

DERBYSHIRE COUNTY COUNCIL

**CABINET MEMBER MEETING FOR
COUNCIL SERVICES**

7 March 2016

Report of the Director of Legal Services

BELPER NORTH MILL TRUST

1. Purpose of the Report

To seek the Cabinet Member's approval on behalf of the County Council to a change to the current membership structure of the Belper North Mill Trust.

2. Information and Analysis

The Belper North Mill Trust was established in 1998 to preserve and find a sustainable future for Belper North Mill which was built in 1804 by the Strutt family as a replacement for their original timber framed North Mill, built in 1786, which was destroyed by fire in 1803.

The Belper North Mill Trust is currently engaged in a fundamental and wide ranging review of its governance in order to position itself to be a constructive participant in future developments to secure the long term, sustainable future of both Belper North Mill and of the larger Belper Mill site which is a key component of the Derwent Valley Mills World Heritage Site. The review has been funded by transition funding from the Heritage Lottery Fund which has enabled the Trust to engage consultants and has been in progress for some months.

After reviewing the Trust's governance with its consultants, the Trustees have resolved that the present membership structure of the Belper North Mill Trust, which differentiates the three Founder Members – Belper Town Council, Amber Valley Borough Council and Derbyshire County Council – from the rest of the Trust membership should be amended to admit all Trustees as members, as this model of governance, devised in 1998, is now out of date and inconsistent with best practice for charities and companies.

This change can be effected without amending the existing Articles of Association as Article 4 provides that "the Board shall admit to membership such persons as it shall think fit and the Board may from time to time by resolution prescribe (and vary) criteria for membership".

While the consent of the three Founder Members is not required under the Articles, there was unanimous consensus amongst the Trustees that such consent should be sought. The Trust very much values the longstanding and continuous support it has received from the three Founder Members since its inception and would like the County Council's approval for the Trust to exercise its power to increase the Trust membership to include all Trustees.

The project plan submitted with the Trust's application for HLF transition funding provides that they will complete the governance review by mid-2016 and the Trust would therefore like to place a resolution to amend the membership of the Trust before the next Board meeting which is to be held on Friday 18 March.

The ability to admit all Trustees as members of the Trust will enable the Trust to draw on the skills and experience of a wider group of members as part of its future plans for the North Mill. It is therefore recommended that the County Council agrees to the Trust exercising its power to increase the Trust membership to include all Trustees as proposed.

3. Financial Considerations

There are no cost implications for the County Council in agreeing to this proposal.

4. Other Considerations

In preparing this report the relevance of the following factors has been considered: legal, human resources, equality and diversity, health, environmental, transport, property and prevention of crime and disorder.

5. Background Papers

Files held by the Director of Legal Services.

6. OFFICER RECOMMENDATION

That Cabinet Member gives approval on behalf of the County Council for the Belper North Mill Trust to exercise its power under the Articles of Association of the Trust to increase the Trust membership to include all Trustees.

John McElvaney
Director of Legal Services