

Minutes of the meeting of the Association of Drainage Authorities – South East Branch
held at Ashford Cattle Market, Orbital Park, Ashford TN24 0HB
at 10:00am Thursday 24th October 2024

1a. Welcome and Introductions:

The Chairman welcomed everyone to the meeting and invited all to introduce themselves.

1b. Present:

B Gower (Chairman), N Botting, E Burdett, G Bussley, L Carey, R Cauldwell, R Carnac, D Chalcroft, L Cooke, S Curry, N Dyas, A Eastwood (Secretary), D Goff, P Haselhurst (Director), A Hicks (Vice Chair), T Hills, P Howard, M Hurst, A Lynch, S Mair, R Monje, I Nunn, G Oliver, O Pantrey, A Solomon, G Steed, M Wilkinson and J Williamson.

1c. Apologies for absence:

N Claxton, P Dowling, G Holdstock, R Kinsella, D Ledger, G Meaden and I Thomson.

2. Election of Branch Chairman:

The Branch Secretary thanked B Gower and asked for nominations for Branch Chairman. It was proposed by A Hicks, seconded by T Hills and agreed by all that B Gower continue as Branch Chairman. There were no other nominations.

3. Election of Vice Chairman:

The Chairman invited nominations for the position of Branch Vice-Chair. It was proposed by B Gower, seconded by A Lynch and agreed by all that A Hicks be reappointed as Branch Vice Chair. There were no other nominations.

4. Election of Branch Secretary:

The Chairman invited nominations for the position of Branch Secretary. It was proposed by B Gower, seconded by G Steed and agreed by all that A Eastwood be reappointed as Branch Secretary. There were no other nominations.

5. Confirmation of Branch Director for ADA Board:

The Chairman stated that we need to appoint a Branch Director, this post runs for 3 years. It was proposed by B Gower, seconded by L Cooke and agreed by all that P Haselhurst be reappointed as Branch Director to represent the Southeast Branch on the ADA Board for 3 years (until October 2027). There were no other nominations.

6. Minutes of the previous Branch Meeting:

The minutes of the Branch Meeting, held on 25 October 2023, were received. It was proposed by B Gower, seconded by T Hills and agreed by all to be a correct record of the previous meeting.

7. Matters arising from minutes

A Hicks asked for developments on the issues around SuDS. R Cauldwell reported that E Hardy MP was very positive at last year's ADA conference about implementing part of the 2010 Act, which still has not been enacted, but now that she is a Minister things have not progressed. The importance of Schedule 3 (Flood and Water Management Act) – already implemented by the Welsh government – is undeniable and it would empower Local Authorities (LAs) to insist SuDS are incorporated into new developments, though the Minister is not as enthusiastic as before being elected.

R Cauldwell added that ADA continues to work with ASA (Association of SuDS Authority) looking at collaborative working and it is ADA's aim to get Schedule 3 enacted.

O Pantrey asked if IDBs should seek to be members of ASA. R Cauldwell stated that ADA is seeking an official partnership with ASA which will mean that any organisation that is a member of ADA will in association be a member of ASA. B Gower stated that they work very closely with East Sussex County Council on planning applications and there has been a lot of change with SuDS being an important issue.

R Cauldwell enquired what direction IDBs want to take with regards to becoming statutory consultees because IDBs have different outlooks and a change from advisory to statutory consultee would be a big imposition on IDBs' resources. O Pantrey stated that there is the potential for IDBs to take the management of SuDS into the future on a commuted sum basis or other reasonable financial agreement therefore it seems practical for IDBs to take a greater interest in becoming statutory consultees. R Cauldwell stated that post management of SuDS is an issue, but it is difficult to have legislation stating IDBs because they are not countrywide.

8. Matters raised for discussion:

a. ADA – General Update (R Cauldwell)

- IDB Storm Recovery Funding and Asset Improvement Fund – the first tranche (£25million for Storm Recovery) was allocated but there has been a delay with the second tranche (£50million for Asset Improvement). It currently looks highly unlikely that these funds will be released and if they are they will have to be spent within this financial year. ADA have made strong representations for an extension, but it is doubtful.

