



## Eastington Community Land Trust Ltd. (ECLT)

### Twenty Eighth Meeting of Board Members

Thursday 5<sup>th</sup> April 2018

at 7.00 pm in Village Hall

### MINUTES

**1. Attendance** Alan Brasier (AB) (meeting Chair), Tom Morrison (chair) (TM), Lynne Farnden (Treasurer) (LF), Tom Low (Secretary) (TL), Martin Elliot (ME), Paul Mannings (PM), Cllr John Jones (JJ), Karl Hine, Aster (KH), Cllr Mark Chatterley (MC) Ann Pitcher, Ed Davies,

**Apologies for Absence** Alison Loveridge (AL), Sharon Wells (SW), Muriel Bullock (vice chair) (MB), Bill Edwards.

**Declarations of Interest:** there were none

**Questions to the Board:** In response to Ed Davies, TL confirmed the next meeting would be 19<sup>th</sup> April.

### 2. Approval of Minutes of AGM and Board Meeting of 15<sup>th</sup> March

The minutes of both meetings were unanimously approved and signed by TM.

TM, TL and LF also signed the final accounts as pre-signed by the Independent Examiner and approved by members under minute 3.1 of 15<sup>th</sup> March

### 3. Financial Report

#### 3.1 Approval of invoices

There were 5 invoices which were approved and the cheques signed by TM, LF and TL as appropriate. The balance, after deducting all cheques, was £15,965.85.

#### 3.2 Updates on Budgets and Commitments and progress on Locality grant

TL reported that invoices for legal and engineering work were available to submit to Locality, substituting for the Planning Fee. It was agreed to adjust budgets to achieve this. The result was that £7,060 would have to be returned. In discussion it was also agreed to chase Hydrock for settlement or positive cancellation of their potential bill, prior to finalisation of the Locality Grant.

**ACTION TM**

Although TL and LF's report showed that, with the promised £9,000 from SDC, there was "headroom" of £10,935 of Budgeted Grants over known Commitments, they were concerned about the impact on cash-flow from now on. It was agreed to deal with all suppliers on a 28-day basis, to allow for the cycle of drawing down grants monies from SDC.

**ACTION TL, LF**

Signed by AB, Meeting Chair.....19<sup>th</sup> April 2018

### **3.3 Progress on SDC Grant enhancement**

TL had spoken to Pippa Stroud who promised a draft variation of deed by the end of the week. In the event that this did not transpire, TM offered to contact the solicitor directly

**ACTION: TM**

### **4. Lettings and S106**

TM asked to table a comparison of BPE with Wrigleys for the stand-alone task of the S106 deed. On balance, he preferred Wrigleys' pedigree on S106 but would present a brief paper for the next meeting.

**ACTION: TM**

### **5. Progress on technical matters**

#### **5.1 Technical Conference 9<sup>th</sup> May**

TL and KH reported on the Technical Conference which was to include Mat Vye of EG Carter, Chris Bates, Aster's site agent, KH and TL. PM had been invited but was unavailable and so had made comments in writing which KH acknowledged as very helpful. A particular point was that KH confirmed that he had asked EG Carter to fully cost the provision of soil for the bund. It was agreed that the potential of soil from the canal restoration should be treated as a bonus, if available.

It was noted that KH had appointed a site agent at this pre-contract stage, which was an indication of the pace at which Aster hoped to proceed. This was an opportunity for Trustees to meet a key member of Aster's team in the build phase.

#### **5.2 Diversions of PRoW EEA 48**

**5.2.1** TL presented a report which included an agreement with SDC Planning that a diversion of EEA 48 through ECLT's orchard, would NOT incur a planning condition. This eliminated a significant risk identified by AB at the last meeting.

KH confirmed that Aster preferred this diversion and would provide the necessary self-closing acoustic gate. TL indicated that the application to divert the PRoW could thus be made in 2019 and that he had ceased active work until a later date.

TM agreed, adding that waiting would clarify what ECLT had left in the budgets and whether it would be necessary to seek extra funds to complete the project.

**5.2.2** TL saw the full potential for EEA 48 lay in correcting the damage done by badgers to the northern end. This would require a diversion which might be applied for in parallel with ECLT's orchard-linked diversion in the south. TM pointed out that this was on County Council farmland and that ECLT should consider the costs and benefits of enabling this diversion in early 2019, including asking GCC for a contribution to the costs of their end of EEA 48.

**ACTION TL in 2019**

Signed by AB, Meeting Chair.....19<sup>th</sup> April 2018

**5.2.3** **TM** asked for suggestions for the use of the space in the south east, provisionally called an orchard. ECLT would have an obligation under the 125-year lease simply to mow the grass (not hedges) and so any more sophisticated use would have to be negotiated with Aster as a sub-lease. This should be done sooner than later. TL agreed to circulate an e-mail requesting suggestions and also to consult the Trustees of the ECO Group as to their views on adopting this space.

**ACTION TL**

**6. Progress on Legal Matters**

**6.1 Report on Title (RoT)**

TM presented the completed RoT which ran to some 100 pages including appendices. This was a cornerstone of ECLT's ownership.

**6.2 Conditional Contract and 125-year Lease**

TM and KH agreed, after discussion, that the most recent draft received on 4<sup>th</sup> April, was good enough to allow release to Red Kite, the vendor's solicitors.

**ACTION KH**

For AB's benefit, TM confirmed that Aster had accepted ECLT's drafting on demolition or further building. Indeed, Aster had accepted the great majority of ECLT's drafting. One area of close debate had been ECLT's termination rights, which TM now conceded were covered by Aster's re-drafting. TM to convey this to Aster's solicitors.

**ACTION TM**

**6.3 Easements**

KH and TL had been active in drafting plans appropriate to legal requirements for the easements. KH agreed that these were now good enough to open negotiations with GCC Highways. TL asked what would happen during KH's annual leave. It was agreed that TL would work with Aster's lead solicitor Paul Butterworth to ensure rapid progress was made

**ACTION: TL**

**7. Discussion of date for Planning Application**

TM summarised the meeting's various topics by saying that application now depended on the reactions of Red Kite and the progress with key easements. He was happy that the principal legal documents were now agreed. KH and TM acknowledged that physical signature of documents might take many weeks but in principle, submission of planning no longer depended on these.

Signed by AB, Meeting Chair.....19<sup>th</sup> April 2018

**8. Date of next meeting**

The next meeting was agreed as 19<sup>th</sup> April, at 7.00 pm in the Village Hall

**MEETING CLOSED at 8.30 pm**

**Tom Low, Secretary**

**April 2018**

**CIRCULATION**

**Board of Trustees**

**Webmaster:** Ed Davies

**General Members attending**

**Aster Group** Karl Hine (KH)

**Parish Council** Cllr Mark Chatterley

**GLOSSARY**

FCA Financial Conduct Authority, our regulator

GCC Gloucestershire County Council

PRoW Public Right of Way, of which route EEA 48 passes along inside ECLT's eastern boundary

SDC Stroud District Council

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

Signed by AB, Meeting Chair.....19<sup>th</sup> April 2018