

## Land Development Agency


### Board Meeting of 3<sup>rd</sup> February 2021

#### Minutes of Meeting

<b>Date</b>	3 <sup>rd</sup> February 2021
<b>Venue</b>	Video conference call – Covid 19 restrictions remaining in place
<b>Time</b>	9am
<b>Chair</b>	John Moran
<b>Other Board Members</b>	John Coleman (CEO), Michael Stone, Tim Bouchier-Hayes, Clare Costello, Michelle Norris, John O'Connor, Caroline Timmons, Conn Murray, Frank Curran
<b>Apologies</b>	None
<b>Attendees</b>	Omar Bhamjee* (Head of Finance), Dearbhla Lawson*, Frank Gallagher*, Maria Graham*
<b>Minute Taker</b>	[REDACTED] (Arthur Cox)
<b>*</b>	For part of meeting

\*section 37-Personal Information

No	Item
<b>1.</b>	<b>Board Preliminaries</b>
	<b>Agenda – For Noting</b> The Board noted the agenda provided for the meeting.
<b>1.1.</b>	<b>Noting of Meeting Chair – For Noting</b> It was noted that John Moran would chair the meeting.
<b>1.2.</b>	<b>Notice of Meeting and Quorum – For Noting</b> The Chair noted that the meeting was quorate.
<b>1.3.</b>	<b>Declarations of Conflict / Interest – For Noting</b> 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.  The Chair identified that he was Chair of the Limerick Tunnel which might be relevant for the board to know for the discussion on Moyross Northern Distributor but did not believe it created a conflict. Conn Murray noted that he was Chair of Limerick 2030 but equally did not believe it created a conflict for either discussion from Limerick.
<b>1.4.</b>	<b>Approval of draft minutes of Board meeting of 27 October 2020 and 1 December – For Approval</b> The Board noted the minutes of the meetings held on 27 October 2020 and 1 December 2020 and the minutes of these meetings were approved.
<b>1.5.</b>	<b>Board Action Tracker – For Noting</b>

	The Board reviewed and noted the improved form of Action Tracker.
<b>1.6</b>	<b>2021 Board Planner – For Noting</b> The Board reviewed and noted the new 2021 Board Planner.
<b>1.7</b>	<b>Code of Practice Checklist – For Noting</b> The Board reviewed and noted the Code of Practice Checklist which had been provided by compliance. The Board recommended that references to the incoming legislation should be removed from the document and that the obligation to submit audited financial statements to the Department within four months of the end of the financial year should be referenced in the Code of Practice Checklist.
<b>1.8</b>	<b>Schedule of Board Meetings 2021 – For Noting</b> The Board reviewed and noted the Schedule of Board Meetings for 2021. The Chair noted the difficulties caused by having to reschedule meetings to the Board Secretary and the importance for all members to check the proposed dates and identify conflicts.
<b>2.</b>	<b>CEO Update</b>
<b>2.1</b>	<b>CEO Summary Report – For Noting</b> The CEO summary report was taken as read by the meeting. The CEO noted the significant work carried out by the Investment Committee to progress the Shanganagh project and informed the Board that the approval of the procurement strategy at this meeting was a crucial item for today's meeting.  The CEO confirmed that the planning permission application for St Kevin's had been submitted.  The CEO informed the Board that the 2021 – 2023 Business Plan required some additional work and that he would speak to Board members individually to obtain their feedback on the draft plan. The CEO confirmed that an updated Business Plan would be presented to the Board for approval at the next Board meeting.  The CEO mentioned that LDA staff would continue to work from home until April 2021.
<b>2.2</b>	<b>2021 – 2023 Business &amp; Operational Plan – For Noting</b> The Board reviewed and discussed the draft 2021 – 2023 Business & Operational Plan (the "Plan").    The CEO thanked the Board for its feedback and agreed to incorporate discussions.