- Laura Lamb – new member of staff concentrating on administrative tasks such as membership issues and improving connection with all members.

- Flood Resilience Task Force – the first meeting was attended by I Thomson and R Cauldwell, discussions focussed on emergency planning in the event of flooding and very little about trying to stop it. P Duffy (EA Chief Exec) presented a paper showing that all lowland high consequence systems are in poor condition, fact also previously mentioned by the Secretary of State plus E Hardy MP has talked about 14 years of decline. Revenue maintenance continues to be underfunded even though it has been proven that its cost benefit is 11-1 whilst 5-1 for capital spending. Treasury needs to change their attitude on the split between capital and revenue spend and allow flexibility on the total spend.

ADA pushed for more local delivery and partnership working led by the EA area directors which did not go well with Defra officials. The developing of meril authorities may give opportunities for a different approach.

- Standing Charges – ADA has continued to work with Ofgem trying to reduce these as some have increased massively, normally due to pumping stations.

- Statutory Instrument for updating land ratings – to enable new Boards to form or existent Boards to extend their areas if they so wish, in conjunction with LAs. Very important in some areas where Boards are managing highland or main river waters resulting from flooding.

- IDBs – ADA is pressing for IDBs to be recognised for water level management and not just for drainage which would require changes to primary legislation.

- Special Interest Group for IDBs with the Local Government Association (LGA) – there is huge pressures on LAs and large increases on Special Levies have placed extra pressure on LAs budgets. ADA is working with the LGA on finding a solution possibly by separating IDBs spending.

- All Party Parliamentary Groups (APPGs) – Sustainable Flood and Tranche Management was re-instated with the new government drawing interest from new MPs. Planning reform was discussed, and work continues with the LGA on increasing the charges for Land Drainage Consents.

- ADA membership fees – a 6.5% increase for 2025 was approved by the ADA Board.

- ADA Conference 2024 – 13 November 2024 with guest speakers being Emma Hardy Minister for Water & Flooding, Department for Environment Food & Rural Affairs, Julie Foley

Director of Flood Risk Strategy & National Adaptation, EA, Rachel Halos Vice President NFU, Professor Jim Hall TREng, Professor of Climate & Environmental Risks, University of Oxford and Michael Sly MBE, Chair, North Level District Internal Drainage Board.

Questions/Comments

- E Burdett expressed an interest in the changes to the charges on the Land Drainage Act. R Cauldwell to advise her of the details.

- D Goth asked about the Rural Flood Resilience Partnership. R Cauldwell stated that J Folley has been heavily involved in setting this up and she will inform members about the details. He further stated that if government addressed the massive gap in the budget, funded EA adequately on the high consequence systems, used PSCAs and partnership working, ensuring local delivery to drive efficiency we could really make a lot of change across the whole of lowland England.

I Nunn stated that local delivery is critical because the EA struggle with bringing people from all over the country to do a bit of work that could very easily be sourced locally for a fraction of the cost. R Cauldwell re iterated the fact that the officials were very negative about local delivery and partnership working because they want central control.

I Nunn stated that the EA get tied up in bureaucracy which interrupts the flow of works. R Cauldwell stated that two areas impacted by last year's storms have still not been fixed. B Gower stated that they had a situation where the EA were not doing the work, so the IDB took it on but had to obtain licences at a cost that far exceeded the works' cost. R Cauldwell asserted that these problems are not caused by local EA area teams they derive from national policy.

b. EA – General Update (I Nunn)

- Current situation and outlook – generally hard times with regards to resources, funds, skills and capabilities. A lot of new starters in the field teams highlighted how basic practical skills are disappearing from society and this is frustrating for more committed teams and for everyone affected. Next year's budget is still unknown, but the current year's spend has had no leeway – literally every EA team in the country is over resourced according to budget.

