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The Helena Thompson Museum  
Workington

Options for Future Operation and  
Development

March 2003

APPENDICES

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## Appendix 1 – The Brief

### SPECIFICATION FOR THE PRODUCTION OF A FEASIBILITY STUDY REGARDING THE FUTURE OF THE HELENA THOMPSON MUSEUM

#### 1.0 Introduction

1.1 In April 2002 Allerdale Borough Council took the decision to give consideration to developing the potential of its museums and Workington Hall through outsourcing. All of these facilities have been the focus of longstanding debates about sustainability for a number of years. A review and options appraisal has been undertaken at each site.

1.2 The Jubilee Group, a local community group rooted in the Workington Civic Trust and the Museum volunteer groups, has expressed interest in being involved in running the Museum in the form of a local community trust. However, they acknowledge that any next steps need to be sustainable and realistic.

1.3 The Group, with the support of the Borough Council, are looking to commission a feasibility study to address a number of key issues. An inclusive budget of £2000 has been identified to fund this activity.

#### **Background**

2.1 In February 2000 a report commissioned from L&R management and grant aided by the Area Museum Service commented of the Heritage Service that:

“There are too many buildings and too few staff to deliver the range and standard of services sought. The very constrained revenue budget is not likely to be able to support any significant development without radical change and/or securing additional external funding” (see Appx. II)

2.2 Officers have been working endeavoured to establish a consensus on the nature of heritage provision in Workington in the light of the overall regeneration strategy for Workington. This could include the creation of an overarching development trust to take on more than one of the facilities. This work has included giving consideration to the development options attached, for example, to Workington Hall, and a buildings preservation trust (the Heritage Trust for the North West) is likely to take a formal stake in the future of this building. It has become increasingly apparent that the rate of progress made with this thinking is unlikely to match the need to resolve the future of the Helena Thompson Museum in the short term.

## 3.0 The Study

3.1 The Consultant will be required to undertake an initial assessment of the situation, focussing on the management of the Museum in the short to medium term, and reviewing longer term future strategy of the Museum within the context of other initiatives in the area.

3.2 The Consultant will be expected to work closely with the Jubilee Group and formally attend a minimum of three meetings - at the setting stage, to present a mid-term progress report, and to present the results of the Study.

3.3 The Heritage and Arts Manager (ABC) will provide administrative support as and when required.

3.4 The time frame for the Study is subject to negotiation with the Consultant, but speed is of the essence and the work needs to be completed before the end of March 2003.

3.5 The Study should include the following:

A fresh evaluation of the type, range and performance of the service being provided at the Museum – this evaluation should be able to draw on the work already undertaken by L&R Leisure

An assessment of other service and advice providers in the public, voluntary and commercial sectors, including the HTNW (see 2.2), the Workington Transport Heritage Group, the Workington SRB Partnership and the Workington Arts and Heritage Cluster

An assessment of the key internal/external influences and constraints affecting the future of the Museum both now and in the future. This must involve an analysis of the future financial operation of the Museum, and of funding opportunities available to progress any development work

A review of the covenants governing the ownership of the Museum and its contents by the Borough Council, and of the management structures that would need to be set up should the Museum be outsourced

A series of options with recommendations for the Group to consider

*Should this first phase be successful, it is likely that a separately funded Phase II of this study would be developed which would include:*

An outline building design scheme with estimated capital costs,

A three year business plan for the Museum to include a marketing strategy

A fundraising strategy to cover additional revenue and capital costs.

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The Jubilee Group, 10.02.2003

## Appendix 2 – L&R Report

### Executive Summary – February 2000

#### 201 Introduction

The situation review has covered both internal as well as external perspectives and the service and market context within which the Museum Service is operating has been assessed, together with an audit of existing provision. From the audit, in discussion and through consultation, including a postal questionnaire, key issues have arisen relating to a number of areas of the Museum Service.

The Museum Service has remained in a relatively static state in recent years and its benefits to Allerdale are yet to be more fully recognised and developed. The visitor numbers to the museums are very low and there is great potential for audience development throughout the community. However, each of the three museum buildings has significant access limitations.

Allerdale Museum Service operates three museums and three outdoor heritage sites. There are too many buildings and too few staff to deliver the range and standard of services sought. The very constrained revenue budget is not likely to be able to support any significant development without radical change and/or securing additional external funding. Such funding is usually initiative specific and time limited and dependent upon a supportive, soundly based case and context.

