



**MINUTES OF THE BOARD  
OF  
ANGMERING COMMUNITY LAND TRUST**

**Angmering Village Hall**

**Wednesday 17<sup>th</sup> November 2021 @ 7.15pm**

**Present:** Tony Cross (Chair); Angela Colliss; Steven Mountain; Arthur Trehwella; Jan Welch; Robin McDonald (Treasurer); Gareth Cornford (Company Secretary); Kristina Yates

- 1. Apologies for absence** n/a
- 2. Minutes of Previous Board meeting & AGM (accuracy)** APPROVED
- 3. Matters Arising (not on Agenda)**

The hybrid lease (SO restricted to 80%) drafted for Mayflower Way was circulated to our IFAs and Nationwide and Barclays will both lend on that basis.

Landlords Responsibilities – The Board has decided not to adopt the new maintenance obligations proposed by Government on shared ownership property but (out of this meeting) has agreed as follows:

- A 199 year lease on Plots 4 & 18
- Initial Shared Ownership % to be determined solely by CLT and is dependent on finances.
- Subsequent Staircasing – Tranches of a minimum of 10%
- Buy Back option sale process gives first refusal option to CLT
- Valuation procedure for subsequent re-sale will be average of three valuations by local Estate Agents
- Restrictions on who a shared owner can re-sell to in line with current CLT criteria
- Rent review of unpurchased equity every 2 years
- Except where covered by NHBC or other insurances, CLT to cover 50% of maintenance costs for the first 10 years of lease subject to a maximum of £500 per annum. No rollover of unused budget.
- No financial contribution to maintenance where negligence is apparent or if caused by normal wear and tear of appliances, sanitation etc. No contribution for any appliances requiring annual servicing.
- No structural additions / alterations without CLT approval

**4. New Declarations of Pecuniary / Non-pecuniary Interest**

None

**5. Chair's Report**

The Deed of variation for MW has now been agreed and the restriction on social rents has been overcome. Formal signing of the agreement is expected before the next meeting.

The ACLT Shareholder's Register has been revised after analysis of our rules and confirmation by Wrigleys Solicitors. Failure to attend two consecutive AGMs without apologies cancels a membership. Register now stands at 34 members.

ACLT 2 (New Structure) – The Board agreed that a new charitable structure was required if ACLT was to remain viable when delivering projects such as MW and SG. As advised, Wrigleys & Anthony Collins were approached but only Wrigleys responded. As a result it was agreed that Wrigleys would be contracted as advisors to oversee and guide our transition to charitable status.

All paperwork from Wrigleys is being handled by TC, SM, GC and RM with some papers being circulated to the whole board where necessary and relevant. This is proving efficient with a quick turn around of responses to questions from Wrigleys.

Wrigleys are aware of timelines and priorities regarding the acquisitions at Swallows Gate but cannot guarantee that the new structure will be in place in time to receive the properties and avoid Corporation Tax and SDLT. Our Solicitor handling the purchase of Swallows Gate is also aware of the situation with the new structure and will assist where necessary.

We are writing to all Agencies who have provided grants etc to establish whether there will be any difficulty with the transfer arrangements once ACLT2 is established. Thus far no issues have arisen with responses outstanding from APC and ADC. KY has been scrutinizing the legal paperwork.

A further virtual meeting with Wrigleys is set for 12pm on 25<sup>th</sup> November. The Board agreed that the initial Trustees of ACLT 2 will be TC, JW & KY who will step down from ACLT at the appropriate time to ensure there is no conflict of interests.

## **6. Swallows Gate**

AT and RM continue to refine the figures in respect of our propose loan agreement with Triodos. The new agreement may not now need to be approved by the bank's Credit Committee which should expedite matters. The builders have been advised of the delay in receiving the loan agreement. New dates of completion supplied by GD Group for Swallows Gate are 30<sup>th</sup> November for the 2 bed properties and 17<sup>th</sup> December for the 3 bed properties.

The Chair has written to both shared ownership and rental tenants advising them of progress and that the legal process is not in sync with the construction process, indicating that legal completion is likely to extend into the New Year. ADC Housing Department also notified.

Questions arose over the common areas of land, the culvert on the western boundary and the Estate Management Company. We await sight of land registry plans and the details contained in the Articles for the EMC. We are expecting 5 votes on the EMC but the developers are objecting particularly if SO tenants are also receiving a vote.

## **7. Mayflower Way**

The Non-Material Amendments submitted to ADC in respect of the changes to the car parking layout, cycle storage, brick walls etc was refused, mainly because WSCC had not been consulted on parking arrangements despite MW being a private road. A Section 73 Planning application will now be submitted by our Agent.

A full foul drainage connection with manholes etc to the east and west side of our site is costly especially when it is not known whether either neighbour will be in a position to commit resources to connect their foul drainage. However, we will endeavour to provide a simple drainage inlet connection to allow subsequent 3<sup>rd</sup> party connections at an appropriate time.

Contamination as a result of illegal dumping is worse on some parts of the site than others with the ground under Block B being particularly bad with asbestos. The provisional sum allowed of £50,000 for clearance is likely to be a significant underestimate. It should be noted that Sunninghill have taken steps to identify and filter the spoil in order to reduce the amount of high contaminant soil being sent to landfill. Bricks are on a 26-week order delay and the Contractor will endeavour to secure these as soon as possible.

The foundations to the Blocks are now complete and the site is due to be closed in due course with dates to be confirmed. The Contractor has taken steps to secure the site with added stability to the Heras fencing and has reinstated the bund. Sunninghill has also written to all our neighbours explaining the situation. An invoice for £229k will be paid on 18<sup>th</sup> November. An order for the power supply is due to be placed at a cost of £131k. The cost of a water supply is still outstanding. However, Board approval has previously been given for these matters with SM & JW providing the oversight of arrangements.

Our Agent and the builder is determining the optimum arrangements for the solar cells in order to ensure occupiers benefit from cheap electricity for normal use, support for the ASHPs and also where possible the heating of hot water. An 'A' rating Energy Certificate is expected.

It is not envisaged that there will be any issue with the transfer of the build contract when ACLT2 is established. The main contract is due to be issued in March / April 2022

RM and AT are assessing whether loans from Ecology & Charities Aid Foundation Banks would offer a more attractive loan agreement than currently being offered by Triodos for Mayflower Way. An initial meeting with Ecology indicated a slightly more preferable arrangement and a response from CAF is still awaited.

#### **8. Treasurer**

The Treasurer circulated his monthly management report to Trustees. Total Capital and Reserves currently standing at £905,763 of which £540,000 is committed.

The Treasurer has completed the due diligence matters in respect of the grant from the CHF for £113,770 for works at Mayflower Way.

Bookkeeping services are now in place until 31<sup>st</sup> March 2022.

Following discussions with our VAT Tax Consultant, it is not expected that any significant sums can be reclaimed although a further meeting is scheduled to discuss the VAT situation as a charitable CLT.

Contracts and awards are being checked in relation to the future transfer to ACLT.

#### **9. Any Other Business**

GC is contacting our insurers in relation to policies in place and the new ACLT2.

#### **10. Date of Next Meeting - Angmering Village Hall (King Suite) on Wednesday 15<sup>th</sup> December at 7.15pm**