Last year was challenging made worse by the weather conditions, rainfall in November 23 was 300% of LTA and it did not get much better after that. This October ground water levels are higher than normally expected for this time of the year and it looks like it is stepping up each year. Assets are ageing, deteriorating and failing and funds unavailable for repairs or renovations.

The government still does not recognise the balance between maintenance and capital expenditure. This year KSL are struggling to deliver a large capital plan through its frameworks and challenging weather conditions; the EA has a huge capital programme in future years that will find difficult to deliver. At a recent meeting (Folkestone & Hythe) a question was asked about future risks and the IDB, the EA, KCC and Southern Water all stated climate change land use. This is a real issue, and the intensity of the rain is causing places to flood even where flood had not been seen before and dealing with these situations takes a lot of time and resources

- Staff numbers are reasonable, and field teams are protected but unsure what this means as fund allocations do not cover the costs.

- 2025-26 precept to be agreed within the next couple of weeks and considerations need to be given to the practicality of delivering work. Partnership working is critical, and it is always encouraging to see the amount of work that gets done through PSCAs. Renewal of PSCAs is due but is being challenged on whether it offers good value for money.

- Capital programme – struggling to manage £100million worth of projects through EA's resources. Project Team Managers are stretched partly due to the way projects must be managed and the number of people that the current framework uses for even simple projects.
- Assets Condition – asset deterioration and lack of resources is finally being recognised and hopefully something will be done about it. R Cauldwell stated that several Ministers have acknowledged the situation so they must plan a solution or at least apologise for the lack of a plan.

Questions/Comments

- T Hills stated that climate change is real and accelerating the problems with ground water, surface water flooding and building in flood plains. Councils are inundated with planning applications, and we must continue being honest and aim for change. I Nunn stated that we still have not recovered from last year's flood. R Cauldwell stated that it was the first time ever that the Government did not allocate extra funds to the EA for recovery from such a large event and its impact had to be paid for out of existing budgets setting a dangerous precedent. I Nunn stated that staff pay rises are also funded by existent budgets reducing the amount of work that can be done.

- O Pantrey stated that the delivery of work through PSCAs by IDBs represents a pragmatic opportunity for the EA as IDBs tend to get things done with a more direct approach. This work offers an opportunity for delivery but there is an increasingly potential risk, therefore IDBs need longer term planning and security over this work. I Nunn agreed that forward planning is key, but the issue has been constrained EA's resources, though these skills have grown, and things are getting better. There have also been huge improvements in the management of H & S within the field teams making it simpler.

- R Monje reported that he attended a Catchment Partnership meeting where it was suggested to shift the start of maintenance to later in the year which is unrealistic when you consider weather patterns. It is frustrating when the EA do not carry out fundamental work such as land drainage activities which have funding, equipment and staff, due to the F & B teams' interpretation of the legislation. I Nunn stated that watercourse maintenance has been getting later and later due to several factors and currently assessing how it can be carried out whether in house or contracting out within the EA or through PSCAs. Next year's funding is still unknown, and the EA may not be able to afford to do the low and medium consequence maintenance that has been sustained so far.

R Monje stated that the EA need to maximise their function when they have the resources and Operations' Teams should lead. N Botting added that suggestions, such as delaying maintenance and maintaining water levels high, are not in agreement with the Flood Risk Management (FRM) function and although legislation must be adhered to, there must be a practical approach to FRM. I Nunn stated that reduced funding has prompted discussions on how to carry out maintenance and further prioritising watercourses.

- B Gower stated that resource wastage continues with the overlapping between their staff and the EA's staff. I Nunn agreed and stated that these situations need to be ironed out through PSCAs. N Botting added that there needs to be the capability to take on extra work before taking on PSCAs and he is aware of contractors who are working to their limit. O Pantrey reiterated the long-term planning mentioned above, IDBs cannot commit without those long-term forecasts.

