

BROMSGROVE DISTRICT COUNCIL

EXECUTIVE CABINET

8TH FEBRUARY 2007

Future Management of Museum

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| Responsible Portfolio Holder | Councillor Brian Fuller C.B.E. |
| Responsible Head of Service | John Godwin |

1. SUMMARY

- 1.1 The report explores the future management and control of Bromsgrove Museum and indicates approaches to be pursued to ensure its continued operation.

2. RECOMMENDATION

- 2.1 The Council resolves to keep the museum open for the forthcoming year (2007 / 8) and instructs officers to investigate the feasibility of a trust or other arms length organisation to manage the museum from 2008 / 9.

3. BACKGROUND

- 3.1 Bromsgrove Museum is situated at 26 Birmingham Road, Bromsgrove. The museums content consists of artefacts and items, the majority of which have been collected by Denis Norton. The collection was built up over more than a forty year period and largely contains items of social and historical relevance to Bromsgrove. The museum shares it premises with Bromsgrove Tourist Information Centre.
- 3.2 The collection was undertaken by Denis Norton and has become known as the Norton Collection. In the late 1970's the Norton Collection went on display in its current venue. In 1992 the collection was donated to Bromsgrove District Council with the object and intention of benefiting the citizens of Bromsgrove. The transfer of the collection was subject to conditions laid down in a trust document.
- 3.3 The trust deed contains some specific conditions relating to where the collection should be displayed; specification regarding public access to the collection; the cataloguing of the collection and controls on the disposal of any or all items.

- 3.4 Since transfer of the collection to the Council there has been a decline in the number of visitors viewing the collection. Recent performance figures state that the number of monthly visitors to the museum is currently 21 people per thousand head of population whereas the median set by Government is 313 per thousand head of population.
- 3.5 Furthermore, since transfer the collection has not been catalogued and has not been registered with the Museum and Galleries Commission.
- 3.6 The actual expenditure for the museum and tourist information centre in 2005 / 6 was £122,000. However, the expenditure directly attributable to the museum was £32,000, but when adding in an apportionment of support costs this expenditure increases to £71,000.
- 3.7 The museum currently employs a part-time curator who is seconded from the Worcestershire County Council Museums Service.
- 3.8 In 2005 the District Council established a task group to examine the need for and purpose of a museum for Bromsgrove. The task group concluded that the Council should retain the museum in its current position.
- 3.9 The report was presented to the Executive Cabinet, but in February 2006 when presenting its medium term financial strategy the District Council resolved to close the museum from April 2007.
- 3.10 In response to this decision the Council received a letter from Denis Norton's solicitors reminding the Council of the duties it agreed to accept as a consequence of the trust deed signed in 1992. The issuing of this letter was challenged by the District Council as Denis Norton had become an elected member of the District Council in May 1999 and as such could not, under conditions determining elected members responsibilities under take actions of this kind.
- 3.11 The District Council's legal department did advise the Council that the trust document was specific and there were constraints upon movement of the collection and its disposal.
- 3.12 The future of the museum has been the subject of considerable debate within the District Council during 2006. A number of proposals have been explored by officers. Amongst these has been the transfer of the collection to the Avoncroft Museum. This had been proposed by the task group as an alternative to the Council retaining the collection.
- 3.13 Reference to the trust document indicated that a transfer to Avoncroft was outside the conditions of the trust document.

- 3.14 The trust document specifies the extent of public access and restrictions on disposal of items. Therefore, closure faces a number of challenges not least the storage of artefacts should the museum be closed.
- 3.15 In the present context it is being proposed that the museum should remain open until March 2008, but that officers are instructed to investigate and make proposal for the transfer of the management and control of the museum from April 2008. It is being proposed that officers explore transfer to a trust or arms length organisation.
- 3.16 This would require the approval of signatories to the deed and in particular the donor of the collection.
- 3.17 It is suggested that as part of the investigation to be undertaken by officers the District Council should pursue agreement with the donor regarding the transfer of the management of the collection to another organisation and that this organisation should assume the responsibilities for maintaining, displaying and promoting the collection.
- 3.18 It may be necessary for Bromsgrove District Council to set about establishing a trust and assist in its development. This would take a form similar to that pursued with the management of the Artrix Centre.
- 3.19 It is suggested that the collection remain housed in its present accommodation and this building remains the property of Bromsgrove District Council, but is leased for an agreed number of years to the managing organisation at a peppercorn rent. However, the exact arrangements should be subject to an officer's report on transfer and future management arrangements.
- 3.20 It is proposed that officers will produce an initial report in June 2007 regarding the transfer of the management of the museum.
- 3.21 Furthermore, the report in June 2007 will indicate to members the level of support necessary to ensure the museum remained open following any transfer of management arrangements.

4. FINANCIAL IMPLICATIONS

- 4.1 The current medium financial strategy removes funding from the museum from April 2007. It is suggested that this decision is retracted and funding is provided for the museum for 2007 / 8.
- 4.2 In 2005 / 6 the actual expenditure on the museum and tourist information centre was £122,000. It is suggested that some £71,000 of this was attributable to the museum. However, this includes an apportionment of support costs and these will have to be re-assigned if the decision to

transfer the museums management is approved. The costs directly assigned to the museum are around £32,000.

- 4.3 It is suggested that from 2008 / 9 there may be a requirement for a revenue grant to be paid to the managing organisation. Guidance on the level of support that may be required will be indicated in the report produced for June 2007.

5. LEGAL IMPLICATIONS

- 5.1 In August 2005 a report was presented regarding the legal implications surrounding the museum collection. This report makes particular reference to the sections of the trust deed relating to location of the collection.
- 5.2 The report also advises on scope for changing the terms of the trust deed. It states that any change has to be carried out under the auspices of the Charity Commission and have to be demonstrated to be in the best interests of the charity.
- 5.3 The views of the donor would be taken into consideration.
- 5.4 Officers will seek advice on the process for establishing a trust and for transferring control to that trust

6. CORPORATE OBJECTIVES

- 6.1 In entering into an agreement with a trust to manage the museum this would demonstrate partnership.

7. RISK MANAGEMENT

- 7.1 The paramount risk to the District Council is that unless action is taken to address the position of the museum's management the potential exists for legal action against the council. However, the current arrangements appear unsustainable and levels of usage are currently low and may even be falling.

8. CUSTOMER IMPLICATIONS

- 8.1 Closure of the museum would remove a service to the community. However, current visit figures indicate a low level of interest in the facility.
- 8.2 The recommendation to transfer management of the museum to a managing organisation would retain the service to the customer, reduce the financial costs to the Council and possibly inject new enthusiasm into the promotion of the facility.

9. OTHER IMPLICATIONS

9.1

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| Procurement Issues - None |
| Personnel Implications – Possible redundancy of museum staff |
| Governance/Performance Management – Remove responsibility for the management of the museum |
| Community Safety including Section 17 of Crime and Disorder Act 1998 |
| Policy - None |
| Environmental - None |
| Equalities and Diversity - None |

10. OFFICERS CONSULTED ON THE REPORT

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|---|------------|
| Acting Chief Executive | Yes |
| Corporate Director (Services) | Yes |
| Assistant Chief Executive | Yes |
| Head of Service | Yes |
| Head of Financial Services | Yes |
| Head of Legal & Democratic Services | Yes |
| Head of Organisational Development & HR | Yes |
| Corporate Procurement Team | no |

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