

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**

**GUILDHALL COMPLEX AND CREATIVE HUB TASK GROUP**

**Minutes from the Meeting of the Guildhall Complex and Creative Hub Task Group held on Thursday, 20th October, 2022 at 2.00 pm in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ**

**PRESENT:** Councillors E Nockolds (Chair), T Bubb (substitute for C Bower), M de Whalley, J Moriarty, C Morley and V Spikings (substitute for C Crofts).

**OFFICERS:**

Duncan Hall – Assistant Director

Alexa Baker – Monitoring Officer

Mike Auger – Project Manager

Tim Fitzhigham – Cultural Officer

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bower, Crofts and Middleton.

2 **MINUTES FROM THE PREVIOUS MEETING**

The minutes from the previous meeting were agreed as a correct record.

Councillor Moriarty requested that when acronyms were used that they were set out in full in the first instance.

3 **DECLARATIONS OF INTEREST**

There was none.

4 **URGENT BUSINESS**

There was none.

5 **MEMBERS PRESENT UNDER STANDING ORDER 34**

There was none.

6 **CIO UPDATE**

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Officers explained that the application for the CIO (Charitable Incorporated Organisation) was pending, following comments from this Group at the meeting today. The Group was reminded that the CIO was a separate organisation from the Borough Council and the Borough Council would have a Service Level Agreement with the CIO to set out governance arrangements.

The Task Group were reminded that three trustees had been appointed to the CIO as its founding members.

It was noted that there was a long process to get the Charity incorporated through the Charities Commission and it could take up to twelve months. It was explained that having a draft Service Level Agreement in place in advance could help speed up the process.

Councillor Morley asked questions relating to the charitable objectives in the draft Constitution and was advised to bring this up during consideration of that item later on in the meeting so that comments could be fed back to the Trustees. He also commented that reference should be made to King's Lynn in the Constitution.

Councillor Moriarty asked about funding opportunities before the CIO was incorporated and it was explained that funds could be looked at in the meantime, but there were a lot more funding opportunities available for a charity, rather than a Local Authority, so it was important to get the application in so that funds could be applied for.

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## **PROJECT UPDATE**

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The Chair reminded the Group that HLF funding had been unsuccessful, but the Town Deal Board application had been successful and had resulted in approximately £9 million of funding awarded.

It was explained that the project was at the end of RIBA Stage one, which was the Business Plan Stage. There were seven RIBA stages. A design team would be appointed to take the project forward through the next stages.

Information was provided to the Task Group on entertaining trial activities and events which had been taking place including Heritage Open Day and Summer Activities.

Councillor de Whalley asked if the Town Deal Funding was available now and it was explained that the summary document had been approved and the first payment had been received. Going forward, if reporting was approved, further payments would be made. It was also

explained that the appointment of the design team would be subject to a tender exercise imminently.

It was explained that the summary document agreed the financial profile for the project so money would be received in line with the spending profile. It was important to ensure that money was spent within the timeframes so that further tranches were released.

The Task Group discussed the unsuccessful HLF application and officers would seek feedback from the HLF and share with the group if agreeable by the HLF for it to be shared.

**AGREED:** An item for a future meeting of the Task Group be to review the HLF comments if appropriate.

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### **NEXT STEPS**

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The Task Group were advised of the next steps as follows:

- Appointment of lead design team following the tender exercise – to hopefully start in January 2023.
- Review the activity plan.
- Review outputs.
- Continue to investigate other funding opportunities.
- Progress through RIBA Stages.

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### **EXCLUSION OF PRESS AND PUBLIC**

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The Task Group discussed if it was necessary for the Task Group to move into closed session. The Monitoring Officer provided clarification on the statutory test and legislation.

**AGREED:** The Task Group would proceed in open session for consideration of the draft Constitution and Service Level Agreement.

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### **DRAFT CONSTITUTION - DISCUSSION**

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It was noted that the draft Constitution belonged to the CIO and was independent to the Council. The Council's role and relationship with the CIO would be clarified through a Governing Document (Service Level Agreement) which would be presented to the Task Group once it had been drafted.

The Task Group considered the draft Constitution and made the following comments which would be fed back to the CIO for consideration.

Councillor Morley asked for clarification on construction and build and if this should be included in the Charitable Objectives. It was explained that the Charitable Objectives were selected from a predetermined list and roles and responsibilities could be clarified through the Service Level Agreement. It was clarified that the Borough Council were responsible for physical changes to the building and the CIO would operate the site.

Councillor de Whalley commented that the provision of services and goods, potential for conflict of interests and the removal of Trustees who were not acting in the best interest of the Trust needed to be included in the Constitution.

The Task Group considered the name of the CIO and suggested that it should be changed to 'St George's Guildhall and Creative Hub King's Lynn'.

Councillor Morley referred to additional funding that would be sought and if it would be used for construction and design, as this would need to be covered in the Constitution and the charitable objectives.

Clarification was sought on part 4.1 of the draft constitution which set out how the charity could use the property as security on borrowing and it was explained that this would be controlled through the Service Level Agreement which would be considered by the Task Group at a future meeting.

Councillor Moriarty asked about the Trustees, and it was explained that these should be independent from the Council and detail would be included in the Service Level Agreement.

It was clarified that the meetings of the CIO would not be administered by the Democratic Services Team at the Borough Council. Councillor Moriarty sought clarification on 'days' mentioned in the Constitution and that the CIO clarify if this referred to working days or actual days.

Councillor Morley referred to widening the number of Trustees and it was explained that once the Charity had been incorporated, more permanent Trustees would be sought, and the Task Group could assist with the recruitment process for Trustees. The Task Group asked for the CIO to clarify the quorum in the draft Constitution and that it should be a minimum of a third or four members. Clarification was also sought on if substitutes would be permitted.

Clarity was sought on funding streams relating to construction and other activities and how overall spend, and capital spend would be

broken down between the organisations, especially when it came to applying for funding.

Officers would submit the Task Group's comments to the CIO for consideration and report back to the Task Group as required.

**ACTIONS:** 1. The comments from the Task Group be passed on to the CIO for consideration.

2. The Task Group considered the name of the CIO and suggested that it should be changed to 'St George's Guildhall and Creative Hub King's Lynn'.

11                    **SERVICE LEVEL AGREEMENT**

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The draft Service Level Agreement was currently being reviewed by the Lawyers and then would be presented to this Task Group for consideration.

It was clarified that the CIO application could be submitted prior to the Service Level Agreement being agreed.

12                    **DATE OF THE NEXT MEETING**

To be confirmed.

**The meeting closed at 3.45 pm**