

Trustee Board Meeting – Minutes – 26.1.22

Location: Zoom Virtual Format

Present:

Robin Swanson (RS)

Frank Danks (FD)

Paul Swanson (PS)

Tim Foddy (TF)

Lynne McCallum (LMc)

Susan Meister (SM)

Kate Gould (KG)

Apologies: Peter Johnston (PJ)

The meeting was opened at 1901 by the chair (RS) who welcomed all present and thanked everyone for their attendance.

Item 1.

The minutes of the previous Trustee Board meeting on 12.1.22 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.

Item2.

The Trustees who had attended the Delivery Board meeting on 18.1.22 presented feedback to the Trustee Board. Communication and information flow were considered to have improved but concerns remain about the attitude of the Bellway management representatives. Two attendees expressed continued apprehension on the tone of the meeting and agreed that attendance was both uncomfortable and difficult.

The Chair stressed that the business relationship with Bellway was still relatively new and that despite concerns, progress was indeed being made. He encouraged Trustees to look towards the prize at the end and focus on the positives of what the Board were achieving for the village noting that we should not make the perfect the enemy of the good. If KCLT

were to achieve the vast percentage of its aspirations, the outcome could be deemed a success noting that business transactions rarely achieve everything desired at the outset.

Bellway had issued revision K of the site plan on 17.1.22 which superseded revision J issued on 13.12.21 which had been agreed by KCLT on 21.12.21. Changes to the agreed site plan had been made unilaterally by Bellway without consultation. KCLT representatives expressed concern about this and were advised that the change had only been made to modify the KCLT self-build plots orientation. This was challenged and it was pointed out to Bellway that the allocation of KCLT rental/shared ownership plots had also been altered. Bellway apologised. The changes to the site plan are in fact acceptable but the lack of consultation was noted. The self-build plots area will be defined as a whole with the internal division to be carried out by KCLT with availability in March 2024. This was considered a positive concession.

The KCLT representatives expressed concern that despite assurances that access to the site would not be via the Dane Hill Farm access road this had in fact happened to the inconvenience of local residents over the weekend commencing 14.1.22. No prior warning had been forthcoming and following complaint by KCLT, Bellway advised that it had been necessary to use the Dane Hill Farm access due to the Highways Authority not progressing the S278 for the approved access. KCLT requested advance warning of any further similar issues in future. Bellway apologised.

The format of the planned Working Group meetings was discussed. Bellway appear less than enthusiastic about the value of the meetings and advised that they would be unable to produce minutes as resources would not be available but said they would do what they could (Afternote: Bellway appointed Jemma who took the minutes on 28 Jan). The outcome of the Working Group meeting on 28.1.22 will establish the value and enable ongoing strategy to be set.

The Bellway representatives were reminded of an action point from the previous Delivery Board meeting that they had committed to. Both sustainability and ecology liaison between Bellway and KCLT would commence during January 2022. Bellway were reminded of the KCLT focal point trustee for ecology and committed to arrange contact. To date (26.1.22) no contact from Bellway had happened. The Chair asked that PS be included in the discussions as it included Landscaping. (Afternote: This was discussed again at the Tech WG and it was agreed contact would be made from both the Ecology and Landscape Consultants during w/c 31 Jan).

(TF) advised the Board of changes to energy rating planned in the near future which could be applied retroactively and involve considerable expense to the Trust. This should be flagged and raised with Bellway.

Item 3.

The Chair updated the meeting on a meeting held on 25.1.22 with Birketts on the format of the Tenancy Rental Agreement. There were two options possible:

- a. A Tenancy for life.

b. A Fixed term Tenancy with an included probationary period

The Board discussed the options and a majority vote in favour of a 5-year Fixed term Tenancy with a 1-year initial probationary period agreed. The Board also discussed the options for rent collection and agreed unanimously that monthly rental payment by Direct debit be adopted.

Item 4.