The geographic and population spread of the Borough adds to the challenge of providing valued and high standard services to residents and tourist visitors to Allerdale.

#### 202 The Vision Of A Borough-wide Heritage Service

The opportunity exists to widen the focus of the current service from the largely site-based museum and collections orientation to an Allerdale-wide enabling role, (not unlike to the Arts Development approach that has been taken), with an emphasis on the cultural and natural heritage of Allerdale.

A Heritage Service would act in an enabling and facilitating way, assisting Allerdale communities and organisations to research, document, conserve, display and interpret their heritage for public benefit and through a wide range of activities and programmes. Museums could then be seen as an important component within the overall service, but not the only expressed activity, and not necessarily directly managed by the local authority.

An Allerdale Heritage Service would recognise that public understanding and appreciation of the heritage of the Borough are vital for its long-term care and for the quality of life of its people. A service designed to give as wide as possible access, physical and intellectual, to the Borough's heritage would fit well with the Borough Council's expressed statement of purpose and principles and also reflect the aims of the Leisure Services Section. In doing this it would be appropriate to re-name the service to reflect the broader approach.

Such a service model would suit the socio-demographic and geographic features of the Borough, fit well with the principles of education and access for all and accord with the views expressed in the Consultation Questionnaire, (Appendix A).

### **203 A Mission Statement For The Heritage Service**

A mission statement is best developed and agreed internally rather than imposed externally, but the statement below is offered as a starting point for discussion and refinement.

The Allerdale Borough Council Heritage Service aims to work with local communities and organisations in order to care for and interpret the heritage assets of the Borough, for the benefit of the people of Allerdale; this generation and future generations, and for those who work in and visit the Borough.

### **204 Moving Towards A Heritage Service Will Mean A Process Of Change Over Time**

There would need to be a process of change over a period of time in order to achieve Borough-wide service reach balanced with museum and site-based responsibilities. These changes would need to be planned and could take a number of years. The scope and rate of change will depend upon multiple factors but the resources able to be marshalled to bring them about will be a crucial factor. In a climate of continuing budget constraints, it may be that achieving all the desirable features of a Heritage Service depends upon re-orientation of resources.

Alongside consideration of the change in policy direction to a Heritage Service, there is also a need to address current priority issues and agree the set of development opportunities and actions to take forward.

### **205 Site Development And Partnership Opportunities To Consider**

The number of sites, their locations, building constraints and other factors leads to the conclusion that it is unlikely that Allerdale Borough Council will be able to support the current portfolio of sites and undertake the sought service development. If so, then there are consequent issues over the future roles and operation of each of the sites and there are partnership opportunities to consider.

Keswick Museum & Art Gallery is considered as an important site development opportunity and this should be pursued in partnership with, or complementary to, Fitz Park.

At Maryport, there is a window of opportunity during the lifetime of the SRB and in a small town, a shared approach to developing the heritage assets for community, educational, economic and regenerative benefits is essential. The Museum Service can play an important role which could involve relocation, shared temporary exhibition/flexible resource space, an introductory and orientation role alongside the TIC and/or an enabling function in educational and event programme development.

Helena Thompson Museum is not an ideal location or premises but it is in Workington, closest to the greatest proportion of Allerdale residents and does have the best temporary exhibition and community facility within the Museum Service. An initial public programme and activities led approach is suggested while the Management Committee and Friends might be supported to take a more substantive management role over time.

## **407 Helena Thompson Museum SWOT**

### *Strengths*

- Attractive Georgian building and garden setting
- Collections & displays of local and specialist interest
- Temporary exhibition space & community facilities, (kitchen, etc)
- Regular use of the building by community and textile crafts groups
- HQ of the Cultural Services Unit
- Management Committee in place - plus volunteers who assist with museum tasks and fundraising for conservation projects

### *Weaknesses*

- Poor location in relation to Workington town centre
- No car parking provided
- Designated parking across busy main road and perceived as unsafe/insecure
- No physical access beyond ground floor for mobility impaired users/staff
- Middle class/middle aged cultural atmosphere - could be perceived as somewhat remote and irrelevant from needs and interests of much of the local community
- Gaps in collection management and documentation
- Lack of environmental control & monitoring
- Lack of marketing

## *Opportunities*

- Make more of the temporary exhibition space
- Consider visitor flow and interpretive improvements (See Appendix B)
- Revive the plans for increased use of the gardens, interpretation, etc
- Develop role & responsibilities of the Management Committee
- Create improved visitor access with new “one way” entry off A66, car parking against boundary wall at rear of property and vehicular exit onto Park End Road.

