

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4122
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Department:	Commercial and Operations
Contact:	Rachael Evans (Job Title: Museums Development Manager, Email: rachael.evans@nottinghamcity.gov.uk, Phone: 01158762197)
Subject:	T.rex Exhibition 2021-2022
Key Decision (decision valued at more than £1million):	Yes
Total Value:	In excess of £1 million from 50/50 split on ticket commission (Type: Revenue)
Decision Being Taken:	<p>To seek approval to enter into a contract for hire of a T Rex specimen from the USA for an exhibition at Wollaton Hall from 2021 for a 14 month period. The contract includes a 50/50 split on ticket income generated from the exhibition and a 20% commission on related merchandise.</p> <p>To approve the £180,000 ACE Culture Recovery Grant awarded to cover all upfront costs for the T.rex exhibition.</p> <p>To seek dispensation from Contract Procedure Rule 4.1.2 under Finance Procedure Rule 3.29 to allow award of this contract outside of the procurement rules due to the unique specimen to be exhibited.</p>

Reasons for the Decision(s)

T Rex specimens are easily the most popular of dinosaurs in the public imagination. They are found only on the North American continent and are seldom displayed outside of the USA and Canada for any length of time. There is currently no T Rex on display anywhere in the United Kingdom. The arrival of the specimen will therefore be of immense interest for the citizens of Nottingham and will play a key role in revitalising the City's tourism economy. Combined with the re-opening of Nottingham Castle and the proposed city-wide cultural activity planned, it will play a central role in the cultural tourism offer. Visit Britain are currently citing a downturn of 49% on the internal tourism market as a result of COVID-19. The proposed exhibit of such a very rare specimen will build on the tremendous economic benefit that accrued from the Dinosaurs of China exhibit that took place at the Hall in 2017.

Officers have conducted considerable research on potential options for such a specimen that would normally only be available for purchase or hire, based on a substantial up-front fee. In this case, the item would be made available on an income share of admissions and sales income. Preparatory costs would be met by external grant sources and so the exhibition would be available at no financial risk to the Council. The City Council Legal Services and Insurance teams have assisted in the exhaustive contract negotiations and a suitable contract has been prepared.

This will be a full-size T. Rex and when displayed will fill the Willoughby Room at 4m tall, 11m in length. The exhibition itself will be largely digital supported by the Service's partnership with the University of Nottingham. Innovative digital/virtual media interactives will immerse the visitor in its world, along with hands-on replicas of his skeleton enabling visitors to handle bones millions of years old. Initial costs for the design and development and fabrication of the exhibition will be covered by the awarded grant of £180,000 from Arts Council England's Culture Recovery Fund (an investment in activity to sustain and drive forward services after the impact of the pandemic) and existing Arts Council England National Portfolio Organisation grant (exhibition budget).

Throughout the exhibition there will be a programme of events and activities in the park, the museum and the University of Nottingham. This will include family events, symposiums, talks and tours.

Similarly to Dinosaurs of China, to cover the full cost of the project there would be an admission fee into Wollaton Hall during the run of the exhibition which is from July 2021 to August 2022. Ticket prices are aimed to engage a wide audience so are kept at a nominal fee.

We expect to see a minimum of 300,000 visitors to see This specimen over the 14 month period making covering costs in full and making a contribution of income for the museum service of approximately £194,000. By comparison Dinosaurs of China, had over 100,000 visitors over a four-month period.

The expectation is that it will make a contribution, any shortfall will be resourced from within the museum service budget.

Access

To ensure 'access for all' the Service will counterbalance the impact of an admission fee by offering 6 'pay what you can' days. Marketing of these will be targeted for Nottingham citizens and spread out over the duration of the exhibition to include weekends enabling families from all walks of life to engage with the dinosaur and its era.

There will be special sessions for families and groups with special needs and accessibility will be a key objective.

Our aim is to engage all local schoolchildren in this one-off opportunity. The school ticket admission includes not only entry into the exhibition but also a facilitated session with a museum professional.

A range of special merchandise will be produced to include a replica T. Rex tooth, a children's story book about the dinosaur, a souvenir guide aimed at general visitors and a coffee table book for more specialised interest.

Legacy

Whilst the original fossilised bones of the T Rex are on display, a replica set will be cast and accessioned into the museum's permanent collection for future use to provide an enduring legacy of inspiration and learning opportunities for generations to come.

The agreement for the loan includes research into the fossils by leading palaeontologists culminating in published papers internationally. This will demonstrate research and learning, further enhancing the public understanding and educational legacy provided by the Museum Service.

