

25 January 2018

Brighton & Hove City Council

**Subject:** Extract from the proceedings of the Tourism, Development & Culture Committee meeting held on the 11 January 2018 – Update on Royal Pavilion and Museums Trust Arrangements

**Date of Meeting:** 25 January 2018

**Report of:** Executive Lead Officer, Strategy, Governance & Law

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**Wards Affected:** All

**FOR GENERAL RELEASE**

***Action Required of Policy, Resources & Growth Committee:***

To receive the item referred from the Tourism, Development & Culture Committee for information.

**Recommendations:**

- That the Policy Resources and Growth Committee:
- 2.1 Notes the report and associated information.
  - 2.2 Agrees the proposal to move the management of the service to a single cultural trust in one stage rather than two stages, with a transfer date of 1st July 2018;
  - 2.3 Agrees the proposal to proceed by way of a contract for services with BDFL, rather than a grant;
  - 2.4 Approves the principal terms of the transaction as set out in Appendix 1 and Appendix 3 and notes the indicative (draft) heads of terms in Appendices 1a and 1b;
  - 2.5 Approves the policies set out in Appendix 2 which establish the basis on which the charity will manage the museum collection, and notes that the remaining policies currently in the process of being updated will be considered for adoption by the Tourism, Development & Culture Committee on 8 March 2018, and that the BDFL Board will be required to adopt them under the terms of the service contract;
  - 2.6 Agrees a service fee to be paid to BDFL in accordance with the terms of the service contract. In 2018/19, this will be a proportion of the planned resources

of £1.181m (subject to negotiation to take account of the phasing of the budget over the year). In 2019/20 the fee will be £1.119m and in 2020/21, the fee will be £1.065m;

- 2.7 Notes the intention to award a conditional grant from Modernisation Funding to support BDFL with start-up costs following approval of a business case by the Corporate Modernisation Delivery Board.
- 2.8 Delegates authority to the Monitoring Officer, in liaison with the Executive Director for Economy, Environment & Culture, to consult with the Charity Commission and amend the governing documents of Preston Manor, as set out in 3.11 below;
- 2.9 Authorises the Executive Director for Economy, Environment & Culture, after consultation with the Monitoring Officer and the Section 151 Officer to finalise negotiations with the Trust, and take all steps necessary or incidental to the implementation of the proposals, including determining the final contract fee and maintenance contribution for 2018/19, authorising any grant required as described at 2.1.7 above, and seeking the consent of the Secretary of State (if necessary) in relation to the leases; and
- 2.10 Authorises the Monitoring Officer to prepare and execute any documents or agreements necessary to give effect to the proposals.

**BRIGHTON & HOVE CITY COUNCIL**  
**TOURISM, DEVELOPMENT & CULTURE COMMITTEE**

**2.00pm 11 JANUARY 2018**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Robins (Chair), Cattell (Deputy Chair), Nemeth (Opposition Spokesperson), Druitt (Group Spokesperson), Allen, Brown, Mac Cafferty, Mears, Moonan and O'Quinn

**PART ONE**

**49 UPDATE ON ROYAL PAVILION AND MUSEUMS TRUST ARRANGEMENTS**

- 49.1 Councillor Robins vacated the Chair during consideration of this application and Councillor Cattell, the Deputy Chair, took the Chair.
- 49.2 The Committee considered a report of the Executive Director for Economy, Environment & Culture in the relation to the Royal Pavilion and Museums Trust Arrangements. The report updated the Committee on the proposal to move the direct governance of the Royal Pavilion and Museums (RPM) from the City Council to a charitable entity.
- 49.3 Councillor Nemeth explained that the group was satisfied with the labour amendment and would formally withdraw the Conservative amendment.
- 49.4 Councillor Robins formally proposed his amendment and explained that the amendment sought for a three month extension until 1 July 2018 to account for meaningful engagement and consultation with the affected staff and the unions. He explained that the he had met with the staff at the Royal Pavilion three times and it was clear that they were passionate about their jobs but it was also their livelihood. He added that the amendment sought for an update report regarding the consultation to be presented at the Tourism, Development & Culture Committee on 8 March 2018. Councillor Cattell then formally seconded the amendment.
- 49.5 Councillor Druitt explained that he welcomed the Labour Group amendment but had concerns that the engagement had not yet been effective as a petition had been presented, to Members of the Committee, which had been signed by over 90% of the Royal Pavilion & Museum staff. He added that he supported the report; however, it needed to be acknowledged that an alternative plan might be needed if the staff concerns could not be resolved. The Executive Director for Economy, Environment & Culture explained that he had acknowledged the staffs concerns and apologised to the staff that the consultation had not been successful. He explained that if the Labour Group amendment was agreed he would visit the individual teams and ensure that the concerns raised were addressed. He added that a consultation timetable was being produced and he would ensure the engagement was effective and meaningful.

