

COUNCIL 3 DECEMBER 2009
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*PART 1 – PUBLIC DOCUMENT	AGENDA ITEM No. 6
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TITLE OF REPORT: HITCHIN TOWN HALL MUSEUM FEASIBILITY STUDY OUTCOME AND ACTIONS ARISING

REPORT OF THE STRATEGIC DIRECTOR OF CUSTOMER SERVICES
PORTFOLIO HOLDER: COUNCILLOR TRICIA COWLEY

1. SUMMARY

- 1.1 To inform members of the outcome of the feasibility study commissioned to consider the conversion of Hitchin Town Hall into a new museum.
- 1.2 To inform members of Council of Cabinet's resolutions relating to this.
- 1.3 Although Cabinet has responsibility for developing the strategy of the Council for leisure, sports, recreation and the arts, and any strategic decision relating to the museums and halls falls within its jurisdiction, the financial implications need approval from Council, in accordance with Schedule 4 Functions and Responsibilities Regulations 2000.
- 1.4 The report also seeks to provide additional information to assist Council when considering the recommendations from Cabinet. Specifically to provide additional information in answer to the concerns raised as part of the other representations made to Cabinet at its meeting on 20th October by referral from other Council Committees; individual Members; members of the public and community groups.
- 1.5 To seek Councils approval to progress with this project, and to agree the capital sum required to enable the project to be undertaken.

2. FORWARD PLAN

- 2.1 The report contains a recommendation on a key decision which was notified in the Forward Plan in May 2008.

3. BACKGROUND

- 3.1 There has been extensive work relating to the future of the North Hertfordshire Arts & Museums service and the future of Hitchin Town Hall (HTH) over an extended period starting initially in 2005. This work is detailed in the Cabinet report presented at their 20th October 2009 meeting which is attached at Appendix 2.

- 3.2 The Feasibility Report produced by Buttress Fuller Alsop Williams-Architects (BFAWA) of the Hitchin Town Hall Museums Feasibility Study - October 2009 is shown as Appendix 1 of this report. A representative will attend this meeting to provide a brief summary for Members, and answer any questions.
- 3.3 Additional information relating to this project was also presented in a Technical annex to Cabinet. This is shown at Appendix 3.
- 3.4 The Service & Financial Planning process (2005/06) approved the saving of the running costs of the Council managing Hitchin Town Hall, as £58,000 in 2007/08 and thereafter. However as a decision on an application for external funding as part of this joint working proposal with Hitchin Initiative to take over management of HTH was not being made until 31st March 2008, provision was made to continue the revenue support for the Town Hall for the full financial year 2008/09, this proposal did not however progress. The net Working Budget for covering the direct costs of operating Hitchin Town Hall in 2009/2010 has since increased to £76,460 per annum, and remains with NHDC.
- 3.5 The Museums FSR identified that a new town centre museum should be established. It was careful not to be too prescriptive as to where and what it should include, as significant investment would be involved covering a range of factors including NHDC's ability to pay for it. However the lack of compliance with DDA requirements, poor public toilet provision and limited ability to cater for school parties in the existing Museum buildings are seen as key limitations on the service, to be rectified when the new museum was established.
- 3.6 This also set a saving target in order that the council's annual discretionary spend on this service can be brought more in line with authorities of similar size and be sustainable. The target was set at £125,000 reduction in the annual service budget in the medium to long term. Officers considered efficiencies in building operating costs and removal of duplication of staffing (e.g. two museums sites moving to one) which would deliver the majority of this saving. To date £24,130 has been delivered.
- 3.7 The recommendation to move from the two existing Museums to one new Museum was driven by the need to invest large sums of money into both the existing museums buildings to make them fit for purpose. This option was considered uneconomical, and discounted by the FSR review team.

4. CONSIDERATIONS

- 4.1 Prior to making their decision on this item Cabinet was addressed by a number of speakers in respect of - Hitchin Town Hall: Museum Feasibility Study. The comments, views and recommendations raised as part of this meeting are outlined below, along with some additional contextual information from officers.

4.2 Public Participation at Cabinet

- (i) Mr David Rice – on behalf of Hitchin Art Club

Mr Rice presented a scheme for the extension of the existing Hitchin Museum at Paynes Park, Hitchin, as an alternative to the conversion of Hitchin Town Hall to a new Museum.

Mr Rice stated that the Museum and Library on the Paynes Park site co-existed with mutual benefit; that the NHDC proposal was unpopular and had caused feelings of resentment to current users of Hitchin Town Hall; and that the NHDC proposal would be the worst possible scenario, causing the loss of community use at Hitchin Town Hall and constraining the Museum collection into an unsuitable layout. He stated that the current Hitchin Museum was a listed building, which had been gifted with covenants for use as a museum, and that the 3 individual buildings (Museum, Library and Town Hall) had their own function and each added valuable cultural context to Hitchin.

