

LIST OF PREVIOUS DECISIONS

23 rd August 2005	Cabinet	FINDINGS OF THE REVIEW OF THE NORTH HERTS MUSEUM SERVICE The Cabinet considered the report of the Strategic Director of Customer Services, which set out the findings of the Review. <i>RESOLVED:</i> That the Improvement Plan developed by the Review be deemed acceptable and that the following activities be undertaken in order to implement it: 1. A detailed costed scheme proposal and timetable be developed, complete with funding options so that the scheme can be included in the capital programme at a future date; 2. That Officers enter into consultation with the Letchworth Garden City Heritage Foundation to look at the possibility of partnership working for the provision of museums, arts and storage within Letchworth Garden City; 3. That Officers contact district wide voluntary museums, heritage and arts providers to establish more detailed communication and development plans; 4. That a project board be established and PRINCE 2 methodology be used for the development of a business case for the Capital Works projects identified within the Improvement Plan; 5. The possibility of securing external funding to support the implementation of parts of the Improvement Plan be investigated further 6. That all Area Committees be consulted in formulating and recommending proposals.
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		REASON FOR DECISION: To allow more detailed plans to be developed ahead of a formal request for funding and resources.
27 th January 2009	Cabinet	FUTURE OF MUSEUMS SERVICES Councillor Levett advised that he was representing the view of the majority of Letchworth Conservative Members on the District Council, who were unable to support the immediate closure of the Letchworth Museum. Following the Museums FSR, a Project Board (involving input from the Museum Service and Letchworth Garden City Heritage Foundation) had been established to take forward the agreed FSR recommendations. This Project Board had been meeting for 3 years, and Councillor Levett considered that to proceed with the closure of the Letchworth Museum now would seriously undermine the work carried out by the Board. Councillor Levett referred to the financial implications of the proposed closure. He considered that it would be inappropriate if the proposed 2009/10 efficiency saving of £50,000 for the closure of a frontline service was approved, when an alternative source of funding had been identified to close the Council's budget deficit, namely the £59,000 which would not now be required to extend the organic waste collection service to multiple occupancy properties. The Portfolio Holder for Community Engagement and Rural Affairs presented a joint report of the Heads of Community Development & Cultural Services and Financial Services which provided Cabinet with relevant information on a proposal to change the timescale for the closure of a museum, as envisaged in the Museums Fundamental Service Review (FSR), in order to provide additional potential efficiencies to help produce a balanced budget for 2009/10. Members were asked to note that, whilst a proposal to close the budget gap has been made in the Budget Proposals report elsewhere on the agenda (see Minute 105 below), which assumed the closure of Letchworth Museum, this would be subject to Cabinet's decision on that matter.

		The joint report has been prepared for the 'Project Executive', to provide Cabinet with sufficient information to inform any decision on the timing of closure. It was stressed, however, that whilst care had been taken in compiling the report, the short time available to produce it had meant that consultation with stakeholders and a very detailed operational and financial analysis had not been carried out. The full background to the project was detailed in the report, as was the timescale for progressing the actions set out in the FSR Action Plan. This timescale had been designed to allow for a Collection Centre to receive the collections from both Burymead and any items from either Hitchin or Letchworth Museums, following the establishment of a new/refurbishment museum for North Hertfordshire. Work had since progressed on the development of a Business Case for a new Collections Centre, though in recent months this had been somewhat slowed down in view of the need to review the necessary levels of investment of resources to carry out the works. As a result of the recent and significant impact of the reductions in interest rates and the consequent loss of income to the Council, a number of additional proposals were quickly produced, including a major reassessment of the timing to bring forward the closure of a museum, as envisaged within the Museums FSR implementation plan, as an efficiency to help bridge the budget gap. The report detailed fully the key issues in relation to the closure of Letchworth Museum; the development of a new Collections Centre in Letchworth; and the possible establishment of a North Hertfordshire Museum. The proposal to close the Letchworth Museum for the financial year 2009/10 would change the original project plan timeline for the Museums FSR. As a result, two options could be considered for the further implementation of the improvements to the museums service: Option 1 Develop the Collections Centre, then complete the refurbishment of the Hitchin Town Hall to be the North Herts Museum. This reflected the present Project Plan, which indicated that the Collections Centre should be completed prior to a new/refurbished museum for North Herts. For both these schemes, external funding would need to be secured for the capital works.
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		Option 2 Develop the Hitchin Town Hall to be the North Herts Museum, then complete a smaller Collections Centre. This alternative approach was driven very much by cost differentials and also the potential for generating the necessary inward investment. There was also a public perception that a front line museum provision would be of greater benefit than a resource or collections centre. If the Letchworth Museum was closed, then it would lose its Accredited Status and any application to the Heritage Lottery fund (HLF) for grant funding by North Herts District Council would be seriously compromised. To continue with the Collections Centre as originally proposed may therefore require a greater call on Council capital resources. However, given that the Hitchin Museum would retain its Accredited Status, then any HLF application for a new/refurbished museum in Hitchin would probably have a better chance of success, though this would be very much dependent upon the quality of the application, rival bids and the amount of funds available. If Cabinet decided to proceed with the closure of Letchworth Museum, Option 2 suggested that the priority should be the development of a new district-wide museum to be located in Hitchin. A new Collections Centre, most likely to be in Letchworth, would still be considered, but this would probably be on a smaller scale as it would be less likely to secure the higher levels of external funding. This option would also require the Council to consider its collection policies and in a structured way work towards rationalising this to make future maintenance of the collection more cost effective. In terms of the financial implications of the proposals, the Portfolio Holder for Community Engagement and Rural Affairs commented that, following the reduction of interest rates on 8 January 2009, the Council's budget gap had increased by a further £200,000 to £620,000. The revenue efficiency following the closure of the Letchworth Museum was estimated to be £50,000 in 2009/10. Given the expected delay before a new collection centre or museum was ready, it was not expected that any further revenue efficiencies could be made until approximately 2011/12.
