



Eastington Community Land Trust Ltd. (ECLT)

Fifty-eighth Meeting of Board Members

Thursday 15th August 2019

at 7.00 pm in the Village Hall

Minutes

1. Attendance Tom Morrison (chair) (TM), Muriel Bullock (vice chair) (MB), Tom Low (Secretary) (TL), Alan Brasier (AB), Martin Elliot (ME), Lynne Farnden (Treasurer) (LF), Cllr John Jones (JJ), Cllr Mark Chatterley (MC), Ann Pitcher, Georgie Brocklehurst, Ed Davies (ED).

Apologies: Alison Loveridge (AL), Sharon Wells (SW), Karl Hine, Aster (KH), Paul Mannings (PM),

Declarations of Interest: LF and MB declined to discuss item 3.3, being parish cllrs.

Questions to the Board: There were none

2. Approval of Minutes

The minutes of the Board Meeting of 1st August 2019 were unanimously approved and signed by TM after LF had pointed out a minor error in minute 3.1, the cash balance calculation.

3. Financial and Administration Report

3.1 Approval of invoices

There were no invoices, so that our free cash remained £2,360.58. TM had had a response from BPE that our invoice query was being handled through their complaints procedure. This should lead to a resolution before our year end.

TM had been told that we were eligible for a corporation tax rebate (i.e. loss carry-back relief) but had to apply for it soon. TM/LF to check with Independent Examiner and action as necessary (*secy note: LF reports we haven't had the rebate: Independent Examiner will chase*).

3.2 Report on Internal Audit 3rd Quarter

TL and AB reported a satisfactory audit (report attached. One area of comment was the need to report to Board on Budget versus spend, which TL and LF undertook to prepare for a September meeting.

ACTION: LF, TL

3.3 Approval of report to Parish Council For kissing gates on EEA 48

TL introduced a draft report for Parish Council, signalling a need to budget for 3 kissing gates in year 2020/2021. This was approved and TL committed to bring a more detailed report back to ECLT Board before applying to the Solar Fund in 2020 for payment of legal fees.

Signed by TM, Chair 29th August 2019

A Registered Society under the Co-operative and Community Benefits Societies Act 2014, registration number 7425

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4. Legal Matters

4.1 Funding from Homes England

KH has conveyed that both contracts (Aster/SDC and SDC/Homes England) have been signed but not completed whilst awaiting a side letter being drafted by TLT.

4.2 Progress on access easement with Highways England (HE)

HE has produced final drafts which were recently agreed by Red Kite and TLT. Engrossments have been promised by HE solicitors for 16th August. KH will then contact Zayo and raise a cheque in their favour, to initiate the re-direction of the cables.

ACTION: KH

5. Implementation of Conditional Contract and Lease

5.1 Summary of impediments remaining

The period during which Planning Permission could have been subject to Judicial challenge for has now expired, removing one further impediment. KH has indicated that he will consider the Financial Condition to be fulfilled as soon as the Homes England/SDC side letter is completed (see 4.1. above).

The final impediment, the Access Condition, would not be signed off until signing and completion of the HE Easement (4.2 above).

5.2 Steps remaining to start-on-site, including Zayo re-cabling

TM cautioned that we must have full completion of the Lease before Start on Site (SoS) can be allowed. TL reported that there would be an appropriate ceremony for SoS and asked members to consider ideas of activities and attendees by the time of the next Board.

ACTION: All members

Now that work on site approached, TM stated that the public will begin to notice e.g. when Zayo commenced re-cabling. This would most likely give rise to queries to members or indirectly on social media. It was agreed to keep a standing item on future agendas about expected activities. KH plans to attend the next meeting (29th August) and so this can be discussed.

There is an immediate concern that Zayo will be operating outside of the Planning Conditions and so must be made aware of local conditions such as making all heavy traffic approach from the A38, not through the village.

ACTION: TL to contact KH (*done 19th August*)

Signed by TM, Chair 29th August 2019

6. Review of Draft Tenancy Agreement including garden responsibilities

KH had provided a standard draft of an Assured non-shorthold Tenancy Agreement and asked for a list of queries which he could discuss with Lis Jannaway. TL recorded the discussion by typing comments directly into a “docx” version of the draft. TM proposed that this be summarised for members use and for communication to KH.

