



Representing Drainage Water Level & Flood Risk Management Authorities

TECHNICAL AND ENVIRONMENTAL COMMITTEE MEETING

Minutes

Remote Meeting via Zoom
Wednesday 25 May 2021
09.45 – 12.45

DRAFT FOR APPROVAL

Attendees:					
Name	Representing	Present	Name	Representing	Present
Andrew Newton	Engineer - Ely Group of Drainage Boards	Apol.	Ed Johnson	Chief Engineer - Witham Fourth IDB	Yes
Chris Manning	Environmental Officer, WMC & Doncaster East IDB	Yes	Innes Thomson	Chief Exec - ADA	Yes
David Thomas	CE - Middle Level Commissioners	Yes	Martin Shilling	Head of Technical & Engineering Services- Lincoln & District IDB's	Yes until 11.30
Diana Ward	Ecologist for Ely and Bedfordshire groups of IDB's	Apol.	Mat Jackson	West Sussex County Council	Yes
Mark Phillips	Natural England	Yes	Neil Longdon	Environment Agency FCERM Manager Yorkshire North and East	Apol.
Peter Bateson	Chief Executive - Witham Fourth District IDB	Apol.	Roger Burge	Chief Executive & Clerk – Somerset Drainage Boards Consortium	Apol.
Robert Caudwell	ADA Chairman	Yes	Trevor Purlant	Committee Chairman	Yes
Phil Camamile	Chief Executive, Water Management Alliance	Apol.	Sofi Lloyd	Committee Secretary & Tech. Officer - ADA	Yes
Ian Moodie	Tech Manager - ADA	Yes	Tim Farr	ADA P&F Committee Chair	Yes
Andy McLachlan	Chief Executive - Yorkshire and Humber Drainage Boards	Yes	Andrew Morritt	Coal Authority	Yes
James Yarham	Environment Agency	Yes			

Ref	Minute
	Formalities, Regular Topics & Updates
1576	Apologies received and welcome to new members TP welcomed everyone to the meeting and put forward apologies for non-attendance.
1577	Declarations of Interest None noted.
1578	Approval of Minutes Minutes of the Committee's previous meeting held on 8 February 2021 were approved.
1579	Action Log The Committee noted the actions progressing as detailing in the log. IM reported that the education resources project was still progressing with LEAF

	<p>Education. ADA was still seeking volunteers for becoming education ambassadors, with training expected to be held in the autumn.</p>
1580	<p>Biodiversity Workstream</p> <p>SL reported that a series of biodiversity metrics for IDBs had been completed. SL was currently writing covering guidance to accompany these metrics, to explain how IDBs should count them, and how the metrics would be used. The metrics would be recorded in the first year through a voluntary questionnaire issued by ADA to IDBs. The metrics and guidance would be published together later in 2021.</p> <p>MP asked whether there was overlap with Natural England’s Biodiversity Metrics 2.0. SL explained that the metrics ADA had developed were not directly about assessing changes in biodiversity value related to development, but about identifying and quantifying positive actions being undertaken by IDBs as part of their operations.</p> <p>CM noted that there was a lot of changes for IDBs regarding biodiversity at the moment: the updated IDB BAP, new metrics, and Environment Bill. Would therefore be important to ensure that IDBs have a programme for implementation and have a plan for supporting IDBs to deliver on this.</p> <p>SL supported that idea, noted that the revised BAP had been written with the Environment Bill firmly in mind, and the new duties it brings for public authorities.</p> <p>The Committee discussed additional burdens and costs associated with regulatory changes. Members noted the significant underestimate by government of the actual costs of implementing the Eel Regulations within FCERM.</p> <p>IT felt that it was remained important for ADA to gather evidence and data, to understand actual costs around the Eel Regulations to IDBs.</p> <p>MJ asked whether there were opportunities to share costs for eel remediation’s across a catchment rather than as an individual authority or asset. Should also seek opportunities for funding from environmental grants that are out there to undertake enhancements to eel passage.</p> <p>Action: SL to seek an update from the Environment Agency’s Eel Regulatory Group on any proposed reforms, and a meeting or workshop to enable IDBs to discuss these changes.</p> <p>DT suggested that the divide between IDBs’ environmental duties and the funding available to deliver them was growing, which should be raised with government.</p> <p>IT reported that, despite ADA’s efforts and requests to the Defra Minister, ADA had not been invited to join Defra’s stakeholder working group on ELMS.</p> <p>The Committee discussed current environmental investment by the sector and IDBs and that it would be useful to look across catchments at how this investment is best spent.</p>
1581	<p>Data and Evidence Workstream</p> <p>SL reported that ADA was working to understand where gaps remain in ADA’s data gathering following updates made to the IDB1 form and the launch of the IDB biodiversity metrics.</p> <p>Action: ALL provide feedback on further data they would like ADA to gather from IDBs, either annually or periodically.</p> <p>The Committee discussed the three HS&W modules recently published by ADA. SL reported that further modules would be developed based on members’ feedback to tailor these to IDBs’ needs.</p> <p>EJ would support greater HS&W guidance aimed at officers and felt that this might receive greater take up.</p>
1582	<p>Climate Change (IDB adaptation and carbon reduction) Workstream</p> <p>SL reported that she had reviewed the Environment Agency’s carbon planning tool (ERIC) for capital/construction projects. However, the tool is complex and lacks coverage of routine flood risk and watercourse maintenance operations. Consequently</p>