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		An allowance for the risk that the full year's saving in 2009/10 may not be achieved had been incorporated into the estimated general fund balance as part of the financial risk analysis. A provisional sum of £3.5million had been proposed for the Capital Programme, beginning 2009/10, in anticipation of a decision on the rescheduling options presented in the report. Cabinet debated the report, and the following comments were made by Members: • The efficiency saving of £50,000 appeared small, but represented 0.6% of Council Tax; • The outcome of the Museums FSR was clear, in that it envisaged the creation of a North Herts Museum, a Collections Centre, and the potential use of shared resources with the Letchworth Garden City Heritage Foundation; • The Council's existing Museums were not fit for purpose (not Disability Discrimination Act compliant; had poor storage; limited display areas, etc.); • Whilst the Museums were well used by primary schools, a number of the secondary schools rarely used them, due to their limitations. The Portfolio Holder for Community Engagement and Rural Affairs had carefully considered the report and acknowledged the comments made by her Cabinet colleagues. She stated that the rationalisation of the Museums Service to provide a modern, accessible and high quality visitor experience had been an agreed objective of the Council for several years. In current economic circumstances she felt that it was quite correct that the Council considered the timing of its development plans so that its planned capital investment could help to support town centres, in this case Hitchin. As outlined in Option 2 of the report, investment here could see a positive future for Hitchin Town Hall and a higher level of revenue savings in the long-term. Such a conversion would also maintain an element of public use for the Town Hall, and for that reason she proposed that option 2 was pursued. However, she was conscious that it could be possible to close the gap in the proposed budget without recourse to the immediate closure of Letchworth Museum (see Minute 105 below). For that reason, she further proposed that the implementation of Option 2 was delayed until 31 March 2011 to allow for the detailed work to commence on the decommissioning of the museum, but nonetheless retained the prospect of significant revenue savings in the Financial
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		Year 2011/12 and greater saving in future years once the District Museum was completed. RESOLVED: (1) That Option 2, as outlined in the report, be adopted and the necessary changes in the implementation plan be made; (2) That, as part of this strategy, plans for closing Letchworth Museum by 31 March 2011 be agreed; (3) That this be accompanied by a change in the Capital Programme to accommodate the Museum Service, including the construction of a museum in a refurbished Hitchin Town Hall; (4) That, in view of the short time available in considering this matter, the Scrutiny Committee be offered the opportunity to scrutinise this decision prior to implementation. REASON FOR DECISION: To provide a potential efficiency to contribute towards savings required within the Corporate Business Planning process.
19 th May 2009	Cabinet	MUSEUMS: REVISED SERVICE IMPROVEMENT PLAN The Portfolio Holder for Community Engagement and Rural Affairs presented a report of the Strategic Director of Customer Services in respect of Museums – Revised Service Improvement Plan. The following annexes were submitted with The report: Annex 1 – Cabinet report: 27 January 2009; Annex 2 – Report on Possible relocation of North Herts Museums to Hitchin Town Hall – Consultant’s Report: 30 April 2009; Annex 3 – Options Appraisal Report and Museums Project Board: 22 January

		2009; Annex 4 – Heritage and Cultural Strategy 2007/11. The Strategic Director of Customer Services reminded Cabinet of its decision regarding the Museums Service, made at its meeting held on 27 January 2009, as follows: (5) 'That Option 2, as outlined in the report, be adopted and the necessary changes in the implementation plan be made; (6) That, as part of this strategy, plans for closing Letchworth Museum by 31 March 2011 be agreed; (7) That this be accompanied by a change in the Capital Programme to accommodate the Museum Service, including the construction of a museum in a refurbished Hitchin Town Hall; (8) That, in view of the short time available in considering this matter, the Scrutiny Committee be offered the opportunity to scrutinise this decision prior to implementation'. Cabinet was advised that Option 2, more fully described in Annex 1 to the report, proposed the development of Hitchin Town Hall as a museum for North Hertfordshire, and the deferral of the completion of a smaller collection centre than originally envisaged in the Service Improvement Plan. The Strategic Director of Customer Services explained that, following Cabinet's decision, an initial feasibility study was commissioned to establish 'proof of concept' and this paper was subsequently prepared for submission to the Council's Asset Management Group as a necessary stage in securing final approval for capital expenditure and to help frame the terms of reference for a comprehensive feasibility
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		study. A copy of the Consultant's report was appended as Annex 2 to the report. Also appended at Annex 3 was a copy of the options appraisal report (as updated) considered by the Museums Project Board, and which formed the basis for the recommended changes. The Strategic Director of Customer Services referred to the summary in the Consultant's report, as follows: "We consider that the Town Hall building could be adapted for the purpose, and that suitable education and study space and other public facilities, as well as office space for the museum service staff, could be provided. Some limited additional storage space could also be accommodated: this would be limited to essential items associated with current displays. Two possible conversion options are shown in outline form on the attached sketches sk11 and sk12, although other combinations of these options are possible. Option 1 is cheaper; Option 2 provides more space and goes further towards satisfying the brief. We have provisionally assessed the project costs for the two options at around £2.35M and £2.6M respectively. An indicative development programme has been suggested: this indicates that completion would be possible by January 2012, but steady progress would need to be maintained through to completion. The form of procurement could affect the key milestones however the overall completion dates are likely to be similar. The use of the building as a Museum could be combined with other uses, for meetings or private functions, but we consider that the current use for large weddings parties would not be easily accommodated on account of the large spaces required, and the potential security implications without further flexible and robust museum gallery design considerations. The preference is to retain a degree of private and public usage and further detailed discussions and design development would be needed to secure this option on a limited scale". Cabinet was informed that, following consideration of the Consultant's report, the
