

Company Number: 10319743

North Essex Garden Communities Limited (Company)

Minutes of a meeting of the Board of Directors of the Company held via conference call on 19 March 2020 at 2.00pm (**Meeting**).

PRESENT:

Cllr John Spence CBE (Chairman & Voting Director)	Essex County Council
Cllr Graham Butland (Voting Director)	Braintree District Council
Cllr David King (Voting Director)	Colchester Borough Council
Cllr Neil Stock OBE (Voting Director)	Tendring District Council

Invited Attendees (non-voting and observers only):

Braintree DC:	Cllr Gabrielle Spray, Dominic Collins
Colchester BC:	Cllr Julie Young, Ian Vipond
Tendring DC:	Cllr Carlo Guglielmi, Ian Davidson, Ewan Green
Essex CC:	Mark Carroll, Steve Evison
Uttlesford DC:	Cllr John Evans, Roger Harborough
NEGC:	Richard Bayley, Louise Denyer (Minutes and items 11 & 12), Judith Robinson (for items 7 & 11), Sharon Carter (for item 8), Launce Morgan

Discussion of all items on this agenda is predicated on the potential outcome of a supportive letter from the Planning Inspector in respect of the recent NEA Local Plan Section 1 Examination Hearings.

1 NOTICE AND MEETING OF QUORUM / WELCOME & INTRODUCTIONS

- 1.1 The Chairman announced that all those persons entitled to receive notice of and attend Board meetings of the Company had been given notice of the Meeting and, a quorum being present on the call, the Chairman declared the Meeting open.
- 1.2 It was highlighted that the papers for the Meeting had been prepared before the recent escalation of the international Coronavirus emergency and that this point needed to be taken into account during discussions.
- 1.3 Cllr Spence also offered his thanks to those colleagues that had played a part in successfully securing the A12 HIF bid, which was announced as part of the Government's Spring Budget last week and has been welcomed by the programme stakeholders.

2 APOLOGIES FOR ABSENCE

- 2.1 The following apologies were given for this meeting of the Board Directors and those attending in an advisory capacity or as a guest: Cllr David Finch (Essex CC), Adrian Pritchard (Colchester BC), Andy Wright, (Braintree DC), Cllr John Lodge (Uttlesford DC), Bryn Morris (University of Essex), Paul Kitson (Homes England), Anita Thornberry (Haven Gateway).

3 DECLARATIONS OF INTEREST

- 3.1 No new declarations of interest were received.

4 MINUTES & ACTIONS LOG FROM MEETING ON 18 FEBRUARY 2020 & MATTERS ARISING

- 4.1 A couple of amendments to the Minutes from the Board meeting held on the 18 February 2020 relating to attendance and the SELEP item were recommended ahead of the Board agreeing

them to be a true and accurate record of that meeting, subject to the minor amendments. Therefore, the following actions are to be undertaken.

Reference	Action	Action Owner	Due Date
2003-4.1.1	<i>SE to provide LD with amended wording for the SELEP item 6.2, 6.2.1-6.2.4. The Minutes will then be updated and re-circulated to the Board for approval.</i>	<i>Steve Evison / Louise Denyer</i>	<i>26/03/2020</i>
2003-4.1.2	<i>Cllr Carlo Guglielmi to be added to the list of attendees for the Board meeting on 18 February.</i>	<i>Louise Denyer</i>	<i>20/03/2020</i>

4.2 In terms of the Actions Log, activity to secure a date for the Board to Board meeting with Homes England towards the end of the year is ongoing. Homes England have also been in contact requesting the NEGC's consideration of how the Covid19 situation will potentially impact on nationwide construction projects for them to usefully pool this collective intelligence. Additionally, the Board were notified that letters to the relevant Ministers will be sent if the Inspector's letter is positive. A further outstanding action from the Board meeting in September 2019 is more detailed local authority consideration of the topic of stewardship of the Garden Communities and this action is being progressed through the relevant programme workstream.

4.3 The Board also discussed the Matters Arising paper, which highlighted that a decision concerning online banking was required to specifically enable the year-end transaction with the exact amount to be detailed in a note from the Group MD to the Board for approval by the Nominated Directors.

4.4 The Board RESOLVED to:

4.4.1 Agree that NEGC Limited's bank account be accessible using Colchester Borough Council's online client facility and that the Lloyds amendment form be duly signed to this effect; and

4.4.2 Set the two-day pay limit for the operation of this account at £500k.

5 CHAIRMANSHIP 2020/21 VOTE

5.1 As per the NEGC Ltd Shareholder's Agreement, an annual election of the Chairman of the Board is required. Cllr Graham Butland proposed Cllr John Spence CBE to continue in this role for a further year and this nomination was seconded by Cllr Neil Stock OBE. Cllr David King further endorsed this nomination.

5.2 Therefore, the Board RESOLVED that:

5.2.1 Cllr John Spence CBE be re-elected as Chairman of the NEGC Ltd Board of Directors.

6 MD UPDATE

6.1 Richard Bayley presented his update to the Board and the conversation focused on a number of key areas. This included the evolving Coronavirus situation, its likely impact on day-to-day operations and how the business is responding in terms of continuity of service and duty of care to staff. Also, the need for a virtual approvals process has been identified and a proposal for how this will work will be prepared for the Board's attention. The following actions were agreed.

