



CHILMINGTON MANAGEMENT
ORGANISATION

Minutes of CMO Board Meeting

Thursday 8th December 2022

Version 1, Draft 2

Attendees: SallyAnne Logan (SAL), Katy Parr (KP), Neil Shorter (NS), Steve Bartlett (SJB), Alison Breese (AB), Tom Hodson (TH),

Apologies: Ben Lockwood (BL) Ian McClintock (IM), Simon Banfield (SB), Holly Jarvis (HJ)

Observers: Pauline Pullen

Chair: Steve Bartlett

The Board Meeting was not quorate as only one developer director was present. Matters discussed will be circulated following the meeting for approval by all Directors.

Welcome & Declarations of Interest

The meeting was chaired by SJB who welcomed the Board and apologies were noted. No additional conflicts of interest were declared.

Approval of Minutes and Matters Arising

Minutes from Previous Meeting: 7th September 2022 were approved with an amendment to the Action relating to TH advising if he could offer a Director for F&R Committee.

Notes of the Board Forward Planning Day: 16th November 2022 were approved.

Action	Update	Who Responsible/ Timeframe
TH to talk to Nick Mumby regarding proposal to reinstate the PoA with the same amendment being applied to BDW and Jarvis	10/6 Update: No response from HD. Further email sent asking for response or will be omitted from agenda. No response 7/9 Update: No further information received 8/12 Update: No further information received	TH
Further to TH response Board will vote on decision to restore Hodson PoA electronically		



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Check with ABC planning if CMO will be held to account for any outstanding planning obligations for Cabin	8/12 Update: LPA advised that CMO could be responsible for any planning breaches as tenant. Conversations taking place between LPA and CMO to ensure that this is not a risk to the CMO.	SAL
TH to send proposal to CMO regarding types of indemnities and guarantees that can be provided.	8/12 Update: TH advised that Fladgates do not think this necessary	TH
TH to ask Mark Hartnett for advice on all indemnities required for CMO protection against S106/Planning obligations when taking on landscaping without full discharge of conditions in place.	8/12 Update: Complete, see previous action	TH
Raise with LPA risk to CMO regarding delivery of PS1 at next meeting and feedback to CMO.	8/12 Update: CMO have spoken directly with LPA. On agenda.	TH September meeting
Forward H & S Access Document to CMO	8/12 Update: CMO have not received information from HD. LPA have advised that original approved document is valid. CMO have responded to LPA	TH Within two weeks. CMO to respond within two weeks
Determine ownership/status of land that is intended for allotments	8/12 Update: SB advised that land would be reverting to HD	SB/TH
Put on agenda for next Board meeting, if Hodson Developments would allow meanwhile use of allotment land	8/12 Update: Remnants of building rubble are present which need to be rectified by BDW. Once this has been done, HD happy to have this conversation.	SAL
Chase ABC legal to procure RCD consolidation work	8/12 Update: SAL has chased, but not aware of any further action by ABC Legal dept	SAL



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Change retention dates for financial information to 10 years	8/12 Update: Complete	KP
Chase marketing representative to get permission for display of flag at Barratts	8/12 Update: Complete	SB
Invite Hannah at EEA to meet with TH on site to agree locations	8/12 Update: Agreement to display flag was not arranged.	SAL/TH

SUBJECT DISCUSSION AT 8TH DECEMBER 2022 BOARD MEETING:

Handover of Land from Developers & Maintaining Adoptable Highway Verges

RMG are pushing for handover with BDW and Jarvis Homes in January. The hope is that Hodson landscaping will tie in as close to possible with this timing. RMG are waiting for some paperwork, including management plans from Hodson Developments to allow this to happen.

