



# Eastington Community Land Trust Ltd. (ECLT)

## Forty-sixth Meeting of Board Members

Thursday 7<sup>th</sup> February 2019

at 7.00 pm in the Village Hall

### Minutes

**1. Attendance** Tom Morrison (chair) (TM), Tom Low (Secretary) (TL), Alan Brasier (AB), Lynne Farnden (Treasurer) (LF), Cllr John Jones (JJ), Muriel Bullock (vice chair) (MB), Ann Pitcher, Ed Davies

**Apologies:** Karl Hine, Aster (KH), Sharon Wells (SW), Alison Loveridge (AL), Paul Mannings (PM), Martin Elliot (ME), Cllr Mark Chatterley (MC),

**Declarations of Interest:** There were none

**Questions to the Board:** There were none

### 2. Approval of Minutes

The minutes of the Board Meeting of 17<sup>th</sup> January 2019 were unanimously approved and signed by TM.

### 3. Financial and Administration Report

#### 3.1 Approval of invoices

LF reported that two cheques had been approved by e-mail since the last Board - the approval of a cheque for Anthony Collins (per pro SDC S106) and the Independent Examiner of ECLT accounts. There were no cheques presented: balance of funds at bank after cashing all cheques would be £1,952.78.

#### 3.2 Balance of funds and requirement for grants

TL spoke to the report circulated, which showed that funds in hand would cover planned expenditure on solicitors and have contingency to pay for a GPR survey (see item 4.2). He explained that balance of funds would be boosted by claw-back of grant from SDC, to provide an adequate balance for day-to-day administration for this year i.e. until the expected £4,600 ground rent became due on the 11<sup>th</sup> completion (and annually thereafter). AB asked if this would be taxable, which LF confirmed it would be. A brief discussion about returning money to the Parish Solar Fund concluded by postponing any decision.

TL indicated that any future projects beyond Claypits would have to be funded by new grants. There was a debate that spanned the 2019 HNS and various dependable sources of grants and it was agreed to put this on the agenda for a March Board.

Signed by TM, Chair..... 21<sup>st</sup> February 2019

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

**registered address: Hazel Cottage, Millend, Eastington, Stonehouse, Glos. GL10 3SF, [www.eastingtonclt.uk](http://www.eastingtonclt.uk), 01453 823425**

#### 4. Progress on determination of Planning Application

##### 4.1 Technical matters still under discussion

The only outstanding matter remains Highways England (HE). They have until February 15<sup>th</sup> to respond, which is the end of their 3-months' "hold" on our application. It is also the date upon which SDC will have to determine or ask us to extend the time.

##### 4.2 Potential Plan "B"

TL has proposed a Plan "B" whereby we avoid the HE ditch and take a pipe under the farm track to a ditch also owned by our landowner, 200 metres north. Since the last Board, TLT have conducted preliminary land searches, EG Carter have visited the site with TL and TL has spoken to our landowners, who are comfortable with the idea.

Whilst we await HE's decision on Plan "A", there will be a series of GPR scans to ensure there are no unexpected obstructions under the farm track and that the BT fibre ducting and the 500mm high-pressure water main are where we expect them to be. KH has instructed EG Carter to add this to a GPR survey of our main site (a precursor to signing the Build Contract) so that ECLT will not need the contingency £630 indicated in 3.2 above.

An extensive discussion concluded with a unanimous vote allowing KH and TL to move to negotiating Plan "B" in the event that HE recommend refusal on 15<sup>th</sup> February. This would include new drawings and a meeting with GCC SuDS team (Mr Lesser) to ensure their agreement to the revised outflow.

**ACTION: KH,TL**

##### 4.3 Highway access

KH has sent HE a draft easement but it has been agreed to hold off chasing HE's legal team in Exeter until we have Planning Permission. It would remain an obstacle to Aster signing off the 125-year lease.

##### 4.4 Conclusion so far

Our best-case scenario is that HE agrees to Plan "A" and SDC officers can provide a "resolve to approve, subject to S 106" decision. This would be sufficient to trigger 4.3 above. Moving to Plan "B" would entail a delay of a week or two to conclude all meetings and submit revised plans but the SDC decision is likely to be the same (see 5.1 below).

#### 5. Legal Matters

##### 5.1 Progress on S 106 items

SDC asked for £1,500 to be available for their fees and Board approved that by e-mail between meetings to be deposited in Andrew Collins' client account. This allowed Mr Curran to revert to SDC with certain details, on January 30<sup>th</sup>. (*secy note: Ceri Porter of SDC reported on 8<sup>th</sup> February that due to loss of staff, ECLT's S 106 was re-allocated but at least underway*).

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## 5.2 Funding from Homes England

SDC have completed preliminary “getting to know you” work required by Homes England but a draft of the contract has not yet cleared by Homes England lawyers. Helen Bone had told TL “any day now”.

## 5.3 Implementation of Conditional Contract

This must await Planning Consent and TM explained that Aster must be satisfied that there are no onerous conditions. The obvious item here would be the easement with HE for highways access. KH has said that, once communication has been established with HE in Exeter (see 4.3), he will release some funds to allow EG Carter to start off-site detailed design work. This would be in parallel with the various legal documents and mean a faster physical start on site when everything is signed off.

## 6. Date of next meeting,

Agreed as 21<sup>st</sup> February 2019 at 7 pm in the Village Hall and thereafter on 7<sup>th</sup> March and 21<sup>st</sup> March.

**Meeting closed at 7.58 pm**

**Tom Low, Secretary, February 2019**

## CIRCULATION

**Board of Trustees**

**Webmaster:** Ed Davies

**General Members attending**

**Aster Group** Karl Hine (KH)

**Parish Council** Cllr Mark Chatterley

## GLOSSARY

Anthony Collins LLP ECLT solicitors for S 106, led by Dominic Curran

BPE ECLT solicitors for main contracts, led by John Russell

FCA Financial Conduct Authority, our regulator

GCC Gloucestershire County Council

GRCC Gloucestershire Rural Community Council, an advisory body

HE Homes England, primary grant-giving body for affordable homes

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

Red Kite Solicitors to the Vendor

SDC Stroud District Council

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

Trowers Trowers and Hamlins LLP, solicitors to Aster for funding matters in particular

TLT Solicitors to Aster Homes

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