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		Head of Financial Services had approved the scheme for inclusion in the Capital Programme and, by implication, the release of funding for a detailed feasibility study which was anticipated to cost in the region of £25,000 - £30,000. The report contained an indicative timetable for this work, which showed an estimated completion date for submission of the final feasibility study report by Mid November 2009. The Strategic Director of Customer Services advised that the timetable for the feasibility study, together with the programme for design and construction detailed in Annex 2 of the report, would suggest that completion of the project would be in January 2012. Although it may be possible to shorten the feasibility, design or construction stages this would be dependant on conditions on site, which were not yet fully known. As a result, Cabinet was made aware that its previous decision to close Letchworth Museum by 31 March 2011 would bear additional and unbudgeted costs which would need to be quantified following any amendments to the outline programme for feasibility, design and construction. Officers would report on this and other options in detail at the earliest opportunity. The report had been considered by the Scrutiny Committee, at its meeting held on 18 May 2009. The recommendations of the Scrutiny Committee were tabled at the meeting, and were presented by the Chairman of that Committee as follows: “(1) That the Scrutiny Committee recognises the need to improve the Museums Service; (2) That the Scrutiny Committee expresses concern at the lack of consultation; (3) That the Museum Collection Service be separated from the public Museum Service and progressed separately; (4) That future provision for current users of Hitchin Town Hall be addressed; (5) That all external grant funding opportunities be pursued;
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		(6) That the need to address the problems of Museums, Hitchin Town Hall and a Museums Collections Service is acknowledged and further feasibility work is undertaken on all of these; (7) That dialogue with all relevant bodies regarding museums is continued.” The Portfolio Holder for Community Engagement and Rural Affairs responded to each of the Scrutiny Committee’s recommendations as follows: (1) It was gratifying that the Scrutiny Committee supported the need to improve the Museums Service, as recommended by the Museums Fundamental Service Review (FSR); (2) There had been regular consultation with the Arts, Museums and Heritage Forum over the past 4 years, including the specific proposal of a feasibility study regarding the use of Hitchin Town hall as a museum; (3) The Capital Programme contained a sum of £3.5M, which would be sufficient to support the Collections Centre and new District wide Museum – limited resources meant that it would be difficult to progress both at the same time; (4) An integral part of the plans would be to find a third party operator to assist with this matter; (5) The timescale of the project would mean that there was limited opportunity for Heritage Lottery Funding, as the bidding process
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		would take 18 months to 2 years, with no guarantee of success. However, it may be possible to apply for such funding for the internal fitting out of the premises; (6) The proposed feasibility study was for Hitchin Town Hall. It would be contradictory to already agreed policy to undertake feasibility studies on all other museums in the District; (7) Consultation had taken place, as referred to in response (2) above, and would continue to take place over the coming months. Cabinet noted the recommendations made by Scrutiny Committee and the comments made by the public speakers on this item. These matters would be taken into account should it be decided to proceed with the recommended feasibility study. In debating the report, Cabinet Members made it clear that they were not in a position to determine the future use of the Hitchin Town Hall at this meeting. The report was recommending that a full feasibility study be carried out to ascertain the suitability or otherwise of the future use of Hitchin Town Hall as a museum. No decision would be made until the feasibility study had been completed and presented to Cabinet for consideration. However, it was stressed that it had been a long term ambition of the Council, pursuant to the outcome of the Museums FSR some four years ago, that the Service would be consolidated into a District wide Museum, together with a Collections Centre. How this would be achieved, including whether or not the Hitchin Town Hall would be the location of the museum, had yet to be determined. The Portfolio Holder for Finance considered that he would require more definitive information regarding the costs and savings associated with the proposal, and trusted that the feasibility study would include such information. The Portfolio Holder for Policy and Green Issues wished it to be recorded that she
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		objected to the intimidating tone of the Letchworth Garden City Town Council representative regarding the threat of that Council applying for a Judicial Review of any decision made by Cabinet to commission a feasibility study. RESOLVED: (1) That a full feasibility study be commissioned in order to ascertain the suitability or otherwise of the future use of Hitchin Town Hall as a North Hertfordshire Museum; (2) That the recommendations and views of the Scrutiny Committee and the public speakers at the meeting be taken into account as part of the work on the feasibility study. REASON FOR DECISION: To allow Cabinet the opportunity to fulfil its obligations to consider the Scrutiny Committee's views and take these into account before implementing its decision; and to procure the necessary assurance, in accordance with Financial Regulations, that the scheme is viable and fit for purpose.
Cabinet	3rd September 2009	Prior to the consideration of this item, Councillors Bernard Lovewell, Ian Knighton and Claire Strong declared personal interests in respect of the matter, in view of their role as trustees of the Hitchin Town Hall Workman's Hall and Gymnasium Trust. They remained present in the Chamber for the duration of this item. With the aid of Powerpoint slides, Mr Neal Charlton (on behalf of Buttress Fuller Alsop Williams, the Council's consultant Architects) gave a presentation on the various aspects of the proposed scheme, both in terms of the new Museum element and the improved community facilities. One of the features that Mr Charlton drew attention to was the shared entrance, which enabled the new facilities to be in use at the same time or independently of each other. The Portfolio Holder for Community Engagement and Rural Affairs presented a report of the Strategic Director of Customer Services in respect of the Feasibility Study for the conversion of Hitchin Town Hall to a Museum. The following annexes were submitted with the report:

		Annexe 1 – Hitchin Town Hall Museum Feasibility Study – October 2009; Annexe 2 – Further Technical Information. The Portfolio Holder for Community Engagement and Rural Affairs began by Addressing each of the recommendations of the Scrutiny Committee as follows: (1) This process had been carried out by the Museums Fundamental Service Review in 2005, and any savings had been already identified or made; (2) Previous proposals to retain a completely sustainable community use of Hitchin Town Hall, such as the Council / Hitchin Initiative bid for Lottery Funding in 2007, had failed; (3) This recommendation was addressed in Recommendation 9.3 of the report; (2) The proposal to delete Recommendations 9.2 and 9.3 of the report could not be supported. The Portfolio Holder for Community Engagement and Rural Affairs reminded Cabinet of the background and history of the Museums situation, and drew attention to the consultation that had been carried out on the matter through the Arts & Heritage Forum, Facilities Working Group, Area Committees and the Scrutiny Committee. The Portfolio Holder for Community Engagement and Rural Affairs outlined a number of reasons as to why she considered the proposal to be viable, which included: • The new Museum would provide a facility fit for the 21st Century; • The Museum would be larger than the two existing Hitchin and Letchworth Garden City museums combined; • A coffee shop would be provided; • School parties could be accommodated (up to 4 or 5 groups at a time); • There would be more storage space available than the two existing Hitchin and Letchworth Garden City museums combined; • The Museums Service staff could all be accommodated in one place.
