



# Representing Drainage Water Level & Flood Risk Management Authorities

## TECHNICAL AND ENVIRONMENTAL COMMITTEE MEETING

# Minutes

24<sup>th</sup> May 2022

Venue: CIWEM - 106-109 Saffron Hill London EC1N 8QS (Reeves, Fleet & Danube Rooms)

## DRAFT FOR APPROVAL

Attendees:					
Name	Representing	Present	Name	Representing	Present
1. Chris Manning	Environmental Officer, WMC & Doncaster East IDB	Y	12. Martin Shilling	Head of Technical & Engineering Services- Lincoln & District IDBs	Y
2. David Thomas	CE - Middle Level Commissioners	Y	13. Mat Jackson	West Sussex County Council	Y
3. Diana Ward	Ecologist for Ely and Bedfordshire Groups of IDBs	Y	14. Neil Longdon	EA – FCRM Directorate	Apol.
4. Mark Phillips	Natural England	Apol.	<b>15. Trevor Purliant</b>	<b>Committee Chairman</b>	Y
5. Andy Morrith	Principle Contracts Manager - Coal Authority	Apol.	16. Sofi Lloyd	Committee Secretary & Tech. Officer - ADA	Y
6. Robert Caudwell	ADA Chairman	Y	17. 8. Ian Moodie	Tech Manager - ADA	
7. Phil Camamile	Chief Executive, Water Management Alliance	Apol.	18. Tim Farr	ADA P&F Committee Chair	Apol.
8. Dan Martin	Asset Manager - Yorkshire and Humber Drainage Boards	Apol.	19. Innes Thomson	Chief Exec – ADA	Apol.
9. Ed Johnson	Chief Engineer - Witham Fourth IDB	Y	20. Peter Bateson	ADA Company Secretary & CE Witham Fourth District IDB	Apol.
10. Gary Leatherbarrow	Sales Director - Bedford Pumps Ltd	Y	21. James Yarham	EA - FCRM Senior Advisor	Y
11. Oliver Pantry	Clerk - Upper Medway IDB	Y			

Ref	Minutes
	<b>Formalities, Regular Topics &amp; Updates</b>
<b>1643</b>	<p><b>Apologies received and welcome to new members</b> TP welcomed everyone to the meeting &amp; put forward apologies for non-attendance. Welcomed Garry Leatherbarrow (GL) and Oliver Pantry (OP) joining their first meeting. Dan Martin (DM) also joins the Committee, but was unable to attend this meeting. Welcomed back DW, EJ, MS and MJ who had been reappointed for a further term.</p> <p>SL reported that the Committee had one vacancy and asked the Committee for any recommendations.</p>
<b>1644</b>	<p><b>Declarations of Interest – TP</b> None noted.</p>
<b>1645</b>	<p><b>Approval of Minutes – TP</b> Minutes of the Committee's previous meeting held on 25 January 2022 were approved.</p>
<b>1646</b>	<p><b>Action Log – SL</b> Actions progress were detailed in the log circulated.</p>

