

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

2290

Author:

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Department:

Communities

Contact:

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Subject:

Nottingham Industrial Museum - Future Operation

Total Value:

0 (Type: Nil)

Decision Being Taken:

To permit the organisation, Nottingham Industrial Museum Limited to operate the premises defined as Nottingham Industrial Museum on the basis of the following: 1 Full compliance with the proposed Licence and Management Agreements. 2 The museum maintains full accreditation under the UK Museums Accreditation Scheme. 3 The organisation pursue charitable status. 4. The licence to be granted for a maximum period of 5 years.

Reasons for the Decision(s) The Nottingham Industrial Museum (NIM) closed in 2009 due to council budget restraints. A group of volunteers previously known as The New Nottingham Arkwright Society negotiated, with Nottingham City Museums and Galleries (NCMG), to re-open the site (partly shared with the Council) as an independent volunteer run museum. This group has formed a company known as, Nottingham Industrial Museum Limited. Extensive consultation with Nottingham City Council's Legal and Estates teams suggested that, due to the unique circumstances of that partnership between the two organisations, a licence and management agreement would be the appropriate format for a formal agreement. The NIM board has taken advice from an independent solicitor who has supported them in the development of the licence and management agreement, and the formation of the limited company. Under the terms of the Licence agreement the museum collection and site will remain the property of Nottingham City Council, and the company will have a remit to raise funds through the collection of admission fees, development of commercial opportunities and other fundraising to finance any activity they undertake. Whilst the decision to close the museum was necessary at the time it is hoped that the formation of the volunteer led organisation will offer greater future resilience and ultimately value for money in the longer term. It is anticipated that after an initial 5 year period to build up a financial reserve the company will take on proportional facilities costs for the building. The volunteer groups will be offered continuing support from the NCMG team to develop NIM, its site, collections and volunteers whilst fostering and environment of inclusion and organisational resilience. The licence and management agreements will be subject to a yearly review process which will include the submission of an annual report covering financial and operational progress to determine whether the Licence should be renegotiated, terminated or continued on the same the agreements. The Licence will be reviewed in full after 5 years at which point a further delegated decision will need to be taken. In addition to past performance Tthe decision to renew the licence will be based on the requirement to continue to meet the terms of the proposed Licence and Management Agreements in full, to maintain Museums Accreditation for the site, and to pursue charitable status as a key aim to ensure long term viability.

Briefing notes documents: 2015-02-23 NIM Plan.docx, 2015-11-10 Man Agmt clean.doc, 2015-10-11 Museum Licence clean.docx

Other Options Considered: To close the site to the public - As the collection would need to remain in situ buildings and maintenance costs would still be incurred, further this option would offer no opportunity for income generation, access to the site as a visitor attraction or sustainability.

Background Papers: None

Published Works: None

Affected Wards: Citywide

Colleague / Councillor Interests: None

Consultations:

Date: 25/09/2015
Ward Councillors: Georgina Culley, Steve Battlemuch, Jim Armstrong
Councillor Battlemuch consulted Friday 25th September Councillor Culley and Armstrong consulted Wednesday 14th October All Councillors supportive of recommendations.

Date: 11/11/2015
Other City Council Bodies:NCC Insurance and Risk Section
RISK OFFICER(ASSETS) & SENIOR UNDERWRITING OFFICER - Mark Baguley. Confirmed that Agreements allow NCC to set amount of insurance required. Licence states 'sum reasonable required by the council' which will allow for increase where applicable over the period of licence and that it is not necessary to state the amount in the document.

Date: 06/05/2015
Other:Arts Council Accreditation Manager
The Licence and Management Agreements with the Nottingham Industrial Museum Limited would not immediately effect Accreditation. It would however need to be considered during the renewal of Accreditation in 2017.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

This option will aim to support sustainable access and development of Nottingham Industrial museum and its collections as community asset.

Equality:

Please login to the system to view the EIA document: EIA Final.pdf

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

04/01/2016

Advice Sought:

Legal, Finance, Equality and Diversity

Legal Advice:

This report does not raise any significant legal issues. As this is a concession type agreement where the City Council is not making payment for the volunteers to run the museum there is no requirement to undertake a procurement for an operator. The legal team is assisting with the licence and management agreement. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 17/12/2015.

Finance Advice:

1. The licence and management agreement does not have any financial implications as there will be no change to the existing costs to Wollaton and should not impact on the Museums service to achievement Medium Term Financial Plan.

2. The collection within the museum will still be owned and managed by the City Council.

3. The Licensee will have to provide the required insurance policies stated in the agreement reducing the risk to the City Council.

Advice provided by Steve Ross (Finance Analyst) on 17/12/2015.

Equality and Diversity Advice:

The proposal offers an opportunity for the full breath of Nottingham Citizens to be represented both as volunteers and part of the reflection of Nottingham culture.

Robust monitoring systems that ensures that the volunteer profile and the offer is reflective of the city should be key if equality of opportunity in its broadest sense is to be realised. Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 09/11/2015.

Signatures

David Trimble (Portfolio Holder for Leisure and Culture)
SIGNED and Dated: 22/12/2015
Andrew Vaughan (Corporate Director Commercial and Operations)
SIGNED and Dated: 22/12/2015