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		In debating the report, Cabinet Members made a number of additional comments in support of the report, which included: • The Lucas Room would be refurbished and retained for community use; • There would be improved changing facilities; • The refurbished gymnasium would be able to accommodate approximately 400 standing and 200 seated; • Approximately 90% of existing community users could be accommodated in the new facility, with the majority of users of the main hall being able to use the refurbished gymnasium; • The Council was willing to invest over £3.5million to provide both a new Museum and improved community facilities at the Town Hall; A concern was expressed regarding the 10% or so of existing users that would be unable to use the proposed new facility. It was confirmed that officers would be working towards either assisting in finding alternative venues for such users or requesting them to consider scaling down their activities in order that they could be accommodated in the refurbished Town Hall. It was noted, however, that the Feasibility Study was not a detailed design proposal, and that consultation with existing or potential new users would need to take place as more detailed designs and management arrangements were developed. The Chairman thanked everyone who had contributed to the debate upon this item, and thanked officers for a comprehensive report and the consultant for an excellent feasibility study. 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;
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		(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. REASON FOR DECISION: 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; to ensure that consideration is given to the broader consequences of the decisions relating to this project; and in order that the project can be managed efficiently, in line with agreed project management methodologies to ensure wide community involvement in the detailed plans for this new public facility, and provide good value for money from the Council's investment.
3 rd December 2009	Council	[Prior to the consideration of this item, Councillors I.J. Knighton, Bernard Lovewell and Mrs C.P.A. Strong, declared that they were Members of the Cabinet Sub-Committee (Hitchin Town Hall Trust) and that they would be considering the matter with an open mind]. The Council considered a report of the Strategic Director of Customer Services in respect of the Hitchin Town Hall: Museum Feasibility Study – Outcomes and Actions arising. The following annexes were submitted with the report: Annex 1 – Hitchin Town Hall Museums Feasibility Study – October 2009; Annex 2 – Report to Cabinet 20th October 2009 Hitchin Town Hall- Museums Feasibility Study – Update on progress; Annex 3 – Report to Cabinet 20th October 2009, Hitchin Town Hall- Museums Feasibility Study – Technical annex. In introducing the item, the Strategic Director of Customer Services advised that a meeting had taken place with many of the regular hirers of the venue on 2 December 2009. He reported that, in general terms, the hirers of the gymnasium and Lucas Room were content with the proposals. The major hirers of the Main Hall for large scale events were less content with the proposals, although an offer

		had been made by the Council to these hirers to assist them as much as possible in providing future accommodation for their events. At the invitation of the Chairman, and with the aid of Powerpoint slides, Mr Neal Charlton (on behalf of Buttress Fuller Alsop Williams, the Council's consultant Architects) gave a presentation on the various aspects of the proposed scheme, both in terms of the new Museum element and the improved community facilities. One of the features that Mr Charlton drew attention to was the shared entrance, which enabled the new facilities to be in use at the same time or independently of each other. Mr Charlton advised that the scheme had an estimated construction cost of £2.5million, with an additional fit out budget of £1million, a total of £3.5million. He presented an indicative timetable for the project, which showed a potential opening of the new facility around Easter 2012. It was moved by Councillor Tricia Cowley, and seconded by Councillor F.J. Smith, that the recommendations contained in the report be approved. The Portfolio Holder for Community Engagement and Rural Affairs (Councillor Cowley) made reference to the additional information set out in the report which had been drafted in response to a number of the issues raised by the various councillors and residents who had addressed the Cabinet at its meeting held on 20 October 2009 regarding the Hitchin Town Hall – Museum Feasibility Study. The Chairman advised that three amendments to the motion had been submitted by Councillors Stears-Handscomb, L.W. Oliver and R.A.C Thake. He exercised his discretion by taking the amendment submitted by Councillor Thake first as it referred to a possible deferral of the matter. It was moved by Councillor R.A.C. Thake, and seconded by Councillor R.L. Shakespeare-Smith, that recommendation 9.3 of the report be replaced with "That, before considering whether or not to progress this project, the whole matter be deferred to the next meeting of Council on 4 February 2010, to allow proposals from community groups who have previously expressed interest to be submitted, examined and reported on". Following a full debate, and, in accordance with Standing Order 16.5, Councillor
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		F.J. Smith asked for a recorded vote be taken on this amendment. In view of the outcome of the debate upon the above amendment, Councillors Stears-Handscomb and Oliver agreed to withdraw their respective alternative amendments. Following the substantive motion being put to the vote, it was RESOLVED: (1) That the findings set out in the Feasibility Study (Annexes 1 to 3) and the report be noted; (2) That the recommendation from Cabinet at its meeting held on 20 October 2009, as set out in the report, be noted; (3) That, before considering whether or not to progress this project, the whole matter be deferred to the next meeting of Council on 4 February 2010, to allow proposals from community groups who have previously expressed interest to be submitted, examined and reported on; (4) That the closure of Letchworth Museum be delayed to coincide with the plans to open the new museum. REASON FOR DECISION: To allow for consideration of potential further options for the future use of Hitchin Town Hall, before a final decision is made.
