

MINUTES of Meeting held on Monday 16th January 2023 at Pike Hill Golf Club, Tadcaster Road, Askham Bryan, York.

PRESENT

Mr S E Jackson (In the Chair)
Mr A P Sykes
Mr C E Mills
Mr R F Hildreth
Mr J Sanderson
Mr A Percy
Mr C Clayton
Mr P Bramley
Mrs S Wiseman
Cllr D Carr
Mr S Wragg
Cllr A Warneken

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR ABSENCE

No apologies for absence were received.

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.

MINUTES OF LAST MEETING

The Clerk ran through the Minutes of the meeting held on 14th November 2022 which was not quorate. Members had decided at the meeting to continue and make **RECOMMENDATIONS** to the Main Board for consideration at the next meeting. The Clerk ran through the Minutes and supporting documentation highlighting the recommendations.

It was proposed by Mr C E Mills, seconded by Mr A Percy and **RESOLVED** that the Minutes and Recommendations of the meeting held on 14th November 2022, a copy of which had been sent to all Members, be taken as read and approved. The Minutes therefore can be forthwith signed by the Chairman as a correct record.

MATTERS ARISING

There were no matters arising from the Minutes which were not covered under the agenda items.

MEMBERSHIP
NUMBER
REDUCTION

The Clerk has attended a recent meeting with the Environment Agency Solicitor and progress is being made in formally reducing the numbers of Members on the Board.

BOUNDARY
CHANGE FOR
BRITISH SUGAR
DEVELOPMENT

The Clerk has attended a recent meeting above with the Environment Agency Solicitor. The Board has been informed a definitive map of the very small change in the Boards Boundary is required. This needing to show the new boundary against the old boundary. The maps being required to formally record the change. This is to demonstrate the change on this particular site does not increase or decrease the area in the Boards Drainage District. The Clerk is working with the Environment Agency who are providing a resource to create the required maps. These will then be used in the formal documentation for the change.

LAND TRANSFER
TO SPECIAL LEVY
& WRITE OFF

The Clerk referred to the sheet and maps circulated with the Agenda of the land to be transferred to Special Levy and amounts to be written off.

Special Levy

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. He further noted that Selby District Council and Harrogate Borough Council were moving into the new North Yorkshire Council in the next financial year.

Members considered the list of land tabled by the Clerk. This related to one location for the transfer to North Yorkshire Council (Selby District) Special Levy. The land is now a garden at Orchard Cottage Ozendyke so transferred from agricultural usage. The land being transferred also creating a sum of £1.66p to be written off in drainage rates which cannot be charged because of the development.

Amounts to be Written Off

The Clerk informed in addition to £1.66p a further sum of £13.58p requires consideration of write off. This was included in a chart circulated with the Agenda relating to ratepayers who cannot be found with two accounts being in credit.

The Clerk requested the total sum of £15.24 for consideration of writing off which cannot be collected.

Members considered the transfer to Special Levy and sums to be written off.

Mr A Pearcy proposed the transfer of the land to the Council's Special Levy for payment and the write off of £15.24 in drainage rates be agreed and approved.

Mr C Clayton seconding the proposal of Mr A Pearcy. which was UNANIMOUSLY AGREED AND APPROVED by the Board.

STAFF PAY
NEGOTIATIONS-
ADA
LINCOLNSHIRE
BRANCH

The Clerk informed that the ADA Lincolnshire Branch were in negotiation for the 2023/24 pay increase. The Boards workforce are contractually linked into these negotiations. At the current time the employer's side had made an offer of a percentage increase and a lump sum (Unconsolidated). This offer has been rejected by the staff side. It is a little uncertain how these negotiations will progress. The Boards estimates for next year's budgets include for the offered increase with a small contingency but clearly the overall costs will be influenced by the terms eventually agreed. An update will be given at the next meeting.

MAINTENANCE
POLICY

The Clerk informed that the Boards maintenance policy was important as it set the foundation for the allocation of resources. This deciding on the work to be contracted out and conducted in house by the Boards workforce. The Board then using this to establish the required workforce resources such as plant renewal and equipment. The Board currently contracting its maintenance flail mowing out as it is cheaper. The Board having a flail mower and tractor for small amounts of occasional work as and when required. The Boards workforce of three then focus on channel works with its two excavators and other equipment along with the other usual manual maintenance activities. The Boards budget estimates and plant renewal being developed on this basis.