the ERIC tool will not be suitable for IDB use. ADA will look at other carbon calculators available, including those used by local authorities (LGA) and the farming sector and seek to tailor a suitable calculator from these. A carbon calculator would help IDBs develop a baseline for the carbon emissions they currently produce, from which they can develop plans for reduction.

AM said that the Coal Authority was also pushing for a 2030 net zero target. He said that there were already some very good carbon calculators available for electrical usage and fuel. The Coal Authority were currently putting together their own carbon calculator, which might well align with the needs of IDBs.

Action: AM to share further information on the Coal Authority's carbon calculator.

The Committee members were aware of other authorities already benchmarking their carbon use and would find a tool for IDB operations most helpful. This prompted discussion around target setting for reducing the sectors' carbon emissions, with IDBs seeking greater efficiency, reducing carbon derived energy sources, and then lastly offsetting emissions, in that order.

AMc noted that IDBs had the challenge of adapting to the effects of climate change at the same time as seeking to reduce carbon reductions. His IDBs were keen to look at rationalisation opportunities to create more efficient water management systems, but the existing FDGiA approval system acted as a barrier to this.

MJ suggested looking at it as a carbon reduction journey towards net zero. He agreed that the first priority would be to look at quantifying and benchmarking carbon use, then each body identifying means to reduce their own carbon use and establish plans to implement these. This would help each IDB to manage the costs over time and bring with it an assurance to others of a commitment to deliver.

MP wondered whether the analysis internal drainage districts could help identify opportunities for land use change for carbon sequestration, peat restoration etc., where these aligned with the most significant pumping/water level management costs/barriers for IDBs.

EJ reported that measuring fuel use and understanding the emissions from different engine types could quickly point to efficiency savings for boards. He was also looking at different fuel types.

IT concluded an interesting discussion, that the core would be understanding the baseline position for IDBs. Having strong data to then make decisions on targets and objectives and actions to reduce carbon use, seek green energy sources, and then later offset what remains.

SL reported that two IDBs had put forward data to an Environment Agency MEICA project looking at carbon emissions and reductions from pumping stations. It was hoped that the project would identify some quick wins and longer term measures to reduce carbon emissions from flood and water level management pumping.

1583

Managing Channel Sedimentation Workstream

SL presented the scope of a newly proposed workstream for comment and approval by the Committee. This would focus on:

- Developing approaches and guidance which help IDBs to influence and encourage riparian landowners to improve soil management and reduce surface run-off
- Continuing efforts to ensure efforts to balance capital and maintenance funding on main river
- Improving the interpretation of environmental permits and regs around de-silting/dredging works.
- Seeking examples of and promote case studies of positive partnership working to reduce and manage sediment on a catchment scale
- Developing guidance on channel de-silting approaches.