Reference	Action	Action Owner	Due Date
2003-6.1.1	<i>The NEGC's business continuity plan will be circulated to the Directors.</i>	<i>Richard Bayley</i>	<i>26/03/2020</i>
2003-6.1.2	<i>RB and JR to write to Board with proposed 2-part virtual approvals process.</i>	<i>Richard Bayley & Judith Robinson</i>	<i>26/03/2020</i>

- 6.2 Leading on from this topic, there was a discussion about the Masterplanning and Infrastructure (including Transport) workstream and how the restrictions and measures being put in place to curtail the spread of Coronavirus may potentially impact on the Tendring Colchester Borders HIF scheme delivery timescales. Colleagues from Essex County Council are in regular communication with the Government on this issue and are seeking clarification and assurance before the contract is signed. The Chairman consequently requested the following action:

Reference	Action	Action Owner	Due Date
2003-6.2.1	<i>SE to keep the Board updated on the progress made by ECC with Homes England regarding HIF.</i>	<i>Steve Evison</i>	<i>13/05/2020</i>

- 6.3 Additionally, the Board is alive to the fact that the Coronavirus emergency has meant the four local authorities are becoming increasingly overstretched in terms of their officer capacity and resourcing, given the impact this situation is likely to have in the short term. Whilst the subject of public engagement is elsewhere on the agenda, it was also recognised here that the NEGC team need to consider how to work and engage with the public differently in the coming months in light of the current circumstances.
- 6.4 Finally, it was noted that a response to the Government's consultation on the First Homes initiative has been drafted and shared with the Councils. Once finalised, the submission will be shared with the Board.

Reference	Action	Action Owner	Due Date
2003-6.4.1	<i>Submitted response to the First Homes consultation to be circulated to the Board.</i>	<i>Richard Bayley</i>	<i>03/04/2020</i>

- 6.5 The Board RESOLVED to:

- 6.5.1 Note the MD Update.

7 INTERIM PROGRAMME & BUDGET – Q1 2020/21

NOT FOR PUBLICATION by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended.

8 COMMUNITY ENGAGEMENT OVERVIEW & COMMUNITY LIAISON GROUPS

- 8.1 In line with earlier discussions it was noted that the paper presented to the Board for this item is now out of date due to the ever changing Coronavirus situation, and in particular how the restrictions that are being placed on people's movements will affect the NEGC's Sequence 2 public engagement plans, which are now scheduled to take place in the Autumn. This will therefore entail expanding access to digital platforms and other non-contact measures that the Communications team are currently investigating. In response to a question, Richard Bayley confirmed that there had been an initial conversation with the NEAs to see if the public

engagement platform being developed could also be deployed for the statutory consultation they will need to do on the DPDs.

- 8.2 Regarding the Community Liaison Groups proposal, it was reinforced that the application process must not present any barriers to entry to community groups or unintentionally exclude people who would be positive contributors to these discussions. As such, the revised paper will need to present a more radical and creative approach to engagement than has previously been proposed, whilst optimising partnership working where possible. The following action is therefore required:

Reference	Action	Action Owner	Due Date
2003-8.2.1	<i>The CLG proposal is to be updated and represented to the Board at the next meeting.</i>	Sharon Carter	13/05/2020

9 GIFT REGISTER

- 9.1 As per the NEGC Gifts & Hospitality Policy, the Board are required to formally review the Gift Register annually. It was confirmed that any gift or hospitality with a face value of £25 or more is recorded on the Register.

- 9.2 The Board RESOLVED to:

9.2.1 Approve the Gift Register for 2019/20.

10 NEA LOCAL PLAN UPDATE

- 10.1 Ian Vipond provided the Board with a verbal update on the status of the Local Plan process. The NEAs are waiting to hear from the Inspector now that he has received all the information requested to facilitate his conclusion. In recent weeks the NEAs have undertaken some scenario testing with their Members based on the different outcomes that are possible, and the latest HIF announcement needs to be further fed into this thinking. It was also highlighted that the CBC elections have been deferred until next year due to the Coronavirus crisis, which therefore means there will be no purdah period in Spring 2020, which would have potentially impacted when any modifications consultation would be. In the event of a positive Inspector's letter, the NEAs would look to adopt the Local Plan Section 1 in early Autumn 2020.

- 10.2 The Board RESOLVED to:

10.2.1 Note the Local Plan verbal update.

11 2019/20 PROGRAMME & BUDGET UPDATE

- 11.1 The Board were provided with an update on the status of the current programme and budget; the former is being recorded as Green and it was noted that the delivery vehicle model decision and subsequent dependencies is scheduled for Summer 2020. NEGC costs as at the end of January 2020 were on budget. It was also reported that the £550k from MHCLG will be received by Colchester BC imminently.

- 11.2 The Board RESOLVED to:

11.2.1 Note the Programme & Budget update

12 STRATEGIC RISK REGISTER

- 12.1 The Strategic Risk Register has been reviewed in the last week to fully take into account the impact of the Covid19 pandemic and Risks 4, 5 and 9 have been specifically updated to reflect this position. Additionally, Risks 3 and 8 have been updated following the second successful

HIF announcement and Risk 7 has been updated in line with the MHCLG funding confirmation. The following action was requested:

Reference	Action	Action Owner	Due Date
2003-12.1.1	<i>Update the Strategic Risk Register to reflect in more detail the short and long-term implications of the Covid19 pandemic potentially through the addition of a specific additional Covid19 risk. This should be rated as Red.</i>	<i>Louise Denyer</i>	<i>27/03/2020</i>

12.2 The Board RESOLVED to:

12.2.1 Note the Strategic Risk Register.

13 AOB

13.1 Cllr John Evans reported to the Board that the options for a way forward on the Uttlesford DC Local Plan are still being reviewed by officers and Members.

13.2 With regard to the next Board meeting currently scheduled for 13 May 2020, if the NEAs receive the letter from the Inspector in the next few weeks then arrangements should be made to hold a short additional meeting in mid-April to discuss this outcome.

There being no further business, the Meeting was declared closed.



Chairman