

Land Development Agency

Board Meeting of 1st December 2020

Minutes of Meeting

Date	1 st December 2020
Venue	Video conference call – Covid 19 restrictions remaining in place
Time	10am
Chair	John Moran
Other Board Members	John Coleman (CEO), Michael Stone*, Tim Bouchier Hayes, Clare Costello, Michelle Norris, John O’Connor, Caroline Timmons, Conn Murray
Apologies	None
Attendees	Phelim O’Neill (Head of Property)*, Omar Bhamjee* (Head of Finance)
Minute Taker	██████████ (Arthur Cox)
*	For part of meeting

*section 37-personal information

No	Item
1.	Board Preliminaries
	Agenda – For Noting The Board noted the agenda provided for the meeting.
1.1.	Noting of Meeting Chair – For Noting It was noted that John Moran would chair the meeting.
1.2.	Notice of Meeting and Quorum – For Noting The Chair noted that the meeting was quorate.
1.3.	Declarations of Conflict / Interest – For Noting The Board were provided an opportunity to declare any conflicts of interest in respect of the agenda items. An ongoing conflict disclosure in relation to John O’Connor regarding sites in the current ownership of the Housing Agency was noted.
1.4.	Approval of draft minutes of Board meeting of 8 September 2020 and 8 October 2020 – For Approval The Board noted the minutes of the meeting held on 8 September 2020 and 8 October 2020 and the minutes of these meetings were approved. It was agreed that the approval of the minutes of the meeting held on 27 October 2020 would be deferred to the next board meeting. It was further agreed that the minutes of board meetings and meeting papers will be made available in a more timely manner going forward.
1.5.	Matters Arising – For Noting The Board reviewed the matters arising from the last Board meeting and there being no queries regarding the matters arising same was taken as read.

2.	CEO Update
2.1	<p>CEO Summary Report- For noting</p> <p>The CEO summary report was taken as read by the meeting. The CEO noted discussions are ongoing regarding the NARPS portfolio and provided an update to the Board on the progress of the LDA legislation, noting that it is advancing with possible enactment in the first quarter of 2020.</p> <p>The CEO noted the performance framework provided with the CEO summary paper and that a business and operations plan would be submitted to the Board, following engagement with the Minister.</p> <p>The Board noted the positive outcome on Shanganagh. The Board also noted the helpful KPI's included in the performance framework. It was agreed that the strategic plan, business plan and operations plan, as well as the budget for 2021, should be presented to the Board at its next meeting.</p>
	<p style="text-align: center;">DECISION</p> <p>Strategic plan, business plan, operations plan and budget for 2021 to be presented to the next meeting.</p>
3.	Finance
3.1	<p>Finance Update – For Information</p> <p>The Head of Finance joined the meeting. The Chair invited the Head of Finance to update the Board on the financial position of the LDA.</p> <p>The Head of Finance updated the directors in respect of the financial position of the Agency, [REDACTED]. The Board was informed that preparations are underway for the year end audit.</p> <p>[REDACTED]</p> <p>The Board discussed the application of the Public Spending Code to the LDA and it was agreed that a paper showing how the LDA intended to be compliant with the Public Spending Code will be presented to the Board.</p> <p>The Board requested that increased scrutiny on project spend is provided via a report to the Investment Committee and that for 2021 more robust financial reporting is provided to the Board, with reporting showing spend by project versus target versus budget as project expenditure increases in line with progress. [MA41122020]</p>
	<p style="text-align: center;">DECISION</p> <p>[REDACTED]</p> <p>LDA approach to compliance with the Public Spending Code to be presented to the Board.</p>

*Section 29 -
Deliberations of
Public Bodies





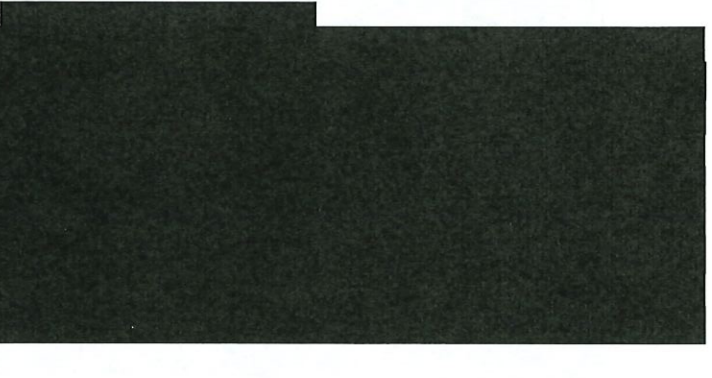
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36-Commercially
Sensitive

