

MINUTES of Meeting held on Wednesday 17<sup>th</sup> January 2018 at Copmanthorpe Methodist Church, Main Street, Copmanthorpe.

PRESENT

Mr S E Jackson (In the Chair)

Mr M Haigh

Mr C E Mills

Mr S Barnes

Mr J Sanderson

Mr J Bramley

Cllr J Galvin

Mr J Tull

The Clerk – Mr W Symons

Engineering Assistant – Mr N Culpan

APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr R F Hildreth, Mr J B Blacker, Mr A Percy, Mr C Clayton, Mr A Sykes, Mr G H Smith, Cllr D Carr, Mr S Wragg, Cllr D Mackay and Cllr K Ellis.

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 at the meeting for inspection and update as required.

SUSPENSION OF STANDING ORDERS

The Clerk informed Members that with only eight members in attendance, a quorum to run a meeting of ten members was not present.

The Clerk informed Members that the Board had to consider setting of its drainage rates by a set deadline in the Land Drainage Act 1991. To meet this statutory requirement Standing Order 27, to suspend SO 4(a), could be invoked by resolution of at least 75% of Members present. This would enable the meeting to progress with only eight Members present.

Members present UNANIMOUSLY AGREED to invoke Standing Order 27, to suspend SO 4(a).

MINUTES OF LAST MEETING

Mr C E Mills proposed that the Minutes of the Meeting held on 6<sup>th</sup> November 2017, a copy of which had been sent to all Members, be RESOLVED and taken as read and approved and that they be forthwith signed by the Chairman as a correct record.

Mr J Bramley seconded the proposal of Mr C E Mills, which was UNANIMOUSLY AGREED by the Board.

MATTERS ARISING

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

## RATES

The Clerk reported the total rates collected up to the 12<sup>th</sup> January 2018 are as follows:

Special Levy	£304,280.99 (100%)
Direct Levy	<u>£ 61,705.26 (99.76%)</u>
	<u>£365,986.25</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.

The Clerk showing the Chairman a list of accounts with sums 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.

### **Justice Department Pre Action Protocol**

The Clerk reported the requirements of this protocol at the last meeting which had been implemented. It appears this new approach which potentially requires the completion of a form in relation to defending or accepting the Boards claim has resulted in payment rather than progressing the matter further with some outstanding accounts.

### **General Data Protection Regulations (GDPR)**

The Clerk informed that the GDP Regulations are likely to come into force in May 2018. The regulation having implications to how the Board stores and manages data about individuals and business. In relation to the data held to produce its drainage rate demands the Board is required to hold this data under the Land Drainage Act 1991. In view of this the Clerk is hoping to be able to include this information by way of a statement with the Boards rate demands which will be sent out from 1<sup>st</sup> April 2018 prior to May 2018.

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 had circulated maps and a summary table with the Agenda for the Board's consideration. This related to a number of sites for the transfer to Selby District Council, Leeds City Council and York City Council to Special Levy from agricultural usage.

## **LAND TRANSFER TO SPECIAL LEVY & WRITE OFF**

This along with a small portion of land purchased by Network Rail to be written off. The land tabled was discussed individually by Members and the maps provided reviewed.

### Amounts to be Written Off

An overall sum in drainage rates remaining on land transferred to Special Levy which cannot be collected amounts to £7.31 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 for Selby District Council, Leeds City Council and York City Council.

It was then proposed by Mr C E Mills, seconded by Mr M Haigh and UNANIMOUSLY APPROVED for the transfer of the land to the Special Levy as per the maps provided and the write off in the sum of £7.31 from the Board's rates income in relation to land transfers. This including the write off of the land purchased by Network Rail.

### PLANT RENEWAL

The Clerk had circulated a plant renewal sheet with the Agenda to all Members on the replacement costs of the Board's existing plant and equipment. This is intended to inform Members about plant renewals but is now focusing on only replacing one significant bit of equipment rather than three for the future. This showing the Boards new approach to maintenance works provision.

The Clerk noted the Board had now sold its two old Bomford flails along with its old Komatsu excavator.