I Nunn stated that the current funding does not allow for long term planning. R Cauldwell stated that the maintenance budget should be on a 6-year programme like the capital budget.

- N Dyas referred to the bathymetric silt surveys carried out by the EA on the Lower Stour

which showed a pinch point increasing the likelihood of flooding. Due to lack of funding the EA are just intending to keep monitoring for the next few years, but this is creating a blockage in the Lower Stour, and she asked when is funding likely to be available to dredge that section. It is unreasonable to risk flooding when this is quite a small area that needs addressing. I Nunn agreed and stated that the sampling has been done for the past few years and it will be done for another year when the data can be further analysed. So far, the results show that the silt tends to travel up and down. N Dyas stated that on location it is very noticeable where the silt is and it is not travelling far.

R Cauldwell stated that local knowledge is very important and if area managers could take those local decisions huge funds could be saved, a small scheme now would avoid major problems in the future. I Nunn stated that he will be in touch about this once the latest results are analysed early 2025.

c. General Update – Southern RFCC (M Hurst)

- Emma Hardy MP (Under-Secretary of State for Water and Flooding) has represented Kingston upon Hull

Constituency, area which has the biggest surface water problems registered anywhere in the country.

- EA is in focus over underdelivering partly due to underfunding but also due to some oversights. It has become more risk averse and more concerned about reputation than about the people they serve, whilst clawing back control centrally.

- Asset condition – needs to be discussed as a whole, EA assets are largely in a bad condition, but LAs assets are in an even worse condition.

- Frameworks – unnecessarily complex making every process lengthy and more expensive.

- LAs finances are dire, and the current regime of government funding will see central government also fighting to avoid bankruptcy within 5 years.

- Updates – work under £3million can be approved by EA area teams; National Flood Risk Assessment is due early next year which will for the first time, map out not only the risk of flooding but also the risk of surface water flooding, this will be a game changer particularly for planning authorities.

- £2billion investment announced into sustainable drainage. Southern Water are the leaders in this area and doing great work in the Isle of Wight, Deal, Whitstable, etc. These works are to be rolled out more widely and is a good opportunity for people working on drainage and surface water flooding.

- The new administration is positively keen on devolution to local government and have commissioned various reviews: Defra Regulators and Regulation (Dan Corry), Water Industry Structure and Regulation (Jon Cunliffe), Floods Task Force (meetings addressing different things, first one being to get ready for the winter floods and the second one to be on strategy) where the RSCC have 2 seats along with ADA. Surface water flooding is half of the flooding but only gets 5% funding whilst river flooding receives the rest – needs re balancing.

- Infrastructure Service Transformation Authority – new body to address long-standing issues in the country's infrastructure development, such as delays and inefficiencies that have marred the UK's global reputation with investors. The government to address supply chains more seriously, there has been a 25% increase in steel prices over the last 6 months and national contractors are declining lower cost projects which will get worse with demand. Local supply chains for drainage authorities need to increase, be part of the supply chain, bid to carry out works, become part of the answer rather than being the purchaser.

- Climate Change is happening, but we cannot blame it for all the ground water level surface events, though it will make this kind of thing more frequent. The sea level is rising, and the severity of summer convectional rainfall is increasing but the rest could be due to several things for any one event.

Questions/Comments

- T Hills stated that the Met Office have a new platform for LAs which forecasts the effects of climate change. This can be used as a foresight into the future to plan and adapt, but lack of funding is preventing this.

- P Haselhurst – modernisation of Water Level Management Plans (WLMPs) to become key pieces of evidence to assist RMAs into the future. There are good coastal plans, but an inland water level management strategy for the lowlands and the main river system is lacking.

A WLMP is being developed for lowland in the Kent marshes, without any guidance but focussing on the climate change adaptation aspects, looking at EA's, third party and IDB's assets and how they will perform under climate change scenarios. The aim is to create a document setting out what is needed over the next 20 to 30 years which will clearly evidence how we need to manage water to adapt to climate change and what funding will be required.