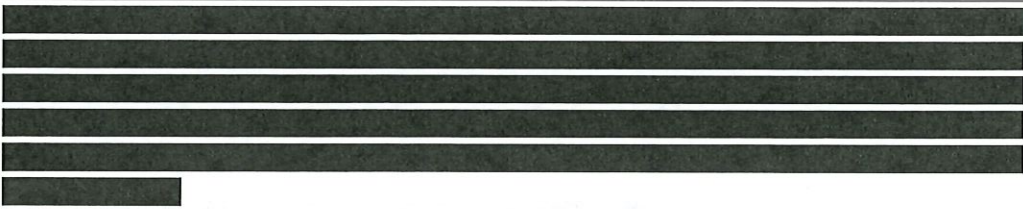

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36-Commercially
Sensitive

	<p>Increased scrutiny on project spend to be provided via a report to the Investment Committee. [MA21122020]</p> <p>More robust financial reporting to be provided to the Board, with reporting showing spend by project versus target versus budget. [MA31122020]</p>	
3.2	<p>Procurement Update – For Noting</p> <p>The Procurement Update was taken as read.</p> <p>It was noted that the operational and finance framework overview section of the report did not give full details of specific parties engaged, for what pieces of work and the amount of the contract.</p> <p>The Board requested that a full procurement report be circulated to the Audit and Risk Committee (“ARC”), setting out who is engaged to do what work and for what fee and that the committee would report to the Board on this report. The specific parties getting work under frameworks and the amount of contracts should be reported individually.</p>	
	<p style="text-align: center;">DECISION</p> <p>Full procurement report to be circulated to the ARC with the committee to report to the Board on same. [MA51122020]</p>	
3.3	<p>Delegated Authority Review</p> <p>The CEO noted the current delegated authorities in place as set out in the Board paper. [REDACTED]</p> <p>[REDACTED] It was noted that delegations should be only for amounts spend in line with an approved budget.</p>	*Section 29 - Deliberations of Public Bodies
	[REDACTED]	*Section 29 - Deliberations of Public Bodies
4.	Audit & Risk Committee	
4.1	<p>Audit & Risk Committee Report</p> <p>The Board noted the ARC report as provided with the meeting papers and the Head of Finance provided an overview of same noting work being done on the Code of Practice, Internal Audit reporting received from PwC, work underway on Compliance reporting and the completion of the external audit for 2019 and the commencement of the external audit for 2020.</p> <p>The Board thanked the Committee for the work undertaken during the year.</p>	
4.2	<p>Proposed amendments to the Terms of Reference</p> <p>The Board noted and discussed the proposed amendments to the ARC terms of reference. It was not felt that these changes should be made now and the Board requested that the Head of Finance would speak to legal and the external ARC member regarding same and revert to the Board regarding same in due course. =</p>	
	<p style="text-align: center;">DECISION</p>	

	Head of Finance to speak to legal and the external ARC member regarding the proposed amendment to the terms of reference and revert to the Board regarding same in due course.
4.3	<p>Risk Management Framework</p> <p>The Head of Finance presented the Risk Management Framework (the “RMF”) to the Board, noting that same sets out the LDA approach to risk and allows for the quantification of risk and the monitoring of same. The Board agreed that the risk register should be reviewed by the Board on a quarterly basis but day to day responsibility of compliance with the RMF remains with the Finance function. It was confirmed that the Head of Finance will act as the Head of Risk on an interim basis while a permanent solution is developed.</p> <p>The Board discussed the risk appetite assessment and the risk categories attributed to each of these. After the discussion, certain changes were agreed to be made. It was agreed that Strategic risk should be categorised with a risk appetite of “Open” and that Financial risk should be categorised with a risk appetite of “Moderate”. The Head of Finance was requested to update the RMF to reflect these changes.</p> <p>The Head of Finance left the meeting.</p>
	DECISION
	<p>Risk register to be reviewed by the Board on a quarterly basis. [MA71122020]</p> <p>Strategic risk to be categorised with a risk appetite of “Open” and Financial risk to be categorised with a risk appetite of “Moderate”. [MA81122020]</p>
4.4	<p>Minutes of the Audit & Risk Committee meeting</p> <p>It was noted that the draft minutes of the Audit & Risk Committee meeting held on 18 November 2020 will be made available to the Board via Decision Time in due course.</p>
5.	Investment Committee
5.1	<p>Committee Update to the Board – Verbal</p> <p>The Head of Property joined the meeting.</p> <p>Michael Stone, in his capacity as Chairman of the Investment Committee (the “IC”), provided an overview of the matters dealt with by the IC since the last board meeting highlighting the success of Shanganagh, the importance of finding the best approach to procurement for this site and that the IC has sought further information on NARPS.</p>
5.2	<div style="background-color: black; width: 100%; height: 100%; min-height: 150px;"></div>

*Section 36 -
Commercially
Sensitive

	DECISION	
		*Section 36 - Commercially Sensitive
5.3	Meath Hospital Strategy  	*section 29-Deliberations of Public Body *section 36-Commercially sensitive
	DECISION	
		