1647	<p><b>ADA Committees' Structure</b></p> <p>Committee discussed suggestion of forming a combined 'policy committee' for ADA to avoid overlap and duplication, as well as the current functioning of Workstreams/Task &amp; Finish/Working Groups. Environment Forum, and HS&amp;W Working Group were functioning well.</p> <p>Committee noted positive progress by ADA in completing tasks in recent years. Highlighted crossover between the two Committees and need for input from both sets of officers.</p> <p>OP stated that working groups were a good steppingstone into working with ADA Committees.</p> <p>Committee broadly satisfied with how things are currently working and suggested it was for ADA staff to manage the crossover between the Committees.</p> <p><b>COMMITTEE PREFERENCE:</b> To retain two separate Committees with shared working groups.</p> <p>DW noted that SuDS has such an environmental focus and should sit with T&amp;E.</p> <p>MJ suggested a hybrid structure for Committees and integrating nutrient neutrality with health and safety workstream. DT felt this was a big enough topic in its own right. Previously pollution matters and water quality have been less directly part of the role of RMAs in their flood and water level management role outside of the direct environmental impacts of their work. However, increasingly these functions overlap and integrate with water quality.</p> <p>CM noted positive work with water companies with regards to metaldehyde reduction.</p> <p>SL noted that beyond nutrient neutrality, water neutrality will have wider impacts to RMA functions. IDBs do not routinely gather water quality data. Increasingly IDBs were being asked by developers and planners to provide volumetric and flow data where it is held.</p> <p>SL noted that this could present an opportunity for IDBs to look at their charging structures for providing environmental data to developers and planners.</p>
1648	<p><b>Brief Workstream Updates</b></p> <p><b>a) Biodiversity</b></p> <p>SL proposed to close workstream as actions completed, notably Biodiversity Metrics. Over half of IDBs had responded to the first trial year of metrics. Hope that response rate will increase in future years, survey will be collected on a financial year basis in line with IDB1 cycle. Techniques covered may be expanded to cover other positive techniques contained within EA Channel Management Handbook.</p> <p>Timescale for recording data clarified as Financial Year (1 April to 31 March).</p> <p>Committee concluded to close the workstream following completion of this work.</p>
1649	<p><b>b) Biodiversity Net Gain</b></p> <p>SL discussed requirements within planning for a biodiversity net gain of 10% upon predeveloped habitats. This would be assessed using the Biodiversity Metric by Natural England as a proxy for biodiversity quality and quantity. Rivers, streams and marine will be covered by a separate, but related, metric. Will need to be accredited to use this metric. Impacts could result from proposals for riparian planting etc. that could, as they develop and mature post-development, impinge on IDB works and consenting. Raises the question of whether planners who will be reviewing developers net gain plans will need to be trained and will have sufficient knowledge about potential impacts upon IDBs to ensure these are not overlooked within lowlands areas. This could potentially miss opportunities on the one hand, but also result in some conflicts if poorly planned or implemented. Will make early consultation with developers more important for RMAs. Also may be an issue as Net Gain will be considered at an outline planning stage, earlier than IDBs are typically engaged by developers and planning authorities. Furthermore IDBs lack statutory planning consultee status that can be a barrier to being informed about planning matters.</p> <p>Committee agreed that having a robust process for IDBs to engage with the planning system was critical.</p> <p>It was noted that IDBs' own works would also have to meet these net gain requirements where</p>

	<p>they require planning consent, and are not covered by permitted development.</p> <p>Committee discussed responsibilities for long term management of net gain provisions for developments, noting potential opportunities for RMAs to adopt or enter into management contracts for such areas for 30 year duration stipulated.</p> <p>MS noted challenges of engaging with multiple planning authorities.</p> <p>DW: ADA guidance to planning authorities regarding consideration of IDB competencies in planning matters.</p> <p>Policy around unconsented works, clarifying that planning permission does not equate to IDB consent and vice versa.</p> <p>DT asked which has primacy, net gain provisions for planning consent or drainage consents? Concern that poorly planned provisions could conflict with IDB operations, for instance tree planting and avoidance of non-woody species around SuDS and water management infrastructure.</p>
1650	<p><b>c) Environmental updates</b></p> <p>SL provided a number of environmental updates on:</p> <ul style="list-style-type: none"> <li>Controlled release of floating pennywort weevils.</li> <li>Defra review of Environmental Impact Assessment regulations including land drainage.</li> <li>Defra plant protection product users to have to register by 22 June 2022. Environment Agency memorandum on use of herbicides by RMAs is in development, but delayed.</li> <li>Eel regulation guidance ADA and IDBs have inputted into is ongoing and publication is close, but has been delayed. SL has asked the question regarding existing exemptions that have run out. CM has had difficulties around providing specific dates for when fish friendly provisions are going in around a pumping station refurbishment. Such exemptions need more margin to allow for delays in capital works.</li> </ul>
1651	<p><b>d) Data and evidence</b></p> <p>Committee talked about the use of IDB data infographics developed by ADA. Discussion covered the design work required, the frequency of reviewing the data, updating the format of the IDB1 questionnaire, and the purposes for data collection.</p> <p><b>ACTION:</b> Create a template for individual IDBs/groups to produce infographics of data.</p>
1652	<p><b>e) Health Safety &amp; Welfare (HS&amp;W)</b></p> <p>HS&amp;W knowledge modules and shaping future modules was discussed briefly.</p>
1653	<p><b>f) Climate Change (IDB adaptation and carbon reduction)</b></p> <p>SL announced that a Carbon Accounting Guide for IDBs &amp; reporting template had been published in draft format on the ADA website.</p> <p>MJ suggested submitting business cases for pilot projects to reduce climate emissions.</p> <p>CM noted that carbon emissions from IDBs will be strongly linked to rainfall patterns.</p> <p>OP asked about any requirements for IDBs to report or publish this carbon data. SL reported that there had been a call by the CCC for more public authorities to publish their carbon data, but broadly created as a tool for internal use.</p> <p>Decarbonisation of maintenance fleet remains an issue. SL had written an overview of different approaches from manufacturers.</p> <p><b>ACTION:</b> Committee discussed holding online training to assist IDBs with using the carbon calculator.</p>
1654	<p><b>g) Managing Channel Sedimentation</b></p> <p>The Committee discussed the scope of this workstream.</p> <p>SL highlighted work to investigate and publicise existing land management stewardship options related to flood and water management. These are currently underutilised, but could be useful as part of wider strategies to address flood risk within lowland catchments.</p> <p>CM noted that there are potential inconsistencies between common IDB practices and the Land</p>