Mr Rice considered that the present state of Hitchin Town Hall derived from neglect of building fabric and lack of marketing by the Council, and many groups had therefore deserted it. This downward spiral must be arrested and reversed. If Museum and Town Hall were properly managed, Hitchin would attract even more visitors to enjoy the town's facilities, and it would justly thrive.

Additional Information

NHDC officers have regularly communicated with representatives from the HCC Library Service. At the most recent meeting which took place in October 2009, they reconfirmed that their existing Library buildings in Letchworth and Hitchin meet their service needs. They also advise that they have no plans to make significant changes to the buildings in which they are housed in the foreseeable future. This would make Mr Rice's proposal for the Paynes Park site impossible to achieve.

The NHDC Community Facilities Manager has confirmed that the uncertainty about the future of Hitchin Town Hall is, in his opinion having a detrimental impact on the ability of the service to proactively market Hitchin Town Hall. Currently bookings are being confirmed on an annual basis, as the future of the hall remains uncertain following a decision made by Council at its meeting on 9th February 2006 to transfer Hitchin Town Hall to a third party with no residual (direct) costs to the Council.

(ii) Mr Chris Parker – on behalf of Keep Hitchin Special

Mr Parker commented that the current proposal represented the remnants of the Council's attempt to retain some element of Hitchin Town Hall for community use, following the failure of the tender exercise to redevelop the property in 2006, and the subsequent failure of the Hitchin Initiative bid for Lottery funding.

Mr Parker made the following points:

- The building was largely acceptable in terms of the requirements of the Disability Discrimination Act, as most areas were accessible at street level;
- Conversion of the Main Hall to Museum space would mean that there would be no venue in Hitchin to accommodate events of 500+ people, and that the Town Hall was ideal as a venue for wedding receptions, particularly due to its proximity to the Registry Office;
- The Judo Club had used the premises for over 50 years, and had surely earned the right to remain;
- The Mothers and Toddlers Group used the Lucas Room and bar area during the week, and it was unclear whether this would be able to continue;
- The Annual Beer festival would no longer be able to continue in its current location;
- The property needs to be refurbished, but also needs to be properly marketed for community use – however, in spite of this, local groups continue to use all areas of the Town Hall because they consider it to be a good facility.

Mr Parker concluded by presenting a petition signed by over 5,000 residents, which stated:

“We, the undersigned, are determined to retain Hitchin Town hall as a fully-functioning community venue with its unique hall and stage, gymnasium, etc. Local Groups, Councillors and members of the public recognise that this building meets significant local needs.

We call upon North Hertfordshire District Councillors to leave the Town Hall as a Community Venue and to consider the transfer of this asset to the people of Hitchin for them to manage, thereby providing the revenue savings envisaged”.

Additional Information

A number of options for the future of HTH have been considered since the decision to consider the transfer of Hitchin Town Hall to a third party operator was made by Council at its meeting on 9th February 2006. These are set out in the 20th October 2009 Cabinet report. However none have been acceptable to Council.

A petition signed by over 5,000 people confirms that high level of regard that Hitchin Town Hall is held by its community. It is precisely for this reason that there is a proposal to reinvest in this site to modernise the building and retain it for community use. Many of the spaces within the building currently used by the community will remain substantially unaltered.

Officers have been made aware that several people who have signed the petition have done so on the understanding that the proposal to relocate the Museums service to this site will remove the ability for community groups to continue to use the modernised facility.

The examples used above also appear to promote this impression, i.e. the Judo Club meeting in the Gymnasium and Mother & Toddlers group meeting in the Lucas room. Both of these spaces will remain available for community use in the proposed plans. Officers are due to meet with regular hires to confirm that the proposal for the refurbishment of this site will allow their needs to be met as well as looking at opportunities to identify and overcome the limitations of the existing building.

Officers have confirmed that whilst the existing HTH building is largely acceptable in terms of the requirements of the Disability Discrimination Act, there are large areas of the building that are inaccessible to those with mobility problems. If there was to be large scale modification and reinvestment on this site the authority would have an obligation to take steps to address these limitations.

(iii) Dr Leslie Mustoe – on behalf of Hitchin Forum

Dr Mustoe considered that there had been insufficient consultation regarding the proposal, and questioned why the Council’s timescale for progressing the matter had been so tight. In respect of the “preferred option” identified in the report, he questioned who had identified this as primary option. He stated that the Facilities Working Group had not discussed any preferred options for museums, and he considered that alternative options should be explored.

Dr Mustoe felt that the architectural integrity of the Town Hall would be destroyed should the Feasibility Study be approved, and asked what would become of the existing Hitchin Museum building should this be the case. He stated that the weight of local feeling believed that the Council was not willing to listen to the views expressed by residents regarding the future of the Town Hall.

