



RECORD OF URGENT DECISION – SPECIAL URGENCY

Report to: Portfolio Holder for Heritage, Culture & the Arts; and
Portfolio Holder for Strategy, Performance & Finance

Decision Date: 24 April 2024

Portfolio Holder: Councillors Rowan Cozens and Paul Peacock

Director Lead: Matthew Finch, Director of Communities & Environment

Lead Officer: Carys Coulton-Jones, Business Manager – Heritage & Culture

Part D, Section 6 of the Council’s Constitution sets out the procedure for taking urgent decisions. In accordance with the Cabinet Scheme of Delegation in Part C of this Constitution – Responsibility for Functions, the Leader is responsible overall for the discharge of Cabinet functions and may discharge any such function themselves regardless of whether the given function has been delegated to Cabinet.

If the matter is likely to be a key decision and has not been advertised for a minimum of 28 clear days on the Council’s website, the decision can still be taken if a) it is impracticable to defer the decision until it has been possible for 28 clear days’ notice to be given; b) the Monitoring Officer has informed the Chairman of the Policy & Performance Improvement Committee.

Note: This urgent decision record will be reported to the next available meeting of the Full Council.

Report Summary	
Type of Report	Open Report (with exempt appendix) / Key Decision
Report Title	Newark Castle Gatehouse
Purpose of Report	To advise members of the success of the delivery stage bid to the National Lottery Heritage Fund, request approval to accept the terms of the grant and add the relevant budgets to Capital and Revenue.
Recommendations	It is recommended that: The Portfolio Holders a) authorise NSDC to accept the terms of the grant as written in the Grant Notification Letter (appendix A); b) approve the addition of £1,392,140 to be split £1,253,620 to the capital programme and £138,520 to Revenue;

	<p>c) The Capital Programme Budget for the Castle Gatehouse be increased to £5,234,858, financed by the NHLF grant; and</p> <p>d) confirm for the Director of Communities & Environment and the Monitoring Officer to sign the necessary documents on behalf of the Council to accept the grant and Terms of Grant.</p>
<p>Alternative Options Considered</p>	<p>No alternatives are considered appropriate at this time. Without the project, NSDC would still have the responsibility to preserve and conserve the fabric of the building which is an ancient scheduled monument and requires significant investment, but without the wider benefits this project will offer. The Gatehouse Project is significant in the redevelopment of the town's visitor offer, as a key driver for the visitor economy, and an opportunity to improve the biodiversity of the site. It will provide residents with enhanced access to their heritage and to the gardens, supporting improved wellbeing and health and offering numerous opportunities to participate in cultural activity.</p>
<p>Reason for Recommendation</p>	<p>The grant from the National Lottery Heritage Fund represents the final element of funding required to make the Gatehouse Project viable, as detailed in the Full Business Case for the Towns Fund element of funding. The Towns Fund Business Case has been approved subject to a condition that the project cannot proceed without the National Lottery Heritage Fund grant.</p>
<p>Decision Taken</p>	<p>That the Portfolio Holders: -</p> <p>a) authorise NSDC to accept the terms of the grant as written in the Grant Notification Letter (Appendix A);</p> <p>b) approve the addition of £1,392,140 to be split £1,253,620 to the capital programme and £138,520 to Revenue;</p> <p>c) that the Capital Programme Budget for the Castle Gatehouse be increased to £5,234,858, financed by the NHLF grant; and</p> <p>d) confirm for the Director - Communities & Environment and the Monitoring Officer to sign the necessary documents on behalf of the Council to accept the grant and Terms of Grant.</p>

<p>Members and Officers Consulted</p>	<p>Councillor Mike Pringle, Chair of Policy & Performance Improvement Committee (consent granted)</p> <p>Councillor Rhona Holloway, Leader of the Council’s largest opposition group</p> <p>All Portfolio Holders: -</p> <ul style="list-style-type: none"> • Councill Lee Brazier • Councillor Susan Crosby • Councillor Keith Melton • Councillor Emma Oldham • Councillor Matthew Spoons • Councillor Paul Taylor <p>The Council’s Section 151 Officer The Council’s Monitoring Officer</p>
<p>Reason for Urgency</p>	<p>The Council received formal notification on 27 March 2024; it did not receive prior notice therefore the matter was not included in the Council’s Forward Plan. The 28-day timescale for approval requires NSDC to seek an urgent decision outside of the standard Cabinet cycle. Where possible a proposal for an urgent Key Decision is made under the General Exception rule with at least 5 clear days’ published notice. This has not been possible due to the time taken to compile the report and in any event advance publication is not possible due to the publication embargo.</p>

