

MINUTES of Meeting held on Monday 10th January 2022 via Microsoft Teams Online Meeting due to Global Pandemic. No attendance at the Strensall and Towthorpe Village Hall, Northfields, Strensall, York

PRESENT

Mr J P Coverdale (In the Chair)
Mr S Stark
Mr D R Brotherton
Mr D J E Sherry
Mr M Cockerill
Mr M Kemp
Mr R J Burnett
Mrs S Wiseman
Mr D M Crossley
Mr C Chambers
Mr S Wragg

The Clerk – Mr W Symons
Engineering Assistant – Mr N Culpan

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr J Sowray, Mr P E Clark, Mr I Ridsdale, Cllr T Fisher, Cllr D Sykes and Cllr M Warters.

DECLARATION OF INTEREST

There were no declarations of interest related to the items listed on the Agenda.

The Clerk further informed Members that the Register of Members Interests was available for inspection and update as required.

ELECTION

The Clerk as Returning Officer advised that the new Board had come into place from 1st November. An election had not been required as the number of nominations did not exceed the number of positions on the Board. In view of this all the current Members were re-elected.

The Clerk advised that Members were required to consider nominations and to appoint a Chairman and Vice Chairman for the Board. The positions are usually for a three year tenure.

ELECTION OF CHAIRMAN

The Clerk informed the meeting that Mr J P Coverdale wished to be considered for nomination for the position of Chairman.

It was proposed by Mrs S Wiseman, seconded by Mr D R Brotherton and RESOLVED that Mr J P Coverdale be elected as Chairman.

As there were no other nominations Mr J P Coverdale was duly elected as Chairman. The remainder of the meeting was chaired by Mr J P Coverdale.

ELECTION OF VICE CHAIRMAN

Mr S Stark informed the meeting that he wished to be considered for nomination for the position of Vice Chairman.

It was UNANIMOUSLY RESOLVED that Mr S Stark be elected as Vice-Chairman.

As there were no other nominations Mr S Stark was duly elected as Vice-Chairman.

MINUTES OF LAST MEETING

It was proposed by Mr D M Crossley, seconded by Mr S Stark and RESOLVED that the Minutes of the meeting held on 25th October 2021, a copy of which had been sent to all Members, be taken as read and approved and that they are forthwith signed by the Chairman as a correct record.

MATTERS ARISING

The Clerk reported that no matters were arising from the Minutes of the last meeting which were not covered on the Agenda.

HEALTH AND SAFETY

The Clerk advised that there have been no reportable incidents to the Health and Safety Executive (RIDDOR) since the date of the last meeting.

RATES

The Clerk reported that the total rates collected up to the 1st January 2022 are as follows:

(a) Special Levy -	£317,479.64	(100%)
(b) Direct Levy -	<u>£ 49,999.91</u>	(99%)
	<u>£367,479.55</u>	

The Clerk further reported that there were a few outstanding rate accounts mostly of a low value. Two accounts being likely to be progressed to Court Pre-action protocols being sent as required. A few accounts were in credit where overpayments have been made.

The Clerk having a list of accounts with sums outstanding at the meeting.

The Clerk confirmed that any outstanding rates will be pursued for payment and any remaining sums or credits at year-end will be included in next year's rate demands.

TRANSFER TO
SPECIAL LEVY AND
WRITE OFF

The Clerk informed that he annually updated the land for consideration for transfer to ‘Special Levy’ and the resultant write-off of agricultural rates which cannot be raised.

Special Levy

The Clerk had circulated maps and a summary table with the Agenda for the Board’s consideration.

Members gave consideration of the sports field on account 30-592-9 at York St John’s University.

Members discussed the land which was on the account of 30-433-6. The land which had been piggeries was certainly being developed. The land which was being used for industrial purpose and unlikely to be agricultural was slightly uncertain from a point raised by Mr D M Crossley.

The Chairman asked if it was appropriate to include these industrial units unless it was found not to be with further investigation.

Members UNANIMOUSLY being in agreement.

Amounts to be Written Off

An overall sum in drainage rates remaining on land transferred to Special Levy which cannot be collected amounts to £116.99 which is requested for consideration of writing off.

The transfer to Special Levy and sums to be written off was considered by Members. The Clerk explained the implications on the Special Levy demand for City of York Council.

Members UNANIMOUSLY AGREED to the transfer to Special Levy to the City of York Council as per the maps provided along with the write off of £116.99 in drainage rates.