The Engineering Assistant explained the Board is now using a contract to conduct its tracked excavator work which is why currently an excavator is not required.

The Clerk reported that the Board does not have any plant replacement requirements for 2018/19 but it recognises it has a future plant replacement requirement of the Spearhead machine possibly in 2020/21. In view of this a plant reserve fund is required to be built up in the Boards funds. It is hoped in 2018/19 this fund can be built up to about £175,000.

The Clerk reported this change of approach is based on the Boards success in contracting out flailing work but also sustaining in house work to continue utilising the Spearhead machine. It however remained more difficult to contract out bank repairs and piling works because of the expertise required to carry the work out. The Board wishing to develop the workforce resource to possibly conduct work of this nature in the future.

The Clerk highlighting the requirement to build plant reserves in order to be able to replace the equipment when required.

Members discussed the proposals for plant renewal and replacement. Members AGREED to the proposal. This was proposed by Cllr J Galvin, seconded by Mr J Sanderson and UNANIMOUSLY AGREED by the Board.

## BUDGET 2018/19

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 2017/18 and advising on a potential budget for financial year 2018/19. The option given was based on a rate of 4.05p in the £ with an increase of 2.02% above last years and provided details as to the budget's composition. It being noted that inflation from November 2016 to November 2017 had increased by 2.8% and had been reported as higher in December 2017.

### Financial Position at the End of 2017/18 Financial Year

The Clerk went through the budget sheet line by line. This estimated a net surplus of approximately £92,942 for the end of 2017/2018 financial year. This being larger than originally estimated which had been contributed towards by a larger upland water contribution from the Environment Agency and periods of time with reduced numbers of Members in the workforce.

### Budget for 2018/19 Financial Year

If the Board increases its drainage rate to 4.05p for 2018/2019 financial year, the Boards reserves are estimated to be at £611,904 at the financial year end. This equating to a decrease in reserves of £6,733 on the basis the Board is not purchasing any plant in this period.

Members discussed this matter in detail along with the position on the Boards reserves and the provision being made for increasing plant reserves. Members considered and APPROVED the Budget subject to setting the rate.

## LAYING OF THE RATE AND SPECIAL LEVY

It was proposed by Mr M Haigh for an increase in the drainage rates to 4.00p an increase of 0.76% in the £. for financial year 2018/2019 which was seconded by Mr C E Mills.

The Chairman asked if any Member would wish to propose raising an amendment to the Proposal of Mr M Haigh. No amendments were proposed.

The proposal of 4.00p in the £ with an increase of 0.76% 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 16.90% and 83.10% 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 4.00p in the £ for the period ending on the 31st day of March 2019.

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

A Special Levy chargeable to **HARROGATE BOROUGH COUNCIL** in the sum of £36,243.72, for the period ending on the 31st day of March 2019.

A Special Levy chargeable to **LEEDS CITY COUNCIL** the rate in the sum of £7,475.29 for the period ending on the 31st day of March 2019.

A Special Levy chargeable to **CITY OF YORK COUNCIL** in the sum of £232,223.71, for the period ending on the 31 day of March 2019.

le A Special levy to chargeable to **SELBY DISTRICT COUNCIL** in the sum of £30,968.80, for the period ending on the 31 day of March 2019.

AND that the Special Levies shall be payable in two equal instalments on the 1st May 2018 and the 1 November 2018.

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 )<br>under this Act. )            |       |
| b) Works of maintenance under )<br>the said Act. )              | 4.00p |
| c) Improvement of existing )<br>works under the said Act. )     |       |
| d) New works under the said )<br>Act. )                         |       |
| e) Precept of the Environment )<br>Agency under the said Act. ) | 4.00p |

**CONSORTIUM  
ARRANGEMENTS**

The Clerk confirmed the next meeting of the Consortium Management Committee will be held on Tuesday 13<sup>th</sup> February 2018 at the Escrick Club in Escrick, York. This is prior to the next meeting of the Board 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**

The Clerk asked the Board if it wished to sustain its two nominated Members for the meeting who are the Chairman and Vice Chairman.

