

# An investigation into Trust led involvement in place-keeping

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View of Redmires Reservoirs from Wyming Brook Nature Reserve, Sheffield (managed by Sheffield Wildlife Trust)

# Today's presentation

- Introduction
- Definitions
- Key features
- Trust creation and structure
- Friends of Groups and Trusts
- UK Trust scales
- Advantages of Trusts in place-keeping
- Trust dimensions
- Sheffield case studies
- Discussion

# Introduction

## **Partnership:**

*‘An association of two or more partners who have agreed a shared responsibility for place-keeping’ (Dempsey and Burton 2012).*

- Introducing the Trust
- Trusts are simple in theory, but complicated in practice.

# Definitions

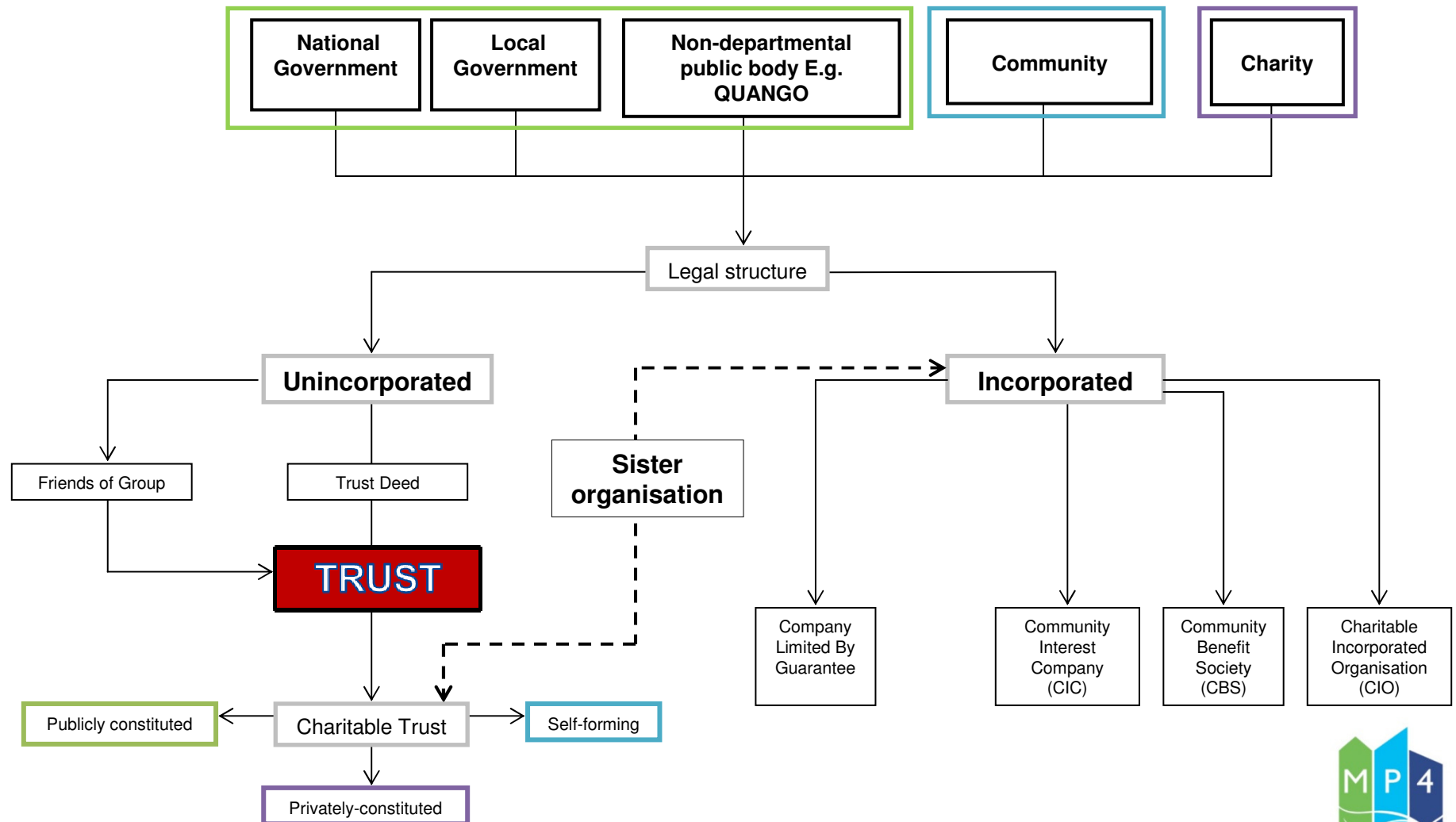
## What is a Trust?

A Trust is a legal device that provides a means of holding property or assets transferred from one party to another party, for the benefit of a third party, and which governs how these assets are utilised. (Business Link 2012a).

# Key Features

- Consist of trustees (legal owners who are liable for Trust property)
- Created by a legal document called a 'Trust Deed'.
- Assets may be 'locked' only to be used as stated in the Trust's terms of reference.
- Can have Charitable status.
- Eligible for a range of financial support.