STAFF

Additional Technical Support

The Clerk informed that the Board still required the additional technical support position as a shared Consortium resource which had currently not been filled. The funding of this position is included in the budgets presented as a shared Consortium cost. The post however is very much office based so with the current virus pandemic has not been filled. The Clerk believing it would not be easy to manage and organise someone working from home during the current virus pandemic. It however is hoped with funding allocated to be able to interview and make an appointment when the situation improves.

CONSORTIUM
ARRANGEMENTS

MAINTENANCE
POLICY

PLANT RENEWAL

Planning Officer Maternity Cover

The Clerk informed that the Board was providing maternity cover for its planning officer with a potential return in May 2022.

Meeting Date

The Clerk confirmed the next meeting of the Consortium Management Committee will be held on Tuesday 8th February 2022 to be held on Microsoft Teams. This is prior to the next meeting of the Board on 7th March which gives an opportunity to address any matters which could be raised at the meeting prior to the start of the next financial year.

Sustaining the Boards Nominated Members on the CMC Committee

The Clerk asked the Board if it wished to sustain its two nominated Members for the meeting who are Mr J P Coverdale and Mr D J E Sherry.

Members UNANIMOUSLY AGREED to sustain the above arrangements for Mr D J E Sherry and Mr J P Coverdale to remain its two nominated Members for the Consortium Management Committee. The Members being given authority to act on behalf of the Board.

This was based on the Board retaining its existing flail mower and tractor for light duties. To then continue contracting out flailing across the Boards district. The Boards workforce of three will focus on channel works with its two excavators along with the other usual manual maintenance activities. The Boards budget estimates and plant renewal being developed on this basis.

Plant Renewal Sheet

The Clerk has circulated a suggested plant renewal and replacement sheet up to 2028/29 with the Agenda. The shaded portion highlighting financial year 2022/23. This being based on the Maintenance Policy.

Financial Year 2021/22

The Clerk confirmed that the Board had purchased a new Isuzu D-Max 4x4 Pickup and part exchanged the old Toyota Hilux. The Board sustaining enough vehicles to help the Board's workforce work independently during the current virus pandemic.

Financial Year 2022/23

The Clerk informed that the Board's Hyundai was approaching five years old with roughly 5,000 hours run time on the clock. If it was decided to replace it the order to delivery time is likely to be reasonably long. The second-hand value is also likely to be higher because of the time delay to purchase new.

The Engineering Assistant explained that the Board would seek to purchase an extension arm for its 8t excavator. This being likely to be continued to be used on any future replacement machine.

The Engineering Assistant explained the required purchase of two fuel tanks for usage in the pick-up trucks for the excavators. The old towing bowser (2007/8) which has recently been refurbished being kept as a reserve rather than sold.

Plant Replacement and Boards Reserves

The Clerk noted the importance of sustaining the Boards workforce productivity with reliable modern equipment. The table showing replacement of the Boards excavators on a five-year basis. The Board also has some equipment which is used occasionally and clearly getting older, however it is maintained and repaired as required. This including a Volvo backhoe excavator and tractor. The Boards current plant reserve funds are likely to be low at the end of the financial year. As the Board is forecasting a surplus from its estimates at the end of 2021/22 it is intended to increase the plant reserve by this surplus of roughly £17,103 to allocate funding for future purchases and replacements. If inadequate allocations are made and additional funding required it will have to be drawn from the Board's reserves. In reality to fund future years replacement of equipment roughly requires £30,000 or more per year to fund intended replacements. This sum including the costs of replacing the pickup trucks when required.

Equipment Leasing

Mr D M Crossley asked about the Board leasing its equipment.

The Clerk informed that the Board had considered this approach, however the purchase from reserves and the limited interest on the Boards funds made it a more expensive option. If the economics of such an arrangement changed then clearly it would need reconsidering. The Board in the past having bought its Mitsubishi L200 pick-up truck first on lease then purchasing it off the leasing company on very favourable terms.

Insurance

Mr D J E Sherry asked about checking all its equipment is covered in its insurance policies provided.

The Clerk informed Board has two types of policy cover for its equipment, one for road usage and the other for contracted plant not used on the road such as its tracked excavators. The road usage equipment having to be registered as insured on a national database (MIS).

Training on New Equipment

Mr D J E Sherry asked about training on new equipment provided to the workforce.