Members **UNANIMOUSLY AGREEING** to sustain the above arrangements to retain its two nominated Members for the Consortium Management Committee. The Members being given Authority to act on behalf of the Board at the Consortium Management Committee Meeting.

**MAINTENANCE  
WORKS**

The Engineering Assistant had circulated a report at the meeting which was run through. The report included reporting the appointment of Mr G Parker as Works Foreman who was now in post.

**HEALTH & SAFETY**

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

The Clerk reported he was hoping to arrange a meeting with the Boards Safety Advisor and Mr J Tull in relation to the Boards Health and Safety Policy development.

## ELECTION

The Clerk advised the Board that 2018 is an election year for the agricultural Members.

The Clerk presented an Election timetable, which is as follows:

1 April	-	Register of Electors advertised
1 May	-	Board approval of Register advertised
July/August	-	Nomination Forms issued
12 Sept	-	Board Meeting
28 Sept.	-	Nomination Forms returned
24 October	-	Election Day
01 Nov.	-	New Board commences

The Board AGREED the following:

- (1) Approve the timetable, which authorise the Officers to undertake such in accordance with the Land Drainage Act 1991.
- (2) Approve the proposed Register of Electors prepared on the 1 April 2018.
- (3) Approve the proposed Register as the Register if no objections received by the Board's Officers.
- (4) To call a Special Meeting, if necessary, to deal with any matters relating to the approval of the Register.

It was proposed by Mr M Haigh, seconded by Cllr J Galvin and UNANIMOUSLY AGREED that the proposed timetable be approved.

## ADA NORTHERN BRANCH MEETING

The Clerk informed that a Northern Branch ADA Meeting is due to be held on 25<sup>th</sup> January at the Masonic Hall in Howden if any Members wish to attend. The Clerk having circulated details with the Agenda. It being noted that a new ADA Northern Branch Chairman was required if anyone wished to be nominated for consideration/election to the position.

The Clerk informed he was likely to attend on behalf of the York Consortium Boards.

## CORRESPONDENCE

### Water Abstraction Licences

The Clerk reported a letter had arrived from the Environment Agency regarding water abstraction licences. The scope now being extended to include IDB water transfers for irrigation which previously was excluded. This however does not appear to have any implications to this Board as the Board is not water feeding for irrigation. These arrangements however will have implications to navigation authorities topping up water for navigation purposes.

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)**

## BANK STATEMENTS

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

The Clerk produced the Bank Statements for the Boards Current Account. showing a credit balance of £582,062.28 with Barclays Bank as at the 29<sup>th</sup> December 2017. The Board having closed its Business Premium account to reduce banking charges.

The Yorkshire Bank account has an additional credit balance of £85,416.89. The Board placing funds into a twelve month deposit account which is achieving 1.2% gross per annum.

The Nationwide Building Society account has an additional credit balance of £72,102.87. The Board placing funds Business 95 day saver account which is achieving 0.65% gross per annum.

The total balance of the Boards funds held in these accounts is £739,582.04.

## 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.

Mr C E Mills asked about flailing work which had not been carried out in the Marston Moor area because of poor ground conditions and restrictions by land owners.

The Engineering Assistant reported that he believed that any work not carried out this year would be addressed in the following maintenance season.

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 the Copmanthorpe Methodist Church, Main Street, Copmanthorpe, York on Wednesday 14<sup>th</sup> March 2018 at 6.30pm.



## FUTURE MEETINGS

The Clerk explaining the reason in relation to the availability of the current hall and having to change the day from Monday to Wednesday. In view of this possible future dates for meeting:

Wednesday 13<sup>th</sup> June 2018

Wednesday 12<sup>th</sup> September 2018

Wednesday 7<sup>th</sup> November 2018

## ANY OTHER BUSINESS

### Workforce Pay Review

The Clerk reported that the workforce pay review will be given further consideration when the Boards new Foreman had settled in his new position as agreed at the last meeting.

### Enforcement of Unconsented Works

The Clerk reported that he was hoping to progress this work soon and it was noted that further unconsented work to culvert a Board maintained watercourse may have also been progressed in the drainage district.

### Closure of Meeting

There was no other business and the meeting was closed.

**(APPENDICES TO FOLLOW)**

