

COMPANY NO: 11463703

SHERFORD COMMUNITY LAND TRUST LTD - SHADOW BOARD MINUTES 21st JUNE 2024

Meeting held at 13.00 pm at the Community Hub and on Teams

Directors present:

Chair: Drew Powell (South Hams District Council); **Steven Williams** (Brixton PC); **Jason Allen** (Devon County Council); **Louise Yung** (Taylor Wimpey)

Additional attendees:

Ed Whitelaw (RIO); **Andy Tinnelly** (Brookbanks)

In attendance and Notetaker: Judy Talbot (Trust Coordinator)

1. Apologies: Kathryn Deeney (Plymouth City Council); Emma Warden-Nevins (Vistry).
2. Declarations of interest: Jason, Kat and Chair work for Local Authorities which are involved in the delivery of the new Town. Emma works for Vistry, Louise for Taylor Wimpey. Louise has moved to Sherford and is now a resident homeowner as of December 2023.
3. Actions and review of minutes: The minutes from April and May's meetings were agreed and approved by those Directors in attendance at the relevant meetings.
4. Brookbanks update: Andy updated the group on the latest news from Brookbanks. The main points include: <ul style="list-style-type: none">• Completed occupations at the end of April were 904.• Red Lion Hill will be reopening at the beginning of August despite safety concerns from the Consortium with construction continuing both sides of the road. There will be heavy traffic management due to the ongoing development works.• Awaiting final legal sale agreements for completion for the Local Centre. These are hoped to result in submission of a planning application in Q3 2024 with construction commencing in Q3 2025.• The temporary shop has been installed and now has power. The operating licence agreement should be signed in the next week. Finalising wifi connection for the till and the operator is ordering stock. To open in the next couple of weeks. The community panel have given an interest in assisting with community volunteers should the operator need help with staffing at a later date.• The S278 legal agreement for the Sherford Road traffic calming works is agreed. The construction company is booked and are now awaiting the relevant traffic orders from PCC. Looking at start date of September with a 10-week programme.• The legal agreement with Argyll is ready for completion, car parking area is installed and storage cabin/office is on order. The fencing and cleaning of the pitch are complete. The use of the pitch and bookings with ACT will commence in the next month.• Works on access to the Country Park continue. The Consortium are working with SHDC Planning Officers to provide suitable access to the Park in a phased manner over the coming months. The new path is not accessible or open to the public at present.• The new School wing will be handed over at the end of June with an opening – this is ahead of schedule and is ready for the new Autumn intake of pupils.

Directors gave concerns about the progress of road works around Sherford. Andy is meeting with Councillors and Analogy to find a more effective Comms strategy for the community.

Judy has spoken with Analogy regarding progress updates, press releases and increasing Comms via the Trust's newsletter as well. This needs to be done in a sensitive way so that it is clear that the Trust's function is separate to the Consortium.

5. Coordinator update:

Judy discussed her recent update with the main points:

- Firstport letter to residents for CLT fees has been amended with consultation from the Working Group. Awaiting confirmation from Firstport on household and RP details and enforcement policy to be agreed with Directors. Legal brief drawn up regarding the fee enforceability. This has now been sent to three solicitors for quotes.
- Meeting held with NHS Estates, SHDC and Consortium over potential use of the Skills Centre.
- Invoice for S.106 monies for 2023 has been issued. Payment received for 2022 monies.
- Policy documents are being drawn up and worked on with RIO. Training needed for Safeguarding; Health & Safety policy to be finalised.
- Making good progress with Heritage Plan. Visits planned for the Box and Maker Heights. Meeting held with Archaeologist and Skills training planned for the autumn along with a Community event.
- Joined Chamber of Commerce to support Sherford SME's. Will expand Sherford business listing and look at plans for first business event in partnership with the C of C.
- New bi-monthly e-newsletter is now running with the next edition sent out in June.
- Wimbledon live-screening event to be held in July at the hub with strawberries & cream and refreshments.
- Meeting held with Torpoint Market organisers for support with first farmer's market. Looking at September to trial it – more traders needed so will approach Torpoint traders on 30th June market.

Jason discussed the requirement for the temporary library provision funding to be used within a certain time period. Therefore, Judy will contact the Midwife team to find out what their position is and if they intend to move. There is a need to clarify that the Trust have a proposal for a long-term agreement with another provider.

- ***Judy to contact Midwife team to find out their long-term plans.***
- ***Training to be organised for Safeguarding and Health & Safety.***

6. CLT fee – legals/enforcement policy:

The recent proposal from Firstport for an amended enforcement policy doesn't differ fundamentally in that there is still an admin charge levied. This will be discussed further once the legal advice has been received.

Directors all agreed that there is a requirement for the Trust to gain independent legal advice on various matters regarding the CLT fee.

- ***Judy to chase up Solicitors' quotes for appointment re. legal brief.***

7. Skills Centre Update:

Judy and Ed had a meeting with SHDC planners, the Consortium and the NHS estates team. There are a number of variables regarding the potential use of the building. The

Trust to speak further with the Planning team. There will need to be a financial feasibility exercise carried out to determine costs and liabilities.

- ***To arrange meeting with SHDC planners regarding the Skills Centre.***

8. RIO update/Business Plan:

Ed gave an update on his Scoping Report which is progressing well with financial elements being factored in and forecasts for the next 3-5 years. It has been designed to be user-friendly and of a long-term use with key assumptions and sensitivity analyses. The VAT area will need to be looked at in further detail. The report covers grants and all income, staffing scenarios and CLT fee scenarios.

RIO are also drawing up a draft impact framework for social value. The governance documents are nearly complete.

The Community Panel are looking at an Award for All Lottery funding application. This could encompass some Youth and Environment work. The group are liaising with the Space youth team in possible engagement.

The signing of the Articles process is half-way through Stage 2. Directors were all happy to progress with a written resolution process rather than a Special general meeting which was raised by another Director.

Ed has confirmed Andrew Sheldrake's advice as below on this matter:

The answer is that there are two ways of passing special resolution:

1. Via an SGM (Art. 36.3).
2. Via a written resolution under the Companies Act [s288](#). This says:
"...(3) A resolution may be proposed as a written resolution..by the directors of a private company [and] has effect as if passed ...by the company in general meeting".

It is true that Art. 36.3 (a) says that *"...any decision regarding ... an alteration to the Articles of Association can only be made at an AGM or special general meeting..."*. You might think this excludes the written resolution option. That is not the case, though.

This is because *"Any provisions in a company's articles of association attempting to prevent a resolution being passed as a written resolution is [sic] void."*

9. Shed:

There is a requirement from the Country Park Group for storage of their tools and machinery. The Trust also require outdoor storage for event items. Judy has sourced a police-approved secured metal unit which was circulated to Directors and a site has been located to the rear of the country park close to Sherford Road residents, some of whom are part of the Country Park Group.

The SHDC green infrastructure team will ensure secure fencing and plinth from the Consortium.

The monies from the CBTu funding can be used for the purchase of the unit.

Directors agreed on the provisos that if there are any security issues then the shed will be moved elsewhere. The unit will also house community items for the Trust.

- ***Judy to liaise with Alex over the security issues and will order the unit in due course.***

10. Close:

Next meeting to be held on Friday 26th July at 1pm.

Meeting closed at 2.30pm.