# Trust Creation and Structure

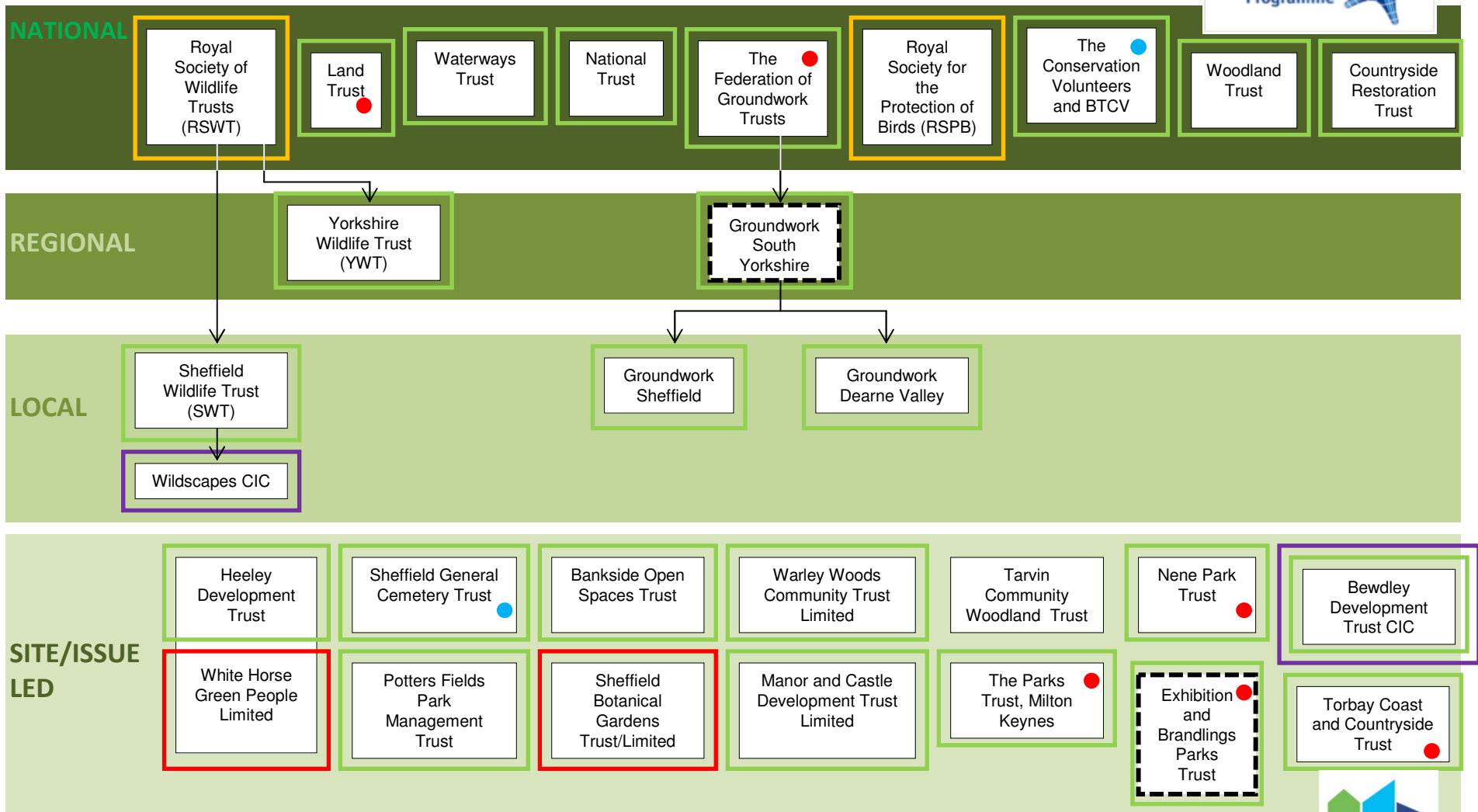


# Friends of Group or Trust?

| Friends of Groups<br>(Unincorporated)  | Trusts<br>(Unincorporated)   |
|--|--|
| Informal<br>Purpose: group working together for a particular site or issue   | <b>Formalised</b> by Trust Deed<br>Purpose: to hold assets<br><br>'Special Type' of Unincorporated   |
| <ul style="list-style-type: none"> <li>•No legal ownership.</li> <li>•Governed by own rules- not legally binding.</li> </ul> | <ul style="list-style-type: none"> <li>•<b>Assets legally owned</b> by Trustees</li> <li>•Established and <b>governed by Trust Deed</b>; a legally binding document</li> </ul> |
| <ul style="list-style-type: none"> <li>•No legal identity</li> <li>•Members liable</li> </ul>                                | <ul style="list-style-type: none"> <li>•No legal identity</li> <li>•<b>Trustees liable</b></li> </ul>  |
| <ul style="list-style-type: none"> <li>•Variety of funding but constrained by limited governance and legal status</li> </ul> | <ul style="list-style-type: none"> <li>•<b>Variety of funding</b></li> </ul>   |
| <ul style="list-style-type: none"> <li>•Can set up Asset Lock to protect assets for community benefit</li> </ul>             | <ul style="list-style-type: none"> <li>•Can set up <b>legally binding Asset Lock</b> to protect assets for community benefit</li> </ul>  |
| <ul style="list-style-type: none"> <li>•Can become a Charity if meet Charity Commission criteria</li> </ul>                  | <ul style="list-style-type: none"> <li>•Can become a <b>Charity</b> if meet Charity Commission criteria</li> </ul>   |