11 th February 2010	Council	The Chairman invited Mr Neal Charlton (the Council's consultant) to explain the major differences between the original scheme and the scheme proposed by the Community Group. Mr Charlton advised that both schemes were feasible, although varied in build costs (£3.4 million for the original scheme and £3.9 million for the Community Group scheme). If approved, the original scheme could result in a new facility being open by July 2012, but should the Community Group scheme be progressed then this date would be likely to slip back due to the additional work required, such as the application for funding from the Community Builders Fund and the

		acquisition of 14 Brand Street. Mr Charlton stated that the major difference between the schemes was that, in opposite to the original scheme, the Community Group proposal sought to retain the Main Hall for community use and use the gymnasium as museum space. He commented that both schemes had an entrance feature on Brand Street, although this would be a more prominent element in the Community Group proposal. Even though the Community Group proposal accommodated less museum floor space than the original proposal, the space was better proportioned and would provide a similar amount of exhibition space. Mr Charlton commented that the original scheme met the Council's brief, was within estimated timescales and, in planning terms, was relatively straightforward. Against this was the potential loss of community space by virtue of conversion of the main Hall to Museum exhibition space, and the potential listing of the building (although this in itself did not preclude alterations to the building). Mr Charlton advised that the Community group scheme provided a better frontage to the building and would be able to accommodate a larger number of people for functions in the retained Main Hall. However, this was reliant on the acquisition of 14 Brand Street and the finance from the Community Builders Fund. A robust feasibility study and business plan for this option would also need to be developed. After Mr Charlton had responded to a number of Member questions, the Chairman thanked him for his presentation. The Portfolio Holder for Community Engagement and Rural Affairs (Councillor Tricia Cowley) introduced the report of the Strategic Director of Customer Services. She summarised the major elements of the report, and advised that significantly increased capital expenditure would be required for the Community Group proposal to purchase and demolish the shop to the east of the Town Hall in Brand Street (No. 14). The cost of acquisition has been estimated by the Community Group which, added to the cost of the construction of additional museum accommodation on the cleared site together with other miscellaneous expenditure, would give a total estimated additional capital spend of £800,000, which would be borne by the Group. In revenue income/expenditure terms, most costs were broadly comparable between the two schemes, with the exception of the
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		significantly increased income required in the Community Group scheme to enable repayment of the anticipated loan from the Community Builders Fund. The Portfolio Holder for Community Engagement and Rural Affairs commented that, as stated in the report, direct comparison between both schemes was not fully possible unless the Community Group proposal was worked up in greater detail and a full feasibility study undertaken. The broad conclusion of the report was, however, that at their different stages of developments both schemes appeared capable of meeting the Council's policy and financial objectives. The Portfolio Holder for Community Engagement and Rural Affairs stated that, should Members wish to proceed with the Community Group option it should be recognised that this would represent an increased risk in terms of the delivery of the project with regard to cost, time and long-term sustainability, although the detailed Feasibility would attempt to quantify and mitigate these factors. Equally, other options were available. Members may wish to proceed with the scheme originally proposed in December 2009, and although this carried a lower level of risk, this would be borne entirely by the Council. Alternatively, Members may wish to instruct officers to report on other alternatives or a fundamental change in the approach and report these at a future meeting. The Portfolio Holder for Community Engagement and Rural Affairs considered that it would be appropriate for the Community group proposal to be worked up into a full feasibility study, to enable both schemes to be compared on a level basis. Accordingly, an amended motion was moved by Councillor Tricia Cowley, and seconded by Councillor Mrs A.G. Ashley, that all of the words in Recommendation 11.1 after "Council is asked to consider this report and" be deleted and replaced with "explore further the Community Group proposal, as detailed in this report, by commissioning a full feasibility study as indicated in Para 6.2, in order to enable a full comparison to the current preferred option and also allow the Community Group to prepare a business plan for the facility and present firm funding proposals. The above to be brought back to Council, via Cabinet, at the first available opportunity after completion of the feasibility study, which is estimated to be 4 months".
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		During the debate upon the amended motion, a number of Members spoke in support of commissioning a full feasibility study of the Community Group scheme. Members also considered that, when the matter was reported back to Cabinet/Council, both proposals should be fully costed, and should be accompanied by business plans for the facility. At the conclusion of the debate, and upon the amended motion being put to the vote, it was RESOLVED: That the Community Group proposal, as detailed in the report, be explored further by commissioning a full feasibility study as indicated in Para 6.2, in order to enable a full comparison to the current preferred option and also allow the Community Group to prepare a business plan for the facility and present firm funding proposals. The above to be brought back to Council, via Cabinet, at the first available opportunity after completion of the feasibility study, which is estimated to be 4 months. REASON FOR DECISION: 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.
28 th September 2010	Cabinet	[Prior to the consideration of this item, Councillors I.J. Knighton, Bernard Lovewell and Mrs C.P.A. Strong advised that they were Members of the Cabinet Sub Committee (Hitchin Gymnasium and Workman's Hall Trust). They stated that they would hear the introduction and any updates to the report, and would thereafter leave the meeting for the remainder of the debate and vote upon the item.] The Portfolio Holder for Community Engagement and Rural Affairs presented a report of the Strategic Director of Customer Services in respect of Hitchin TownHall (2) Museum Proposals. The following document was appended to the report: Annex 1 – Background / Resolutions of Council and Cabinet. The Portfolio Holder for Community Engagement and Rural Affairs invited the Strategic Director of Customer Services to update Members on the report. The

		Strategic Director of Customer Services advised that all queries in respect of the Business Plan for the scheme submitted by the Hitchin Initiative had been resolved, and therefore that both schemes were awaiting final evaluation. Officers were still awaiting a decision from English Heritage/Secretary of State in relation to the potential listing of Hitchin Town Hall. A decision had been promised by 30 September 2010. The Strategic Director of Customer Services clarified that the lease relating to the property adjoining the Town Hall, which formed part of the Hitchin Initiative's scheme, was now being actively marketed. The Community Builders' Fund were now accepting and determining grant funding, although no indication had been given as to when the bid for the Hitchin Initiative scheme would be determined. The Portfolio Holder for Community Engagement and Rural Affairs stated that she was eager to move forward with this matter, and felt that Cabinet may wish to consider whether to recommend to Council that it proceeded with its decision between the two schemes under consideration, bearing in mind that to do so would create some risk, primarily that any listing decision may impose conditions which would require additional re-design and incur further costs. She therefore drew Cabinet's attention to Paragraph 3.10 of the report, advising that it may wish to consider: • Advising Council that the delay in determining the decision on listing Hitchin Town Hall would entail a further delay in reporting on the detailed business plan of both proposals; or • Advising Council that a decision could be taken prior to the decision on listing. However, the Portfolio Holder for Community Engagement and Rural Affairs recommended that, should the decision on listing Hitchin Town Hall be further delayed beyond the end of October 2010, Council instructs officers to research and report on alternative options for the future of Hitchin Town Hall and the Museum Service. [Note: At this point, Councillors I.J. Knighton, Bernard Lovewell and Mrs C.P.A.
