

**CABINET  
CABINET ACTING AS SOLE TRUSTEE OF CROWN STREET LIBRARY  
3 MARCH 2020**

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**CROWN STREET LIBRARY TRUSTEES**

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**Responsible Cabinet Members – All Cabinet**

**Responsible Director - Ian Williams  
Director of Economic Growth and Neighbourhood Services**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To agree the appointment of trustees of the Crown Street Library and to approve the Crown Street Library Trustee Board terms of reference.

**Summary**

2. Members are requested to consider and approve the appointment of three independent trustees of the Crown Street Library. Further details are set out in the main body of the report.
3. As this will mean that the Council will no longer be sole trustee (a role exercised by Cabinet) Members are requested to appoint the Leader to be the Council's nominated trustee on the Crown Street Library Trustee Board.
4. The appointment of independent trustees will help in giving more formal recognition to the role of the wider community, given the original aims of the bequest of Edward Pease.
5. The Crown Street Library Trustee Board terms of reference will help in clarifying its purpose and the role of trustees.

**Recommendation**

6. It is recommended that Members:-
  - (a) Approve the Crown Street Library Trustee Board terms of reference.
  - (b) Agree to the appointment of Elizabeth Dodds, Yvonne Richardson and Matthew Roche as trustees of the Crown Street Library Trustee Board.
  - (c) Agree to the appointment of the Leader as the Council's nominated trustee on the Crown Street Library Trustee Board.

## Reasons

7. The recommendations are supported by the following reasons :-

- (a) To give more formal recognition to the role of the wider community, by the appointment of independent trustees.
- (b) To avoid potential future conflicts of interest between the Council's service provider role and the building trustee role, by having independent trustees who will be able to discharge the trustee role.
- (c) To confirm the Council's representation on the Crown Street Library Trustee Board.
- (d) To clarify the terms of reference of the Crown Street Library Trustee Board.

**Ian Williams**  
**Director of Economic Growth and Neighbourhood Services**

## Background Papers

Cabinet (Sole Trustee of the Crown Street Library) Report of 8.10.19 - Crown Street Trustees  
Cabinet (Sole Trustee of the Crown Street Library) Report of 19.06.17 – Trustee Role

Luke Swinhoe : Extension 5490

S17 Crime and Disorder	There are no implications.
Health and Well Being	There are no implications.
Carbon Impact and Climate Change	There are no implications
Diversity	There are no direct implications
Wards Affected	There is no direct impact on any individual Ward
Groups Affected	People who use or who are interested in the Council's library Service.
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
One Darlington: Perfectly Placed	There are no links.
Efficiency	This report does not identify any efficiency implications.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

## MAIN REPORT

### Background information

8. Edward Pease died on 13 June 1880. He left the sum of £10,000 in his will 'for the education of the poorer classes in the Borough of Darlington either by establishing or founding or assisting in establishing or founding a free library or scholarship from elementary schools for boys and girls or in such other way as my said trustees shall in their uncontrolled discretion think fit'.
9. The executors of Edward Pease's Estate commissioned the construction of a public library in Crown Street. On 23 October 1885 the new library was transferred to the 'Corporation of Darlington'. The building, which was extended in 1900 and 1930, is recognised by the Council to be held on trust by the Council for the purpose of being used as a public library.
10. The Council is currently the sole trustee. As the Council operates a Leader and Executive model of decision making, the role of the sole trustee sits with the Council's Executive body - Cabinet.
11. The appointment of independent trustees will help in giving more formal recognition to the wider community, given the original aims of the bequest of Edward Pease. It will also help in introducing an element of separation of the service responsibility and trust purpose (ie both will no longer exclusively sit with Cabinet).

### Appointment of additional trustees

12. In October 2019 Cabinet agreed to move forward a process for the appointment of up to three Independent Trustees. The positions were advertised in the Library, in the November 2019 edition of One Darlington and on the Council's website.
13. The applications received were shortlisted and candidates were then interviewed on 28 January 2020 by a Cabinet Sub Committee, comprising Councillor Mrs Scott, Leader (Local Services Portfolio), Councillor Crudass (Children and Young People Portfolio) and Councillor Tostevin (Health and Housing Portfolio).
14. Following the interviews the Cabinet Sub Committee agreed to recommend to Cabinet the appointment of Elizabeth Dodds, Yvonne Richardson and Matthew Roche. They have all indicated that they are willing to accept the role, subject to confirmation by Cabinet.
15. To assist Members, each successful candidate was asked to write a short statement about themselves to accompany this report. These statements are at **Appendix 1**.

### The Crown Street Trustee Board

16. Members are invited to appoint all of the above named to be trustees of the Crown Street Library Trustee Board.
17. The other Board position will be occupied by a member of Cabinet and it is suggested that this role is discharged by the Leader.

18. In order to clarify the role of the Trustee Board a 'Terms of Reference' (see **Appendix 2**) has been drafted to assist:

19. The key points to note:

- (a) The role is about the Crown Street Library building (and supports its founding purpose as a public library). It is not about the provision of the library service (which is the sole statutory responsibility of the Council - under the Museums and Libraries Act 1964).
- (b) The legal estate of the Crown Street Library building will continue to be registered in the sole name of the Council. The role is a custodian one as the legal interest will be subject to the terms of the trust with the building held 'for the purposes of a public library for the Borough of Darlington'.
- (c) To give more formal recognition to the wider community, the Trustee Board will comprise a Council trustee and 3 other trustees (independent of the Council). The Council trustee will have a single vote and the other trustees will each have a single vote. Decisions of the Board of Trustees will be made by simple majority voting. The quorum will be the Council trustee and at least 2 other trustees.
- (d) It is intended that there will be an annual meeting. It is suggested this should be held on or close to the anniversary of the opening of Crown Street Library (23 October 1885). The annual meeting will enable trustees to receive an update on matters concerning the Library and will also provide an opportunity to mark and remember the anniversary of its opening.
- (e) Outside of the annual meeting it is not anticipated that additional meetings will be required (though Trustees will be able to call for a meeting). This is because the remit of the Board of Trustees is a limited one. As long as the library continues to be adequately maintained (which the Council is responsible for) and used as a public library the trustees will not ordinarily need to meet. Trustees will need to meet if there was concern that the library service might cease to be located in the building, or there was building disrepair that could jeopardise it continuing to remain open.