### **1.1            *Threats***

- 2**                    Spaces increasingly unsuitable/inaccessible for staff/back of house Cultural Services Unit
- Decline in visitor numbers

## **408 Helena Thompson Museum And How To Make Best Use Of The Resource**

### *Visitor Numbers*

HTM is uncharged. The number of visitors/user at HTM in recent years is small:

1994	1995	1996	1997	1998
9075	8801	8386	6247	7848

From the responses to the questionnaire it is likely that there are a small number of reasonably frequent users, often with particular interests in local history, but that the HTM is not reaching out to much of Workington - and Allerdale's population. The numbers have not fluctuated a great deal over the last eight years, but there may be signs of some decline setting in.

### *Public Programme And Activities Led Approach*

Arguably, HTM has the best Museum Service facility for changing temporary exhibitions and education/community use, with full access to the ground floor and kitchen facilities. Also, despite an out of town situation, the Workington location means that this site is the closest to the greatest proportion of Allerdale's population.

In the foreseeable future, the most productive approach may be to implement a stronger programme of community based use, heritage activities and exhibitions, while seeking to increase the part played by the Friends and the Management Committee so that, in the longer term, a more “hands -off” management regime may be considered for a facility and site that does not best meet the needs of a changing Museum Service.

The Museums Service Forward Plan of June 1994 put forward the concept of creating a co-ordinated visitor destination combining HTM and Curwen Park, (Workington Hall, The Greenhouse). It also established a phased priority list of permanent display developments at HTM. There is a need to consider how far, if at all, the HTM and Curwen Park integration is still relevant, in the light of the current condition of Workington Hall, (dealt with later in this section).

## **Conclusion – Helena Thompson Museum**

Helena Thompson Museum is not an ideal location or premises but it is in Workington, closest to the greatest proportion of Allerdale residents and does have the best temporary exhibition and community facility within the Museum Service. Easing access and car parking through a one-way system on site would be helpful in seeking to unlock greater visiting potential. An initial public programme and activities led approach is suggested while the Management Committee and Friends might be supported to take a more substantive management role over time.

## APPENDIX B : INTERPRETIVE REVIEW

### **B01 Introduction**

This short interpretive review has been undertaken by the Principal of Headland Design Associates, after visits to the Allerdale Museum sites. It complements the audit and review of provision in Section Four.

### **B03 Helena Thompson Museum**

#### ***Review***

The Helena Thompson Museum, (HTM), is much more developed than Keswick Museum and Art Gallery. Some of the displays are out of date but others are well done and enduring. It has an excellent community and temporary exhibition facility on the ground floor, which has fully accessible toilets and a kitchen facility adjacent to it.

The house itself is lovely but is not presented very clearly in its context of a bequest to the people of Workington from an interesting woman who was ahead of her time. The links between the house and Workington Hall are explained upstairs, but both of these stories and the range of activities which take place at the Museum would fit best into an introductory gallery.

The costume gallery is well laid out and the dresses look fresh and attractive. The dark brown wooden fascia is dated and inappropriate to contemporary taste, but could be replaced or even just painted. The notes of Helena Thompson on her costume collection and the photographs of ladies who have lived in the house provide excellent interpretive material. They could be used with fashion plates, quotes from books and letters and historical cartoons to create lively graphic interpretation of the displays. The sewing machines in the middle of the room are not particularly interesting or relevant and could be improved upon.

The hallway and landing and the Victorian and Georgian rooms all work well. The display cases in the Georgian room are too high, but could be modified and all of the spaces would benefit from better interpretation, using graphics and perhaps sound.

The upstairs spaces are much weaker, especially the long gallery which has a rather dull and old-fashioned display of social history. The Curwen room is better, but is static and has very dense and wordy graphic displays.

### ***Development Opportunities***

The entrance to the HTM would work better if it led directly into the adjacent building. There is an area here currently called "reception", but not currently the first point of entry. This space could be used to introduce the Museum and Workington Hall, as well as to house a welcome point, a shop area, and a TIP. An introductory video about Helena Thompson, the Curwen family and Workington Hall could also be sited here.