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		Strong withdrew from the meeting.] Cabinet debated the various options presented by the Portfolio Holder for Community Engagement and Rural Affairs, and agreed that the Council should consider the situation as it existed in respect of Hitchin Town Hall at its meeting to be held on 11 November 2010. Cabinet agreed to recommend to Council that, instead of a deadline of the end of October 2010, should the decision on listing Hitchin Town Hall be further delayed beyond 11 November 2010, officers be instructed to research and report on alternative options for the future of Hitchin Town Hall and the Museums Service. RECOMMENDED TO COUNCIL: That the Council reviews the situation at its next meeting, and that should the decision on listing Hitchin Town Hall be further delayed beyond 11 November 2010, Council instructs officers to research and report on alternative options for the future of Hitchin Town Hall and the Museums Service. REASON FOR DECISION: To progress matter in respect of the future use of Hitchin Town Hall.
11 th November 2010	Council	[Prior to the consideration of this item, Councillors I.J. Knighton and Bernard Lovewell, having declared that they were Members of the Cabinet Sub-Committee (Hitchin Gymnasium and Workmans Hall Trust), withdrew from the Chamber for The debate and vote upon the matter.] The Chairman advised that, in view of events having progressed since the Cabinet meeting held on 28 September 2010, the referral from that meeting in respect of Hitchin Town Hall – Museum Proposals would be noted. The Council considered the report of the Strategic Director of Customer Services in respect of Hitchin Town Hall – Museum Proposals. The following annexes were submitted with the report: Annex 1 – Background/Resolutions of Council and Cabinet; Annex 2 – Hitchin Town Hall: Listing Schedule; Annex 3 – Report to Council on 11 February 2010: Hitchin Town Hall/Museum – Community Group Proposal;

		Annex 4 – Assessment of Business Plans, Strategic Leisure, October 2010. The Strategic Director of Customer Services updated the report as follows: • Paragraph 3.5 – the listing decision related to the whole of the Town Hall complex; • Paragraph 3.10.3 (i) – the Arts, Museum and Heritage Forum’s Facilities Working Group had expressed general support for the Hitchin Initiative option at a meeting held on 4 November 2010; • Paragraph 3.10.3 (ii) – it was confirmed that the Council’s Overview and Scrutiny Committee had decided not to meet to consider the process undertaken; • Paragraph 3.10.4 (i) – it was confirmed that the Hitchin Gymnasium and Workmans Hall Trust had been established “for the benefit of the people of Hitchin” and not “for the benefit of North Herts District”, as stated in the report. The Portfolio Holder for Community Engagement and Rural Affairs confirmed that the Hitchin Town Hall had been listed at Grade II, as notified by English Heritage on 15 October 2010. Any applications for planning permission or Listing Building consent would need to be assessed by NHDC as the local planning authority. However, initial advice from the Council’s Architectural Advisor for the project had confirmed that: • The Listing was applicable to the whole building and its fittings and the description was not intended to note all significant items, however: • English Heritage understood the need to maintain buildings in viable use and did not expect listed building to be ‘preserved in aspic’ • Both proposals for Hitchin Town Hall/Museum respected the principal areas of significance: the facade to Brand Street and the Lucas Room and, as a result: • Both schemes could be justified via any formal assessment as part of a Listed
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		Building consent application: • The indicative programme for refurbishment would need to be extended by approximately 12 weeks to accommodate this process. The report outlined the key conclusions reached by Strategic Leisure, the consultants who had evaluated both the scheme put forward by the Council and the scheme submitted by the Hitchin Initiative on behalf of the community groups. These were: • The business plans associated with the two options were difficult to compare as the Hitchin Initiative Plan required growth and the original proposal took a more cautious approach with a standstill budget and cash flow; • The business plan submitted by Hitchin Initiative proposal (Hall Retained Scheme) provided 3 years of accurate and realistic cash flow projections, subject to achieving forecast income projections which, in the current economic climate may prove challenging; • The Hitchin Initiative proposal was dependent on securing grant aid/loan and a decision on this had yet to be made; • The original proposal (Gym Retained Scheme) similarly provided accurate and realistic cash flow projections, but with significantly lower risk associated with income projections; • Both proposals met the overall objectives set out by NHDC in respect of service provision, community use and cost;
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		It was possible that both options could produce further savings to the Council once detailed designs and management arrangements had been finalised. It was noted that any decision by the Council in relation to the two options outlined in the report would need to be considered by the Cabinet Sub-Committee (Hitchin Gymnasium and Workmans Hall Trust). It was moved by Councillor Cowley, and seconded by Councillor R.L. Shakespeare-Smith, that the existing Recommendations 8.1 and 8.2 in the report be deleted and replaced with: 8.1 That officers be instructed to take forward the scheme outlined by Hitchin Initiative and proceed to negotiate the necessary arrangements and consents to use Hitchin Town Hall as the North Hertfordshire District Museum and as a community venue; 8.2 That officers, in consultation with the Portfolio Holder for Community Engagement and Rural Affairs, be instructed to report to the Hitchin Gymnasium and Workmans Hall Trust and seek its agreement to proceed on this basis.” Following debate, and upon the motion being put to the vote, it was RESOLVED: (1) That officers be instructed to take forward the scheme outlined by Hitchin Initiative and proceed to negotiate the necessary arrangements and consents to use Hitchin Town Hall as the North Hertfordshire District Museum and as a community venue; (2) That officers, in consultation with the Portfolio Holder for Community Engagement and Rural Affairs, be instructed to report to the Hitchin Gymnasium and Workmans Hall Trust and seek its agreement to proceed on this basis.
