

Nottingham City Council Delegated Decision



Nottingham
City Council

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| Reference Number: | 3259 |
| Author: | Alice Ullathorne |
| Department: | Development and Growth |
| Contact: | Alice Ullathorne (Job Title: Heritage Strategy Officer, Email: alice.ullathorne@nottinghamcity.gov.uk , Phone: 0115 8761993) |
| Subject: | Nottingham Historic Buildings Trust |
| Total Value: | Nil value (Type: Nil) |
| Decision Being Taken: | To approve the principle of the establishment of the Nottingham Historic Buildings Trust as a charitable company limited by guarantee with approval of governance in a subsequent decision |
| Reasons for the Decision(s) | <p>The delivery of a Building Preservation Trust for Nottingham is a commitment within the 2015 Nottingham Heritage Strategy. Building Preservation Trusts are commonly used across the UK to help bring historic buildings back into sustainable use. They are useful mechanisms for capturing and empowering local expertise and voluntary resources, and are eligible for funding streams that are often unavailable to private organisations or Local Authorities.</p> <p>The proposal to create the Nottingham Historic Buildings Trust would include on the board of trustees 1 nominated councillor and 1 NCC officer, Chair of the Heritage Panel, two others from heritage/regeneration community, supported by experts in project management and finance. It is proposed that the members of the trust are the same as the Directors / Trustees.</p> <p>The Nottingham Historic Buildings Trust (NHBT) would be an independent body external to NCC with it's own accountancy system and decision-making process. The recommendation to have 1 councillor and Officer on the Board of Trustees / Directors would be mutually beneficial to the Trust and NCC.</p> <p>The first Nottingham Historic Buildings Trust project is envisaged to be in support of the delivery of the People's Hall project.</p> |

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| Other Options Considered: | <p>Leave Heritage at Risk projects to the private sector</p> <p>The future of 10% of listed buildings in the city has not been safeguarded by the Private Sector on the of the findings of the 2013 NCC Building at Risk survey. Listed Buildings are at risk for a variety of reasons but one of the primary constraint for the private sector is viability. It is very unlikely that the Private Sector would secure the future of all of the buildings on the Building at Risk register leading to high-profile Buildings at Risk persisting throughout the city.</p> |
| Background Papers: | Nottingham Historic Buildings Trust Business Case |
| Unpublished background papers: | Nottingham Historic Buildings Trust Business Case.pdf |
| Published Works: | Nottingham Heritage Strategy |
| Affected Wards: | Citywide |
| Colleague / Councillor Interests: | None |
| Consultations: | Those not consulted are not directly affected by the decision. |
| Crime and Disorder Implications: | The Nottingham Historic Buildings Trust should create a better and safer environment by bringing about repairs and environmental improvements to Historic Buildings throughout Nottingham. This will decrease the perception of crime at the property, increase footfall and dwell times on the street, reduce opportunities for anti-social behaviour and engender a sense of pride in Nottingham. |
| Equality: | EIA not required. Reasons: The Nottingham Historic Buildings Trust will be an external body. Influence from NCC Officers and Councillors will ensure that all communities are considered within NHBT projects. The Trust will meet the EIA requirements of the Charity Commission. |
| Decision Type: | Portfolio Holder |
| Subject to Call In: | Yes |
| Call In Expiry date: | 21/09/2018 |
| Advice Sought: | Legal, Finance, Human Resources |

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| Legal Advice: | <p>The Heritage Trust will be a company which is not controlled by the City Council. It will be possible to register the trust as a charity which will give it access to funding that would otherwise be unavailable to the City Council. The Charity Commission does allow Local Authorities to appoint representatives to the board of charities so it should be possible for City Council member and officer to be appointed to the board of trustees but the Trust must ensure it can demonstrate its independence from the City Council. It should ensure it has minority representation only on the board. The trust board should commence operating in 'shadow' mode as soon as possible to ensure it is taking decisions independently of the City Council - this will include the board taking its own legal advice. It may be helpful to document the arrangements between the City Council and the Trust in respect to the development phase of the Peoples Hall project. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 24/07/2018.</p> |
| Finance Advice: | <p>Finance advice attached.</p> <p>Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 27/07/2018.</p> <p>Advice documents: 180727 - Nottingham Heritage Trust.docx</p> |
| HR Advice: | <p>Legal comments are noted in relation to the appointment of Local Authority representatives. Appointed Members and Officers should be aware of the potential for conflicts of interest and should comply with the relevant governance and procedures of the Trust/Charity, with due regard for the independence of the Trust.</p> <p>Advice provided by Joanne Hill (Service Redesign Consultant) on 09/08/2018.</p> |
| Signatures | <p>Jane Urquhart (PH for Housing and Planning)</p> <p>SIGNED and Dated: 13/09/2018</p> <p>Chris Henning (Corporate Director for Development and Growth)</p> <p>SIGNED and Dated: 04/09/2018</p> |