Dr Mustoe concluded by commenting that neither the Letchworth Committee, Hitchin Committee nor Scrutiny Committee had supported the proposals, and he urged Cabinet Members to step back from the scheme (as urged by the Scrutiny Committee) and to continue discussions with the Hitchin Initiative and other local groups to pursue alternative options.

Additional Information

Section 3 of the 20th October 2009 Cabinet report sets out the reason why the timescale for this work has been adopted, in order to meet the legal requirement of the Council to have a balanced budget.

Section 4.4 of this report explains the process by which the preferred option was developed for use in establishing further details for the Feasibility Study. If Council agree to progress to the detailed planning stage, then Officers plan to undertake further consultation with the Facility Working Group to refine the proposals as part of this process.

The future of the Hitchin Museums building cannot be considered in detail until a timescale for its availability for alternative usage is identified. The building is Grade II listed. The building was gifted to the district, and as there are covenants restricting the use of the building and its site, the building does not therefore have a high commercial value. Appropriate alternative usage will need to be identified, a process to undertake this work exists, and preparatory work has begun.

This ageing building will require continued maintenance and repair, but the likely investment needs are significantly reduced if it is no longer required to be a fully accessible public building.

(iv) Mr Brian Foreman – Hitchin resident

Mr Foreman expressed his concern about a serious threat to the architecture of Hitchin Town Hall should the Feasibility Study be approved. He considered it to be legalised vandalism. Mr Foreman outlined the architectural merits of the Town Hall and commented that, to insert a mezzanine level in the Main Hall would devastate the building – he considered that surely the main purpose of museums was to preserve heritage and not destroy it.

Mr Foreman stated that the value of the Town Hall complex as a community activity facility had yet to be fully realised. He was of the opinion that, with a management team similar to Plinston Hall in Letchworth Garden City, the Town Hall could be successful in combining community interests with commercial enterprise. He felt that a community trust would be the best solution.

Mr Foreman expounded the virtues of the Main Hall for use as a concert and exhibition venue. Whilst acknowledging that it would be feasible to use the Main Hall as a Museum, he asked at what cost would this be to the architectural integrity of the

building and its loss to the community. What he considered to be less feasible was to create a 21st Century state of the art museum in an already 108 year old building.

Mr Foreman concluded by stating that the Council would be failing in its public duty in terms of best value if it did not give officers time to explore thoroughly all other possible options. Hitchin needed both a community centre and a museum in separate buildings.

Additional Information

Extract from Letchworth Garden City Heritage Foundation – Report of Annual accounts to 30th September 2008.

Plinston Hall/Spirella Ballroom- This charitable enterprise operates under the 'recreation and leisure' charitable object and benefited from funding of £634,000 from the Foundation in 2007-08.

Hitchin Town Hall is not a listed building, and the English Heritage – Law and Government Selection Guide- March 2007 suggest that Hitchin Town hall would not pass the greater selectivity test applied to municipal building built from the middle years of the nineteenth century onwards to be designated as of Special Interest.

The Design Philosophy section of the Feasibility Study Report – appendix 1 page 26 states:- *The structural works have been designed wherever possible to cause minimal intervention to the existing buildings. With the exception of the new stairwell and re-roofing to form the roof garden the works would be reversible in that the new structure could be removed and the original structure be reinstated.*

(iv) Mr Docwra and Mr Rutland – on behalf of residents in Grammar School Walk, Hitchin

Mr Docwra and Mr Rutland expressed the support of residents of Grammar School Walk to the proposal to convert the Main Hall into a museum facility. They outlined a number of problems they had experienced when the Main Hall had been in evening use for social gatherings, which included traffic obstructions, car noise, music noise, fire exits doors being left open, and anti-social behaviour. Many of the residents were elderly and had felt uncomfortable and unsafe in their own homes as a consequence of some of this activity.

Mr Docwra and Mr Rutland concluded by presenting a petition signed by 18 residents of Grammar School Walk, as follows:

“We, the residents of Grammar School Walk, would like to tell the Councillors of NHDC that we would very much like to see Hitchin Town Hall converted into a museum. We live opposite the back of the Town Hall, and have had ongoing problems with noise, food smells, parking and lack of respect for our property with some (not all) of the large functions that take place in the main hall. We gather that the gym and Lucas Room will remain in community use, and are happy with this, but think that a museum is an excellent use for this historic building.”

Additional Information

Officers responsible for the management of Hitchin Town Hall are aware of a small number of occasions where events held at HTH have overrun or where charges have been made for cleaning or damage to the hall, suggesting an element of rowdy behaviour or behaviour in breach of the hire conditions. From January 2008 to October 2009 (22 months) there were five such occurrences of this nature.

In addition there have been two formal noise and nuisance complaints received from the residents in the properties near to HTH, about the users since 2007. Halls management staff are in regular contact with the neighbours of the building to attempt to address any issues relating to hall usage as they arise, however officers are aware of residents preference not to make formal complaints, which is likely to mean this figure understates the level of nuisance they have experienced.