ACTION: TL to contact KH

TM made two general points (a) that the Agreement would be virtually standard across Aster’s 27,000 tenants and that (b) it was backed up by statutory obligations for landlords and tenants in the various Housing Acts.

The implication of (a) was that we should not expect the body of the Agreement to be changed but perhaps look for location-specific clauses to be at the end e.g. at clause 4.13. TL to check with KH that this is how modifications are handled.

ACTION: TL to contact KH (*done 19th August*)

(b) would imply that some of the queries raised by Members would be found in the back-up legislation but TM asked that questions should still be raised at this point.

There was extensive discussion and a summary of queries raised is attached as an Appendix.

ME and MC raised a specific concern that prospective tenants would not read all 25 pages of the Agreement and that subsequent queries might come back to ECLT or to Parish Cllrs. It was agreed that a FAQ-style page be generated for the website, as queries were clarified from the list now appended. This would help guide both tenants and future ECLT Board Members, including the proposed two Tenant Board Members.

ACTION: TL, TM, webmaster

7. Dates of next meetings

Agreed as August 29th and September 5th, both at 7 pm in the Village Hall. Members to consider attendees for SoS.

Meeting closed at 7.55 pm

Tom Low, Secretary, August 2019

CIRCULATION

Board of Trustees Members attending Webmaster: Ed Davies

Aster Group Karl Hine (KH) **Parish Council** Cllr Mark Chatterley

GLOSSARY

As per previous meeting

Signed by TM, Chair 29th August 2019

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Appendix to Minute 3.3

Period: April 2019 to 30 June 2019

EASTINGTON COMMUNITY LAND TRUST (ECLT)

Quarterly Internal Check list

REF		YES	NO	Comment	Notes for review
1.12	All payments entered into accounting system/budget spreadsheet/cashbook accurately	<input checked="" type="checkbox"/>	<input type="checkbox"/>		WPP. JB
1.12	Receipts are correctly recorded on accounts system/spreadsheet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A zero	WPP. JB
2.2	Bank accounts reconciled monthly (or other - please identify)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		WPP. JB
3.3 & 4.4	Set up and report on expenditure against budget heads	<input checked="" type="checkbox"/>	<input type="checkbox"/>	to be done before 31/08/2019	WPP. JB
5.1	Banking arrangements to be reviewed regularly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	due for HSBC August	WPP. JB
5.3	Payment schedule presented to Board at least monthly	<input checked="" type="checkbox"/>	<input type="checkbox"/>		WPP. JB
6.4	All payments are authorised by two Board Members	<input checked="" type="checkbox"/>	<input type="checkbox"/>		WPP. JB
6.5	The cheque counterfoil initiated by 2 signatories	<input checked="" type="checkbox"/>	<input type="checkbox"/>		WPP. JB
	Cheque signatories have initialed the original invoice as evidence	<input checked="" type="checkbox"/>	<input type="checkbox"/>		WPP. JB
	Receipts are reconciled against original bank statements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A zero	WPP. JB
	A reconciliation of accounts is presented to Board quarterly and date of last one.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	16.4.19	WPP. JB
	For funds being transferred between budgets, a virement has been agreed and recorded by the Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A zero	WPP. JB
Auditing Members:- Tom Low + Azan BASSIR					
Date: 8 th August 2019.					

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**Appendix to Minute 6, 15th August
2019
Summary of queries arising from
draft Tenancy Agreement**

Clause	Query Summary	Aster Response
1.5 move out	MB concerned that a temporary move be within the parish TM subject to statutory obligations?	
1.5 move out	TL asked for examples of re-furb decanting	
2.7 reasonable state of décor	Is "reasonable " sufficient (query to TM) Also 2.8	TM need to check Lease and legislation Then put in FAQ
3.7 28 days' absence	query to TM - is this common law?	TM – it's maybe an insurance point
3.19 pets	MB Is an existing dog automatically OK?	
3.7 Hedges 6 ft high	TL query local situation of front open plan	
3.50 Under occupy	TL Does this include medium term contractors or students away at college	
4.10 Exchange	LF how will this be re-worded for S 106	
4.13 Right to Buy	TL Assume this does not apply?	
4.13 Special Conditions	TL Is this where S 106 obligations appear?	
4.13 Declaration	ME/MC/TM suggestion of an FAQ from this set of queries and answers. Does Aster already have one?	

Signed by TM, Chair 29th August 2019