	<p>Drainage Act 1991, and the wording of existing D1 and related waste exemptions. This question was taken to the AINA Wet Dredgings Group, but was not addressed. A broader interpretation of 'one mechanical movement' appears to be taken by the Environment Agency, allowing the movement of material to avoid obstacles. Given that IDB practices had not resulted in prosecution or concerns, on balance Committee agreed to continue to monitor practices at the present time.</p> <p>More broadly the sources and pathways for silt entering lowland drainage systems, looking at farming practices and research to address these sources of silt, particularly land drains, roads, and SuDS.</p> <p>SL highlighted a beneficial use of marine dredged sediment project (called BUDS) on the south coast of England looking to use dredged material to replenish saltmarsh habitats. Opportunities to look for similar opportunities for riverine sediment and return to adjacent fields. Looking at processes for monitoring and mitigating pollutants.</p>
<b>1655</b>	<p><b>Environment Act 2022</b> OP would welcome progress of consultations around provisions within the Act are continuing and then there may be guidance once secondary legislation is published. Key aspects of the Act related to IDBs would be covered within the Environmental Good Governance Guide.</p>
<b>1656</b>	<p><b>Environmental Good Governance Guide</b> SL reported that she was currently editing the draft Guide. SL would be submitting the edited Guide to Ryan Dixon for typesetting the third week in June. SL noted that the guide would require an update in the next year in order to cover aspects within the Environment Act 2021 as these come online and are further clarified.</p>
<b>1658</b>	<p><b>Cyber security</b> DT suggested ADA developing a cyber security policy for IDBs as these risks were increasing.</p> <p><b>ACTION:</b> IM to put this proposal before ADA Policy &amp; Finance Committee.</p> <p>MJ noted that local government use corporate training providers to run e-learning modules on GDPR, cyber security etc.</p>
	<p><b>Summary of recent work progressed</b></p>
<b>1659</b>	<p><b>a) All Party Parliamentary Group (APPG)</b> SL reported that the inaugural APPG meeting took place on 28 February 2022. Andrew Percy MP was elected chair of the APPG along with other MPs and peers as officeholders. Details of the APPG were now published on a new page on the ADA website.</p>
<b>1660</b>	<p><b>b) Consultations</b> Green Paper - ADA has responded, including review of habitats regulations, include renaming protected species and sites. Site improvement plans for protected sites, are not currently statutory, but there is a proposal to make these statutory.</p>
	<p><b>Work being progressed in 2022</b></p>
<b>1661</b>	<p><b>a) PSCA Amendments</b> SL asked about what steps can be taken to increase amount of work being delivered through PSCAs to deliver more maintenance.</p> <p>EJ highlighted that the biggest stumbling block that needs addressing for IDBs getting involved or expanding involvement with PSCAs with the Environment Agency had been a lack of multiyear settlements for works covered within a PSCA. Such multiyear settlements would provide security of funding to procure suitable, equipment, machinery and personnel.</p> <p>JY noted that PSCA numbers had fallen from 79 to 39 and 24 have been terminated. JY felt that only a select number of IDBs would have the resources to participate in PSCAs, earlier iterations were light touch in terms of paperwork and have not been renewed at later phases.</p> <p>MJ noted concerns about having the resources to deliver watercourse management works with farmers and landowners without an RMA partner such as an IDB. A challenge being grappled with in the River Arun IDD.</p>