Original intention was for CMO to maintain KCC areas at cost from RCD funds, in advance of the commuted sums being passed across from KCC to CMO at time of KCC adoption. Having received quotes from the landscaper it has become clear that these costs are a significant part of the overall quotes and the CMO cannot afford to take this on in advance of receiving the commuted sums. CMO discussed at Board forward planning day that the offer would be made to developer partners that CMO landscaper would maintain these areas and then this would be charged back to developers, or they could continue to have their own landscapers maintaining these areas. Jarvis Homes have advised they will continue to pay Earle's landscaping directly for these areas, BDW will have a conversation with RMG regarding costs, but are likely to use CMO landscaper to undertake the work and then pay for this. This matter will form a part of the conversation with Hodson Developments at handover.

With regards to Hodson Development areas, there are some outstanding planning matters that have not been resolved and in the previous Board meeting the Board had asked for information about relevant indemnities that could be offered to protect the CMO in undertaking maintenance on these areas. TH has advised the Board that no indemnities are required. Other Board directors felt they needed further assurance and that if that couldn't be given, normal handover practices would have to be reverted to. TH advised that HD were not asking for KCC areas or Access A to be taken over, so hopefully following the meeting with RMG a way forward can be found. Once quotes have been received for Gates and Lakes area, proportion of KCC area costs can be considered again.

Jarvis and BDW have agreed to install waste bins on site and waste will be collected by ABC. Cost of collection will be paid for by CMO RCD funds. Discussions will be had regarding bins at Hodson Developments sites at next site meeting.



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No.	Comment	Decision/Action	Who Responsible	Timeframe/ Date
	NS to attend HD site meeting with RMG	Approved		
	Maintenance of KCC areas to be discussed at each business planning cycle	Action	SAL	Annually

Community Cabin Handover

Meeting was held on site in July between HD, CMO and LPA to discuss the actions that needed to be completed for the Cabin to be handed over. A schedule was put together following the meeting and agreed by all parties. Main issue outstanding was safe access to the Cabin and a H&S protocol was to be sent to CMO by HD. CMO have been advised that original Protocol stands, but it was commented that this does not reflect the conversation had at July meeting where it was suggested that a manned barrier would be in place. HD have since had advice that the protocol doesn't need to be amended as Thakeham Homes can comply with the original protocol. Barriers will be in place in line with the protocol prior to handover and NS will include an inspection of this when visiting site.

The other issue is with the LPA regarding any liability that the CMO would have in regards to the non-delivery of the play space. HD and LPA have been agreeing a position that would protect the CMO, HD will submit an application to remove the link between the first premises and the play space. HD are required to submit an RM application for play space 1 in order for this to happen. It was recognised that there is currently a breach of the condition as we have passed 250 occupations and the play space has not been delivered, so that upon handover there is a risk to the CMO that they will be liable for the breach. The Board stated that they felt they need direct confirmation from the LPA that they were not liable. It was discussed how the 'letter of comfort' needed to give confidence to the CMO that they would not now or in the future hold liability against the CMO for non-delivery of the play space. CMO have asked LPA for a letter of undertaking to remove risk to CMO, LPA are happy to have this discussion, but this has not yet been resolved.

SAL has approached Knights Plc and Whitehead Monckton to quote to review of lease and also any undertaking protecting the CMO from non-delivery of the play space. They have been advised that the lease needs to be turned around in eight working days. SAL proposed that upon receiving the lease the CMO team review and make comments back to TH, if no comments, then it will be sent on to CMO solicitor for review and then sent to HD. Fladgates have committed to sending lease through on 9th December.



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No.	Comment	Decision/Action	Who Responsible	Timeframe/Date
	TH to advise NS once barriers installed in-line with H&S protocol	Action	TH	
	Re-send signage information to TH	Action	KP	
	Re-send commitment for building control application to TH	Action	KP	
	Buildings insurance certificate and information to be sent to CMO	Action	TH	
	Ask ABC's Building Control for advice whether Building Control sign off is required.	Action	SAL	
	Pass on Fire Survey Company details to TH	Action	AB	

Approach from Galliard Homes

Board were asked if they approved continued discussions with Galliard homes with regards the Toke Farm site coming under the remit of the CMO and also the relocation of reptiles from their site.

