

HERTSMERE BOROUGH COUNCIL

Meeting name & Date	EXECUTIVE 22 May 2019
Agenda item	6.2
Report title	Bushey Museum and Art Gallery Maintenance, Utilities and Fire Alarm
Report reference no.	EX/19/31
Wards affected	Bushey St James
Report author, job title & email	Hilary Shade, Head of Partnerships, Community Engagement and housing Hilary.shade@hertsmere.gov.uk
List of Appendices	Appendix A - Interim Arrangements Maintenance and Utilities
Reason for urgency	Not Applicable
Is it a Key Decision?	No
Call-in expires on	3 June 2019
Exempt from Call-in	Not Applicable
Portfolio Holders	Cllr John Graham, Finance and Property Portfolio Holder Cllr Caroline Clapper, Leisure, Culture and Health Portfolio Holder

PUBLIC REPORT - this report is available to the public.

1 RECOMMENDATION

- i. that the Executive approve the extension of the interim arrangements for maintenance and utilities at Bushey Museum and Art Gallery, as set out in Appendix A, for a further 2-year period to November 2021; and delegates to the Head of Engineering Services and Asset Management in consultation with the Portfolio Holders for Finance and Property and Leisure, Culture and Health to determine any further extensions.
- ii. that the costs of the replacement fire alarm as set out in para.5.8 are split between the Council and Bushey Museum.

2 PURPOSE OF THIS REPORT

- 2.1 This report is brought to the Executive seeking agreement to extend the interim arrangements whereby the Council is funding the maintenance and utilities costs at Bushey Museum and Art Gallery, as set out in Appendix A. This is to enable ongoing discussions with the Museum Trustees about the Museum's future financial viability. It is proposed to extend these arrangements for a minimum of 2 years initially and to delegate to the Head of Engineering Services and Asset Management in consultation with the Portfolio Holders for Finance and Property and Leisure, Culture and Health to review and determine any further extensions until such time the future financial viability of the Museum is determined and with regard to the ongoing discussions concerning the Bushey fire Station lease and the possibility of the development of a cultural hub at the Bushey Country Club site.
- 2.2 In addition the Executive is being asked to agree to split the costs of a replacement fire alarm with the Museum on the basis that the current alarm is obsolete and is in need of replacement.

3 REASONS FOR RECOMMENDATION

- 3.1 This will enable ongoing discussions with the Museum Trustees with regard to the future viability of the Museum and will give them some short term certainty with regards to the costs of running the Museum.
- 3.2 In terms of the fire alarm it is obsolete and currently, although operational, has a number of irreparable faults and is in need of replacement.

4 ALTERNATIVE OPTIONS

- 4.1 The Executive could determine not to extend the interim arrangements with regard to the maintenance and utilities beyond November 2019 and in this circumstance the Trustees would need to reflect on the impact this will have on the ability of the museum to continue to operate.
- 4.2 The Executive could decide not to go ahead with the replacement of the fire alarm however, it may invalidate the Council's buildings insurance and the Trustees may consider it not possible to open the building to the public in these circumstances.

5 BACKGROUND

- 5.1 Bushey Museum Trust approached the Council in 2017 with concerns about their long term financial viability. The Museum has been in receipt of a grant since it was established in 1993. The current core funding grant sits at £34,000 and has been frozen at this level since 2008.
- 5.2 A lease was entered to between the Council and the Museum Trust in 1997 which requires the Trust as the tenant to pay all rates and outgoings including the payment of utilities. As landlord, the Council is responsible for

the external and structural parts of the premises and the repair and maintenance of the central heating boiler.

- 5.3 Notwithstanding this the Council have historically been paying the utility costs as well as general building and M&E repairs as well as cleaning services and various compliance works. The budget for these items sits in the Asset Management budget with provision for circa £36,000.
- 5.4 It was proposed that these responsibilities should revert to the Museum in accordance with the lease and it was this that gave rise to the concerns about the financial viability of the Museum. In addition there were ongoing discussions with Hertfordshire County Council with regard to the future of the Fire Station Buildings adjacent and the aspirations of the Trustees that the Museum could utilise part of this to improve their gallery and storage space if the Council were able to secure a long term lease from the County Council.
- 5.5 In light of this it was agreed that the Council would continue with the interim arrangements with regard to maintenance and utilities (as set out in Appendix A) for a 2 year period (to November 2019) until such a time there was clarity about the future of the Fire Station site. This period of time would enable the Head of Partnerships, Community Engagement and Housing and the Portfolio Holder for Leisure, Culture and Health to work with the Museum Trustees to determine the way forward for long term sustainability of the Museum.
- 5.6 Unfortunately it has not been possible to progress discussions about the viability of the Museum due to the ongoing uncertainty about the Fire Station site. In addition the closure of Bushey Country Club in April 2018 creates a possible opportunity for the development of a cultural hub, which could possibly encompass a new museum.
- 5.7 In light of the above, the Trustees have requested that the Council extends the interim arrangements with regard to maintenance and utilities to give the Trustees some certainty in the short-term sustainability of the Museum whilst the longer-term plans are developed.
- 5.8 In addition the fire alarm, which was installed by the Council in 1990's, is now obsolete and currently, although operational, has a number of irreparable faults. The Council has received a report and quotation for replacement of the obsolete fire alarm of circa £17,400 (ex. VAT). Under the terms of the lease, this is the tenant's responsibility, however the Museum have limited funds and dispute that the responsibility to replace the alarm sits with them as the tenant. Given the urgency of the situation, it is recommended that a pragmatic solution would be that the costs of replacement are split between the Council and Bushey Museum (the Museum Trustees have indicated that they will be able to contribute to the costs).

