



Eastington Community Land Trust Limited (ECLT)

Twenty First Meeting of Board Members

Thursday 16th November 2017

at 7.00 pm in the Village Hall

Minutes

Attendance: To m Morrison (TM) (Chair), Muriel Bullock (MB), Tom Low (TL) (Secretary), Lynne Farnden (LF) (Treasurer), Alan Brasier (AB), Martin Elliot (ME), Alison Loveridge (AL), Cllr John Jones (JJ), General members Ann Pitcher, Ed Davies, Bill Edwards

Apologies: Karl Hine, Aster (KH), Cllr Mark Chatterley (MC), Sharon Wells (SW), Paul Mannings (PM).

Declarations of Interest: none declared

1. Approval of Minutes of 2nd November Board Meeting

Minutes of meeting were unanimously approved and signed by MB (chair of that meeting).

2. General Members

Bill Edwards asked about progress on the proposed planning application. TM confirmed that it is unlikely that a planning application would be submitted until:

- (i) the legal documentation is finalised and all parties are contractually committed to the transaction (see item 6 below);
- (ii) the development site is registered at the Land Registry (application pending);
- (iii) Aster's solicitors have issued the formal Report on Title to be relied upon by ECLT

3. Financial report

3.1 There were 2 cheques for approval. LF reported a balance of £16,185.51.

3.2 Annual Audit

LF, MB and AB reported a successful clearing of the annual and quarterly internal audits with no adverse remarks. MB had recommended that the bank statements were countersigned by Chair and Treasurer as per Parish Council. LF and TM to consider how best to implement this.

ACTION: TM, LF

3.3 Approval of Version 5.0 of Financial Regulations

Version 5 was the result of the annual review by all Board Members and was approved. In subsequent discussion regarding purchases under £500 (see item 3.5 below), it was further agreed to clarify the regulations and issue a Version 6.0 for later approval.

ACTION: TM, LF, TL

Signed by _____, Chair December 2017

3.4 Extension of time for Locality Grant

TL reported that Locality had agreed to extend the November deadline to 31st March 2018. He cautioned that this was an absolute drop-dead date for submission of a planning application and that solicitors were now on the critical path to finalise the legal documentation, technical matters being almost complete.

ACTION: TM, KH

3.5 Appointment of Auditor(s)

TL explained the report circulated, whereby ECLT could seek to disapply the need for a full external audit. It was agreed that, for ECLT's level of turnover, employing an accountant to perform an independent examination of the accounts would be most appropriate.

To allow for this, it was further agreed to modify Rule F1 of the ECLT's Rules by a vote at the AGM and subsequently by submission to the FCA Registrar.

ACTION: TL

A decision on the appointment of a specific accountant was postponed to await the AGM vote and also to check over the Rules and Financial Regulations regarding contracts and purchases of under £500.

ACTION: TM, LF, TL

3.6 Approval of draft annual accounts for presentation to AGM

TL and LF would ensure that a draft copy of the accounts, seen by TM, AB and MB, would be uploaded to the website and e-mail approval sought from Board Members. Subsequent to 3.5 above, these would be called "draft accounts" although there has been an independent external examination by a lay accountant.

ACTION: TL, LF

4. Feedback from Second Technical Conference 3rd November

TL, MB, LF and AB reported that the conference had been successful in reaching a final design with the architect, Aster and the builder. A general aim of clearing all technical matters by the end of November had been agreed and to that end the architect has already provided a new layout. This has been sent to the engineers, Intrado, for drainage and highways specifications.

There was a delay in deciding the style of rear patio doors, a value engineering issue raised by Aster. In the end the builder agreed that the various options did not save any significant sum and so ECLT's wishes were allowed. This has delayed completion of the elevations, which will now be finished during week commencing 20th November and sent to the acoustics consultant.

Members then examined the revised layout and approved it, subject to examination of the gardens for the flats. KH had suggested that the garden be split between the ground floor flats only but AL, MB and ME in particular insisted there be gardens for the upstairs flats also. Accepting that the basic idea of the existing garden being split between the ground floor flats, TL sketched two further plots to the west, reducing the size of the gardens of plots 14 and 13, which are quite generous. This should be possible without moving the houses' footprints and would be put to the architect.

ACTION: TL

Signed by _____, Chair December 2017

5. Feedback from meeting with Lis Janaway, Aster, 7th November

AL, MB and LF reported on a very successful meeting at which several procedures on Lettings had been agreed and confidence in Lis Janaway’s capability was stressed. In particular, Aster already have a procedure for ensuring adverts for CLT vacancies are correctly worded for the District Councils.

AL felt that we needed to re-visit the “cascade” of parishes in the Section 106. TL undertook to check the SDC methodology and the precedent in the Bush Close Section 106.

ACTION: TL

There was a general discussion on the effects of the 5-year tenancy agreements, which provided less favourable terms than the Assured Tenancies that some applicants may still have. It was felt that a deeper discussion was needed on both downsizing and up-sizing in relation to available homes in the village. A meeting (probably February 1st 2018) would be dedicated to examining:

- Downsizing when at the end of a tenancy term
- Refusal to renew existing tenancies where tenants are no longer eligible
- Finding a larger house from ECLT’s 2-bed homes
- Effect of Aster’s £45,000 earnings limit versus SDC’s £60,000
- Re-defining the cascade of parishes

6. Progress on Legal Matters

6.1 Report on Title and Application for First Registration

TM reported that the vendor’s solicitor had (i) lodged the application for the first registration and (ii) written to the Land Registry requesting it be expedited. TM would be able to monitor this on-line, then chase TLT via KH for the Report on Title.

ACTION: TM then KH

6.2 Conditional Contract and Draft Lease

BPE, our solicitors, have sent a revised version of the Conditional Contract to TLT, Aster’s solicitors. We now await their comments for further review.

ACTION: KH

KH had asked if ECLT was prepared to remove the option to purchase Aster’s leasehold interest contained in the draft lease and it was agreed to decline this.

There was a discussion on the principle of having an onus on Aster to commence building, which was not present in the first draft of the Conditional Contract. It was resolved to action TM to devise a suitable clause that compelled Aster to honour the obligation to build out the development within a reasonable timeframe, once a satisfactory planning permission had been obtained.

KH had mentioned Aster’s obligations to the HCA to fulfil a specific start date. It was noted that this would not obviate the risk of Aster reaching an agreement with the HCA to delay the development and/or return any finance and then sit on the development until it was prepared to build-out. In such circumstances ECLT would not have any contractual remedies against Aster to build-out the development.

Signed by _____, Chair December 2017

It was agreed that the current political climate concerning the status of Housing Associations meant that ECLT would require a direct contractual obligation from Aster to build-out the development within a reasonable period of time.

ACTION TM

7. Approval of AGM agenda

This was approved, including the resolution to have two Residents' Representatives and the proposal to amend Rule F1 on Auditors

ACTION: TL

8. Date of next meeting and setting of AGM

Next Board would be on Thursday 7th December at 7.00 for timely matters only, such as cheque signing. The AGM agenda would offer a 7.30 welcome for a 7.45 start to the AGM.

Meeting closed at 8.42 pm

CIRCULATION

Board of Trustees

Webmaster: Ed Davies

General Members attending: Ann Pitcher, Bill Edwards

Aster Group Karl Hine (KH)

Parish Council Cllr Mark Chatterley

GLOSSARY

GCC Gloucestershire County Council

HMRC Inland Revenue

SDC Stroud District Council

S 106 Section 106 Legal Agreement pursuant to Planning Permission, including Local Connection

Signed by , Chair December 2017