The Police have researched their incident log database (OASIS) and found there have been 51 incidents linked to Hitchin Town Hall directly over the last three years. The only specific noise complaint were is linked to a wedding 3rd August 1997, and a disturbance at another wedding in September 1998.

The rest of the calls are linked to drunk behaviour in the street outside.

(v) Ms Morag Norgan – Hitchin Initiative

Ms Norgan stated that the need for savings by NHDC was understood by the Hitchin Initiative and that there was a desire to work with NHDC towards a mutually beneficial outcome. However, she felt that it would be unwise for the Council to commit £3.5million to the project until the exact costs were known.

Ms Norgan advised that Cabinet should not ignore the recommendations of the Scrutiny Committee, and urged councillors to make their individual decisions on this basis. Further time was needed to enable Members and officers, assisted by the Hitchin Initiative and other local groups, to arrive at a more viable solution for the future of the Town Hall and the Museums Service. Ms Norgan felt that, working together, a viable solution could be produced, that would pass scrutiny, within 24 months.

Additional Information

NHDC Property Services team have reviewed the Feasibility Study report and have not found any areas of concern to suggest the costs have been under stated. In addition, the Prince2 Project methodology used by NHDC to manage large scale capital projects allows a regular and frequent review of factors which will have impact on costs, such as delayed start dates, and major changes to the building plans.

The process used by NHDC by which it undertakes major capital works has a good track record overall in bringing major scheme projects in on time and in budget, the most recent of these being Baldock Town Centre enhancement works. The Feasibility process is designed to allow indicative costs to be identified. The total cost identified for this proposal is £3.44 million which includes a sum of 7.5% of the building costs and 10% of the fit out costs to allow for contingencies. Comment has also been made about the list of exclusion as set out in the Feasibility Cost report, a number of these items have been added separately to the Total Out-Turn Cost summary , e.g. Fees and

Survey. Other items like hand held fire-fighting equipment are covered by the normal building maintenance budgets.

A delayed decision (24 months) from December 2009 will mean the earliest new Museums provision will be in place April 2014. During this time the future of the three buildings in question will be uncertain, which is likely to have a detrimental impact on the service the public can expect, in addition to a delay in achieving the identified revenue savings.

(vii) Councillor J.M. Cunningham

Councillor Cunningham began by stating that he considered that Local Authorities should provide both cultural and community facilities. He felt that the Feasibility Study was a very good piece of work, but his concern was not whether a conversion was feasible, but whether the cost of the conversion was valid, especially in view of the potential shortfall in exhibition space. There appeared to be no Business Plan in place to manage the potential 10% drop in community use of the building.

Councillor Cunningham was also concerned with the indication in the report that there may need to be an element of cross-subsidy from the Museums Service into the running costs of the facility. He also had difficulty with the cost estimates presented in the report, in that the capital estimate of £3.5M included the Resource Centre, but the cost for the work to the Town Hall alone was shown in the Feasibility Study at an estimate of £3.44M.

Additional Information

Museums Officers have reviewed the labelling of the plans and the three smaller ground floor Gallery spaces at the front of the building, and have suggested that they are identified as temporary exhibition space, in order to accommodate similar usage as the current small space community exhibition area at the current Museums. (Mezzanine Gallery at Letchworth and the temporary exhibition ground floor areas at Hitchin)

This would result in the Exhibition/Gallery and Temporary exhibition/flexible use space being increased by 12.5% over the existing provision. However a five fold increase in community use space also includes significant space to be used for the Museums Service such as the Education Suite and Local History Study Centre.

Whilst at this Feasibility Stage no formal Business Plan for the new building has been developed, a detailed analysis has been undertaken of the Hitchin Town Hall and Museums annual spend and operating budgets, in order to develop a financial model for the proposed new facility. The assumptions used to identify the revenue costs and potential savings from this proposal have taken a conservative view with regards to retained income from hirers. Only the income generated from hire of the Gymnasium and Lucas rooms regular hirers has been included in the cost model. Cost relating to the increased footprint of this building and specific costs relating to retained Community Usage such as licensing and commercial waste disposal have been incorporated into the expenditure figures used.

As more detailed building plans are developed, and the usage and operation model for the new facility become clearer, the assumption used to generate the financial model will be reviewed and a full Business Plan developed.

The model developed by Officers shows that the net effect of bringing together Hitchin Town Hall and the two Museums, under the current proposal. These figures are summarised in the Finance section of this report in Table 4 and 5. The Workman's Hall Trust requires separate accounting of its income and expenditure so cost and income separation will be established.

The initial Museums FSR report to Cabinet in 2005 included the following financial information:-

The principles set out by the review for the future shape of this service are accepted, there are likely to be significant financial and human resource implications. These cannot as yet be identified with any certainty. They will be quantified prior to formal agreement being received to progress with each of the specific schemes identified by this review.

