

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Council Offices, Gernon Road, Letchworth Garden City, Hertfordshire, SG6 3JF
Telephone: (01462) 474000
Text Phone: (01462) 474800
DX 31317, Letchworth



Mr C Parker

Our Ref: Council Charities
Your Ref:
Contact
Direct Dial No
Fax No: 01462 474227
E-mail: Bernard.Lovewell@north-herts.gov.uk

26 August 2016

Dear Mr Parker

Re: Questions at Cabinet Sub-Committee (Council Charities)

Thank you for the questions you raised at the Sub-Committee meeting on 22nd August 2016. Please find my responses on behalf of the Trust detailed below:

Your question:

- "Why did the Trustees agree to incorporate 14 & 15 Brand Street to improve the entrance to the Museum and now Cllr Hone states that it is no longer needed? At a meeting of the Trustees on 23rd March 2016 the Strategic Director of Customer Services advised that the Council had formally agreed to acquire this and had set limits on the price it was willing to pay."

Response:

The public will be aware that there is a long and detailed history to this project. The background has been set out in many reports to the Council and also to the relevant Trusts Sub-Committee. The Town Hall was an integrated building with the Trust property and the Council agreed to develop this initially with 14 and then 15 Brand Street on the recommendations of Hitchin Town Hall Limited (HTHL), who agreed to purchase these properties to create a new district wide museum, community hall and café. The Corporate Trustees agreed (in so far as they were able) to incorporate both 14 & 15 Brand Street (formally in 2013) to reflect the Council approved scheme. The overall intention was to transfer those properties to the Trust once acquired/ works completed. The management of the Trust property was, however, passed to the Council under an agreement (2012 and then in 2013) and the Council is responsible for all expenses, costs, claim arising as a result of the project and any acquisition (not the Trust). Therefore the decision to include 14 & 15 Brand Street as part of the overall project is primarily a matter for the Council.

Your question:

- "Why was the offer by the Council for 14 and 15 Brand Street of £217,000 so derisory i.e. less than the cost of a 1 bedroom flat in Hitchin Town Centre, what went wrong when up to £1m was authorised by councillors."

Response:

This is a matter for the Council and therefore as Trustee I am unable to provide a response.

Your question:

- "NHDC state that the development agreement between HTHL and them is still in place but HTHL say it is not, why not? We understand that there are breaches

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Council Offices, Gernon Road, Letchworth Garden City, Hertfordshire, SG6 3JF
Telephone: (01462) 474000
Text Phone: (01462) 474800
DX 31317, Letchworth



with items like the exclusion of the roof replacement, problems with acceptance of the certificate of practical completion etc. surely there is a way forward?"

Response:

This is a contractual issue between the Council and HTHL. The Trust is not party to this agreement and therefore I cannot provide a response.

Your question:

- "If NHDC state the development agreement is in place then, as we understand it, the Council is responsible for HTHL's debts. Is this correct? If so why didn't the council meet the interest payments to SIB?"

Response:

Please see the response above. The Trust is not party to this agreement and this is a matter between the Council and HTHL.

Your question:

- "What happened to the promise of the 125 year lease enabling the community to run the Town Hall. Is this lease still available or are the council intending to run and manage the Town Hall long term."

Response:

Under the terms of the Trust/ Council management agreement the Council is responsible for the management of the Trust property and "may" allocate management of all or part of the Trust property to HTHL. The Council is not obliged to do so under the terms of the agreement with the Trust. The Trust is not party to any proposed lease and this is a matter for the Council. If there is an intention for another party (other than the Council or HTHL) to run parts of the Trust property, then consent will no doubt be sought by the Council from the Trust.

Your question:

- "With shared toilets, reduced stage, children's changing facilities, reduced cafeteria, no plating up area and lack of privacy will the letting of the Town Hall be jeopardised?"

Response:

The overall project is managed by the Council and any queries relating to this should be referred to the Council.

Your question:

- "What facilities will there be for disabled access to the Museum and Lucas room."

Response:

The Council and the Trust shall be considering options, in the light of the issues with 14 & 15 Brand Street. The outcome of any Council / HTHL resolution and/ or other options shall be considered by the Trustees in due course.

Your question:

- "What is the current timescale for opening of the museum?"

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Council Offices, Gernon Road, Letchworth Garden City, Hertfordshire, SG6 3JF
Telephone: (01462) 474000
Text Phone: (01462) 474800
DX 31317, Letchworth



Response:

You will have heard the presentation at the Sub-Committee meeting on 22 August by the Council's Strategic Director of Customer Services. The tape of the meeting is now available on the Council's website for full details. It is understood that the Town Hall fit out works will take approximately 8 weeks (dependent on any changes to the specifications and/or discussions with HTHL) and the Trustees have requested a further update for their next meeting in a few months time.

Your question:

- "How much public money has been spent so far, what liabilities do the trust and NHDC have because of the delayed opening".

Response:

In so far as the question relates to the Trust – it has not spent any public money. Under the terms of the management agreement, the Council is responsible for and shall keep the Trust Indemnified against any expenses, costs, claims, damages and loss arising in respect of the Trust property. So in simple terms the Trust has no liability.

Your question:

- "We were amazed by the statement of the CEO, at the tribunal, he stated "I have spent more time on this project than I should have done for a project of this size", surely £6M is a large project."

Response:

Again this question does not relate to the Trust. The Trustees are unaware of the tribunal that you are referring to – unless you refer to the Standards Sub-Committee that considered the Code of Conduct complaints against the then Cllr David Leal-Bennett. Any questions regarding the Chief Executive's statement should be referred to Council.

Your question:

- "A petition organised through the social media calls for a Public Independent Enquiry which we feel is absolutely vital to ensure this financial commitment has been spent wisely, would councillors accept this?"

Response:

This relates to the Council and the public can submit petitions under the Petition Scheme for consideration by Councillors as set out in section 3 (Appendix 1) of the Constitution. I have attached a link to the relevant website page for your information:

<http://www.north-herts.gov.uk/home/council-and-democracy/council-constitution>

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bernard Lovewell'.

Cllr Bernard Lovewell
Chairman of the Cabinet Sub-Committee (Council Charities)
Trustee - Hitchin Town Hall Gymnasium & Workman's Hall Trust