

OTTERPOOLPARK LIMITED LIABILITY PARTNERSHIP

MINUTES OF THE BOARD

Date: 28th June 2023

Place: The Jockey Club, Folkestone Racecourse, Stone Street, Westenhanger

Directors present: John Bunnett, Jenny Hollingsbee, Andy Jarrett, Sally-Anne Logan.

Others present: Mark Dodson, Finance Director, Shanice Pillay, Administrative Assistant, Duncan Thomas, Development Director, Julia Wallace, Placemaking Director, and Peter Wignall, Legal and Governance Adviser.

100. Appointment of chair for the meeting.

It was necessary to appoint a chairman for the meeting until a permanent chair is appointed.

Decision:

That Sally – Anne Logan be appointed chair of the meeting.

101. Apologies for absence

Apologies were received from Dinah Roake.

102. Declarations under the code of conduct

There were no declarations of interest.

103. Minutes of the meeting of 15th June 2023

The minutes of the meeting of 15th June 2023 were presented to the board.

Decision:

With the substitution of minute 99 2 b) with the following:-

“That the reports of Local Partnerships and KPMG should be made available to the board once they are completed.”

the minutes were agreed.

104. Meeting Dates for 2023/24

Report 42 sets out the proposed meeting dates for the board for 2023/24

Decision:

The meeting dates set out in the report be agreed.

105. Financial Position

Andy Jarrett, Managing Director and Mark Dodson, Finance Director set out orally the current financial position. Andy Jarrett also referred to the letter from Folkestone and Hythe District Council dated 21 June 2023 requiring certain spending and other decisions to be referred to the Council for approval.

It was also reported that as the draft business plan for 2023 / 24 has not been approved the existing business plan for 2022 /23 was still extant, however this did not fully cover the activities in the current year.

The board were concerned that the LLP had enough resources to meet its commitments and that the Council would continue to honour its commitments. The board also stated that in future in any report regarding spending it would want clear assurances that there was a budget to support the spending.

Decisions:

- 1. That advice be sought on the LLP’s position**
- 2. Advice be sought on the directors’ position and**
- 3. That the minutes approving spending in future make explicit reference to the budgetary position.**

106. Town Planning Consultancy Support

Report 43 A (substituted for the original report 43) recommends that a contract be entered into for planning consultancy work to support time critical work on tiers 1 and 2 of the planning application. It sets out the longer-term proposal to set up a framework of a number of consultancies so that future work can be spread across a number of teams.

The report also recommends that a variation to the LLP’s procurement policy be approved so as to enable the contract to be awarded without the seeking quotations for the reasons set out in the report.

The report had been discussed at the Joint Operations Board meeting on 21 June 2023 and the spending had been approved by the Council.

Decision:

1. That a contract be entered into for up to £236,050 with the contractor identified in the report in paragraph 1.1 for work relating to town planning consultancy as described in paragraph 5.2 of the report and;

2. The contract be procured in the manner set out in Section 5 of the report.

107. Waterlife Recovery South East (WRSE)

Report 44 recommends that a contribution of funding for the WRSE project being led by the Waterlife Recovery Trust (supported by the Environment Agency) be made as a part of the LLP's goal to improve ecology. It explains the function of the project and the impacts that Otterpool Park may incur as a result.

The report had been discussed at the Joint Operations Board meeting on 21 June 2023 and the spending had been approved by the Council. Mark Dodson, Finance Director, stated that the costs could be met out of contingency.

Decision:

That funding of up to £50,000 be contributed by the LLP towards the Waterlife Recovery Trust in order to preserve British water life within Otterpool Park.

108. Update on Agreements with Housebuilders

Duncan Thomas, Development Director, gave an update on the agreements and negotiations with housebuilders.

Decision:

That the positions be noted.

109. Proposed training for Board Members

Report 45 recommends that a proposed training programme for the board.

Decision:

1. That the recommended training program for Members of the Board and the deadline for completion of training within 6 months of appointment be approved.

2. That the training also includes the fiduciary duties of the directors.

3. To keep the programme under review.

110. Forward Plan

Report 46 attached a first draft of a plan showing the likely work of the board until May 2024. It also sets out the decisions needed by other bodies.

Decision:

To receive and note the draft forward plan.

111. Solar Farm Opportunities

Report 47 sets out an opportunity to explore the generation of solar electricity on the boundary of Otterpool Park. It was reported that the matter would also be considered by the Council's cabinet on 12 July 2023.

Decision:

To note the opportunity to generate solar electricity.

112. Managing Director's Goals

Report 48 sets out proposed goals for the Managing Director to be used in his appraisals at the end of the financial year.

Decision:

That further work be undertaken on the proposed goals, in particular there should be links to the business plan.

Outline of proposals to tackle "Peak Debt"
Progress towards agreeing contracts with housebuilders and an outline of the Places for People Joint Venture
Report on the new arrangements for working and wrongful trading.
Planning Agreement

Forward Plan