Initial calculations indicate that a capital scheme in the region of £5 million would be required to provide the purpose built new museum. An additional £1million would be required to build storage, although a leased building should also be considered

A figure of £3.5m has been included in the Capital programme for the re-provision of the Museum and collection centre as per the following extract from the capital report to Cabinet in January 2009:

In addition to the investment proposals detailed in Appendix C it is proposed to incorporate the following into the capital programme:

Closure of Letchworth Museum. Revenue efficiencies have already been achieved but further envisaged efficiencies were dependent on a capital investment proposal for the overall case. A provisional sum of up to £3.5m has been put in the capital programme in anticipation of a decision on the rescheduling options of the programme which would anticipate between £1m - £2.5m third party grants may be available. If third party contributions are not available, the investment would be funded from capital receipts.

The report advised that there were a number of caveats about the availability of grant funding, which depended on how quickly we need works to progress, hence the final sentence. This estimate was based on approximately £2.5m for the Museum and £1m for the Collections Centre.

The Feasibility Study as reported to Cabinet in October refers to a cost of £3.4m for the conversion of HTH to a Museum without any provision for a Collections Centre. This is an indicative figure and further detailed building investigation work is required on any structural issues with the HTH building, and the needs of the users of this cross functional building, but it is considered by officers to give a sound estimate. The HTH building is larger than that envisaged as required for sole Museums usage and this is reflected in the increase in estimate of building costs.

If agreed to progress the next stage of this project, more detailed design and structural investigations work will be undertaken so that the actual cost figure can be firmed up. Third party grants may still be available and realisable in the time scale of the project, however this is likely to be limited to the fit out element of this project. We would need to bear in mind the impact grant application decision time-lines might have on the

ability to proceed quickly with this work, and that external funding cannot be guaranteed.

There is no firmer cost estimation work available at present for a new Museums Collection Centre as the focus has been on the replacement Museum facility. However, as the proposed new Museum on the HTH site will have greater space, and be able to accommodate all of the Museums service staff it is likely to reduce the size of Collection Centre required, and also the cost. Extensive work has already taken place with all the Museums in our district to look at the possibility of developing a joint facility to meet all of the groups needs. This aspiration will however need to be revisited based on these amended requirements, aspirations and available funding.

4.3 Referrals from Committees to Cabinet

- (i) Cabinet 20 October 2009 - Item 6a Referral from Hitchin Committee – 22 September 2009- Hitchin Town Hall: Museums Feasibility Study: Update on progress.

RECOMMENDED TO CABINET:

- (1) That Cabinet be advised that the Hitchin Committee did not support any Option proposed in the draft feasibility study which would end the use of Hitchin Town Hall as Hitchin's 'Central Community Centre' with the large main hall continuing to be available for public use;
- (2) That Cabinet be advised that Hitchin Committee was committed to support the continued presence of a Museum within Hitchin that would include the Hitchin Collection;
- (3) That the Hitchin Committee requested that serious consideration should be given to other options for Hitchin Museum and a Museum for North Hertfordshire including those presented this meeting (Development of Library and Museum at Paynes Park);
- (4) That the Hitchin Committee supported the work of Hitchin Initiative and other local organisations pertaining to alternative options for use of Hitchin Town Hall.

- (ii) Cabinet 20 October 2009 - Item 6b Referral from Letchworth Committee – 23 September 2009- Hitchin Town Hall: Museums Feasibility Study: Update on progress.

RECOMMENDED TO CABINET:

- (1) That the process of locating the District Museum in Hitchin Town Hall, with the subsequent loss of this valuable community facility, be stopped with immediate effect;
- (2) That the proposed closure of Letchworth Museum and Hitchin Museum be postponed until arrangements are finalised for an alternative District Museum;
- (3) That Cabinet consider proposals for alternative locations for a District Museum, including Letchworth Town Hall. This is a redundant building that NHDC already owns, which is suitable for conversion to a District Museum, is capable of future expansion and will provide a sustainable base for the Museum Service in North Hertfordshire.

Additional Information

Although Cabinet has resolved to put in place plans to close Letchworth Museum by 31 March 2011 the revenue budget allows for Letchworth Museum to remain open until a firm date for the replacement Museum has been established. This does however prevent the identified annual revenue savings being made. For Letchworth Museum, the additional running costs will be £50.9k for one year, this is on running costs only. The current proposals for conversion of HTH to be the new Museum suggest a one year deferral will be required.

Officers have been instructed by Cabinet to undertake the Feasibility Study for Hitchin Town Hall in order to establish quickly if the required financial efficiencies can be secured. It is possible to investigate alternative venues for a District Museum however with finite resources this will divert resources away from developing the existing proposal, adding additional time and costs dependant upon the number and complexity of options which officers are asked to explore.