This collaboration has arisen as a result of the reputation for excellence in this field gained by the Service during Dinosaurs of China.

Our reputation grows as a Service for successful international partnerships opening up further opportunities and building capacity within the region for the heritage sector.

Mitigating risk

The two-year loan agreement for the T Rex does not include any upfront loan fees. (In fact, the owner of the T-rex has paid out substantial costs to have Tyson excavated, delivered to the UK and prepared for display.) The loan agreement is based on ticket commission throughout the run of the exhibition.

In the event of a second wave of the pandemic, provision within the contract will allow the exhibition to be put on hold or terminated without penalty.

Preliminary designs for the exhibition have been developed to ensure that compliance with social distancing practice and the exhibition will set out a one-way system with 2m markers. We would still aim to achieve a minimum of 300,000 visitors over the course of the exhibition as this equates to 410 visitors per day which is still achievable with social distancing in place.

Briefing notes documents: T.rex briefing notes.docx

Other Options Considered: Do nothing
It would be possible to pass up the opportunity to undertake the exhibition, but this would not raise the profile of Wollaton Hall, its important collections and provide a unique experience for visitors. It would also fail to capitalise on the city's reputation as a centre for excellence and would eliminate a key opportunity to increase the tourist economy of Nottingham.

The exhibition is a UK exclusive and it is therefore likely that the exhibition would be offered to an alternative UK location, with the economic benefits and profile being gained there instead.

Doing nothing would not enable knowledge transfer to take place or enable this unique specimen to be made available to citizens in Nottingham at a reasonable cost.

Background Papers:

Published Works:

Affected Wards: Citywide

Colleague / Councillor Interests:

Any Information Exempt from publication: Yes

Dispensation from Financial Regulations: Yes

Exempt Information:

Description of what is exempt: Finance information is exempt because it is commercially sensitive.

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it could prejudice future contract negotiations.

Documents exempt from publication:

T Finance Comments Exempt.docx

Consultations:

Date: 01/09/2020
Ward Councillors: David Trimble, Steve Battlemuch, Cate Woodward, Zafran Khan
Councilor Trimble approved the project.

Date: 07/10/2020
Other: Friends of Wollaton Hall
The Friends group approved the project

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

During the exhibition there will be heightened security in place to ensure the safeguarding of the exhibit.

Equality:

Please login to the system to view the EIA document: FINAL equality-impact-assessment-T.rex Exhibition (002).pdf

Social Value Considerations:

The value is below EU threshold

Decision Type:

Leader's Key Decision

Subject to Call In:

Yes

Call In Expiry date:

26/02/2021

Advice Sought:

Legal, Finance, Procurement, Equality and Diversity

Legal Advice: Given the total estimated value of the contract, dispensation from CPR 4.1.2 is required in accordance with financial regulation 3.29. The Public Contracts Regulations permits the award of a contact without competition where the works/supplies or services are only provided by a particular economic operator, which is the case here where a unique dinosaur specimen is being loaned for the museum exhibition. Legal has reviewed the terms and conditions of contract to mitigate the risk to the council.
Advice provided by Sarah O'Bradaigh (Senior Solicitor) on 18/12/2020

Finance Advice: This advice is exempt from publication and is contained within an exempt appendix
Advice provided by Maria Balchin (Finance Analyst) on 01/02/2021.

Procurement Advice: There are no procurement issues with the decision being sought. Dispensation to Contract Procedure Rule 4.1.2 under Finance Procedure Rule 3.29 allows for the award of a contract without competitive tenders having been sought, and awarding contracts by direct negotiation without competition is allowed in appropriate circumstances under Public Contracts Regulation 32(2)(b). Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 01/12/2020. Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 16/12/2020.

Equality and Diversity Advice: No negative impact on groups with protected characteristics. Minor comments provided on EIA which have all been addressed with the EIA. Happy to sign off. Advice provided by Nasreen Miah (Equality & employability consultant) on 01/12/2020. Advice provided by Nasreen Miah (Equality & employability consultant) on 18/12/2020.

Signatures:

David Mellen (Leader/ PH Regeneration, Schools, Communications)
SIGNED and Dated: 19/02/2021
Hugh White (Corporate Director for COVID Response and Recovery)
SIGNED and Dated: 12/02/2021
Clive Heaphy (Chief Finance Officer) - Dispensation from Financial Regulations
SIGNED and Dated: 08/02/2021
Chief Finance Officer's Comments: Approved subject to the £180k grant being applied to cover abortive costs in the event of cancellation