

MINUTES

of meeting held on
Wednesday 14 April 2021
at 7pm
(meeting started at 7pm)

Committee members

PRESENT: Co-Chair: Lyn Anthony-Higgins (LA) - to chair meeting
Co-Chair: John Mullaney (JM) - will take minutes
Treasurer: Helen Savidge (HS)
Committee: Brian Cairns (BC), Rob Halpin (RH), Jon Lloyd (JL)
Jamie Harcourt (JH)

Other DRCF members present: 4 members

When referencing the above, first and second name abbreviations will be used throughout

1

Welcome and introductions

Welcome by the co-chair LA. LA chaired the meeting.

2

Apologies for absence

None received. David Moro (DM) not in attendance

3

Minutes of meetings of 7 April 2021

3.1

Minutes approved by committee and also for publication on website when operational.

3.2

Minutes of the meeting are subject to confirmation at the next meeting as a correct record of the proceedings and any amendments arising will be recorded in the minutes of that subsequent meeting.

4

Draft Constitution and Code of Conduct: Committee's response to consultation: Contributions

4.1 LA introduced the item by saying that the discussion was about solutions.

We will also check that the Committee have responded to residents' comments on the draft Constitution and Code. The Committee will agree on how we will communicate our decisions, not only in terms of making amendments to the Constitution and Code, but also to residents. JL is going to be in charge of reviewing the Constitution and Code in terms of its sense check and editorial presentation and also, if possible, to try to reduce the number of pages.

4.2 BC submitted to the Committee members his suggestions regarding the mechanisms to determine a fair voluntary contribution for each address that would be payable by the freeholder. Fully paid-up freeholders would be voluntary Members of the fund (DRFCA) and be able to vote. Leaseholder residents of properties would be voluntary Association Members, able to express an opinion but not be able to vote.

4.3 As currently, every address along Derby Road and its off-shoot roads is asked to pay the same single contribution. QAS have different voluntary arrangements.

4.4 Option 1: Every address along Derby Road and its off-shoot road is asked to pay a single contribution in the same proportion as their Council Tax band. QAS arrangements to be decided (nb. QAS has some addresses with CT bands along Derby Rd)

4.5 Option 2: Every address along Derby Road and its off-shoot roads is asked to pay a smaller single contribution, representing a burden for their right of use of Derby Road. Those addresses with direct, or collectively determined, 'Frontager' responsibilities are asked to pay an additional contribution based on the measured frontage for the address/addresses. This is similar to how Grosvenor Road asks for contributions. However, the issue with option 2, would be that specific frontage contributions would need to be determined differently for each of the addresses in the off-shoot roads (eg Field View, Ellesmere, Moss Close) and

the frontage properties that now have more than one address (eg Greycourt, No.6, Mander Court, Maple) QAS arrangements could readily be based on a frontage measurement.

- 4.6 The Treasurer had circulated a spreadsheet which included BC's suggestion for Council Tax band contributions which he had previously circulated. In the second table, the Treasurer has also included a possible solution of QAS as 31 households at band D so that their contribution remains the same and has also taken out the 3 properties for QAS - Headteacher house, teacher flat and sixth form block - from the council tax bands.
- 4.7 Most will benefit from the changes - 112 households will pay less than now, 73 will pay the same and 39 will pay more. It could be seen as a more equitable way to request voluntary contributions and may lead to more people paying.

5

BC presentation on options for setting contribution levels

5.1 BC said that at present there is a flat rate of £65 per household.

A spreadsheet has been produced to show the amounts involved which shows the differences between the two options. A spreadsheet was only fully prepared for Option 1. Option 2 is very complicated and not having all information to hand (e.g. frontager distances) it was not possible to fully complete a spreadsheet example. However, by making a few assumptions it was possible to create something indicative, which suggested the potential extremes would neither be workable (i.e. too complicated to manage), or acceptable to most people. Plus, the status of all properties in terms of 'obligations' is not absolutely clear, which any spreadsheet would also depend on.

There are two options under consideration:

Option 1 is to have a proportional contribution based on Council tax bands or **Option 2** where there is a low standard amount for every household with a top up amount for those properties that have a "frontager" obligation in their deeds to maintain to the middle of the road.

From comments made by committee members regarding Option 2, BC agrees that it may be too complicated and if we go that route it would be necessary to be clearer about everybody's obligations in regard to frontage or part frontage responsibilities which could become very difficult. Our situation is complicated because of the differing situations that exist on Derby Road and its offshoots. Therefore Option 1 would be much more straightforward to implement as council tax band information is freely available. One notable exception is Queen Anne School which has a good length of road or "frontage" but only 3 properties that attract a council tax band. The extremes in contribution would be greater for option 2 as well. A spreadsheet has been produced to show the amounts involved which shows the differences between the two options

The figures were arrived at by looking at the council tax banding and identifying the different postcodes for a total of 224 properties to see how many properties fell into each band. The basic sum of all the households at the current rate of £65 is £14,560. The spreadsheet shows the redistribution of the amounts using Council tax bands. The lowest being £40 and the highest £131. 73 properties actually came out at £65. So no change for most people but many get a slightly lower contribution ask and some that get a slightly greater ask, mostly those properties at the east end of the road. In regard to Queen Anne School it was previously negotiated that they would contribute the equivalent of 31 properties but this arrangement could be confusing and it was thought it would be better to translate that into a percentage.