	<p>CM considered that with ratepayers funding the desilting of watercourses there should be a means to look at the economics of soil retention and the benefit/costs of buffer strips etc., quantifying this for lowlands and drainage districts.</p> <p>The Committee discussed changes in agricultural practice (winter wheat and maize) and the maintenance and management of field drains, particularly the jetting of these systems, which could contribute substantial volumes of material to IDB watercourses. CM was aware that fibre membranes can help to capture silt, but there was a need to look at other options too. The Committee did not want to reinvent existing advice, but use the workstream to signpost positive existing research and good guidance applicable to lowland areas. The Committee was also interested in piloting a few solutions that might encourage better silt/soil management practices.</p> <p>TF asked if there were ways of benchmarking how much silt is building up and identify where it was coming from and in what circumstances, e.g. soil types, crops etc. TF wondered whether some form of reciprocal arrangement could induce better soil management practices to reduce silt input into lowland systems, e.g. could this be reflected in drainage rates charged.</p> <p>Committee agreed that the workstream had a very large scope, and recommended picking one or two objectives rather than move ahead with all of these. Objectives should contain a balance of watercourse management alongside preventative approaches.</p> <p>Action: SL to refine workstream proposal based on Committee's feedback.</p>
1584	<p>Summary of latest ADA Board update</p> <p>IT tabled a summary of the last ADA Board meeting held on 10 February 2021.</p>
1585	<p>ADA Events</p> <p>IT tabled a written update on upcoming ADA events and meetings in light of the ongoing pandemic. Key upcoming events included the 'ADA/CLA Keeping Our Rivers Flowing Summit', and ADA Conference and AGM, which would all now be held online. ADA was also still developing plans with its event partners for a working demonstration event in 2022.</p>
1586	<p>Policy & Finance Committee update</p> <p>IM tabled a written update on the workstreams being led by the P&F Committee.</p>
1587	<p>Red Diesel</p> <p>IM reported that ADA had sought data on red diesel usage by IDBs to better understand the scale of impact its loss would have on their water level management activity and finances. It appeared that the change would increase IDB costs by around 2-3% for plant machinery and around 2-3% further for those using diesel to power pumping stations.</p> <p>IT had written to HM Treasury on the matter and the response from the appropriate Minister had not altered their position that the ability for IDBs and other flood risk management authorities to use red diesel would be removed from April 2022. The Minister had invited ADA to hold a further meeting with the relevant HM Treasury civil servant on the matter and to discuss ADA's concerns in more detail.</p> <p>IM felt that IDBs now needed to financially plan for the changes to take effect from April 2022 and ensure that the cost implications were made clear to special levy paying authorities.</p> <p>AMc considered that late summer would be the latest that his IDBs could wait for any movement from HM Treasury on the matter.</p> <p>TP highlighted the risks of theft from storing white diesel.</p> <p>EJ asked about situation with road tax, which would need clarifying soon as changing the taxation on a vehicle could be a drawn out process.</p> <p>IT confirmed he had emailed the relevant HM Treasury civil servant and would raise</p>

