u> <i>Biodiversity Action Plan template draft is almost ready to send to NE for comments. Thanks to all involved in the working group.</i> <i>SL - Biodiversity Metrics also drafted and final version being reviewed before being sent to NE.</i> <i>SL - The Environmental Good Governance Guide project also progressing and hope to meet this Friday to review chapter headings and their key messages. Slightly behind schedule due to Covid-19.</i></p> <p><u>Data & Evidence</u> <i>SL - IDB1 proposed revisions held back awaiting for biodiversity metrics to be confirmed but everything outside biodiversity is drafted ready to discuss with DEFRA.</i> <i>SL – Permissions to publish all IDB boundary data layers under OGL almost there. SL met with GIS rep from the EA who has given us advice on which GIS system may be best.</i> <i>SL – Full infographics relating to IDB1 data being developed by Ryan Dixon.</i></p> <p><u>H&S sub-committee</u> <i>SL - Great first meeting held on Zoom focussing on the application of the CDM regulations and developing a number of presentations on HS&W topics for presentation at Board meetings. Topics proposed included HS&W responsibilities, equality & diversity, wellbeing.</i></p> <p><u>Env' sub-committee</u> <i>SL - Agreement received to set up a new environmental sub-committee. SL will develop.</i></p>	
1521	<p>Future Events IT – online meetings planned for conference and AGM. Still hoping Rebecca Pow can attend. Branch meetings are being encouraged to take place on-line, particularly the AGMs. River conveyance summit is delayed as believe a face-to-face is definitely needed. EUWMA both mid-term and annual meeting will be online. IDB drop-in sessions via Zoom have been successful. Floodex 2021 is still being planned as going ahead.</p>	
1522	<p>AOB IT – Please respond to the events questionnaire</p>	
1523	<p>Future Meetings Tuesday 8th September – most probably on-line again but will take a view closer the time.</p>	
1524	<p>Close TF - Meeting closed.</p>	