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		REASON FOR DECISION: To progress a scheme for the refurbishment of the Hitchin Town Hall complex as a District Museum and community facility.
26 th July 2011	Cabinet	[Prior to the consideration of this matter, Councillors I.J. Knighton, Bernard Lovewell and Mrs C.P.A. Strong withdrew from the meeting for the duration of the item, having declared that they were administrators of the Trust relating to part of the building by serving as Members of the Cabinet Sub-Committee (Hitchin Gymnasium and Workman's Hall Trust)]. The Portfolio Holder for Community Engagement and Rural Affairs presented a report of the Strategic Director of Customer Services in respect of an update regarding the North Hertfordshire Museum and Community Facility project. The Portfolio Holder for Community Engagement and Rural Affairs advised that regular updates on progress of the project had appeared in recent editions of the Members' Information Service, and a revised project timetable was set out in the report. The Portfolio Holder for Community Engagement and Rural Affairs explained that the transfer of responsibility for funding from Community Builders to Future Builders England (the newly created national endowment fund) had meant that critical elements of compliance with the funder's requirements had changed significantly since the award of grant/loan at the beginning of 2011. An initial requirement, now rescinded, was to conclude a Development Agreement and start work on site by 1 April 2011. This was varied following creation of Future Builders England to allow works to commence prior to end March 2012, and Hitchin Town Hall Ltd was currently seeking an extension of this date to allow for an adjusted timetable. The Strategic Director of Customer Services reported that discussions regarding this matter were still on-going between Hitchin Town Hall Ltd and Future Builders England. The Portfolio Holder for Community Engagement and Rural Affairs stated that officers were currently investigating ways that some of the slippage on the project may be recovered, particularly in the procurement of the main construction contractor and fit out specialists. The Strategic Director of Customer Services advised that initial advice had indicated that procurement via the Official Journal of

		the European Union (OJEU) may not be required, although final confirmation of this advice was awaited. The Portfolio Holder for Community Engagement and Rural Affairs commented that the complexity of the project (in particular the funding mechanisms and lease arrangements) had created potential VAT implications for the Council. In summary, without changing significantly the format and arrangements between the parties involved in the project, the Council will breach its VAT partial exemption calculation. This would mean it would be required to pay to HMRC all the VAT incurred on exempt activities (including the VAT incurred on the cost of the project). Officers had been working with advisors at PWC and HMRC to resolve these issues for the best possible outcome and a response from HMRC explained that, having explored the possible options for the Council, the issue was to be passed to their Policy Team for a final ruling on whether the Council could, in this instance, have a waiver on the partial exemption calculation. The Strategic Director of Customer Services confirmed that the HMRC Policy Team was currently seeking clarification of the status of Hitchin Town Hall Ltd. The Strategic Director of Customer Services stated that, in considering the potential risks to the project referred to in Paragraph 4.8 of the report, and in consultation with Hitchin Town Hall Ltd, it had been suggest that an additional unallocated time contingency of three months to the project be agreed. This would given an estimated completion date for the project in the range November 2013 – February 2014. The risk log, mitigating actions and the project timetable would be kept under constant review and any further changes beyond this would be reported to Members for approval. The Strategic Director of Customer Services explained that, whilst the report was primarily concerned with the physical design and construction of a new facility with the necessary Development Agreement, there were other significant elements of the project which were also being planned and managed. These included detailed arrangements for the cataloguing, repair and selection of exhibits for the new museum and the migration of the service to it, the closure of Hitchin Town Hall and arrangements for Hitchin Town Hall Ltd to take occupancy and begin operations. Cabinet supported an additional recommendation of the Strategic Director of
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		Customer Services that he be delegated authority, in consultation with the Portfolio Holder for Community Engagement and Rural Affairs, to enable the cataloguing, conservation and preparation of museum artefacts, and to make arrangements for the closure of the existing museums to facilitate the migration of the service to the new facility. RESOLVED: (1) That the contents of the report be noted, in particular the revised Project Plan detailed in Paragraph 4.11 of the report; (2) That authority be delegated to the Strategic Director of Customer Services, in consultation with the Portfolio Holder for Community Engagement and Rural Affairs, to enable the cataloguing, conservation and preparation of museum artefacts, and to make arrangements for the closure of the existing museums to facilitate the migration of the service to the new facility. REASON FOR DECISION: To allow Cabinet to discharge its responsibility to monitor expenditure on the capital programme.