Members noted this policy had been in place for several years and were in support of it being sustained.

PLANT RENEWAL

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 2023/24. This being based on the Maintenance Policy.

2022/23 Purchases, Part Exchanges and Sales

The Clerk informed the Board was intending to replace the 2016 Nissan 4x4 vehicle although it was uncertain the time from placing the order to it being delivered. This along with replacing the trailer which was already on order.

2023/24 Purchases, Part Exchanges and Sales

The Clerk informed the Board wished to replace a further 4x4 pick-up truck and was budgeting for this although it was uncertain on the lead time from placing an order to delivery.

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. It being noted the hours they were running, both approaching 2500 hours. It clearly needing funding for the change in the future. The economics of the resale price and price to replace influencing the decision. The Board also has some equipment which is used occasionally such as the Volvo backhoe excavator and tractor which are clearly getting older, however they are maintained and repaired as required. The Board running at a deficit results in the Boards earmarked sums being unable to be increased by income or the expense of the equipment being purchased results a reduction in reserves. To fund future years replacement of equipment roughly requires £30,000 or more per year. This sum including the costs of replacing the pickup trucks when required.

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 and noted the funding requirements.

Fuel Usage and Carbon Emissions

The Clerk informed he believed the Board investing in modern efficient equipment such as its excavators and vehicles should be keeping up with technology and fuel conservation. The Boards maintenance work largely currently being driven by fuel usage. At this stage consideration is being given to trying to establish its current carbon emissions.

BUDGET 2022/23
LAYING OF THE
RATE AND
SPECIAL LEVY

He is also pressing ADA National for a common approach across IDBs in calculating carbon emission. ADA recently issuing guidance on how this can be progressed. 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.

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 2022/23 and advising on a potential budget for financial year 2023/24. The option given was based on a rate of 4.6p in the £. an increase of 7.23% and provided details as to the budget's composition.

The Clerk noted that inflation at the current time is above 10%, it being uncertain the longer-term implications on the state of the economy and how prices will rise.

The Clerk went through the budget sheet line by line. He however noted the deficit forecast reduces the Boards reserves but has been driven by increased costs and plant purchase. The estimates then include an increase in the Boards Drainage Rates to 4.6p for 2023/24 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 £638,133 including earmarked reserves at the end of financial year 2023/24. This equating to a decrease in reserves over this and the next financial year of £98,907.

The Clerk noting the increased income from the highland water contribution and savings in Consortium staff and costs. These factors in turn helping to reduce the eventual deficit. It is also possible the Environment Agency may make a further payment of highland water contribution if eventual savings are made in its revenue budget.

The Clerk noting that if the year 2023/24 is also favourable and the estimated expenditure is less the deficit will be less than forecast. The Board at this stage is estimating costs at a time of uncertainty which potentially could be unfavourable. As an example the Board has not yet tendered for 2023/24's flailing works which could be higher than anticipated if fuel costs continue to increase.

Financial Position at the End of 2022/23 Financial Year

The Clerk went through the budget sheet line by line. This estimated a net deficit of approximately £32,626 for the end of 2022/2023 financial year.

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 if considered appropriate. This along with other responsibilities such as employment costs and asset refurbishment and repair as it arises.

The Clerk informed that the Board was not creating a surplus to fund plant and equipment replacement currently. He noted that drainage rates are set annually and can be increased in the future. He recognised markets were uncertain with high inflation potentially increasing material, fuel and employment costs. He believed that these factors are impacting on the councils paying ‘Special Levy’ and the Boards drainage ratepayers. In reality he believed a higher drainage rate is needed but a pragmatic approach was required because of the current uncertainties. It was hoped next year would bring greater stability in the economy and drainage rates can be set accordingly.

Budget for 2023/24 Financial Year

If the Board increases its drainage rate to 4.6p for 2023/2024 financial year, the Boards reserves are estimated to be £771,631 at the financial year end. This equating to a decrease in reserves of £66,281 on the basis the Board implements the plant renewal as agreed earlier.

The Clerk noting that if the year 2023/24 is favourable and the estimated expenditure is less the estimated deficit may become smaller. The Board however always has an element of uncertainty in the costs of contracted out maintenance work which has not yet been tendered.

Mr C E Mills believed in the future that some watercourses of a lesser priority could be cut out every other year and savings could be made.

The Assistant Engineer noted it was possible to categorise watercourses for this approach.