6 FINANCIAL AND BUDGET FRAMEWORK IMPLICATIONS

- 6.1 There is provision in the Asset Management Revenue Budget of circa £36,000 to cover the maintenance and utilities costs as set out in Appendix A.
- 6.2 The costs of the replacement fire alarm can be met from the annual buildings maintenance programme funding held by Asset Management.

7 LEGAL POWERS RELIED ON AND ANY LEGAL IMPLICATIONS

- 7.1 None for the purposes of this report.

8 EFFICIENCY GAINS AND VALUE FOR MONEY

- 8.1 None for the purposes of this report.

9 RISK MANAGEMENT IMPLICATIONS

- 9.1 The ongoing financial viability of the Museum and Art Gallery could be put at risk if the maintenance and utilities costs are transferred to the Trust in the short term before a longer term solutions are identified for the Museum's viability.
- 9.2 If the fire alarm is not replaced it may cease to operate and put the buildings at risk. There is also a risk that the buildings insurance would be invalidated if the alarm was defective and no action was taken.

10 PERSONNEL IMPLICATIONS

- 10.1 None for the purposes of this report.

11 EQUALITIES IMPLICATIONS

- 11.1 None for the purposes of this report.

12 CORPORATE PLAN and POLICY FRAMEWORK IMPLICATIONS

- 12.1 Bushey Museum and Art Gallery contributes to the Council's 2020 Vision and the priorities of "Supporting our Communities".

13 ASSET MANAGEMENT IMPLICATIONS

- 13.1 Bushey Museum and Art Gallery is located in Rudolph Road and is one of the Council's community assets. The proposals set out in the report will contribute to ensuring the asset is maintained in good order.

14 HEALTH AND SAFETY IMPLICATIONS

- 14.1 If the buildings are not appropriately maintained then there could be health and safety implications arising as a consequence. Should the fire alarm cease to be functional then this would have significant implications for the operation of the Museum.

15 BACKGROUND DOCUMENTS USED TO PREPARE THIS REPORT

- 15.1 None

16 CONSULTATION ON DRAFT REPORT

- 16.1 A draft of this report was sent to the following on the following dates:

Consultee	Report sent	Comments rcvd
Chief Executive & Corporate Director (COB)	2 May 2019	[insert date]
Head of Finance	2 May 2019	[insert date]
Head of Legal & Democratic Services	2 May 2019	[insert date]
Head of Engineering Services and Asset Management	2 May 2019	[insert date]
Property Services Manager.	2 May 2019	[insert date]

Bushey Museum
Interim maintenance arrangements – November 2017

Following the Council's decision to assist with the Museum's maintenance responsibilities for up to 2 years the current arrangements have been reviewed.

The following tables indicate the split of responsibilities under the terms of the lease and for information the associated estimated costs. The costs indicated exclude vat.

The following Tenant works and services, which have previously been arranged and paid for by the Council (Landlord), will continue to be provided:

Item	Estimated cost (pa)
Legionella Monthly visits and sampling works	£1,080
Fire alarm system and fire equipment maintenance	£3,600
Intruder alarm maintenance	£2,400
Electrical testing	£100
Portable Appliance Testing	£300
Fire Risk Assessments	£100
Water Risk Assessments	£100
Lift Inspection, maintenance and servicing	£1,200
Asbestos management survey	£200
Cleaning	£5,900
Total	£14,980

The following Landlord works and services will continue to be arranged by the Council:

Museum main gas central heating boiler and associated gas safety checks
Lightning protection service
External and structure building maintenance

The following utilities will revert to be arranged and funded by the Council:

Item	Estimated cost (pa)
Electricity	£2,750
Gas	£2,550
Water	£110
Waste water	£110
Total	£5,520

The above applies to the Bushey Museum, main building and work rooms, but excludes the Frobisher Studio.