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29-Deliberations  
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	<p><b>IT WAS AGREED</b> that the CEO would circulate an updated draft of the Plan to the directors in advance of the next Board meeting and that a workshop would be held, if necessary, to ensure that the Plan would be approved at the next Board meeting. [MA103022021]</p>
	<p style="text-align: center;"><b>DECISION</b></p> <p>2021 – 2023 Business &amp; Operational Plan, with 2024 – 2025 addendum, to be presented to the next meeting. [MA203022021]</p>
<b>3.</b>	<b>Finance</b>
<b>3.1</b>	<p><b>Finance Update – For Discussion</b></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. The Board was informed that preparations are underway for the year-end audit.</p> <p>The Head of Finance noted that the format of the Finance Report would further improve once the Board approved the 2021 Budget.</p> <p>The Board commented on the high level of spending on recruitment fees in 2020. The Head of Finance explained that the LDA had increased its staff from 10 employees to 40 employees over the course of 2020 and that this accounted for the majority of the fees, notwithstanding that the LDA had secured an agreement with Cpl, which ensured that the placement fees were below the market rate. The Head of Finance informed the Board that the LDA has forecast that an additional 10 – 15 employees would be hired in 2021.</p> <p>Additional queries from the Chair and others were clarified and the Chair requested that explanatory notes be included in the Finance Report to provide the Board with greater transparency on the meaning of the figures in the Finance Report.</p>
	<p style="text-align: center;"><b>DECISION</b></p> <p>Head of Finance to reformat the Finance Report to track progress against the 2021 Budget, once approved, and include footnotes in the Finance Report. [MA303022021]</p>
<b>3.2</b>	<p><b>2021 Budget – For Approval</b></p> <p>The Head of Finance and the CEO presented the draft core 2021 Budget to the Board for approval. [REDACTED]</p> <p>[REDACTED]</p> <p>The Head of Finance noted the importance of having a budget for 2021 and that it was being proposed to approve a core budget for the LDA in 2021 which was [REDACTED] and that there were additional special items which the LDA may include in the budget at a later time, subject to the approval of the Business Plan. [REDACTED]</p> <p>[REDACTED]</p>

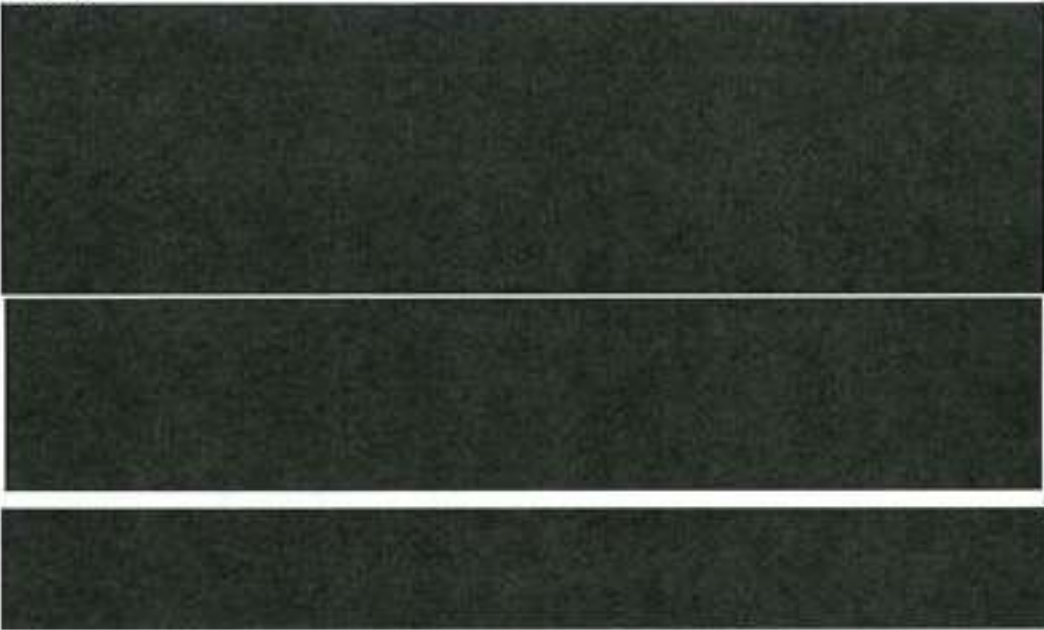

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	<p>The Board requested that items in the 2021 Budget, which had not been formally approved by the Board, be clearly labelled "pending further Board approval" to clarify that the items noted are not being approved today.</p> <p>After further discussion <b>IT WAS RESOLVED</b> that the 2021 Budget be and is hereby approved, subject to the inclusion of the additional wording requested by the Board for budget items which had not yet been approved by the Board.</p>
	<b>DECISION</b>
	The 2021 Budget is approved, subject to the inclusion of the additional wording requested by the Board.
<b>3.3</b>	<p><b>Procurement Update – For Noting</b> The Procurement Update was taken as read.</p> <p><b>IT WAS NOTED</b> that the Head of Finance would provide a detailed procurement report to the Audit &amp; Risk Committee (the "ARC") for review and recommendation to the Board.</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
	<b>DECISION</b>
	Full procurement report to be circulated to the ARC with the committee to report to the Board on same. [MA403022021]
	[REDACTED]
<b>3.4</b>	<p><b>Public Spending Code – For Information</b> The Public Spending Code Report was noted.</p>
<b>4.</b>	<b>Property Update</b>
<b>4.1</b>	<p><b>Property Update – For Discussion</b> The Property Update was discussed, having been taken as read.</p> <p>[REDACTED]</p> <p>The Chair complimented the team for the response to his request for improvements in the format changes for [REDACTED]</p>
<b>4.2</b>	[REDACTED]