B Gower stated that resilience needs to be built into the system to be able to deal with water into the future (to stop flooding from the sea, to get water out and to store it when and where needed).

- N Dyas stated that there are historic problems at Thanet marshes which are upland spring fed. Currently levels are being artificially held higher, pumps not run due to eels so unable to clear or replace outfalls as always under water. The system is already full and in the event of fluvial flooding there is a danger that will back up and flood the nearby villages. Farmland can hold billions of gallons of water but not if the system is already to capacity and farmers are losing crops but are expected to pay ever increasing drainage rates.

I Nunn stated that he sympathises, but resources are not available, and there needs to be a government that recognises the value of agriculture which would provide funding for the tasks that need doing. He further stated that the presence of the eels at Minster and Stourmouth warrant maintaining and operating the pumps that would otherwise not have funding.

T Hills stated that there is a lot of successful partnership working in Kent and more should be sought involving utilities companies such as Southern Water and Soth East Water.

d. DRS – WLMA support discontinuation and options for the future (D Chalcroft)

Drainage Rates System (DRS) – this system is currently used by 23 IDBs and Consortiums but the platform on which it operates will not be supported beyond 2025 (mainly since Microsoft Access 2003 is no longer supported). WLMA have developed a new system (DRS 365) though the costs are considered high at £10,000 for the software licence and transitioning costs and £5,000 annual support charge per site – compared to the current annual cost of around £1,000 per site.

The financial commitment for single IDBs in comparison to groups/consortiums is much larger forming a higher proportion of the agricultural drainage rates. The Southeast IDBs (excluding Pevensey as they fall within WLMA) met last week and are proposing to be treated as a group to reduce costs.

R Cauldwell stated that ADA decided not to take on DRS due to lack of technical expertise. There are a few Boards considering developing their own system, but the software is in early stages of development, and no guarantee what the costs will be. He further reported that ADA has bid for a Defra grant to get all Boards digitalised at least to a base level.

e. ADA Support & Training (G Steed)

Following a heavily critical of IDBs article in the Guardian, some queries were raised in terms of training going forward and whether Boards can be more self-sufficient. Locally IDBs work together and communicate with one another but there is very little interaction nationally and a mechanism to share information and discuss issues that possibly affect all IDBs would be beneficial. Additionally, where issues require a decision/approach, working groups could be set up under the ADA umbrella, to discuss them and if Defra input were necessary, the route of communication would be open through ADA.

R Cauldwell stated that ADA is constantly evolving with its members, and he will investigate, but Branch Directors should already keep those lines of communication open. ADA has two Committees, ADA Audit & Advisory Committee and the ADA Policy Committee and the latter can address this as it has Members from IDBs across the country. In terms of the article in question it is ADA's policy not to directly respond to that type of article as it will only fuel adversity, but did ensure that factual governance issues were covered. There is a new Governance Guide under review to be published shortly and every Board Member should have access to it. Lots of Boards use this guide as modules for training Board Members and there is also an Environmental Guide.

M Hurst stated that said article was very unfair to IDBs in many ways but there only needs to be a couple of IDBs where Governance fails, and bad PR will drag all other IDBs down. Therefore, how does ADA identify IDBs that are failing and how does it ensure good governance. O Pantrey stated that the Internal Audit covers governance which then gets reported to the External Auditors. This article is extremely outdated in terms of processes, and it does not reflect a modern IDB.

R Cauldwell stated that IDBs where governance fails are very quickly identified through the Defra returns nowadays and where this occurs a recovery plan is put in place and ADA works closely with the IDB in question, the Auditors and Defra to rectify the situation. IDBs have positively evolved over the last couple of decades, which has mostly been down to innovative and forward-thinking Clerks aided by what seems to be a new breed of Chairs who are also supporting change and innovation. Furthermore, attitudes have changed within LAs and IDBs and their governance is taken much more seriously than 20 years ago.

