

Trustee Board Meeting – Minutes – 16.10.24

Location: Zoom Virtual Meeting

Present:

Robin Swanson (RS)

Frank Danks (FD)

Susan Meister (SM)

Tim Foddy (TF)

Lynne McCallum (LMc)

Alison Rich (AR)

Peter Johnson (PJ)

Apologies:

Scott Horsley (SH)

Paul Swanson (PS)

The meeting was opened at 1230 by the chair (RS) who welcomed all present and thanked everyone for their attendance.

Item 1.

Trustee declarations of interest.

The Board members were requested to declare any personal interest in any of the agenda items for this meeting. Such a declaration would restrict the individual to discussion and information only and prevent them from voting on any decision-making concerning policy or allocation of assets. (LMc) declared an interest in Shared Ownership and Affordable Rental homes.

Item 2

Previous Meeting Minutes

The minutes of the previous Trustee Board meeting on 31.07.24 had been circulated to all Trustees prior to this meeting for review. Those minutes were reviewed and accepted as a true record by all who attended. The minutes were signed accordingly by the Secretary on the behalf of the Chair.

Item 3.

The Chair presented a comprehensive overview of the interaction with Triodos Bank for funding thus far. The loan agreement for the first tranche of AR houses has now been signed and sent to Solicitors for their attention. Non utilisation charges would be triggered should drawdown not occur before the end of December but confidence is high that completion would occur before then. Support and input from ECTC/PGH will provide payment for the Shared Ownership property (Plot 321 – 2 Bed Baker) and because the shared equity is 50% of the value, it can be repaid to ECTC/PGH once the equity is received from the purchaser.

Item 4.

The Treasurer (TF) provided the latest financial information. The balance in the bank account is currently £19241.36. This includes ECDC grant funding provided to cover Registered Provider application and for legal and funding expenses for the initial four houses and self- build plots. PGH have indicated that capital deposits from the commuted sum for the Open Spaces may become available.

The Treasurer updated the Board on the state of progress with the Trust's application to ALLICA to open another bank account. Progress thus far was slow with issues involving the bank's cumbersome identity check system. All Trustees were requested to complete their identity checks to enable the application. It was agreed that the Treasures should investigate alternative banking providers as further banking accounts would be necessary in future.

Action: All Trustees

Item 5.

The Trust's representatives attended a meeting on 10.9.24 with Bellway Senior management arranged by PGH to seek assurances that issues identified with the Bellway Fordham development would not occur in the Kennett development and to communicate KCLT concerns about interaction with Bellway over the agreed specifications. The meeting

was positive with assurances that KCLT concerns would be reviewed and response fed back. A second meeting with Bellway senior management and technical representatives was held on 2.10.24 at Fordham which again proved to be positive with both wins and losses over the specification issues. Overall, the meeting was again positive but there remained a serious concern about the kitchen design and layout on 4 or 6 of the units on the Ashberry section of the site caused by non-compliance resulting in the under-floor heating (UFH) being incorrectly installed. This was a failure in communication between Bellway (EC) and Ashberry despite recent assurances by Senior Management.

Bellway had requested that KCLT accept the design and layout. The Board discussed in depth this situation and came to the conclusion that the Trust would reluctantly accept the Bellway position of not rectifying the fault in the spirit of compromise but on this occasion only. Any similar situations in future would not be tolerated and the specification should be rigidly adhered to.

Action: (RS)

- a. (L.Mc) advised the Board on the current outstanding issues with Bellway. Poor communication between Bellway Eastern Counties and Bellway Eastern (Ashberry) on agreed specification is a major contributor.
 - I. Issues remain on the design and layout of PV panels on which there continues to be discussion concerning the optimum position where there is an East-West facing house. Snagging on the first four houses remains outstanding as well as reconciliation of the house specifications between the Trust and the developer.
 - II. The issue with kitchen design and layout and the Board's decision is detailed in (5) above.
 - III. (TF) provided an overview on the Trust's concerns on the village pond and bird boxes. Bellway have indicated that further work will improve the village pond appearance and have stated that additional bird boxes would be installed on the CLT houses. This is disappointing but unlikely to improve. (TF) has provided the developer with detail of bird boxes deemed suitable.
- b. Samples of the Symphony Kitchens for the next 26 CLT houses have yet to be forthcoming and no firm date for selection of samples has been confirmed despite continued requests to Bellway.