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**DECISION**

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**5. Strategic Issues / Policy Discussion**

**5.1 Updated [Redacted] Report**  
The Chair invited Ms Lawson to present the updated [Redacted] Report (the [Redacted]) to the Board.

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[Redacted text block]

Ms Lawson noted that the LDA was engaged in stakeholder engagement with local authorities, State development planning groups and Iarnróid Éireann and that it hoped to arrange meetings with the Department in the near future.

[Redacted text block]

	The Board also noted the importance of balancing need against demand and the impact of the COVID-19 pandemic had exposed the necessity of flexible living spaces in homes.	
	<b>DECISION</b>	
	[REDACTED]	*section 29-Deliberations of FOI Body
<b>6.</b>	<b>Sub-Committee Reports</b>	
<b>6.1</b>	<b>Investment Committee Report – For Information</b> The Chair of the Investment Committee delivered a verbal update to the Board. The Committee Chair noted that the proposed development in Skerries was to go to site.	
<b>6.2</b>	<b>Shanganagh Procurement Strategy – For Approval</b> [REDACTED] [REDACTED] [REDACTED] [REDACTED]  [REDACTED]	*section 36-Commercially Sensitive
	The Board discussed the Shanganagh Procurement Strategy and <b>IT WAS RESOLVED</b> that that the Shanganagh Procurement Strategy be and is hereby approved.	
	<b>DECISION</b>	
	The Shanganagh Procurement Strategy is approved.	
<b>6.3</b>	<b>Audit &amp; Risk Committee Report – For Information</b> The Chair of the Audit & Risk Committee delivered a verbal update to the Board. The Committee Chair noted that: <ul style="list-style-type: none"> <li>• the external audit, to be conducted by Mazars, was scheduled to begin in March and conclude in May;</li> <li>• the Delegated Authority Matrix was due to be recommended for Board approval at the next Committee meeting on 17 February 2021;</li> <li>• the Committee would be reviewing the findings of the internal audit, carried out by PWC, at the meeting dated 17 February 2021; and</li> <li>• the Committee had carried out a policy review session with the HR department and issued feedback for them to consider.</li> </ul>	
<b>6.4</b>	<b>Remuneration &amp; Nominations Committee Report – For Information</b> The Chair of the Remuneration & Nominations Committee delivered a verbal update to the Board. The Committee Chair noted that the Committee had an initial discussion on staffing and organisation structure and a further meeting was due to take place on 4 February 2021 to complete the discussion and that the Committee was planning to consider in parallel the practical and strategic implications of establishing regional LDA offices and make recommendations about same.	
<b>7.</b>	<b>Oireachtas Watch</b>	
<b>7.1</b>	<b>LDA Bill 2021 Update</b>	

	<p>The Chair invited Ms Graham and Mr Gallagher from the Department to deliver a presentation on the LDA Bill 2021 to the Board.</p> <p>Following the presentation giving an overview of the bill, the Board raised queries in relation to the LDA's remit to act in communities with a population size of less than ten thousand residents, the section 183 exemption and the method by which the Minister would set unit price and rental limits for schemes.</p> <p>Ms Graham confirmed that the LDA Bill 2021 was linked to the National Planning Framework and that, while it would be kept under review, it was proposed that the LDA would be precluded from acting in communities with a population of less than ten thousand residents. She noted that the section 183 exemption would only apply in circumstances in which the LDA and a local authority executive were both in favour of the transfer of lands to the LDA. Ms Graham informed the Board that the Minister would tailor the unit price and rental limits for specific projects based on the size of the scheme and the cost of housing in the relevant area.</p>
<b>8.</b>	<b>Any Other Business</b>
<b>8.1</b>	<p><b>AOB</b></p> <p>There were no additional business items.</p> <p>There was a brief discussion of the staff template employment contracts. It is noted that the employment contracts have not been approved by the board and there is to be further discussions on them.</p>
<b>9.</b>	<p><b>Date of next board meeting</b></p> <p>The next board meeting is scheduled for Tuesday, 2<sup>nd</sup> March 2021.</p>