1662	<p><b>b) Environment Forum</b> SL has been regularly holding these informal meetings of environmental professionals within ADA's membership, which had been positively received. Further forum meetings were planned.</p>
1663	<p><b>c) Environmental Stewardship</b> SL reported on seeking greater understanding between needs of IDB watercourse management and the requirements of stewardship options, so that necessary watercourse maintenance acts as less of a barrier.</p> <p>Want to develop stewardship options, especially going forwards into ELMS that can work with IDB maintained watercourses creating diverse grassland strips that IDBs can also routinely maintain as it needs to. Thinking here is not to fundamentally curtail maintenance activity of IDBs on the critical watercourses that they maintain, but make sure that this is sympathetically considered within stewardship agreements and any remediation options are proportionate to the land manager and IDB. Consequently, this could increase the uptake of suitable stewardship options adjacent to IDB watercourses.</p> <p>Discussion of knowing which watercourses are maintained by IDBs and what works undertaken and when notice is given.</p> <p>There was discussion around the exemptions available related to works on watercourses by a statutory authority under the existing basic payment scheme, but that such exemptions were not available on margin options such as pollen and nectar mixes under agri-environmental schemes.</p>
1664	<p><b>ADA Board Updates</b> Discussion of budget based on inflationary pressures, investment of reserves, SAAA announced funding for training, and governance for IDBs, pay and remuneration for ADA staff, future ADA events, and events and meetings now available on the ADA website, discussion on red diesel, board were looking to approve legal advice at that stage.</p> <p>New representative for Environment Agency is Ian Hodge, and that Board Directors from Wales and Eastern Branches, as well as for Local Authorities had stood down.</p>
1665	<p><b>P&amp;F Updates</b> IM gave an update on the previous (January) and upcoming (May) P&amp;F Committee meetings. Key topics discussed included red diesel and educational resources.</p> <p>ADA had been successful in revising Excise Notice 75 to enable RMA to continue to use red diesel where, at least in part, such works benefit agricultural land. ADA had been asked about force major circumstances by some members.</p>
1666	<p>Educational Resources had been launched on Countryside Classroom website, and an online training course held for members. Encouraged members to put pumping stations and other sites on the Countryside Classroom map of locations suitable.</p>
1667	<p>Keeping Our Rivers Flowing had highlighted the funding gap that the Environment Agency has in terms of revenue maintenance currently. In relation to their most critical assets, this suggested a £60 million per annum gap between the funding needed and received.</p>
1668	<p><b>AOB</b> SL asked about requirements for an Accessibility Statement on an IDB website. DT noted that their website has the flexibility to meet this government requirements. Government has audited its main agencies and local authorities and may now start to look at other smaller public bodies in the future.</p> <p>IM published an article in the legal and guidance section of the Gazette 2019</p> <p><b>ACTION:</b> IM to publish a reminder article about Accessibility Statements in the next ADA Gazette.</p> <p><b>ACTION:</b> ADA to develop a list of the minimum criteria for what an IDB website must include.</p>
	<p><b>Close of meeting</b></p>