The Clerk informed that usually suppliers, when the equipment is delivered, demonstrate and inform how the equipment works such as excavators.

The Engineering Assistant informed that the Board's workforce also have regular Health and Safety refresher training on equipment usage.

The Board Members considered the Board's position with its plant renewal sheet and future funding needs and **UNANIMOUSLY AGREED** to the approach suggested by the Clerk.

FUEL USAGE AND
CARBON
EMMISSIONS

The Clerk believed the Board should be trying to establish its current carbon usage. In updating and replacing its equipment regularly it is hoped that as technology advances it will be incorporated in the newer equipment such as advances in fuel usage efficiency. He is also pressing ADA for measuring/bench marking approaches so a common approach can be taken across IDBs in calculating carbon emission. Potentially in the future Boards public funding may need an input of carbon being emitted and approaches to reduce its emissions as a measure for the funds provided.

Mr D J E Sherry asked if the Board could consider planting trees to offset carbon emissions.

The Clerk informed that this could be a potential option but the Board does not appear to own any land and would need to rely on others to sustain any planting along with not wishing to restrict watercourse maintenance access. The Environment Agency wishing to plant trees in the York Five-Year Plan are having trouble finding suitable locations particularly as numerous trees are proposed.

BUDGET 2022/23

The Clerk had circulated a budget sheet and notes with the Agenda for the forthcoming financial year. The budget forecasting the out turns for financial year 2021/22 and advising on a potential budget for financial year 2022/23. The option given was based on a rate of 4.51p in the £. an increase of 2.97% and provided details as to the budget's composition.

The Clerk noted that RPI at the current time is about 3%, it being uncertain the longer term implications of the virus pandemic and if this will cause costs to rise however RPI is potentially indicative about how costs are going up.

The Clerk went through the budget sheet line by line. He however noted the intentional surplus created to be able to increase the Boards plant renewal funds by an estimated £17,103 for the end of 2021/2022 financial year. The estimates then include an increase in the Boards Drainage Rates to 4.51p for 2022/2023 financial year. On the basis that the Board makes the purchases of equipment as per the plant renewal programme the Boards reserves would decrease to £564,537 including earmarked reserves at the end of financial year 2022/23. This equating to a decrease in reserves over the financial year of £71,272.

The Clerk noting the increased income from the Highland Water Contribution and savings in Consortium staff and costs. These factors have helped significantly to reduce the deficit. It however was also noted that the Environment Agency may make an increased payment of Highland Water Contribution if further funds can be found from its revenue budget.

The Clerk noting that if the year 2022/23 is also favourable and the estimated expenditure is less the deficit may reduce. The Board however at this stage has an element of uncertainty which could be unfavourable. This as an example includes if the tendered rates for flailing are higher than estimated in 2022/23 or maintenance work has to be fully carried out using taxed diesel. If, however the year is favourable any surplus (although unlikely) could be used to increase the Boards plant reserves.

Board Members discussed this matter in detail along with the position on the Boards reserves and the proposals for purchasing of plant.

The Clerk highlighted that the Board needed adequate reserves to sustain plant purchase in the future and maintenance works. It also has opportunities to contribute to partnership funding if required to progress studies or work it considered appropriate. This along with other responsibilities such as employment costs and asset refurbishment and repair as it arises.

Wage Increases

Mr D M Crossley asked if the wage increase was included in the estimates.

The Clerk informed that these had been included on the basis of a 2.5% increase along with pensions and the increase National Insurance costs with social care contribution.

The Chairman informed he was concerned about the estimated deficit at the end of 2022/23 from the supporting information. He believed the Board should be aiming to sustain its reserves but recognised it was not practical to increase the drainage rates that much. In view of this as a compromise he **PROPOSED** a rate of 4.53p in £. an increase of 3.42%.

Mr M Kemp seconding the proposal of the Chairman and supported that a little more would help the Boards finances.

Mr M Cockerill asked why specific values were being chosen for increases. If significant additional funds are required then a much larger increase would be required. He however believed for 2022/23 a budget with a deficit was manageable.

The Clerk informed that drainage rates could only be set in increments of 0.01 of a penny are manageable with the current computer software. He further believed that rates should be increased over a period of time if possible and justified. Ratepayers and the Councils paying Special Levies need to be able to realistically plan and make provision for payment.