Mr C Clayton would prefer for the contractor to cut one side alternating each year. It clearly would need good communication with the Boards contractors.

The Engineering Assistant offering to investigate this further.

Mr CE Mills believed the matter should be worked on considering individual landowners’ requirements.

Mr R Hildreth believed the Board should look into this for next year, but we need to set the drainage rate today on the current basis.

Mr A P Sykes being concerned about hedges and potential growth if some watercourses are only cut every other year.

Board Members discussed the matters and estimates in detail along with the position on the Boards reserves and the provision being made for plant replacement.

Members considered and APPROVED the Budget subject to setting the rate.

Setting of the Drainage Rate for 2023/24

Mr R F Hildreth PROPOSED a rate of 4.6p in £. an increase of 7.23%.

Mr A Percy seconding the proposal of Mr R F Hildreth.

The Clerk asked if any amendment to the proposal was to be tabled but none was forthcoming.

Members were UNANIMOUSLY IN AGREEMENT to the budget and that the drainage rates had been set at 4.6p in £.

The Chairman noted longer term concerns about reducing maintenance work being carried out on ‘main river’ by the Environment Agency. This potentially might in the future draw on the Boards resources.

The proposal of 4.6p in the £ with an increase of 7.23% for the rates and levies was CARRIED and 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 16.86% and 83.14% 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:

AN OCCUPIERS’ RATE assessed at 4.6p in the £ for the period ending on the 31st day of March 2024.

THAT the Drainage Board do hereby make Special Levies assessed as hereunder, that is to say:

A Special Levy chargeable to **NORTH**

YORKSHIRE COUNCIL in the sum of

£78,125.11 for the period ending on the 31st day of March 2024. The Council replacing Selby District

Council and Harrogate Borough Council from 1st

April 2023 who otherwise would have been charged a Special Levy of £35,770.18 and £42,354.93

respectively.

A Special Levy chargeable to **LEEDS CITY COUNCIL** the rate in the sum of £8,659.29 for the period ending on the 31st day of March 2024.

A Special Levy chargeable to **CITY OF YORK COUNCIL** in the sum of £267,158.77, for the period ending on the 31 day of March 2024.

AND that the Special Levies shall be payable in two equal instalments on the 1st May 2023 and the 1st November 2023.

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.) | 4.60p |
| 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.) | 4.60p |

RATES

The Clerk reported the total rates collected up to the 7th January 2023 are as follows:

Special Levy	£330,083.63 (100%)
Direct Levy	<u>£ 66,605.94</u> (97%)
	<u>£396,689.57</u>

The Clerk further reported that there were a few outstanding rate accounts mostly of a low value. A few accounts were in credit where overpayments have been made.

CONSORTIUM ARRANGEMENTS

The Clerk showing a list to the Chairman of accounts which are outstanding.

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.

The Clerk confirmed the next meeting of the Consortium Management Committee will be held on 7th February 2023 to be held at **Escrick & Deighton Club, 63 Main Street, Escrick, York, YO19 6LQ**. This is prior to the next meeting of the Board on 13th March 2023 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 the Chairman and Vice Chairman. They both having indicated they were willing and able to attend the meeting.

Mr R F Hildreth proposed the above.

Mr C E Mills seconding the proposal of Mr R F Hildreth.

Members UNANIMOUSLY AGREEING to the above arrangements.

This giving the two Members who are available the Authority to act on behalf of the Board at the Consortium Management Committee Meeting.

MAINTENANCE WORKS

The Engineering Assistant had circulated a report to Members with the Agenda which he covered the items raised in the report.

4x4 Pick up Truck Replacement

The Assistant Engineer explained the situation and highlighted the potential vehicles. He provided three quotes. The part exchange value offered is £6,500. The cheapest vehicle is the Isuzu D Max. It being noted how difficult it was to obtain quotes and also the long delivery time.

The Assistant Engineer recommending purchasing the Isuzu D Max 4x4 Pick-up with a delivery expected in March 2023 as the cheapest option when equipped to the Boards requirements. The existing Nissan Pick-up to be part exchanged for the sum of £6,500 or more if sold otherwise.

The sub total of the purchase being £31,089.00 plus Road fund licence and first registration at a cost of £330.00 all sums excluding VAT.

Mr R F Hildreth proposed the purchase of the above 4x4 Pick-up in the sum of £31,089.00 plus Road fund licence and first registration at £330.00.

Mrs S Wiseman seconding the proposal of Mr R F Hildreth.

