

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

**Meeting held at Hitchin Town Hall, Brand Street, Hitchin
on Tuesday, 19 May 2009 at 7.30pm**

Minutes

PRESENT: *Councillors F.J. Smith (Chairman), T.W. Hone (Vice-Chairman), Tricia Gibbs, I.J. Knighton, Bernard Lovewell, Mrs L.A. Needham, Mrs C.P.A. Strong and R.A.C. Thake.*

IN ATTENDANCE: *Chief Executive, Strategic Director of Financial & Regulatory Services, Strategic Director of Customer Services, Cultural Services Manager, Corporate Legal Manager, Democratic Services Manager and Senior Committee & Member Services Officer.*

ALSO PRESENT: *Councillors L.W. Oliver (Chairman of Scrutiny Committee), Judi Billing, Paul Clark, J.M. Cunningham, David Levett, Alan Millard, Michael Paterson and Martin Stears-Handscomb. Approximately 20 members of the public.*

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. NOTIFICATION OF OTHER BUSINESS

There was no notification of other business.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.

4. PUBLIC PARTICIPATION

The following presentations were made in respect of Item 5 – Museums: Revised Service Improvement Plan.

(1) Mr Roger Hawkins – Vice-Chairman of North Herts Arts Council

Mr Hawkins opened by expressing concern at the lack of time given to the public and interested groups to comment on the report. The recommendations in the report appeared to have been reached without proper consultation. The recommendations also appeared to rule out the existing Hitchin Museum as a museum, without any ideas as to its future use. In addition, he referred to a covenant on the building which stipulated its use only as a museum.

Mr Hawkins provided the following alternative options for the Museum Service:

- (i) Move the sub-station at the rear of the existing Hitchin Museum nearer the road.
- (ii) Extend the rear and the side of the existing building.
- (iii) Negotiate with Hertfordshire County Council, including the provision of communal toilets.
- (iv) Omit a cafeteria from any design for a museum – there are plenty of cafes and restaurants in the nearby town centre.
- (v) Convert the Town Hall Gymnasium into a Collections Centre and Offices for staff.
- (vi) Retain the main Town hall as a facility for community use.
- (vii) Administer the Museum, Collections Centre and Town Hall with one team of staff, under one manager.

- (viii) Retain the Letchworth Garden City Museum until the Letchworth garden city Heritage Museum was completed, and then merge the two.

Mr Hawkins stated that the above proposals would provide the following benefits:

- (i) A considerable saving in capital expenditure.
- (ii) The completion time for the project would be brought forward by up to a year.
- (iii) Hitchin and Letchworth Garden City would continue to have museums in each of their towns.
- (iv) The location for the existing Hitchin Museum was preferably in terms of its proximity to car parking, the town centre and adjacent library.
- (v) Hitchin Town hall would be given a much need boost, to enable an improved marketing and advertising campaign to be developed.

Mr Hawkins concluded by urging Cabinet to defer the proposal in the report until other alternative options had been explored and consulted upon.

The Chairman thanked Mr Hawkins for his presentation.

(2) Mr Chris Parker – “Keep Hitchin Special”

Mr Parker considered that the proposal outlined in the report appeared to be one that officers were trying to rush through without proper consultation with users, stakeholder groups and members of the public. The decision to proceed with the change of use of Hitchin Town Hall into a District Museum prevented it from ever being used by the public again for large public gatherings, weddings, concerts, dances, club meetings, sporting events., etc. Once converted, it could never be used for these purposes again, and Mr Parker trusted that this would be given due consideration by Cabinet.

Mr Parker stated that, in February 2007, when the Council received tenders to manage the Hitchin Town Hall, Councillor Tricia Gibbs (Portfolio Holder for Community Engagement and Rural Affairs) commented “the Council is very pleased to have received so many bids to manage the Town Hall and it will be interesting to see the ideas that are put forward”, and went on to state “our aim has always been to look after the groups which use the hall and we hope this process will achieve that”. He felt that these groups had not been looked after or even consulted on the current proposal. At least last time they had been sent a notice to quit before receipt of tenders – this time it appeared that they had been ignored.

Mr Parker was of the opinion that the Council had some obligation to notify the users of the Hall of its intentions. He advised that the Hitchin Judo Club had been using the Town Hall facilities for 52 years, the Hitchin Camera Club for around 30 years. These and other groups should, at the very least, be told of the proposals, even though the report made no provision to re-locate these groups elsewhere with similar facilities.

Mr Parker was aware that the Letchworth Garden City Heritage Foundation wished to create a Letchworth Museum in Letchworth Town Hall. This would mean that every town in North Hertfordshire would have its own local museum. If this was the case, then he struggled to envisage what could be displayed in a District Museum, and therefore questioned whether such a museum was appropriate or necessary.

