

Report to: Cabinet
Date of Meeting: 2 July 2014
Public Document: No
Exemption: Para 3 Schedule 12A Information relating to the finance or business affairs of any particular person



Agenda item: 22

Subject: Seaton Jurassic

Purpose of report: The purpose of this report is to secure Cabinet approval for the acceptance of the grant conditions for the HLF grant of £621,000 for the Seaton Jurassic Project.

Recommendation:

- 1. The Heritage Lottery Fund grant offer of £621,000 for the Seaton Jurassic Project together with its terms and conditions be accepted.**
- 2. The Deputy Chief Executive be given delegated authority to sign any necessary documentation relating to the acceptance of the grant and its conditions.**
- 3. Devon Wildlife Trust be granted a lease whose terms comply with HLF requirements; approval of detailed terms and conditions to be delegated to the Principal Regeneration Project Manager**

Reason for recommendation: The HLF require that the Council provides evidence of its approval process for accepting the grant conditions for the offer of the £621,000 grant that has now been made to the Council for the Seaton Jurassic Project. The Council is the accountable body for the project. **The HLF decision is embargoed from public announcement until 26 June.**

Officer: Alison Hayward, Principal Regeneration Project Manager, x 1738
ahayward@eastdevon.gov.uk

Financial implications: This grant funding is in line with the budget that has been projected and approved for this project

Legal implications: The Council has very broad powers to provide recreational facilities, including land, buildings and assistance of any kind, under section 19 of the Local Government (Miscellaneous Provisions) Act 1976. Seaton Jurassic Centre can be provided under this power. Section 111 of the Local Government Act 1972 gives the Council power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions. Accepting grant funding and its conditions is therefore within the Council's powers.

The conditions of the grant include a requirement that the Council must continue to own Seaton Jurassic and that future disposal of it or letting or giving rights over it to anyone else would require HLF approval. Not surprisingly, there are claw back conditions for the grant should the building ever be disposed of (or any steps taken to do so) without the Council's approval beforehand. Other conditions include the ability to claim repayment of grant for a numbers of reasons including misleading

the HLF in the grant application process. Overall the grant conditions appear reasonable to ensure the proper use of public funds; care will need to be taken during project management to ensure HLF procedures are complied with, including procurement.

Equalities impact:

Low Impact

Seaton Jurassic Centre will be developed in a manner that recognises a range of equalities requirements. The building and its external spaces will be fully disabled accessible. Displays and exhibits will be designed in a manner that can be used and enjoyed by different users regardless of age for example and including sensory, Braille and audio elements.

Pricing arrangements will be organised in a manner that attracts school visits, coach parties and family groups. There will also be ample opportunities for community participation and volunteering.

Risk:

Low Risk

The project has been numerous years in gestation and significant risk has already been managed and overcome to reach this point in time when construction can begin. Not least, design, planning, provider selection and fund raising. HLF funding approval represents a significant risk resolved and the project can now move into build phase. Additional professional project management has been recruited to work with Devon Wildlife Trust, EDDC, County and other partners to manage the construction and fit out process. DWT offer a range of professional experience to manage the Centre and terms of agreement with EDDC include a realistic income projection that will enable reinvestment of surplus into maintenance of the Centre and the necessary cost of new exhibits in the future.

Links to background information:

[Cabinet agenda 7 May 2014 – see agenda item 10 Heritage Lottery Grant Programme](#)

Link to Council Plan:

Enjoying this outstanding place.

1. Lottery decision and acceptance of terms

The Seaton Jurassic Project Team has now been successful in securing the HLF funding of £621,000 towards the costs of the project. The Council is subject to the normal HLF lottery conditions and 2 additional conditions as set out below.

The HLF has issued the Grant Notification Letter and require the Council to provide a document demonstrating its decision to accept the terms of the grant.

It has been a longstanding commitment of the Council to support the development of Seaton Jurassic as a leading tourist destination for East Devon.

The Council has been able to deliver the project as a result of its land ownership, the availability of s.106 funding from a nearby development, contribution from other funding bodies and the partnership with Devon Wildlife Trust who has secured additional funding.

Officers are also requesting that the Deputy Chief Executive be given the authority to sign the Declaration for the Grant conditions on behalf of the Council.

2. The Approved Purposes of the lottery funding are as follows:

- Reveal and explain the Jurassic and marine heritage in new and exciting ways.
- Attract and engage a greater number and wider range of visitors – creating and safeguarding local jobs.
- Inspire and enable more people to take positive action to promote, protect and enhance their natural heritage.
- Involve and develop the skills of the local community.

3. The Standard Terms of grant cover the following areas: Approved usage – Seaton Jurassic may only be used for the approved lottery funding purpose

- HLF must be allowed access to Seaton Jurassic and monitoring information must be supplied
- Accounting procedures and fraud prevention measures may be inspected
- Evaluation of the success of the project
- Procurement
- Future control of the building (see legal observations)
- Maintaining and insuring the building
- Acknowledging HLF in publicity and providing digital images to their for publicity purposes
- Grant payment and repayment
- Clawback of unspent grant
- That the conditions will apply for twenty years from the project completion date.

4. The additional terms of the grant funding are:

- That the Council provides evidence of the local authority decision making process. We are achieving this through this report.
- That the Council provides detailed accounts at the end of each year for the first 10 years of the project, certified by the Chief Finance Officer, demonstrating the funding and resources that the Council has used on the Property in the year before.
- That a revised business plan is submitted to HLF by 3 June 2015 and before the Centre opens which demonstrates a revised business model that invests 100% of surplus revenue generated back into the project in the first 2 years of operation.
- That the Council will enter into a lease of at least 20 years with Devon Wildlife Trust on terms that are consistent with those set out in our application pack and the Standard terms of grant.
- *The terms of the lease with DWT are currently being negotiated by the Principal Regeneration Project Manager with the advice of Legal Services.*

5. Conclusion

The £621,000 of HLF funding enables the Seaton Jurassic Centre project to achieve its £4m total cost figure enabling construction, fit out and full opening. HLF funding in particular gives significant credibility to the project because of the quality standard that is required to secure HLF funds and the resulting commitment to deliver excellence. HLF endorsement of the project is also likely to help DWT with further fundraising efforts since this will give comfort to other funders concerning the credibility of Seaton Jurassic.

There is a significant monitoring requirement that travels with the HLF approval and this will be reflected in the overall monitoring of the project.