Other general improvements on the ground floor would include some music in the Victorian and Georgian rooms, the improvements to graphics and decoration already suggested and more imaginative interpretation in the centre of the costume gallery. This might include one of the sewing machines dressed-out with fabric to show a Victorian dress being made, with all its many yards of fabric and complex construction. The rest of the central space could house low table-top displays with interest for adults and activities for children. It could look at the amounts and types of cloth used in different clothes today and in the past; and at how costume and dress has the ability to inhibit us and free us to take part in different activities. Interactives could include puzzle type "dress-the-doll kits" and design your own costume.

The area where greatest improvements could be made is upstairs. There is currently no disabled access to the first floor and without further investigation it is difficult to know how this could best be achieved.

The long gallery and the Curwen room could be refurbished with new lively interpretation of Workington's story.

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There would appear to be some overlap at present between "The Greenhouse" in Curwen Park, also run by Allerdale BC and the community and temporary exhibitions space at the Museum. A complementary approach to programming is desirable.

The gardens, particularly at the rear of the Museum have not been developed at all, and the scale of space available means that a whole range of outdoor facilities could be provided. The potential cost of outdoor development and the proximity of Curwen Park however, both militate against this kind of development, at least until after other aspects of Allerdale Borough Council Museums are improved. The perimeter security is also poor and would make the display of outdoor sculpture vulnerable.

## Appendix 3

### BV Action Plan – Extracts

#### Allerdale Borough Council Best Value Review of Leisure Services -Extracts

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- Significant proportion of the council’s budget currently spent on leisure services (27%, 2001/2002)
  - The council’s leisure infrastructure that would become increasingly more costly to maintain and develop
  - Requirement to align leisure services around the corporate plan and the best ways in which current resources could be used to achieve this
  - Little understanding of leisure needs in the borough
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#### Household Survey – March 2002 (10) (same questions asked as household survey 2000)

300 Members of Citizens Panel interviewed by telephone

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	Used within last month	Used within last year	Never used	Satisfaction levels (users only) very/fairly satisfied	Fairly/very dissatisfied
<b>Sports &amp; leisure facilities</b>	23%	12%	60%	83%	10%
<b>Museums &amp; galleries</b>	4%	23%	63%	90%	2%
<b>Theatres &amp; concert halls</b>	8%	26%	59%	86%	5%
<b>Parks, open spaces and play areas</b>	47%	13%	34%	80%	13%

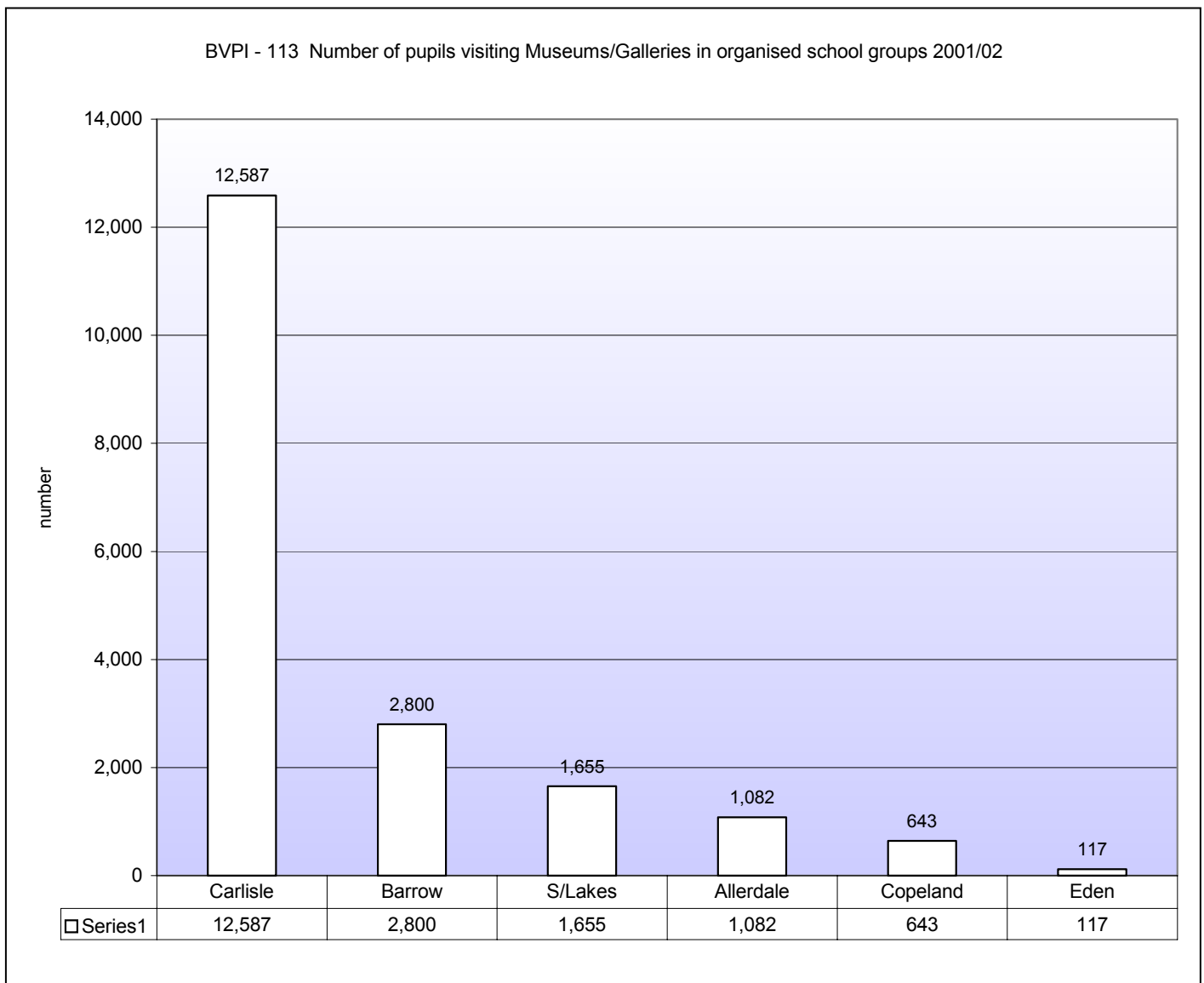
#### Citizen’s Panel Survey Museum Services, November 2001 349 responses