# UK Trust Scales

The Interreg IVB  
North Sea Region  
Programme



## KEY



Company Limited by Guarantee



Community Interest Company (CIC)



Publicly constituted



Private Limited Company



Not registered as a charity



Privately constituted



Incorporated by Royal Charter



# Advantages of Trusts in Place-keeping

- Can legally hold property/assets.
- Eligible for grants and funding that Local Authority are not.
- Valuable volunteer workforce.
- Benefit from membership fees and fundraising.
- More formalised than Friends of Groups, with improved legal status and governance.
- Take advantage of community passion, support and knowledge.
- Vehicle for harnessing community involvement.

# Trust Dimensions

- Partnerships
- Governance
- Policy
- Finance
- Evaluation
- Design, Maintenance and Management

# Partnerships

|   |   |
|---|---|
| <p><b>Strengths:</b></p> <ul style="list-style-type: none"> <li>• Strong community links and identity</li> <li>• Political independence</li> <li>• Mutually supportive</li> </ul>   | <p><b>Weaknesses:</b></p> <ul style="list-style-type: none"> <li>• Can become fraught</li> <li>• Potential unreliable volunteer workforce</li> </ul>      |
| <p><b>Opportunities:</b></p> <ul style="list-style-type: none"> <li>• Working together to achieve common aim.</li> <li>• Sharing good practice.</li> <li>• Developing facilitator role.</li> <li>• Attract funding</li> <li>• Benefits through association</li> </ul> | <p><b>Threats:</b></p> <ul style="list-style-type: none"> <li>• Funding cuts</li> <li>• Not formalised</li> <li>• Conflict of aims and agendas</li> </ul> |

# Governance

|  |  |
|--|--|
| <p><b>Strengths:</b></p> <ul style="list-style-type: none"> <li>• Governed by Trust Deed and Trustees.</li> <li>• Supports asset transfer.</li> </ul>                        | <p><b>Weaknesses:</b></p> <ul style="list-style-type: none"> <li>• Trustees not always elected.</li> <li>• Dependant on knowledge and skills of Trustees.</li> </ul> |
| <p><b>Opportunities:</b></p> <ul style="list-style-type: none"> <li>• Act as facilitator to share good governance.</li> <li>• To develop skills through training.</li> </ul> | <p><b>Threats:</b></p> <ul style="list-style-type: none"> <li>• Funding cuts impacting on resourcing and time.</li> </ul>  |

# Policy

|   |  |
|---|--|
| <p><b>Strengths:</b></p> <ul style="list-style-type: none"> <li>• Guided by internal policies</li> <li>• Develop local / national policies</li> </ul> | <p><b>Weaknesses:</b></p> <ul style="list-style-type: none"> <li>• Difficulty evolving policies</li> <li>• Trustees not up-to-date with external policies</li> </ul>                         |
| <p><b>Opportunities:</b></p> <ul style="list-style-type: none"> <li>• Supporting local / national policies in place-keeping</li> </ul>                | <p><b>Threats:</b></p> <ul style="list-style-type: none"> <li>• Gap between policies and reality</li> <li>• Area-based initiatives support place-making rather than place-keeping</li> </ul> |

# Finance

|   |  |
|---|--|
| <p><b>Strengths:</b></p> <ul style="list-style-type: none"> <li>•Charitable Trust – tax benefits</li> <li>•Potential to access range of income sources</li> <li>•Valuable Volunteer workforce</li> </ul>                  | <p><b>Weaknesses:</b></p> <ul style="list-style-type: none"> <li>•Time needed to establish membership</li> <li>•Smaller Trusts lack capacity to complete funding applications</li> </ul>   |
| <p><b>Opportunities:</b></p> <ul style="list-style-type: none"> <li>•Match funding</li> <li>•Income generation through assets and rents</li> <li>•Establish trading arm</li> <li>•Develop innovative processes</li> </ul> | <p><b>Threats:</b></p> <ul style="list-style-type: none"> <li>•Available grants shrinking</li> <li>•Increased competition</li> <li>•Difficulties accessing long-term revenue funds (eg staffing)</li> <li>•Funding – restricted by terms &amp; conditions</li> </ul> |