Mr Parker stated that the process to dispose of Hitchin Town Hall had started because of a budget overspend of £58,000 per year. He had requested a breakdown of this figure under the Freedom of Information Act, and was informed that this figure was likely to be around £11,500. He considered that this deficit coincided with the result of a transfer of overhead or under-utilisation of the Town Hall, which could be attributed to poor marketing by the Council. Not many people were aware that the Town Hall was available for hire, and many of those that had attempted to book it had since discovered that the banner displayed outside the premises for 3 years had advertised a telephone number which was unobtainable.

Mr Parker felt that the lack of consultation over the proposed transfer of the Town Hall into a District Museum was appalling. If the Council had the time to negotiate a loan of financial assistance of £1M, then it had time to notify Ward Members, the Hitchin

Committee and the public. It was unclear from the report of the cost burden of the project on the ratepayers of the District – the report stated in paragraph 4.27 that 1 £30,000 net revenue saving would be realised, but this was not quantified.

Mr Parker commented that the report stated that Option 2 would involve construction works of around £2.6M. He wondered if this would include the costs of renovation of the Town Hall of approximately £750,000, which may include removal of any dangerous substances, such as asbestos.

Mr Parker reminded Cabinet that the Moss family had bequeathed to the town the building used for the existing Hitchin Museum/Library, and that one of the covenants was that the building be used solely as a Museum/Library. He concluded by stating that he had recently received a phone call from the Moss family, who had confirmed that they would consider the removal of the covenant on the site of the Hitchin Museum to be totally unacceptable.

The Chairman thanked Mr Parker for his presentation.

(3) Town Councillor Raymond Smale – Letchworth Garden City Town Council

Town Councillor Smale advised that the Letchworth Garden City Town Council had been afforded only a short time to consider the report. He re-affirmed the position of the Town Council, initially given at the Scrutiny Committee on 18 May 2009, that subject to legal advice, the Town Council would intend to apply for a Judicial Review of Cabinet's decision, on the grounds that the District Council would be disposing of one of the town's assets, should it proceed with the closure of Letchworth Garden City Museum.

Town Councillor Smale commented that the application for Judicial Review would be based on the lack of consultation with stakeholders, users and the Town Council; the fast-track approach adopted by the District Council, with the whole process being driven by a questionable timetable; a lack of clarity in the proposals and public awareness of them; and the time delay regarding the follow up work regarding the Town Council's offer of financial support for the Letchworth Garden City Museum.

On the basis that the application for a Judicial Review be successful and the likelihood that the process would be held in abeyance pending the outcome of the Review, Town Councillor Smale requested that Cabinet defer the recommendations in the report.

Town Councillor Smale referred to the fact that the Letchworth Garden City Heritage Foundation's plans for a museum appeared to be vague, and considered that this proposal, with more detail, should form part of the overall Museums Strategy.

The Chairman thanked Town Councillor Smale for his presentation.

(4) Mr John Webb – Letchworth Garden City resident

Mr Webb began by requesting that what he considered to be an ill-conceived and destructive proposal be rejected – to the extent that a feasibility study should not be commissioned.

Mr Webb stated that the manner in which the Cabinet report had been drafted and sprung on the public without consultation was shameful and insulting, not least to those who had served on the Arts, Museums & Heritage Forum. Financially, the risks far outweighed the miniscule savings claimed for the conversion. The report opened many more questions that it answered, as addressed by the other speakers. He urged Cabinet to not regard their concerns as NIMBYist (Not In My Back Yard), but rather as placing a high value on local facilities. Such facilities saved on travel, gave the public healthy active lives and promoted social cohesion.

Mr Webb considered that the report to Cabinet from the Scrutiny Committee did not reflect the mood and main message of that meeting. He felt that the Scrutiny Committee yearned to exercise its creative, imaginative role.

Mr Webb commented that the report did not adequately reflect the Cultural Strategy that arose from the work with stakeholders in the Arts, Museums and Heritage Forum. He quoted from Item 6 on the agenda – A Revised Senior Management Structure for NHDC – “We are currently refreshing our Cultural Strategy and work on modernising our museums service will be one of our most significant, major projects over the next few years.” He felt therefore that the current approach, let alone what he considered to be a panicky, cost-driven proposal, had been overtaken by accelerating changes in society.

In respect of the concept of a North Hertfordshire Museum, Mr Webb stated that there is no such community as North Hertfordshire – which was an administrative unit around a string of railway stations between Cambridge and London, and so there was no need for a corporate edifice to the glory of the District Council.

Mr Webb was of the opinion that the museum facilities currently available to the public and the Council's dedicated staff and researchers were quite pitiful. What was called for was an outstanding set of facilities for the hard-pressed yet productive Museums Service, plus a central Collections site for storage, curation, research etc. The District had distinctive local museums that had grown within their communities. These had fallen sadly behind the times and needed radical enhancement. Museums were about the arts and wonder, with a sense of place and of time passing. In respect of the future, Mr Webb suggested a 21st Century theme of Low-Carbon Living.