And that £16,000, is what we're suggesting that over the course of eight years or so gets us to the point where we were able to resurface the road. Although the tax band increased by 5% this year, that would not be the case here. The council tax band is just used as the mechanism for the different amounts that various

property types pay. There was discussion around the increases over the last few years with some considering it quite significant. We have had one quote in 2019 for top dressing which was for £57,000. We are currently at £46,000 so it was felt that we would be on track to have the right amount of money in 2025. However, what we don't know is whether it is better value to save up more to get a more substantial resurfacing done that would last longer. There are probable expenditures about to become necessary in regard to soakaways which could be expensive. LA stated that they had seen in a set of minutes that there had been a quote for around £14,000 but they were not sure whether that was for 1 soakaway or for all. There are two main concerns over soakaways, they are not doing the job they are needed to do and there is a concern that they may become dangerous should they collapse.

Thames Water are responsible for the drains but the DRF is responsible for the soakaways.

It was thought that it would be better to raise the contribution amount in small increments so as not to be too much of a burden in one go, possibly the rate of inflation. HS requested that whatever it is it would make her job easier if the numbers were rounded up. This was agreed. Currently, for this year, we are under the old system of collecting, and when you count from November through to the end of the year, because we have had to change remember from the report, but under the old system of collecting, we are up to a level just about over £11,000 out of the £16,000 which is significantly more than was in the financial report.

Off-shoot roads appear to have been less convinced about the importance of their contributions, in part, possibly due to the fact that many are tenanted and therefore contribution letters do not always reach the owner in good time or at all and sometimes that has been used as an excuse.

During discussions the committee were informed that for at least one off-shoot road the Freeholder had nothing to do with the running of the properties and it is the leaseholders who are responsible for the contribution. They also think Option 1 is the more acceptable of the two for the same reason that it would be easier to administer.

BC said that it was difficult to make a statement that applies across the board and that he had no intention of excluding anyone and that he felt that if you are a contributing payer then you should be able to vote.

It was said that no-one wants the fund to grow to a size that is unreasonable for its obligations but it was necessary to have enough in case of emergencies. It was suggested that if funds should exceed a certain level then there could be a 'holiday' one year which could also prove to be an incentive to pay contributions that are necessary.

It is a fact that we live on a private road and there is a burden of responsibility for the condition of the road that we all carry.

JM reminded everybody that the contribution is voluntary.

We need to present all the elements of our decision making so that residents know we have taken notice of their comments.

Some members' comments are: it's about the number of cars in the household, it's about the number of residents over the age of 12 in the household, even the frontage bit element is talked about, also all we need the road for is as a car owner you don't, you just need a good standard of service. The number of people who live in the house will increase the number of deliveries and journeys. The frontage bit, the fact that Derby Road households own their corresponding half bit of the road and therefore the non-Derby Road households will be contributing to the upkeep of Derby Road residents' property, we are aware that there are grey areas, people do comment about Queen Anne School despite not having

household residents that they should be paying more. There's quite a lot there in the comments which some are supportive of the principle of council tax banding, others have got other ideas. Another aspect is some are concerned that not everyone is contributing and don't feel they should pay for the upkeep of the road which benefits everyone.

JL said much of this is subjective, some want the road to look amazing whilst others don't care in the slightest. We have to work on the assumption that we want the road to be safe for people to use in whatever capacity that is, whether that's walking, that's using their car. The whole point is to concentrate on making the road safe, the road surface good, keep the lighting good, clearing the gullies, all of that. I don't think there is a fair way but the Council tax band option is a less unfair method perhaps than the current one. It is beyond our remit to try to collect personal information that would be intrusive. If people perceive we are trying our best they may be more willing to contribute.

Other points raised were fibre broadband which had been previously discounted because of the probable damage to tree roots on the verges. Also a few years ago just after a resurfacing the gas board dug up the road so there is a need to be aware of any possible outside works by statutory utilities that could take place on the road and make sure that it does not affect any works paid for by the DRF

Actions:

Make sure that Leaseholders are able to be voting members if they pay the contribution.

QAS - keeping the 31 properties equivalent might be easiest to administer, especially as a percentage would vary with any future property developments along the roads.

There would need to be a record for future committees to understand how the agreement came into being. If you have a property and it's got a council tax band - this is what you pay.

There needs to be an inventory of all the peripherals such as soakaways, lights and gullies that can incur costs and what state they are in.

There needs to be an independent survey of the road so we can have a realistic understanding of expenditure in the future.

Get advice from the council in regard to drains and soakaways
Inform residents regularly of the level of payments so those who have not contributed already may be encouraged to do so.

LA will go through the responses to make sure everything has been covered and to see what is outstanding as a result of our meetings and whether we need another meeting to fix that. We can then have a substantive response to residents and have a final draft of the constitution and Code of Conduction that Jon's is going to finesse.

6

Next meeting

Wednesday 28 April at 7pm for 1 hour

Meeting ended at 8pm