6.	Property Update	
6.1	Regular Property Update – For Noting The Head of Property presented the highlights of property update to the Board noting the positive partnerships, which have been formed as a result of Shanganagh and delays in the tripartite meetings regarding Naas and Skerries. The Board noted that a clearer indication of deadlines is needed in the property update so that the end-result for the year can be tracked.	
	DECISION	
	Property update to include clearer indication of deadlines so that the end-result for the year can be tracked. [MA91122020]	
6.2	Update on development of 	*Section 36 - Commercially Sensitive
6.3	LDA Design Principles	

	
	<p style="text-align: center;">DECISION</p> <p>LDA Design Principles paper to be updated in line with Board discussions and presented to the Board for approval. [MA101122020]</p>
<p>6.4</p>	<p>State lands database-expenditure approval</p> <p>The Board noted the paper provided in relation to this item and same was taken as read. The Head of Property advised that the proposed expenditure on this item will allow for area analysis and provide information for better use of State lands making them searchable for the first time.</p> <p>(Michael Stone left the meeting confirming he was happy with this proposal).</p> <p>The CEO noted that the State lands database is contained in the LDA legislation and is a separate funding stream. Michelle Norris proposed the approval of the proposal and Caroline Timmons seconded this proposal.</p> <p>IT WAS RESOLVED that the professional services fees in relation to services to be provided by ERSI, for the ongoing development of the State Asset Database, and to purchase an OSi licence for the PRIME 2 database to assist in the production of the State Asset Database, along with the AGOL and Geodirectory licences to support and update the State Asset Database, be and are hereby approved.</p> <p>The Head of Property left the meeting.</p>
	<p style="text-align: center;">DECISION</p> <p>Professional services fees in relation to services to be provided by ERSI, for the ongoing development of the State Asset Database, and to purchase an OSi licence for the PRIME 2 database to assist in the production of the State Asset Database, along with the AGOL and Geodirectory licences to support and update the State Asset Database, approved.</p>
<p>7.</p>	<p>Remuneration and Nominations Committee</p>
<p>7.1</p>	<p>Committee update to the Board</p> 

*section 29-Deliberation of Public Body

Section 36 - Commercially sensitive, Section 40 - Financial & Economic Interests of the State & Public Bodies

7.2	<p>LDA Pension Plan</p> <p>The CEO advised that the proposed defined contribution staff pension plan has been agreed with the Department and that it is important to agree a way forward for current and future staff on the LDA. The Chairman of the RemCo noted the paper presented to the board, which had been reviewed in detail by the RemCo, [REDACTED]</p> <p>[REDACTED]</p> <p>IT WAS RESOLVED that the LDA defined contribution staff pension plan be and is hereby approved.</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	Section 36 - Commercially Sensitive
	<p style="text-align: center;">DECISION</p> <p>[REDACTED]</p> <p>The LDA defined contribution staff pension plan was approved.</p>	Section 36 - Commercially Sensitive
7.3	<p>LDA Contract Terms</p> <p>The board noted that the terms and conditions of LDA contracts of employment have not come to the Board [REDACTED]</p> <p>[REDACTED]</p>	Section 29 - Deliberations of Public Bodies
7.4	<p>RemCo – Updated ToR</p> <p>The Board noted the updated Terms of Reference (“TOR”) provided with the meeting papers as part of the annual review of same.</p> <p>John O’Connor proposed the approval of the updated TOR, and the Chairman seconded this proposal.</p> <p>IT WAS RESOLVED that the updated Terms of Reference of the RemCo be and are hereby approved.</p>	
	<p style="text-align: center;">DECISION</p> <p>The updated Terms of Reference of the RemCo were approved.</p>	
7.5	<p>[REDACTED]</p> <p>[REDACTED]</p>	Section 37 - Personal Information
	<p style="text-align: center;">DECISION</p> <p>[REDACTED]</p>	
8.	<p>LDA Legislation Update</p>	

	The CEO noted that there is progress in the LDA legislation and that a bill is expected at the end of the year with enactment in the first quarter of 2021.
9.	Any other business
9.1	<p>Board policy regarding publication of meeting minutes</p> <p>The Board noted the policy provided with the meeting papers for approval, which would permit publication of the minutes as requested by the board at earlier meetings. The Board noted that the redacted minutes are available for review by the board on Decision Time and that they would be published on the LDA website.</p> <p>The Chairman proposed the approval of the policy, and Mr Bouchier-Hayes seconded this proposal.</p> <p>IT WAS RESOLVED that the policy regarding the publication of meeting minutes be and are hereby approved and that publication of the minutes on the website commence.</p>
	DECISION
	The policy regarding the publication of meeting minutes was approved.
10.	<p>Date of next board meeting</p> <p>The next board meeting is scheduled for Tuesday, 26th January 2021.</p>