No.	Comment	Decision/Action	Who Responsible	Timeframe/Date
	Continue discussions with Galliard Homes regarding coming under the remit of the CMO	Decision within meeting: Agreed		
	Advise Galliard Homes of Board outcome	Action	SAL	
	Look to see if reptiles could be relocated at Chilmington Green	Decision: Unlikely that the site can accept reptile relocation		

Newsletter (December edition)

Noted that this is being sent to residents.

No.	Comment	Decision/Action	Who Responsible	Timeframe/Date
	No actions noted			

Community Development/Engagement – Current Projects



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Update provided in the circulated papers.

No.	Comment	Decision/Action	Who Responsible	Timeframe/Date
	No actions noted			

Community Development/Engagement – Programme for Jan to 31st March 2023

Noted

No.	Comment	Decision/Action	Who Responsible	Timeframe/Date
	No actions noted			

Community Development/Engagement – Road Safety Project

Noted

No.	Comment	Decision/Action	Who Responsible	Timeframe/Date
	No actions noted			

Outstanding RCD Legal Matters

Discussed earlier in the meeting that TH would like to see the details of the legal costs, other directors were happy with the summary provided at Board meetings.

Barratts have made very good progress in term of the backlog of issuing compliance certificates. Knights have met with Jarvis's solicitors, Halletts and are comfortable progress will now be made. Hodson properties, are picked up in the settlement agreement with the council, Knights have also advised that they have now received the draft deeds of rectification from Hodson's solicitors, Gowlings.

No.	Comment	Decision/Action	Who Responsible	Timeframe/Date
	Send TH full details of legal costs	Action	SAL	

Resolving HD CMO S106 Breaches Update

As per report & previous discussion

No.	Comment	Decision/Action	Who Responsible	Timeframe/Date
	No actions noted			



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Charity Management Accounts (November)

Charity Management accounts that have been circulated contain a couple of inaccuracies, this will be changed and recirculated. Currently shows a carried forward balance of £56k, however, we have around £28k of expected invoices from ABC. It tells us that we will need to request the remaining £25k drawdown from ABC otherwise there are pressures on the cashflow.

SAL and AB have the next quarterly meeting with ABC, Christmas week and AB will come back to the board for approval on the drawdown.

No.	Comment	Decision/Action	Who Responsible	Timeframe/Date
	Amend accounts and recirculate for Board approval	Action	SAL	

Strategic Risk Register (November)

It was agreed that the risk register represents the risks as they stand on this date. One additional risk has been added regarding protecting staff, directors and partners against bullying and abuse. SJB stated that the CMO should not and does not accept any level of bullying to its staff, directors or volunteers and therefore it was right that this risk is added.

It was also raised that for the last three meetings we haven't been quorate and if this continues we need to elevate this and look at governance.

No.	Comment	Decision/Action	Who Responsible	Timeframe/Date
	Risk Register, with the addition of the extra risk mentioned below	Approved		
	Send out decisions for approval electronically to ensure quorate approval to discussions at this board meeting. Inc information Board direction at meeting.	Action	SAL	
	Add in new risk regarding quorate meetings	Action	SAL	
	Monitor level of quorate meetings and take appropriate actions	Actions	SAL/KP	

Matters to Note –to be taken on block

- Re-Payment of Conveyancing Legal Fees from RMG
- Annual Policy Review
- Compliance Certificate Trackers (November)



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- CMO Work Plan (December)
- Q3 Business Plan Tracker
- Information Pack refresh
- Jubilee Park – feedback from CSG
- Finance and Risk Minutes
- Planning Comments Submitted this Quarter

No.	Comment	Decision/Action	Who Responsible	Timeframe/Date
	No comments or actions raised.			

Any Other Business

No matters raised.

Next Meeting: CMO Business Plan Approval – Tuesday 17th January 2023, 3pm

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