

SPECIAL URGENT DECISION BY THE DEPUTY LEADER

**TOURISM, LEISURE AND COMMUNITY
SERVICES PORTFOLIO**

21 DECEMBER 2007

**REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES –
HLDS/07/65
on
SCARBOROUGH MUSEUMS TRUST**

DECISION

To agree to enter into the final form of agreements for transfer of the Museums and Gallery Service to the Scarborough Museums Trust as follows:

- (a) a Services Agreement relating to the provision of the entire Museums and Gallery Service by the Trust;
- (b) a Service Level Agreement setting out services the Council will continue to make available to the Trust, and the terms upon which those services will be available;
- (c) a Collections Agreement relating to the management of all collections held by the Council;
- (d) a lease of the Rotunda Museum;
- (e) a sub-lease of Wood End (as tenant of the Creative Industries Centre);
- (f) a licence to occupy the Art Gallery, pending consideration of future proposals for enhancement of the building;
- (g) a sub-lease of the Museum Store at Unit 10, Eastfield;
- (h) a short term business lease of Londesborough Lodge to the Scarborough Museums Trust for the period that the Trust will be leasing the building pending completion on comparable terms to those that would have applied had the Trust been able to move into Wood End Museum from 1 January 2008;
- (i) entry into a loan agreement to the Trust providing the sum of £50,000 repayable over two years to fund fundraising activity being undertaken by the Trust toward continuing operations (agreed by Council on 29 October 2007 report HFS0720); and
- (j) entry into an Admissions Agreement with Scarborough Museums Trust and North Yorkshire County Council to enable Scarborough Museums Trust to become an admitted body.

REASONS FOR DECISION

- 1.1 In January 2005 the Council entered into the following agreements with the Scarborough Museums Trust in relation to the transfer of the Rotunda Museum to the SMT:
- (i) an Agreement for a Lease, together with accompanying draft lease for the Rotunda Museum;
 - (ii) a Collections Agreement providing for the management of the Geology

- Collection; and
- (iii) a Services Agreement providing for the management of the Rotunda Museum by the Scarborough Museums Trust following re-construction of the building.
- 1.2 On 30 October 2006 Council approved the following recommendations of Cabinet:
- (i) the transfer of the Museums and Art Gallery Service in its entirety to the Scarborough Museums Trust with effect from the 1 January 2008;
 - (ii) revenue growth to commission the Service from the Trust of £7,500 on the budget in 2007/2008 and a further £22,500 in 2008/2009.
- 1.3 On 26 January 2007 the Cabinet authorised entry into a deed of intent committing the Council to transfer of the Museums and Gallery Service with effect from 1 January 2008 and the Trust committed to providing match funding to meet the construction costs for the Rotunda museum of up to £1.45m.
- 1.4 In accordance with the decisions of Council and Cabinet agreements have been prepared for the transfer of the service to the Trust on 1 January 2008 and subsequent management of the buildings by the Trust, including:
- (a) a Services Agreement relating to the provision of the entire Museums and Gallery Service by the Trust;
 - (b) a Service Level Agreement setting out services the Council will continue to make available to the Trust, and the terms upon which those services will be available;
 - (c) a Collections Agreement relating to the management of all collections held by the Council;
 - (d) a lease of the Rotunda Museum;
 - (e) a sub-lease of Wood End (as tenant of the Creative Industries Centre);
 - (f) a licence to occupy the Art Gallery, pending consideration of future proposals for enhancement of the building;
 - (g) a sub-lease of the Museum Store at Unit 10, Eastfield;
 - (h) a short term lease of Londesborough Lodge (pending completion of Wood End); and
 - (i) an admission agreement with North Yorkshire County Council and Scarborough Museums Trust under which Scarborough Museums Trust will become an admitted body and provide pensions to transferring staff on the same terms as presently.

The Chair of Overview and Scrutiny Committee accepts that if authority to enter these agreements is delayed this would seriously prejudice the interests of the Council in that:

- (a) the Council would be in breach of the deed of intent authorised by Cabinet on 26 January 2008 and entered into subsequently which provided for £1.45m match funding by the Trust for the construction and renovation of the Rotunda Museum and the position of staff who are due to transfer to the Trust on 1 January 2008 would be left uncertain.

ANY RELEVANT INTERESTS DECLARED BY CABINET MEMBER AND ANY DISPENSATIONS GRANTED

None.

DATE OF DECISION:

Friday, 21 December 2007

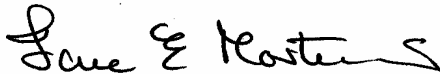
AGREEMENT OF CHAIR OF PROJECTS AND PARTNERSHIPS OVERVIEW AND SCRUTINY COMMITTEE:

Friday, 21 December 2007

IMPLEMENTATION DATE:

Friday 21 December 2007

Signed



Deputy Leader of the Council

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Date of signature

21 December 2007
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Signed



**Councillor G W Allanson
Chairman of Projects and
Partnerships Overview and
Scrutiny Committee**

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Date of signature

21 December 2007
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