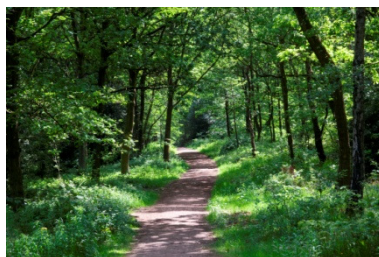
# Evaluation

|  |   |
|--|---|
| <b>Strengths:</b> <ul style="list-style-type: none"> <li>• Strong community links and involvement</li> </ul>   | <b>Weaknesses:</b> <ul style="list-style-type: none"> <li>• Lack of capacity to undertake</li> </ul>                                |
| <b>Opportunities:</b> <ul style="list-style-type: none"> <li>• Awards - increase credibility and incite motivation</li> <li>• Tool to attract / reassure partners and funders</li> <li>• Guide governance</li> </ul> | <b>Threats:</b> <ul style="list-style-type: none"> <li>• Funding cuts</li> <li>• External factors out of Trust's control</li> </ul> |

# Design, Management & Maintenance

|  |  |
|--|--|
| <p><b>Strengths:</b></p> <ul style="list-style-type: none"> <li>• Strong community links and involvement</li> <li>• Motivation promotes longevity</li> <li>• Capacity to change</li> </ul> | <p><b>Weaknesses:</b></p> <ul style="list-style-type: none"> <li>• Over ambitious</li> <li>• Reliance on volunteers</li> <li>• Pressure to source funding</li> </ul> |
| <p><b>Opportunities:</b></p> <ul style="list-style-type: none"> <li>• Develop innovative approaches</li> <li>• Change public perceptions of issue / site</li> </ul>                        | <p><b>Threats:</b></p> <ul style="list-style-type: none"> <li>• Difficulty accessing long-term revenue funding</li> </ul>  |