10 th May 2012	Council	[Prior to the consideration of this item, Councillors I.J. Knighton, Bernard Lovewell and Mrs C.P.A. Strong, declared that they were Members of the Cabinet Sub Committee (Hitchin Gymnasium and Workmans Hall Trust). Councillors Knighton and Lovewell withdrew from the Chamber for the remainder of the meeting. Councillor Strong chose to remove herself to the public gallery to listen to the Council's debate upon the Part 1 item, but advised she would leave before the vote and for the entirety of the debate and vote on the Part 2 item.] The Council considered a report in respect of the North Hertfordshire Museum and Community Facility at Hitchin Town Hall. The following appendices were submitted with the report:

		Appendix 1 – List of previous decisions relating to the project; Appendix 2 – Plans; Appendix 3 – Detailed report of the terms of the Development Agreement; Appendix 4 – Development Agreement; Appendix 5 – Detailed report on the terms of the lease; Appendix 6 – Lease; Appendix 7 – Detailed report on the terms of the Community Use and Management Agreement between NHDC and Hitchin Town Hall Limited; Appendix 8 – Community Use and Management Agreement; Appendix 9 – Detailed report on the terms of the Management Agreement between the Council and the Trust; Appendix 10 – Management Agreement between the Council and the Trust. The Strategic Director of Customer Services introduced the report by referring to a small numbers of typographical amendments to the report. He took the opportunity to reciprocate thanks to the volunteers of Hitchin Town Hall Limited and the Legal Teams of both organisations for their work on a large, complex and innovative project, which it was hoped would provide significant environmental and social benefits to Hitchin and the surrounding area. The Portfolio Holder for Community Engagement and Rural Affairs (Councillor Tricia Cowley) echoed her thanks to officers and Hitchin Town Hall Limited for their hard work and dedication to the project. Negotiations were substantially complete, subject to a small number of outstanding matters, but matters had progressed to a position where certainty that the scheme would proceed needed to be provided to the funder of part of the project, Futurebuilders. The Portfolio Holder for Community Engagement and Rural Affairs acknowledged that it had taken over 17 months to arrive at the current position, although negotiations had revealed that the project was different from the majority of straightforward commercial ventures due to its complexity in terms of balancing the needs of the Council, Hitchin Town Hall Limited and the Gymnasium and Workmans Hall Trust, as well as the requirements of Futurebuilders. The Portfolio Holder for Community Engagement and Rural Affairs stated that Members had been kept informed of progress at regular intervals through the
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		Members' Information Service. She reminded Members that the first round Heritage Lottery application for development funding of £123,400 had been approved and the first instalment of this funding had recently been received. A bid for a further £830,500 towards the fit out costs of the new Museum would be made in the winter of 2012/13. She referred to the various legal agreements associated with the project which were appended to the report. The Portfolio Holder for Community Engagement and Rural Affairs explained that the Financial and Risk implications set out in Section 8 of the report, which included total Council funding for the project of £3.44 million, together with Futurebuilders funding of £790,000. The level of efficiency savings estimated for rationalisation of the Museum Service was estimated at £160,000 per annum, although it was hoped that this figure would be nearer £200.000 per annum as further savings were identified as the scheme progressed. The Portfolio Holder for Community Engagement and Rural Affairs concluded by stating that the legal agreements, whilst challenging and complex, would assist towards the provision of a fit for purpose District Museum and much needed refurbished community facilities for Hitchin and the surrounding area. It was moved by Councillor Tricia Cowley, and seconded by Councillor Mrs L.A. Needham, that Recommendations 12.1 to 12.7 in the report be approved. The Council debated the report. A number of Members expressed their support for the project and paid tribute to the work of all parties involved in reaching the current position. However, due to the requirement for finalisation of the Development Agreement and associated matters, concerns were expressed with keeping to the published timetable for the project. Members hoped that negotiations and satisfying the requirements of Futurebuilders would be completed swiftly, and that this had limited or no effect on timescales for the project. It was noted that any significant changes to the scheme timetable would be reported back to Council. [Note : At this point in the proceedings, Councillor Mrs C.P.A. Strong left the public gallery and withdrew from the Chamber for the remainder of the meeting.] Upon the motion being put to the vote, it was
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		RESOLVED: That, subject to the consideration and determination of matters referred to in the Part 2 report, the Council: (1) Enter into the • Development Agreement; • Lease; and • Community Use and Management Agreement with Hitchin Town Hall Limited; (2) Enter into the Management Agreement with the Gymnasium and Workmans Hall Trust; (3) Note the proposed transfer of 14 Brand Street, Hitchin, to the Gymnasium and Workmans Hall Trust; (4) Delegate authority to the Strategic Director of Customer Services and Corporate Legal Manager, in consultation with appropriate Portfolio Holder(s), to agree minor variations to Legal Agreements (referred to in Paragraphs 12.1 and 12.2 of the report); (5) Note that authority to determine the new project completion date is already delegated to the Strategic Director of Customer Services as Project Executive; (6) Note that, if further decisions are required beyond minor variations or to meet conditions required by Futurebuilders, a further report will be presented to Council; and (7) Note that progress with the project will also require formal agreement from the Gymnasium and Workmans Hall Trust, Hitchin Town Hall Limited and Futurebuilders. REASON FOR DECISION: To reflect the conclusions drawn from the analysis of the negotiated position with Hitchin Town Hall and their funders following the
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		Council's decision on 10 November 2010 to take the scheme forward. PART 2 The Council considered a Part II report in respect of the North Hertfordshire Museum and Community Facility at Hitchin Town Hall. The following appendix was submitted with the report: Appendix 1 – Redacted Clauses from the Development Agreement. The Strategic Director of Customer Services reported a number of typographical amendments to the report. The Portfolio Holder for Community Engagement and Rural Affairs (Councillor Tricia Cowley) summarised the report, which covered the Architectural Specification/Hitchin Town Hall Limited Development Requirements; Staffing Matters – Transfer of Undertakings Protection Employment Regulations (TUPE); Hitchin Town Hall Limited Governance and Accountability; Legal Charges, Guarantees and Indemnities; and Hitchin Town Hall Limited Capacity. It was moved by Councillor Tricia Cowley, and seconded by Councillor Mrs L.A. Needham, that Recommendations 9.1 to 9.5 in the report be approved. Following debate, and upon the motion being put to the vote, it was RESOLVED: (1) That authority be delegated to the Strategic Director of Customer Services, in consultation with the Portfolio Holder for Community Engagement and Rural Affairs, to conclude negotiations in respect of the Architectural Specification with Hitchin Town Hall Limited, in accordance with Paragraphs 4.4 to 4.6 of the report; (2) That the respective positions of North Hertfordshire District Council
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		and Hitchin Town Hall Limited in respect of staffing matters, as set out in the report, be noted; (3) That Hitchin Town Hall Limited's governance arrangements be noted and accepted, subject to confirmation that charitable status has been secured, in accordance with Paragraphs 4.17 to 4.21 of the report; (4) That the indemnities to be given to Hitchin Town Hall Limited in the Development Agreement, as set out in the report, be approved, and that it be noted that officers are actively seeking to resolve the situation direct with Futurebuilders, with a report being brought back to Council as soon as possible; and (5) That acceptance of the initial assessment of Hitchin Town Hall Limited's capacity be confirmed, and that authority be delegated to the Strategic Director of Customer Services, in consultation with the Portfolio Holder for Community Engagement and Rural Affairs, to determine that an appropriate level of assurance in respect of its mobilisation plan has been received. REASON FOR DECISION: To reflect the conclusions drawn from the analysis of the negotiated position with Hitchin Town Hall and their funders following the Council's decision on 10 November 2010 to take the scheme forward.
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