The Citizen’s panel, May 2001, indicated that 82% of respondents thought the Council should be involved in providing museums, however, around two thirds had never visited them or visited longer than one year ago. In this survey:

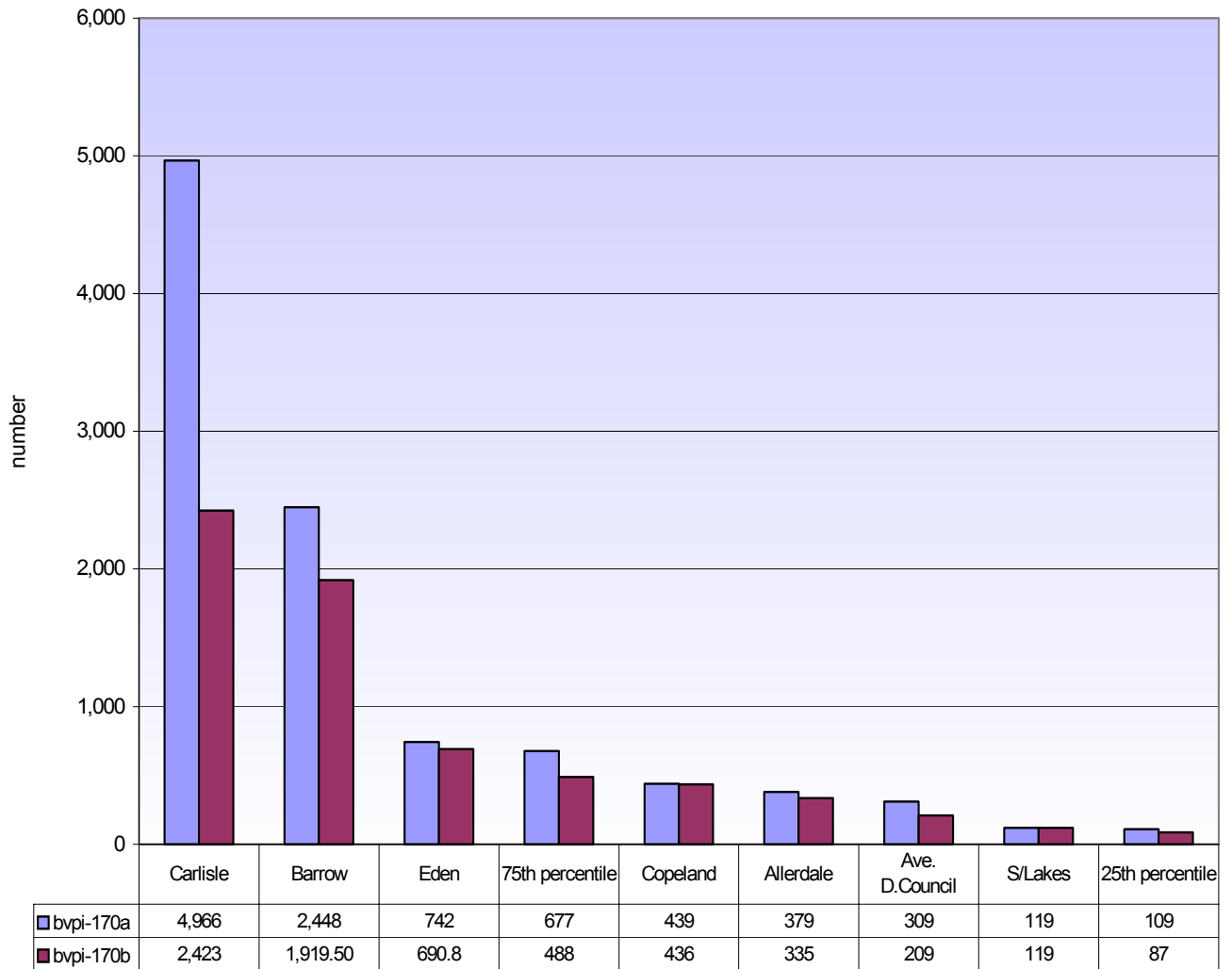
- 66% said that they would be prepared to pay, most around £2.00 (48%)