- (iii) Cabinet 20 October 2009 - Item 6d Referral from Scrutiny Committee – 13 October 2009- Hitchin Town Hall: Museums Feasibility Study: Update on progress.

RECOMMENDED TO CABINET:

- (1) That Cabinet revisit all aspects of the options for improving museum provision in the District, whilst delivering required savings;
- (2) That Cabinet should examine ways to retain sustainable community use of Hitchin Town Hall, irrespective of any decision regarding museums;
- (3) That Cabinet reconsider their decision to close Letchworth Museum, until such time that a new museum provision is available;
- (4) That recommendations 9.2 and 9.3 of the report entitled Hitchin Town Hall - Museum Feasibility Study - Outcome be deleted

9.2 That Cabinet consider whether it wishes to recommend to Council that the financial and other resources necessary to progress this project are put in place.

9.3 That subject this the financial impact of delaying the closure of Letchworth Museum to coincide with the plans to open the new museum be quantified.

4.4 At their 20th October 2009 meeting Cabinet

RESOLVED:

- (1) That the findings set out in the report and Feasibility Study for conversion of Hitchin Town Hall into a new Museum be supported;
- (2) That the comments, views and recommendations of the public speakers, the Hitchin Committee, the Letchworth Committee and the Scrutiny Committee be noted.

RECOMMENDED TO COUNCIL:

- (1) That the necessary financial and other resources necessary to progress the conversion of Hitchin Town Hall into a new Museum be put in place;

- (2) That, subject to this, the financial impact of delaying the closure of Letchworth Museum to coincide with the plans to open the new museum be quantified.

5. LEGAL IMPLICATIONS

- 5.1 Cabinet has responsibility for agreeing policies and strategies other than those reserved to Council. Strategic decisions relating to Museums and Halls are not reserved to Council and therefore fall within Cabinet's jurisdiction.
- 5.2 Cabinet additionally has overall responsibility to oversee the provision of Council services where this is not reserved to Council. Therefore taken together with its strategic role, it can endorse a decision for early closure of the Letchworth Museum. However, as this decision has budget implications it is necessary for Cabinet to refer this decision for approval by Council (The Local Authority Functions and Responsibilities England Regulations 2000 Schedule 4).
- 5.3 Under the terms of the conveyance (which passed the Gymnasium within the Hitchin Town Hall to the former Hitchin UDC) it states that any future use of the Gymnasium must be for use as a Gym *or for other purposes mentioned in s6(3) Museums and Gymnasiums Act 1891* and also for any other (charitable) purpose for the benefit of the North Herts District. The Museums and Gymnasiums Act 1891 has been replaced by the Public Libraries and Museums Act 1964 and the Local Government (Miscellaneous Provisions) Act 1976. Broadly, there are powers in these two Acts for local authorities to provide recreational facilities, Museums and Art Galleries. The Trust relating to part of Hitchin Town Hall is therefore likely to be able to support the use of it's property as a Museum and Community Hall/Gym. However any decision with regards to the future operation of the Trust property at HTH will require it's formal agreement.
- 5.4 The future of any property subject to the Trust outlined in paragraph 5.3 above will be subject to consideration by the Cabinet Sub-Committee (Hitchin Town Hall Trust). The Council is the Trustee, however the Cabinet Sub-Committee has been constituted to act on behalf of the Council to consider all matters in connection with the future use, operation and management of the Trust property. Its role is to act exclusively in the best interests of the Trust. Clear separation of the role of the Sub-Committee to consider the Trust property and the role of Cabinet to consider the remainder of the property must be maintained.
- 5.5 The procurement of a contractor to undertake any works arising from this project will need to comply with the Council's Contract Procurement Rules and EU procurement rules. The project cost is estimated to be under but near to the existing European threshold. The thresholds are published bi-annually, the next set will be on 1st January 2010. However the trend in the last 4 years has been a steady reduction in the thresholds, so officers are recommending that additional time to follow OJEU procedures are built into the timetable.

6. FINANCIAL AND RISK IMPLICATIONS

- 6.1 The scheme cost in the capital programme is £3.5m (inclusive of a Resource Centre) as referred to in paragraph 4.2 (vii) of this report, included within this is provision for professional fees relating to appraisal, design and tender stages. Approval for these stages is in place for 2009/10, the timetabling and total amount of this funding will need to be reviewed in line with the Feasibility Report, if Council approval to progress is given.

- 6.2 Estimates confirm that this proposal for conversion to Hitchin Town Hall to include a Museums and community facilities is expected to cost £3.44 M. That given the time scales involved only the fit out element of this work, can realistically form part of an external funding bid which is indicated as a maximum of £1.03M. The significant capital resources required for this project will require a review of the availability of funding from capital receipts and whether it would be desirable for the Council to fund the project through prudential borrowing. An additional sum of up to £1m may also be needed if plans in the Museum FSR are pursued to re-provide a new Collection Centre. Detailed work will be conducted to re-specify and cost the requirements of this linked scheme if the HTH Museum project progresses. Because of the reduced requirement in staffing accommodation and storage requirements the plans are now likely to be scaled down from the original outline plans.
- 6.3 Financial Modelling suggests that significant annual revenue savings can be achieved as a result of this project.