Members UNANIMOUSLY AGREEING to the above arrangements.

Dorts Dyke Backflow

Mr C Clayton noted that the Environment Agency had highlighted concerns about back flows on the Dorts Dyke. He was uncertain if this was caused by a structure, or it was related to it being tide locked.

The Engineering Assistant will investigate as it was uncertain if it was a problem.

The Clerk advised that there have been no reportable incidents to the Health and Safety Executive (RIDDOR) since the date of the last meeting. He further informed he was organising a review of the Boards Health and Safety Policy.

HEALTH AND SAFETY

ADA NORTHERN BRANCH

ADA Northern Branch Meeting – AGM (2022)

The Clerk reported on the Branch AGM held on 25th November at the Ouse and Humber Drainage Board office. At this meeting a Chairman was elected and a new Branch Constitution agreed. Branch Members also agreed that ADA's National Conference should be held in London.

Summer Meeting/Visit

The Clerk informed a summer meeting/visit is to be held which is likely to be at Cave Castle in Brough along with a visit and inspection on 19th May 2023.

AGM

The Clerk informed this is likely to be on 24th November 2023, but no venue has yet been decided upon.

FLOOD AND WATER LIVE 2023

The Clerk informed that an ADA National land drainage machinery and equipment demonstration is being organised in 2023.

This will be held at Dyson Farms Centre at Carrington near Boston in Lincolnshire on 5th and 6th July 2023. This event is being called Flood & Water Live 2023.

CORRESPONDENCE

Formation of the North Yorkshire Council

The Clerk informed that Selby District Council and Harrogate Borough Council were joining the new North Yorkshire Council as part of a wider merger which comes into place after 1st April 2023. In relation to the Boards Council Nominated Members, ADA National had written to the new Council regarding appointments to outside bodies as concerns exist as to how many Nominations (currently four) they will be able to make.

Cllr A Warneken informed that it may be a problem currently but this is likely to change as the new arrangements come into place longer term.

Mr C Clayton thanking the Councillors and Nominated Members for attending and representing the Board.

Environment Day 2nd February Thorney Peterborough

The Clerk informed that ADA National had organised an Environment Day meeting following the publishing of the ADA Good Environmental Governance Guide. This was being held on 2nd February in Thorney near Peterborough. The Clerk will be attending on behalf of the York Consortium Boards but if any Members wish to attend then he can help with the booking arrangements.

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

PLANS

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.

(SEE APPENDIX TO MINUTES)

CONSENTS

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

(SEE APPENDIX TO MINUTES)

BANK STATEMENTS

The Clerk confirmed that Barclays Bank are charging for its banking services.

The Clerk produced the Bank Statements for the Boards Current Account showing a credit balance of £726,651.89 with Barclays Bank as at the 23rd December 2022.

The Virgin Bank account has an additional credit balance of £154,176.25. The Board placing funds into a twelve month deposit account which is achieving 1.9% gross per annum.

The Nationwide Building Society account has an additional credit balance of £74,954.53. The Board placing funds in a Business 95 day saver account which is achieving 2.5% gross per annum.

The total balance of the Boards funds held in these accounts is £955,782.67.

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 RESOLVED that payment of these accounts be confirmed.

(SEE APPENDIX TO MINUTES)

DATE OF NEXT MEETING

It was AGREED that the next meeting of the Board will be held at Pike Hills Golf Club, York on **Monday 13th March 2023 at 6.30pm.**

The Chairman apologised that he would be unable to attend this meeting and asked if Members wished to change the date.

Mr AP Sykes (Vice Chairman) offered to chair the meeting so the meeting will be held as originally planned.

The Chairman thanking the Vice Chairman for his offer which the Board had accepted.

FUTURE MEETINGS

The Clerk informed that future meetings will be held at Pike Hills Golf Club, York on:

Monday 19th June 2023

Monday 11th September 2023

Monday 13th November 2023

Depot Lease

The Clerk informed that the Boards depot lease was originally 50 years of which now 24 years remain.

ANY OTHER
BUSINESS

Elected Membership

Mr R F Hildreth asked about elected Members and attendance requirements as he is aware of a potential recruit.

The Clerk undertook to look at the current numbers and attendance. He also noted the reduction in Membership numbers being progressed with the Environment Agency which is uncertain when it will be implemented.

Closure of Meeting

There was no other business and the meeting was closed at 8.12 pm.

(APPENDICES TO FOLLOW)