Mr D R Brotherton asked if any policy or advice nationally or in the industry existed on the level of reserves the Board is supposed to hold.

The Clerk informed he was not aware of any specific guidance but has tried to hold readily available funds in a ratio to the Boards turnover. In particular as it is an employing Board with various assets which might suddenly require funding. The Board without wider permission say for investing in appropriate capital works is not allowed to borrow.

Amendment To Rate Proposal

The Chairman asked if any amendments to the rate he had proposed at 4.53p in £. an increase of 3.42%.

Mr D R Brotherton proposed the Clerks recommendation for a rate of 4.51p in £. an increase of 2.97%.

Mr M Cockerill seconding the proposal of Mr D R Brotherton.

Voting on the Amendment

Mr D R Brotherton proposed a rate of 4.51p in £. an increase of 2.97%.

The Clerk informed that six votes were cast for and four votes against reading out the Members names included in each count.

The Clerk asking if Members were in agreement and satisfied that the votes had been counted correctly for the drainage rate of 4.51p in £ to be carried.

Members were UNANIMOUSLY IN AGREEMENT to the budget and that the drainage rates had been set at 4.51p in £.

The proposal of an increase in rates and levies at 2.97% was carried and RESOLVED that the proportion of their expenditure to be raised by drainage rates in respect of agricultural land and buildings and by Special Levies on local billing Authorities are 13.59% and 86.41% respectively.

THAT the Drainage Board do hereby make a Drainage Rate for the purposes chargeable thereon assessed on the Annual Value of agricultural land and buildings subject to the provisions of the Land Drainage Act. 1991 as hereunder set out that is to say:

LAYING OF THE RATE & SPECIAL LEVIES

AN OCCUPIERS' RATE assessed at 4.51p in the £. for the period ending on the 31st day of March 2023.

A Special Levy chargeable to **RYEDALE DISTRICT COUNCIL** in the sum of £4,329.96, for the period ending on the 31st day of March 2023.

A Special Levy chargeable to **THE CITY OF YORK COUNCIL** in the sum of £306,750.55, for the period ending on the 31st day of March 2023.

A Special Levy chargeable to **HAMBLETON DISTRICT COUNCIL** in the sum of £981.69 for the period ending on the 31st day of March 2023.

A Special Levy chargeable to **THE EAST RIDING OF YORKSHIRE COUNCIL** in the sum of £16,964.54 for the period ending on the 31st day of March 2023.

AND that the Special Levies shall be payable in two equal instalments on the 1st May 2022 and the 1st November 2022.

THAT the purposes for which the said Rate and Special Levies are made and the amount in the £. for each of the purposes are as hereunder set out.

AND that the said Rate shall be payable on Demand.

AND that the seal of the Board be affixed on the said Rate and Special Levies accordingly.

AND that the Clerk be and is hereby authorised to take all necessary steps to demand and collect the said Rate.

PURPOSES under the Land Drainage Act 1991 for which the Rate mentioned is made.

AMOUNT of the Rate in the £. for the Occupiers' Rate.

- | | | | |
|--|---|---|-------|
| a) Expenses of Administration under this Act. |) |) | |
| b) Works of maintenance under the said Act. |) |) | 4.51p |
| c) Improvement of existing works under the said Act. |) |) | |
| d) New works under the said Act. |) |) | |
| e) Precept of The Environment Agency under the said Act. |) |) | 4.51p |

ASSISTANT ENGINEER'S REPORT

The Engineering Assistant had circulated a report with the Agenda which he ran through highlighting the items raised. As the meeting was virtual he was unable to display maps of the work carried out. He further informed that the Board had purchased new mapping software and noted a link to an online map to view the work carried out by the workforce.

Mr M Kemp thanked the Engineering Assistant and the workforce for clearing some outlets near Melbourne Village which has made a great difference.

Old Foss Maintenance

Mr D M Crossley believed following the maintenance work on the Old Foss a vast improvement had been achieved however a small amount remains.

The Engineering Assistant informed that Mr Wilson had asked for his part to be carried out in the closed season of the caravan park so this work can be carried out next month hopefully without residents to get the reach of the Old Foss Beck finished.

BYELAW REVIEW

The Clerk reported that advertising of the Boards revised byelaws has now been completed with no apparent objections. They are now having the Boards seal attached and being sent to Defra to progress and advertise further as required.