Table 4: Hitchin Town Hall Museum & Community Venue Proposal annual revenue estimates

Site	Current Revenue Expenditure(including overheads)	Projected Expenditure at Hitchin Town Hall if proposed scheme is progressed
Hitchin Museum	£ 192,280	£ -
Letchworth Museum	£ 224,170	£ -
Other Museum Management costs	£ 196,490	£ 196,490
Hitchin Town Hall	£ 189,440	£ 444,940
Grand Total	£ 802,380	£ 641,430

- 6.4 Museums Fundamental Service Review suggested a £125,000 savings target in the annual revenue cost of the service in the medium to long term. These proposals will allow this savings to be achieved within this service area. In addition with significant community usage being able to be retained at the Hitchin Town Hall site it is expected that many regular hirers of the Lucas Room and Gym can continue to be accommodated, and income from this and savings from having Museums staff on site to administer and operate the building for community use gives a further cost saving.
- 6.4 Table 5 sets out a summary of the estimated efficiencies below:

Table 5: Hitchin Town Hall Museum Proposal: Estimated Revenue Efficiencies

Efficiencies	£,000
Museums Efficiencies	
Staffing	£62,330 *
Buildings	£62,730
Town Hall	
Staffing	£68,000
loss of income	(£32,110)
Total	£160,950

* Included £24,130 savings already achieved; £38,200 to be identified.

- 6.5 Hitchin Town Hall has been identified as needing significant investment to modernise and refurbish it in the region of £930,000 when last reviewed in 2007, however no funding to do this has been identified.
- 6.6 As a result of this proposals both the existing Letchworth Museums and Hitchin Museums buildings will be declared surplus to requirements. Covenants exist on both buildings which will restrict opportunities for their reuse. However their closure as public venues will significantly reduce the future investment requirements relating to improved DDA access.

7. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

- 7.1 Currently there are no immediate Human Resources implications arising from this planning stage. If these proposals are progressed, detailed discussions relating to the impact of these plans on staff will be required to take place at the earliest opportunity.
- 7.2 The Council recognises the changing nature of equality legislation and incorporates national legislation and regulations into its scheme and services as appropriate, as set out in the Corporate Equality Strategy. The Race Relations (Amendment) Act 2000 marked a very significant innovation in the legal framework. It placed much of what was previously only advisory and voluntary on to a statutory footing. The Act extends the provisions of the Race Relations Act 1976 to cover all the activities of all public authorities. It makes important extensions to public authority duties. Equivalent statutory duties have been created for disability by the Disability Discrimination Act 2005 and for gender by the Equality Act 2006. These duties divide into a general duty and specific duties. The Museum FSR Service Improvement Plan was specifically designed to improve accessibility to Museum facilities and in particular to achieve compliance with the provisions of the Disability Discrimination Act (DDA). Upper floors of Hitchin Museums and Letchworth Museums and Hitchin Town Hall are all inaccessible to those unable to negotiate stairs, whether due to a disability or their circumstances, such as families with young children.

8. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 8.1 Prior to consideration by Cabinet a report setting out the background to the Feasibility Study was presented to all five NHDC Area Committees in the September/October Cycle. Referrals from two of these Committees are set out in paragraph 4.3 of this report.
- 8.2 Scrutiny Committee have expressed an interest in this work and so a draft of this report was considered at their meeting on 13th October 2009 meeting. A referral from this Committee is set out in paragraph 4.3 of this report.
- 8.3 Consultation has taken place with the Portfolio Holder for Community Engagement and Rural Affairs.
- 8.4 A Facilities Working Group, which is open to members of the public and representatives of local groups, has been established to help inform the development of the Feasibility Study. This group has met on three occasions, with the most recent meeting being used to consider the Options Appraisal report here shown at Background Paper 1, and to feed in comments to allow Buttress Fuller Alsop Williams Architects (who are undertaking the works on behalf of the Council) to refine the possibilities for the building design ahead of more detailed works required by the

Feasibility Study. Notes providing a summary of the topics discussed at these meetings are produced and published on the website at http://www.north-herts.gov.uk/index/leisure_and_culture/art_museums_and_heritage/art_museums_and_heritage_forum.htm

- 8.5 Opponents of the proposals to convert Hitchin Town Hall into a new Museum have collected a petition. Interest groups in the town, including Hitchin Society, Hitchin Forum and Keep Hitchin Special, have promoted this cause and collected supporting signatures. However, Members are reminded of the suggestion made by petitioners that a 'large scale' of community use would be lost as detailed in paragraph 4.2 (ii) of this report.