The Chair reported that the process for registration as an RP was currently being assessed by the Regulator of Social Housing as part of the preliminary application process. The assessor had asked for a Rent Policy to be produced by KCLT and raised two concerns regarding Issue 3 dated May 21 of the Allocations policy which the Board had been asked to review before the meeting.

1. Regarding the requirement for landlord references to be produced.

The fact of housing need can arise through different circumstances and will not always mean that landlord references cannot be produced. Landlord references are important evidence of the prospective resident's regularity of rent payments and careful use of their home. However, to ensure that those who were unable to produce landlord references were not arbitrarily excluded from applying, the Board agreed that extra wording should be added to the "Current Home References" paragraph at the end of Appendix 2 so that the requirement would read:

"Applicants who are renting at the time of their application will be required to produce references from their current landlords and any previous landlords to cover the period of 3 years before the application (or the total period that they have been renting, if less than 3 years) or to explain why references cannot be produced."

2. Regarding eligibility of those who own their current home, consider further clarity on the scoring and vetting process required and process for ensuring applicants are applying to replace their primary residence and not applying for a second home.

The Board noted paragraph 9.2 of the current policy (Issue 3 dated May 21) which explained how those who already own a home may be able to satisfy the core eligibility requirements, and considered that there was no need to specify a different scoring matrix for such applicants. However, to ensure that such applicants understand that they must sell that existing home rather than keeping it to generate rental income, the following sentence should be added to that paragraph after the sentence ending "... *have insufficient equity in their current home to purchase a suitable new home on the open market*":

"Any successful applicant who already owns a home will be required to sell that existing home before or simultaneously with their purchase or rental of their allocated Kennett CLT home."

3. Regarding reallocations, this is largely already covered in para 7 of the current Allocations Policy. However, a question that has been asked elsewhere is whether family members can inherit a CLT home on death of the tenant. The Board agreed that the following text should be added to clarify the policy.

“Adult members of the household of the tenant or shared owner, who have lived in the home for at least one full year (without causing any breach of the terms of the tenancy or shared ownership lease), will have priority for allocation of the home provided they satisfy the affordability criterium. They will not have to satisfy the other criteria.”

4. Regarding the production of a rent policy, the Regulator had requested that it needed to establish the following:

- To set rents for the CLH organisation and vary them annually in order to maintain affordability for residents and to ensure long term viability
- To set service charges and vary them annually to cover the costs of services provided
- To comply with the Rents regulatory standard (for Registered Provider CLH organisations)
- To ensure that residents/members are involved in rent setting where appropriate

Issue 1 dated Dec 21 of the Rent Policy was considered sufficient to meet these aims but the Board recommended the following addition to be included in Issue 2 dated Jan 22:

“Resident consultation

KCLT will ensure that residents/members are involved in rent setting where appropriate.

In addition to the necessary consultation periods, affordable rent tenants whose rent or service charge is subject to change will receive notification of the change to their rent and service charges at least four weeks/one calendar month before the change takes effect, or otherwise in accordance with their tenancy agreement; if there is a disparity, then whichever is the longest period. The timing of changes to the rent payable under shared ownership leases shall be determined by the lease terms.”

The updates to the Allocation and Rent Policies were unanimously agreed by the Trustee Board.

AOB

1. Recent communication from Bellway has advised that the availability of the Community Allotments would be during Phase 2 at the same time as Chequers Green. This appears to be a change from the original phasing plan time scale which places the availability of the allotments during Phase 1 which was logical given the location of the allotments. Bellway to be contacted for clarification and justification.

Action: (RS)

2. Bellway had also committed to a meeting between the Bellway managing Director and

the KCLT Board. This followed the Bellway MD offer to meet with the Trustees. To date (26.1.22) this is no further forward. Bellway to be reminded.

Action: (RS)

There being no further business, the meeting was closed at 2023.

Frank Danks – KCLT Secretary.