- 49.6 Councillor Mears noted that she welcomed the Labour amendment; however, she had concerns regarding the management of disposals once moving to a Trust. In response to the concerns raised by Councillor Mears the Arts & Culture Programme Director explained that there was an extensive range of artefacts in storage at the Brighton Museum and the majority of disposals were exchanged with other museums to extend the collection. It was added that a small proportion of artefacts had been sold but this had been to professionally manage the collection and the money made was reinvested into the collections. Councillor Mears requested a section regarding disposals in the update report in March if the Labour Group amendment was agreed.
- 49.7 Councillor Allen agreed with Councillors Mears and Druitt and noted that the petition would not have been received if the consultation had been effective. He explained that he fully supported the Labour Group amendment and if it was to be agreed it would allow officers to fully consult the staff. He added that if the response to the Trust was still negative then he would support a further delay.
- 49.8 In response to Councillor Allen the Executive Director for Economy, Environment & Culture explained that Preston Manor, Hove Museum and the Booth Museum were to be managed by the Trust and they could not be closed without agreement from Brighton & Hove City Council. It was also clarified that the Members on the Shadow Trust Board had not been excluded from meetings and held the same representation as the directors.
- 49.9 In response to Councillor O'Quinn the Executive Director for Economy, Environment & Culture explained that the officers were recommending a single stage trust and the Labour Group amendment would allow additional time for officers to consult fully with the staff regarding this. A single stage process would give the best opportunity for success in establishing the ongoing resilience and sustainability of the Royal Pavilion & Museums and would provide a level of oversight and control in areas such as the management of collections and maintenance. The Trust could be established in two stages; however, it was not recommended by officers.
- 49.10 Councillor Robins explained that the officers were recommending a single stage process; however, after the engagement with staff, if it was necessary, the process could be changed to two stages. He noted that he had spoken to the staff and appreciated the feedback they had given and wanted to ensure full, meaningful consultation was accomplished.
- 49.11 Councillor Druitt noted that he supported the three month extension; however, the administration should take full responsibility for the lack of consultation with the affected staff.
- 49.12 Councillor Mears stated that she understood the concerns raised by Councillor Druitt; however, she was reassured as Councillor Robins had committed to ensure meaningful engagement was completed with the staff. She thanked Councillor Robins and noted that the discussion, proposed amendment and decision should be referred to the Policy, Resources & Growth Committee.

- 49.13 Councillor Robins explained to the Committee that he had consulted with staff members individually, had meetings with officers and taken responsibility for the lack of engagement. The Executive Director for Economy, Environment & Culture added that as the director he was the accountable officer and took full responsibility and would ensure the problems were addressed. He confirmed that the Policy, Resources & Growth Committee report would reflect the outcome and decision of the Committee and an extract of the minutes would be provided.
- 49.14 The Chair then put the Labour Group amendment to the vote. This was **carried** unanimously.
- 49.15 The Chair put the recommendations to the vote and these were **carried** unanimously.
- 49.16 **RESOLVED:** That the Tourism Development & Culture Committee –
- 1) Notes the report and associated information.
  - 2) Recommends that the 25th January 2018 Policy, Resources & Growth committee:
    - (i) agrees the proposal to move the management of the service to a single trust in one stage rather than two stages, but subject to a delay in the proposed timetable of a further 3 months to 01<sup>st</sup> July 2018 to take into account concerns raised by staff and allow for further engagement with staff and unions, including engagement with Brighton Dome & Festival staff and management, and for a clear programme of this further staff engagement to be communicated in writing
    - (ii) agrees the proposal to proceed by way of a contract, rather than a grant.
  - 3) requests an update to this committee in March on the progress in establishing the Trust and engagement with staff and unions
  - 4) Notes that 25 January 2018 Policy, Resources & Growth Committee will consider the final terms of the transaction, the governance arrangements for the Trust, and the provisions for monitoring the service contract between the City Council and the Trust as set out in the report.