D Goth asked how other IDBs review performance. R Cauldwell replied that ADA can help with this. G Steed stated that this is an area where IDBs could collaborate nationally. P Haselhurst agreed that annual self-evaluation against a set criterion linked to the business strategy is important as is personal feedback. She is looking to incorporate an anonymous 360 performance review which will include relevant questions as she feels it is beneficial for own professional development.

f. Mink Eradication Project Presentation

T Reed (Biodiversity Technical Specialist – EA) introduced Prof T Martin from the Waterlife Recovery Trust (WRT) who has found a groundbreaking way of eradicating mink which are a serious problem in our environment and stated as a cause of native species loss. T Martin has eradicated mink across a part of England and his project is now being rolled out and supported by the EA and others.

T Martin discovered in the last 5 years that mink can be eradicated, and the subsequent wildlife response is spectacular. American mink wiped out 97% of water voles and it has been proven in East Anglia that this damage can be reversed. Mink will take prey up to the size of herons and females are renown for going into kingfisher nests, water voles' burrows and wiping out sand martin colonies.

99% success is a failure in an eradication process, this project started in the eastern part of East Anglia aiming to eradicate mink in that area. A buffer zone with traps was created to intercept animals coming in from the outer area and succeeded in preventing breeding over the last three seasons and we are confident that this technique is working. There are traps in place in various areas, but more coverage is needed. Natural England granted £500K to WRT which enabled work from London up to the Humber and a further new area added is part of the newly launched Waterlife Recovery Southeast project which also covers Kent. Every mink that is captured is analysed and Kent has the largest mink he has ever seen, and he is confident that he can achieve in the Southeast what was achieved in East Anglia within 5 years.

The traps used are smart traps and notifications are sent once an animal is trapped and currently the biggest problem is water voles getting into the traps as they must subsequently be released, but a water vole excluder has been added to the traps. The strategy used is underpinned by science – largely genetics – DNA has proven that most of the mink is not travelling far which is helpful when working out the probability of re invasion. Most animals caught are in their first year of life, only 8% reach their second birthday and none get to more than 5 so far. Mink breed only once a year, mate in February and March giving birth in May and have between 2 and 7 babies. WRT have partnerships with over 40 IDBs and more information can be found on the WRT website.

Questions/Comments

B Gower stated that the project is running very successfully in the Pevensey area. T Martin informed that for anyone joining this project, WRT provides constant guidance and support.

S Curry asked what controls the American mink's population in their native land and is the release of mink still a problem. T Martin stated that mink originate from Canada and USA where large predators such as coyotes maintain the natural equilibrium. When they were introduced to Britain in the 1920s there were no large predators and no native diseases. He believed new releases to be unlikely because farming of these animals was banned in Britain in 2000. Until recently there were still 3 farms in the Republic of Ireland and lots of farms still exist in Europe.

R Cauldwell asked if the recovery in eel population has also been observed following mink eradication. T Martin stated that changes in the eel population have not been monitored but mink are only an incidental predator of eels whereas with water voles, they are absolutely the prime predator. T Reed informed that M Hatchwell (Former Director of Conservation at the Zoological Society of London) is very interested in the impact of this project on the eel population so may be able to provide a local answer.

R Cauldwell invited Prof T Martin to give this presentation at ADA's Environment Day (Peterborough) on 5 February 2025.

R Monje stated that the eradication of mink will improve the water vole population which may allow more robust water course management and the delivery of more cost-effective flood risk management. T Martin stated that in East Anglia where water voles are present developers are being charged thousands of pounds and Natural England are piloting a change in legislation whereby for a fraction of the cost being spent on catching and relocating water voles, mink can be eradicated which will lead to a dramatic increase in the water vole population and less constraints for developers.

B Gower thanked M Martin for his presentation.

g. Date & Venue of next Branch Meeting set for Wednesday 22 October 2025 at the same venue.

h. Any other business

There being no other business the Chairman thanked all for attending and considered the meeting closed.

I