1.0 Background

- 1.1 As previously reported to cabinet (31 October 2023), NSDC were awarded development stage funding from the National Lottery Heritage Fund in March 2022 to progress the Newark Castle Gatehouse Project. The report detailed the project proposals and confirmed to members the robust process undertaken to develop the design, business plan and activity plan prior to submitting the application.
- 1.2 In brief, the project will reinstate the original Romanesque Gatehouse as the entrance to the Castle, create five gallery spaces plus a tower-top viewing platform and enhance the gardens through new planting, improved biodiversity and accessible paths. The project represents a unique opportunity to develop:
 - An iconic, flagship destination attraction at the gateway to the town which will increase footfall and dwell time within the town, benefiting businesses, residents and visitors and boosting the local economy
 - An innovative platform for Newark’s rich and dynamic history and a unique backdrop for events
 - A catalyst for improved social inclusion and civic pride through access to heritage and culture

- A driver for increased social value as a safe, vibrant and inclusive community green space with potential to reinvigorate the early evening local economy
- A flexible space for inspirational education services and community co-creation

1.3 The project is dependent on two key funding streams. The most recent cost plan shows the full project cost as being £5,461,702 (excluding the Heritage Fund development stage and excluding non-cash contributions). This cost includes both capital and revenue costs for delivery, including the project staff team and the activity plan. £3million Towns Fund is allocated to this project and a further £1,069,562 NSDC funding is already secured, with £1,025,150 within the capital programme (Policy & Finance Committee 21 Feb 2019). The application to the National Lottery Heritage Fund was therefore for £1,392,140, with £887,663 specifically identified within the NSDC contribution as match funding for the National Lottery Heritage Fund project.

1.4 The project is therefore subject to both a successful Heritage Fund bid and approval of the Full Business Case for the Towns Fund. The Full Business Case was approved in March 2024, conditional on the successful award of the Heritage Fund grant, and on the tenders for the main contractor being within the cost envelope.

2.0 Proposal/Details of Options Considered

2.1 The cabinet report in October 2023 sought permission to submit the delivery phase application to the National Heritage Lottery Fund in November 2023. NSDC were delighted to receive formal notification on 27 March 2024 that this application has been successful. NSDC is now seeking approval to accept the terms of the grant as specified in the Grant Notification Letter (exempt appendix). These terms have been reviewed by the legal and finance teams.

2.2 The terms of the grant include a Local Authority Grantee condition that *'within 28 days of the date of the Grant Notification Letter, you must send us a certified copy (signed to confirm it is a true copy) of the document recording your decision (or the decision of the relevant properly constituted committee, executive or authorised officer) authorising you to accept the Terms of Grant'*. This timescale requires NSDC to seek an urgent decision outside of the standard cabinet cycle.

2.3 Additionally, the grant award is under embargo until 6 May 2024 (announcement date to be confirmed with the National Lottery Heritage Fund Communications team) and therefore this report is exempt until after that date.

2.4 NSDC is also seeking approval to increase the current project budget within the Capital programme and to include the revenue element in the budget. It should be noted that the match funding for this grant has already been approved and is allocated within the Capital Programme.

3.0 Implications

In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability, and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

3.1 Equalities Implications

The project improves access within the Castle and Gardens, improving the gradients of the paths and incorporating a new lift to provide access to the first floor of the North West and Gatehouse Towers. The project's activity plan is designed to improve engagement, targeting under represented groups and ensuring a wider range of people are involved in heritage.

3.2 Legal Implications

The Council is required to issue a certified copy of its decision to accept the grant to the National Lottery Heritage Fund, together with a statement containing prescribed information. The statement is attached at the Appendix to this report for information.

4.0 Financial Implications (FIN24-25/1978)

4.1 The NHLF grant of £1,392,140 will need to be split £1,253,620 capital £138,520 revenue.

4.2 The current Capital budget for the Castle Gatehouse is £4,025,000. The table below shows the current financing and the proposed new financing following the recent cost plan and funding offer:

	Current	Proposed
Capital Budget	4,025,000	5,234,860
<i>Financed by:</i>		
Towns Fund	3,000,000	3,000,000
Borrowing	1,000,000	981,238
NLHF	0	1,253,620
Total	4,025,000	5,234,858

4.3 The revenue element of the NHLF grant of £138,520, along with the match funding of £88,324 will be spent over the 5 year project period and will be added to the medium term financial plan in line with the most recent cash flow at the time with no further implications to the Council.

4.4 The total grant and match funding for the overall project is shown below:

	Capital	Revenue	Total
Towns Fund	3,000,000	0	3,000,000
NLHF	1,253,620	138,520	1,392,140
NSDC Contribution	981,238	88,324	1,069,562
Total	5,234,858	226,844	5,461,702

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

[Policy & Finance Committee 21 Feb 2019](#)

[Cabinet 31 October 2023](#)