	road taxation with them.
1588	<p>Environment Forum</p> <p>SL reported that the Forum continued to meet regularly and that its next meeting would take place in June.</p>
1589	<p>Environment Bill</p> <p>SL summarised that clear direct impacts from the Bill for IDBs remain a time away as those relevant changes related to provisions for the government to make new regulations, e.g. related to the habitats regulations. ADA had released a briefing to IDBs on the Bill and its implications earlier in the Spring, which was circulated to members and was available from the ADA website. There are also some provisions related to waste, to include waste tagging and the sorting of waste which could prove of benefit to IDBs. Recent changes to the Bill had not added anything fundamentally new that impacts IDBs directly.</p> <p>The Committee noted the recent publication of Defra's England Peat Action Plan. RC reported that Defra's Lowland Agricultural Peatland Task Force that he chairs had their third meeting coming up. IDBs were well represented on regional working groups and by IM on the national task force. In the Action Plan, the Secretary of State had highlighted that solutions will be around water level management, and so IDBs will be integral to this, working more closely with land managers.</p> <p>CM noted that the changes under the Bill to the Habitats Regulations moving from maintaining a favourable conditions for the species to enhancement were positive, but would require greater action and expenditure on invasive species such as mink.</p> <p>SL reported the publication of Defra's Tree Action Plan for England. Emphasis should be placed on having the right trees in the right place.</p> <p>SL reported that ADA was seeking further clarity on the respective regulatory roles of the new Office of Environmental Protection and existing regulators - the Environment Agency, Natural England etc.</p> <p>EJ highlighted that the Woodland Grant Scheme could be an option for IDBs where they own land, especially for linking up areas of existing habitat.</p> <p>IM reported that Defra were expected to be releasing a beaver action plan before the summer recess.</p>
1590	<p>Health Safety & Welfare survey</p> <p>SL reported that ADA was planning to circulate a new survey to IDBs on HS&W matters, repeating the survey conducted previously.</p> <p>IT was keen to understand how IDBs were utilising the training modules provided by ADA.</p>
1591	<p>ADA Gazette</p> <p>SL sought ideas for ADA Gazette articles and feedback on recent/future articles and topics covered.</p> <p>No comments were raised.</p>
1592	<p>Environmental Good Governance Guide</p> <p>SL reported that the guide remained on track to be published later in the year. SL shared a draft of the guide with Committee members. The guide covered as far as possible the breadth of environmental legislation relevant to IDBs and was therefore being developed as a reference guide. Work was ongoing to edit the guide. Comments to date were on making things easier to find and finding a suitable structure that split the guide up into section topics. ADA's focus at this stage in developing the guide was to focus on the accuracy of the information it contains, ensuring that it was factually correct, and flagging any significant gaps in its content related to IDB works.</p> <p>The Committee were supportive of the draft guide, felt it was very detailed, and was an</p>

	<p>important piece of work to help IDBs become better aware of their obligations. Committee suggested splitting the guide up into relevant themes and topics to make it more easily accessible, an alternative suggestion made would be for ADA to create a series of additional user guides.</p> <p>JY supported the work, and reiterated offer to work with Environment Agency contractors to help edit the guide.</p> <p>IT thanked the Committee for their support, and for the work and effort by SL and initially by some Environment Agency colleagues who helped with the initial framing of the guide. IT was keen that once ADA have the content accurate, a key task would be editing the document down to around half its current length. Emphasised that it remained important for the guide to remain an ADA lead document.</p> <p>IM was confident that ADA could shape the guide into a more succinct and topic lead guide.</p>
<p>1593</p>	<p>Waste regulations</p> <p>IM explained that a complaint had been raised regarding the content of litter and flytipped material in the arisings removed from watercourses by an IDB during their routine watercourse maintenance operations working under the D1 dredged waste exemption. IM highlighted a recent change in the wording of the D1 exemption on the gov.uk website, making the screening and removal of all litter and flytipped material more absolute. IM recognised the desire to do this, but was concerned that its interpretation needed to be proportionate to the challenge facing IDBs managing watercourses in areas with prevalent flytipping and littering. IM sought views from the Committee on the recent change to the D1, and whether any exemption holders had been consulted on this change.</p> <p>AMc highlighted that flytipping in some of his drainage districts was chronic, with tonnes of material being dumped every day, and once dumped on a roadside it had then found its way into IDB maintained watercourses. IDBs operated under Section 15 of the Land Drainage Act 1991 which empowered IDBs to deposit onto a bank without compensating the landowner. However, section 15 is silent on consideration of waste. Wanted to seek clarity over the crossover between the waste regulations, particularly D1, and this power within the Land Drainage Act 1991. The quantity of waste being deposited, meant that the IDB wanted to find a cooperative working relationship with local waste regulators to find better solutions for preventing and then dealing with flytipped material within watercourses.</p> <p>EJ noted that when IDBs took material out of a watercourse it was judged to be a controlled waste and therefore their IDB did appropriately manage and dispose of flytipped material recovered during their routine and emergency operations.</p> <p>JY had looked into this and was clear that Environment Agency's legal interpretation of S15 did not exempt IDBs from waste regulations. Would feedback to Environment Agency colleagues about the changes to D1, and that ADA and exemption holders appear not have been consulted and may require further discussion with ADA.</p> <p>Action: SL/IM to raise D1 changes at Defra IDB Policy Advisory Group.</p>
<p>1594</p>	<p>Future Meeting Dates 2021</p> <p>The Committee confirmed that their next meeting would take place on 14 September 2021, with a preference for a face to face meeting if conditions allow.</p>
	<p>Close of meeting</p>