Mr Webb acknowledged that there were no easy answers to solve the problem, but felt that the solution called for creativity, which he considered to be one of the functions of the Scrutiny Committee. He suggested that the Council should now commission a coherent solution, as a refreshed Cultural Strategy, while working with all stakeholders.

On a personal level, Mr Webb advised that he enjoyed each local museum in the District, because it they were organic in the sense that they arose from their local communities. However, more advanced and co-ordinated provision was needed for future generations to enjoy. He especially looked forward to there being a central Collections facility to support the local museums and researchers, on the edge of any one of the towns. He asked that Cabinet's low-carbon legacy be a superb set of local facilities, within a renewed Museums Service.

The Chairman thanked Mr Webb for his presentation.

(5) District Councillor David Levett

Councillor Levett advised that he would be speaking on behalf of Letchworth Garden City District Councillors.

Councillor Levett acknowledged that Cabinet, at its meeting held on 27 January 2009, had taken the decision that Letchworth Garden City Museum be closed in by 31 March 2011. He stated that, should Cabinet agree to the recommended feasibility study, then any future decisions should be taken without undue haste.

Councillor Levett considered that it was important that there was a museum facility in place in Letchworth Garden City in advance of any closure of the District Council's Museum in the town. The aspirations of the Letchworth Garden City Heritage Foundation for a Heritage Museum were not far advanced.

Councillor Levett concluded by asking Cabinet to consider carefully whether or not the current proposals provided value for money for North Hertfordshire residents, and once again requested that the final decision was not rushed.

The Chairman thanked Councillor Levett for his presentation.

5. 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:

- (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'.

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 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 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;
- (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 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 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.

6. A REVISED SENIOR MANAGEMENT STRUCTURE FOR NHDC

The Chief Executive presented a report in respect of a Revised Senior Management Structure for NHDC. The following appendices were submitted with the report:

Appendix A – Proposed Senior Management Structure;
Appendix B – Interim Senior Management Structure;
Appendix C – Current Structure.

The Chief Executive outlined the proposed reconfigured departments shown in Appendix A, as follows:

- Finance, Policy and Governance;
- Customer Services;
- Planning, Housing and Enterprise.

The rationale for the reconfiguration was detailed in the report. This meant that there would be an increase of one post at second tier level, essentially a new position of Strategic Director of Planning, Housing and Enterprise. Cabinet noted that, whilst there would no longer be a Chief Executive's Department, the Chief Executive would retain direct line management responsibility for the Committee and Member Services and Electoral Services functions.

The report referred to a number of adjustments to service combinations at Head of Service level, the rationale for which was contained in Paragraphs 5.1 to 5.5. This resulted in the following re-designated posts at third tier level:

- Head of Finance, Performance and Asset Management;
- Head of Policy, Partnerships and Community Development;
- Head of Cultural and Community Services;
- Head of Customer Services and IT.

The report stated that the outcome of the restructuring would mean that the existing 20 senior level posts reduced to 17, a reduction of some 15%. The number of Heads of Service reduced from 12 to 8, although some of this was due to redesignation. Although there were some new posts such as the Strategic Director of Planning, Housing and Enterprise, the Head of Policy, Performance and Community Development and the Head of Cultural and Community Services, the intention was that these would be filled from existing staff resources.

Cabinet noted that the proposal had been fully costed and full year savings would be £251,000. The saving in the first year would be less as the structure would be implemented part way through the year and some ancillary costs, such as any necessary redundancy, were incurred. However, the savings target of £100,000 for 2009/10 would be achieved.

Cabinet further noted that, whilst the report covered the most senior levels in the organisation, there would be other structural adjustments required. Assuming the changes to service combinations were agreed, some further restructuring with the new service groups could be required. In addition, some further structural changes would be required to deliver efficiencies for the 2010/11 Corporate Business Planning Process.

The Chief Executive referred to two anomalies in Paragraph 5.4 of the report, when compared to the structure chart presented at Appendix A. These were in respect of inaccuracies in the report regarding the position in the organisation of the Reprographics Service (which should come under the Head of Customer Services and IT, as indicated in Appendix A); and the title of the Head of Cultural and Community Services, which should be Head of Community and Cultural Services (as shown in Appendix A).

The Chief Executive responded to a number of questions raised by Members on various aspects of the report.

RESOLVED: That the proposed senior management structural arrangements, as set out in the report and illustrated at Appendix A, be supported in principle and, subject to the required staff and union consultation, recommended to Council for approval.

RECOMMENDED TO COUNCIL: That the proposed senior management structural arrangements, as set out in the report and illustrated at Appendix A, be approved.

REASON FOR DECISION: To address the need to put in place a new permanent structural arrangement and to save £100,000, as required by the 2009/10 budget decisions.

The meeting closed at 9.21pm.

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Chairman