ADA NORTHERN BRANCH MEETING

ADA Northern Branch Meeting – AGM

The Clerk informed this meeting was held on 5th November at Cave Castle Hotel and an informative meeting was had following lockdown because of the virus restrictions.

Early Summer Meeting

The Clerk informed an early summer meeting is to be held at The Cave Castle Hotel along with a visit on 27th May 2022.

AGM

The Clerk informed this is likely to be on 4th November 2022 but no venue has been decided upon.

CORRESPONDENCE

Depot

The Chairman declared he had an interest in this matter as the Boards depot landlord.

The Clerk informed the Board that the Boards depot is on a lease from the Chairman and the lease is due for renewal. The Chairman has engaged a land agent and a new lease is being prepared in draft for consideration.

Members agreed if the arrangements were reasonably similar to the existing the Clerk could have delegated authority to negotiate the new lease and seek the approval of the Vice Chairman before agreeing.

Mr D M Crossley believes for transparency the Vice Chairman involvement is appropriate if the Vice Chairman is willing.

Mrs S Wiseman agrees with the approach and hopes the proposal will not be significantly different to the existing and proposed this approach.

Mr M Kemp seconding the proposal of Mrs S Wiseman which was carried by Members without an interest in the lease.

Red Diesel

The Clerk informed that ADA were seeking legal advice from a solicitor on the continuing usage of red diesel in relation to agricultural benefit along with contact with Defra on the matter. New guidance had been provided from HMRC in November 2021 but this has not helped. In view of this the Board will continue in the way previously agreed.

Highland Water Claims

The Clerk informed he was working with the Environment Agency to help better forecast the value of future Highland Water Claims.

The Clerk reported there was no further correspondence of significance received since the date of the last meeting.

The Clerk referred to the list of planning applications commented upon since the last Meeting of the Board, which had been circulated to all Members with the Agenda.

The Board APPROVED the comments made.

York Five Year Plan

The Clerk informed that a meeting was planned on 27th January which may give further information on the programme for installing the Upstream Foss Flood Storage at Lilling Green.

The Environment Agency have not been seeking recently any further representations for channel restrictions in the Flood Storage area.

PLANS

Mr S Wragg agreeing that things had gone quiet during the winter period.

(SEE APPENDIX TO MINUTES)

CONSENTS

The Clerk referred to the Consents granted since the last Meeting of the Board, which had been circulated to all Members with the Agenda.

The Board APPROVED the consents granted.

(SEE APPENDIX TO MINUTES)

BANK STATEMENTS

The Clerk produced the Bank Statements for the Boards Current Account. The statement shows a credit balance of £516,869.67 with Barclays Bank as at 13th December 2021.

The Virgin Bank (previous Yorkshire Bank) the deposit account has an additional credit balance of £153,715.10. The Board placing funds into a twelve-month deposit account which is achieving 0.3% gross per annum.

The Nationwide Building Society account has an additional credit balance of £63,501.28. The Board placing funds Business 95 day saver account which is achieving 0.4% gross per annum.

The total balance of the Boards funds held in these accounts is £734,086.05.

The Clerk confirmed that Barclays Bank charge for its banking services.

ACCOUNTS FOR CONFIRMATION

The Clerk referred to the list of accounts paid since the date of the last Meeting, which had been circulated to all Members with the Agenda.

It was proposed by Mr D M Crossley, seconded by Mr S Stark and RESOLVED that payment of these accounts be confirmed.

(SEE APPENDIX TO MINUTES)

DATE OF NEXT MEETING

It was directed that the next Meeting of the Board is due to be held at the Strensall and Towthorpe Village Hall, Northfields, Strensall York on **Monday 7th March 2022** commencing at **1.30pm**. **This however will be related to the spread of the virus.**

The Clerk will liaise with the Chairman on format.

DATES OF FUTURE MEETINGS

Monday 6th June 2022

Monday 5th September 2022

Monday 7th November 2022

ANY OTHER
BUSINESS

Mrs S Wiseman asked if the meeting paperwork was in the public domain.

The Clerk informed that it was unless otherwise marked such as 'private and confidential' or 'commercially sensitive.' The Board offering to appropriately shred any Board documents no longer required by Members.

The Clerk thanked Members for making arrangements and joining the meeting on 'Microsoft Teams.'

The Chairman closed the meeting at 2.56pm as there was no other business.

(APPENDICES TO FOLLOW)