- 8.6 Declarations of continued community interest in operating the Hitchin Town Hall building as a community managed venue continue to be received. The latest via a letter and email to all Members of NHDC dated 18th November 2009, sent on behalf of Hitchin Form, The Hitchin Society, Keep Hitchin Special, Hitchin Initiative, Hitchin Chamber of Commerce, Hitchin Art Club and Arts Council for North Hertfordshire. Stated

"Our community groups are prepared to commit to setting up a Community Trust or Community Interest Company to manage, promote and raise funding so that a gradual transfer of the Town Hall to community ownership can be achieved over a 3 year period".

No formal plans to support this statement have been received by NHDC to put before it Members, for consideration at this time.

- 8.7 Officers have regularly met with the HCC Library Service, the last occasion was in October 2009, when they reconfirmed that the current library buildings in Letchworth & Hitchin are fit for purpose and that they have no plans to make significant changes in the foreseeable future.

- 8.8 The Hertfordshire Museums Development Officer was consulted as part of the North Herts Museums and Galleries Fundamental service review in 2005. Her professional views were once again sought with regards to the Feasibility Study proposal. Her comments are included below:

I have looked at the report from the architects and feel they have come up with the very best solution possible taking on board the need of some of the current users and creating the Community Hall and retaining the Lucas Room. Both will provide flexible community spaces which will bring in a wide range of people in to the Museum building and provide scope for income generation. To bring all the staff together from Burymead, and the museums can only make delivering the new facility and developing services easier and more effective. In total I think this is an excellent proposal and one which would greatly benefit not only North Herts but the county as a whole providing high quality gallery spaces which is very much lacking in this area

- 8.9 A meeting has been set up in November to discuss the proposed plans for HTH conversion with the regular hirers of HTH to confirm Officers' assumptions with regards to the ability of the proposed scheme to accommodate the majority of regular users of the facility.

- 8.10 Following the Museums FSR, the Arts, Museums & Heritage Forum was established in January 2006 as a consultation forum to inform Project Board in future planning for the development of the museum service. Eight twice-yearly meetings have been held in venues all around the District, normally attended by between 40 to 50 people, representing over 43 local groups. The meetings are public, and anyone may attend. Notes and presentations from these meetings are posted on the Arts, Museum & Heritage pages of the NHDC website. The plan for one first-class accessible museum to replace the two ageing ones has been discussed in this forum since its first meeting.

9. RECOMMENDATIONS

- 9.1 That the findings set out in the Feasibility Study and this report be considered by Council.
- 9.2 That the recommendation from Cabinet at its 20th October 2009 be considered by Council.
- 9.3 That Council agree to progress with this project, which will require amendments to the Capital programme as set out in paragraph 6.2 (£3.44million total cost for conversion of Hitchin Town Hall with maximum external funding of £1.03million and the remainder funded by either capital receipts or prudential borrowing) of this report in order that the full programme of works identified in the Museums FSR can still be completed. Revised plans for the Collection Centre will be presented to Members prior to officers seeking agreement to progress that element of the scheme.
- 9.4 That Council agree to delaying the closure of Letchworth Museum to coincide with the plans to open the new museum.

10. REASONS FOR RECOMMENDATIONS

- 10.1 To ensure Members receive and understand the professional advice about the suitability of Hitchin Town Hall to be a new Museum, whilst also being able to continue to provide community use facilities in Hitchin town centre.
- 10.2 To ensure that consideration is given to the broader consequences of the decisions relating to this project.
- 10.3 In order that this project can be progressed, in line with agreed policy, the appropriate resources need to be assigned.
- 10.4 To ensure cost efficiencies can be achieved with minimal disruption to the users of the museums service.

11. CONTACT OFFICERS

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12. APPENDICES

- 12.1 Annex 1 Hitchin Town Hall Museums Feasibility Study - October 2009 (previously circulated)
- 12.2 Annex 2 Report to Cabinet 20th October 2009 Hitchin Town Hall- Museums Feasibility Study – Update on progress
- 12.3 Annex 3 Report to Cabinet 20th October 2009, Hitchin Town Hall- Museums Feasibility Study – Technical annex

13. BACKGROUND PAPERS

- 13.1 Hitchin Town Hall Museums Feasibility - Options Appraisal Report, 3rd September 2009
- 13.2 Report to Cabinet 23rd August 2005 on the Findings of the Review of the North Herts Museums Services.

- 13.3 Draft Collections Centre Business Case submitted to the Museums Project Board, 5th March 2008.
- 13.4 Report to Cabinet 27th January 2009 on the Future of Museums Services.
- 13.5 Cragg Management Services report on the possible relocation of North Hertfordshire Museums to Hitchin Town Hall- Annex 2, Cabinet 19th May 2009