Action: (LMc)

Item 6.

The Chair (RS) briefed the Board on current Affordable Rent and Shared Ownership options for the first four houses. On the Affordable rent houses, one has been allocated to an applicant who has since lost her job. The applicant is actively engaged in seeking alternative employment. It was decided to wait until rental affordability could be confirmed by alternative funding before taking any further action. This remains under review.

The one Shared Ownership 2 bed house has still to attract an interested applicant for a variety of reasons. It is proposed that the services of Cheffins estate agents be utilised to attract an applicant from outside the membership who have been offered it to date. This was agreed unanimously.

Action: (RS)

Item 7.

The Chair (RS) advised the Board that there was a further delay in delivery of the first 4 KCLT houses. This was causing concern because it may impact funding if handover is further delayed as non-utilisation fees may be triggered by the funding provider. The most advantageous handover currently will be early in December.

Financial modelling for the next tranche of houses has been initiated. There is likely to be a delay with the next batch of 6 Shared Ownership and 4 Affordable Rent houses to early 2025. The model will have a delay built in for Shared Ownership Houses to allow for additional time caused by sale and legal process. At this stage the funding provider, Triodos, is being considered for the next batch only with funding provision for further batches to be kept under review. Any future drop in interest rates will be beneficial.

Item 8.

(SM) briefed the Board on a recent visit to the new Kennett Primary School) which is due to open for pupils on 4.11.24. The facilities, layout and design are very good with many of the positive aspects input by the headmaster (SH). A number of safety factors have been incorporated which include:

- introduction of a second safe walking route opposite the village hall; this route benefits from improved sight lines and a more open aspect (vs. the safe walking route opposite the school)
- issue of high visibility tabards to families so that pedestrians are *very* visible
- completion of a school-wide competition to design large-scale signage to promote stop, look, listen
- acquisition of two standing signs to warn motorists of the presence of children crossing
- inclusion of a roadway within the planned playground markings to support the teaching of road safety

- planned transition activities to encourage road safety amongst the children - *access to the park, planned visits to the new school site and specific curriculum lessons*
- installation of drop kerbs and lighting along the safe walking routes
- arrangements for the collection of children, including requiring specific permission for children to walk home without a parent or carer.

The Board looks forward to the start of the school after half term another milestone in the progress of KGV.

Item 9

The Secretary (FD) recently attended an online presentation by the Law Commission who have been asked by HM Treasury to review the Co-operative and Community Benefits Societies Act 2014 and consider whether the law is both fitting to the nature and needs of co-operatives and community benefits societies and whether regulation is proportionate and effective. A consultation paper has been published which discusses the current law and where provisional proposals for reform are listed. It should be noted that this review is currently only at the consultation stage and it will likely some time before any changes are implemented.

There are four main areas identified that may impact on the activities and regulation of the KCLT going forward.

1. That Community Benefit Societies cease to be “exempt charities” and to be regulated by the Charity Commission as charities with overlapping regulation with the FCA as societies. In this regard it is considered that an agreed framework for collaboration between the two regulators would be beneficial.
2. Society Officers (trustees) to be listed on the Mutuals Public Register which is in the public domain.
3. Audits should be simplified. The proposals align with the trust’s current protocol.
4. To include online meetings, virtual, hybrid as well as physically in person.

Input on the proposals is welcomed from stakeholders.

AOB

The Landowner has asked whether some sections of the existing hedge could remain through the Delivery Board. Following discussions, including KCLT’s view that physical barrier like a hedge could be divisive between the existing and the new community, it was agreed that (TF) would provide some guidance on the circumstances in which the Trust would accept part of the hedge remaining given that KCLT will be maintaining the Public Open Space (POS) in perpetuity.

Action: (TF/RS)

It would appear that communication between Bellway and the Trust has got worse since the assurance meeting in September with Bellway Senior Management. The Chair agreed to take this up with ECTC/PGH.

Action: (RS)

There being no further business, the meeting was closed at 1328.

Frank Danks – KCLT Secretary.