# Sheffield Case Study: Sheffield Wildlife Trust



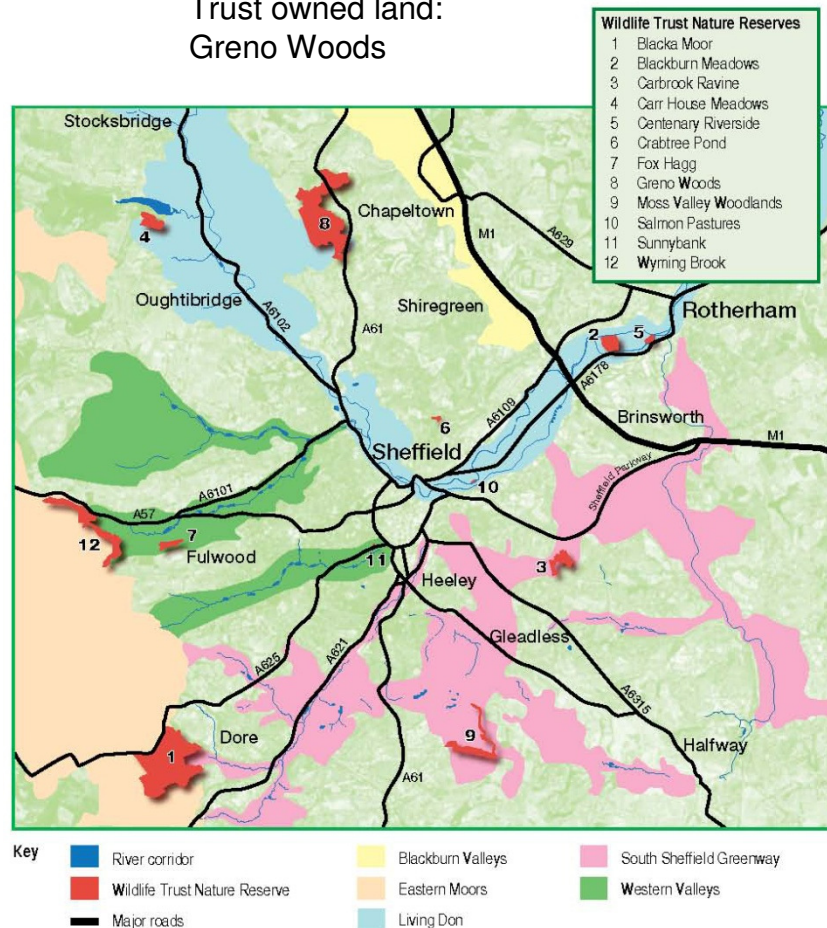
Trust owned land:  
Greno Woods



Ongoing management



Community involvement

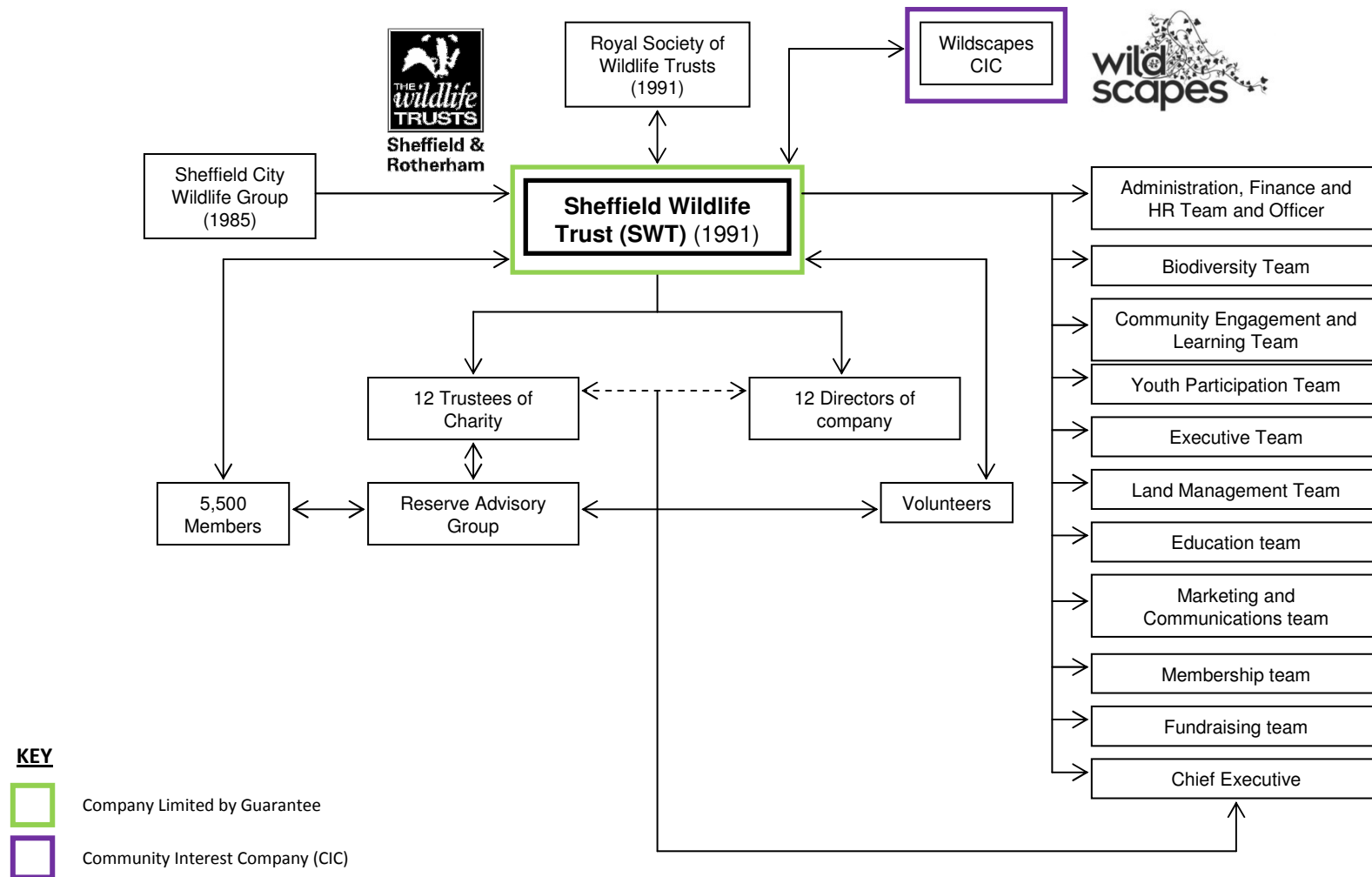


Wyming Brook Nature Reserve

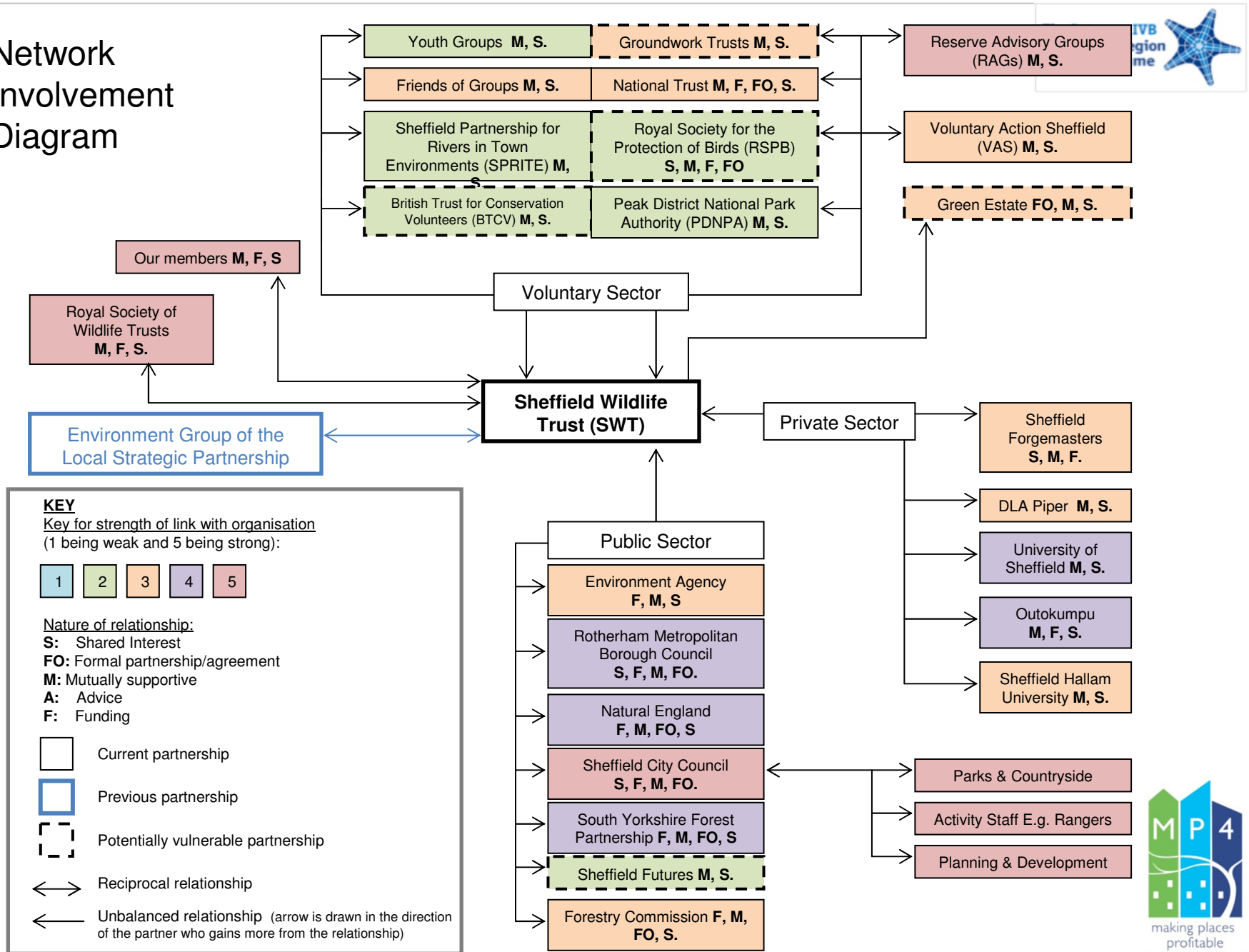


Reactive maintenance

# Organisational Diagram



# Network Involvement Diagram



# Sheffield Case Study: Sheffield Wildlife Trust

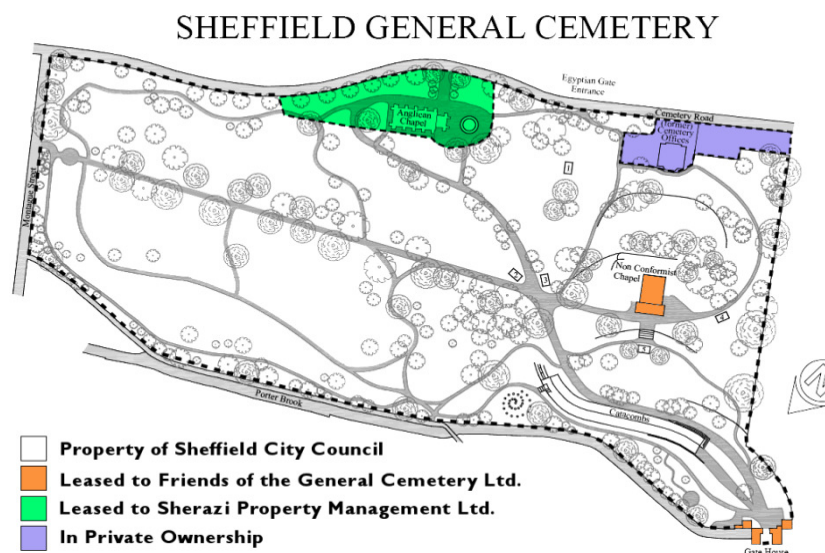


|  |   |
|--|---|
| <b>Strengths:</b> <ul style="list-style-type: none"><li>• Strong community identity</li><li>• Cost-effective to combine large areas of adjacent land</li><li>• Experience and skills base</li></ul>  | <b>Weaknesses:</b> <ul style="list-style-type: none"><li>• Being aware of ongoing maintenance costs and rents from beginning</li><li>• Relatively young Trust- issues of Membership establishment.</li><li>• Supervision and fluctuation of volunteer workforce</li></ul> |
| <b>Opportunities:</b> <ul style="list-style-type: none"><li>• Innovative practices: money-saving maintenance regimes and transference to partners.</li><li>• Acquiring new land with income generation potential (E.g. Greno Woods)</li><li>• Community Interest Company - Wildscapes</li><li>• Green Flag Award for Wyming Brook with feedback for future</li></ul> | <b>Threats:</b> <ul style="list-style-type: none"><li>• Competition for funding.</li><li>• Resourcing to cover all Trust aspects e.g. evaluation and funding applications.</li></ul>  |

# Sheffield Case Study: The Sheffield General Cemetery Trust



Chapel restoration project



Gate House entrance



Community involvement



Graveside herbs



Recycled fencing



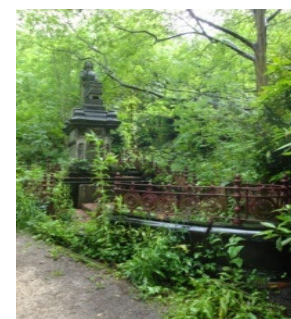
Place to rest  
and enjoy



Hidden fruit trees



Maintenance approaches



Ongoing  
maintenance

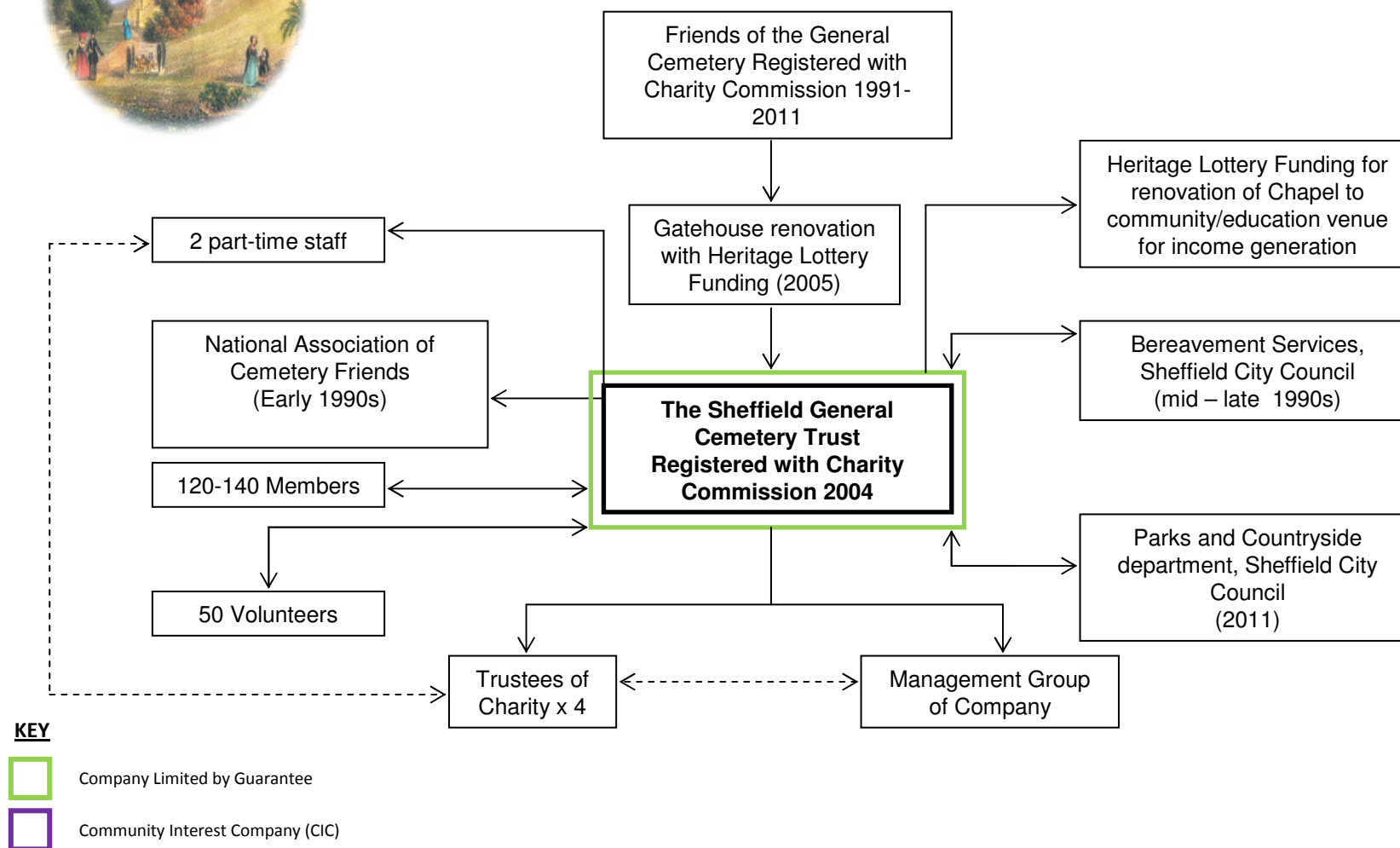


Reactive  
maintenance

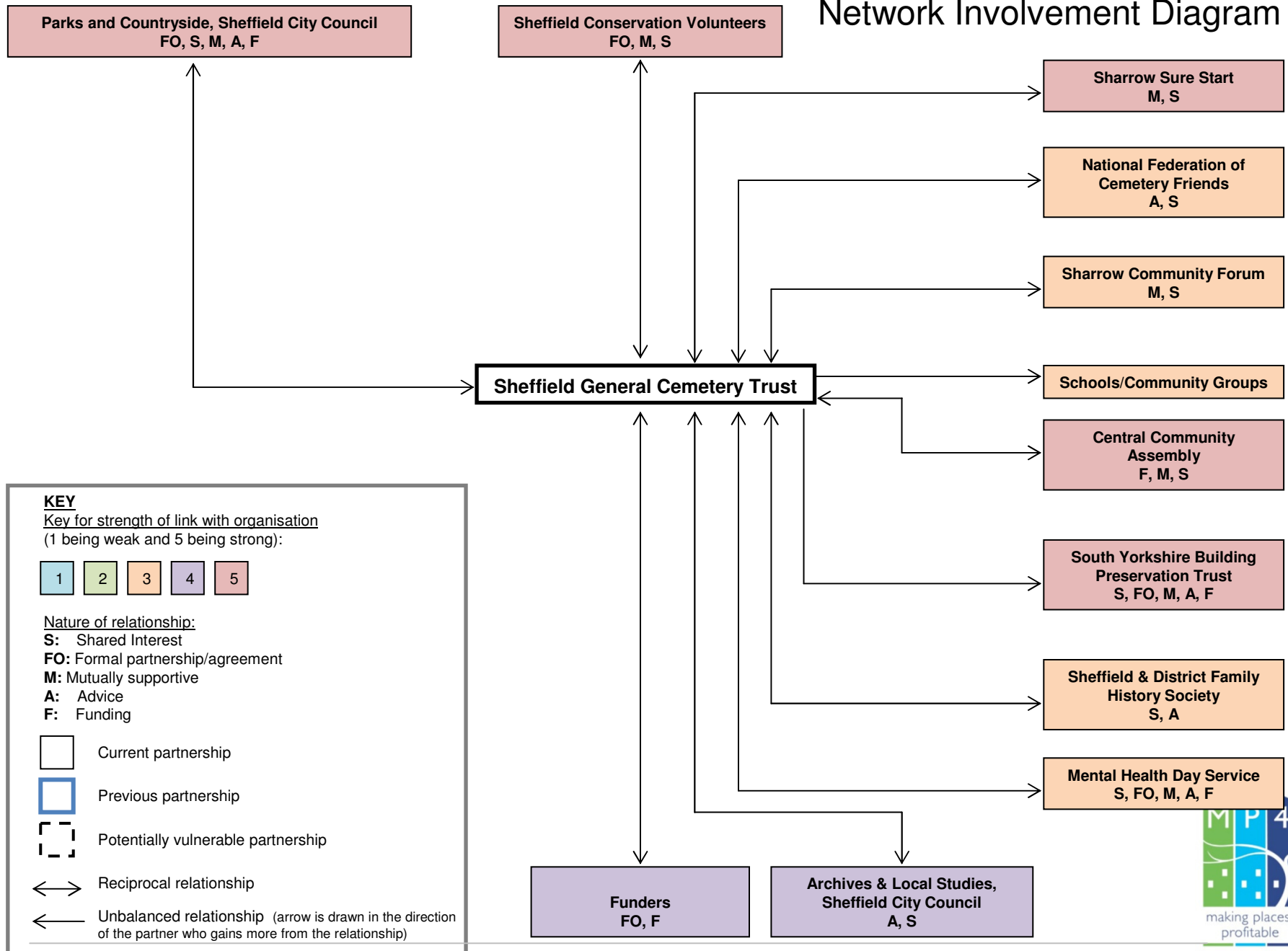


# Sheffield Case Study: The Sheffield General Cemetery Trust History and organisation of Trust

The Interreg IVB  
North Sea Region  
Programme



# Network Involvement Diagram



# Sheffield Case Study: The Sheffield General Cemetery Trust

|  |  |
|--|--|
| <b>Strengths:</b> <ul style="list-style-type: none"><li>• Strong community support/involvement</li><li>• Large volunteer workforce</li><li>• Trustee skills / experience</li><li>• Creative, evidence-based approach</li></ul>                   | <b>Weaknesses:</b> <ul style="list-style-type: none"><li>• Lack of capacity to undertake funding and maintenance roles</li><li>• Lack of supervision for potential volunteers</li></ul>                                |
| <b>Opportunities:</b> <ul style="list-style-type: none"><li>• Developing links with Sheffield Council (Parks &amp; Countryside)</li><li>• Educational packages</li><li>• Income generation – Chapel as educational and community venue</li></ul> | <b>Threats:</b> <ul style="list-style-type: none"><li>• Funding cuts – uncertainty of jobs and partnerships</li><li>• Competition from other sites</li><li>• Potential site role and benefits not recognised</li></ul> |

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# Thank you

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## Discussion

- Are there examples of Trusts in your country?
- Are there equivalents of the Trust model in your country?
  - Similar aspects
  - Similar aims
- Involved in place-keeping?