- 60% thought that more local interest exhibitions would encourage visitors
- 45% thought more interesting exhibitions and more frequent changes to permanent displays
- 42% said that they did not have the time or opportunity to visit museums
- 38% thought more children's activities
- 26% said that they were not aware of what facilities/activities were provided
- 21% said that the location of museums was not convenient

## Best Value Performance Indicators, 2001/2002



The number of pupils visiting museums and galleries increased from 824 in 2000/01 to 1082 in 2001/02, a 31% increase



Visitor / usage figures for Allerdale’s museums have increased from 2000/01 to 2001/02.  
 The increase in Museum usage/visits (BVPI - 170) was 21%.  
 The increase in visits in person (BVPI – 170b) was 13%

## Key Findings

1. There was strong support from the general public for the council’s involvement in providing leisure opportunities.
2. Children’s play, parks and open spaces, were especially valued, reflected in the high levels of use.

3. Around one third said they used our sports facilities and satisfaction among users was high. However, the council currently has little information about its users (and non-users) and is therefore unsure how this aspect of its leisure service is supporting the corporate plan.
4. Access should be an integral part of service delivery, especially for the council's target groups, and its marketing and pricing policies should support this. Marketing should raise awareness of the potential of leisure activity to improve health, encouraging people to take more responsibility for their own well-being. Pricing should promote equal access and the council should be aware whether subsidy is reaching the right groups of people.
5. The council in the past has made substantial investment in the infrastructure of its leisure facilities, including sports centres, swimming pools and children's play, and there was strong support from the public for these services. However, there has been little investment in other services like the museums and the Carnegie theatre.
6. Improving council facilities is becoming more and more difficult due to the cost of maintaining the current service. To address sustainability of existing facilities, outsourcing options are being pursued for the council's museums (through building capacity within communities) and a feasibility study for the Carnegie, early 2003, will identify future management options.
7. For leisure to continue to strengthen its alignment around the corporate plan, it should continue to develop a more sustainable balance between its existing role as direct provider of leisure services and that of enabler. It could do this through building capacity with its partners to improve opportunities for leisure and to target its resources more effectively.
8. There was strong support for providing advice, including how to get funding, for supporting events and festivals, for encouraging participation in sport, arts and heritage, for giving grants and for attracting extra funding for the council. All of these things are in support of the corporate plan and wider agenda of improving health and well being.
9. There is no current, longer-term plan for the council's leisure service; many of the strategies that informed leisure's service planning are becoming out of date. The council does not have a cultural strategy, and although this is not compulsory, it is recognised as good practice. The findings of the best value review will help to inform the cultural strategy.

## **Recommendations**

### **Positive about the area's good features:**

The council should prepare a cultural strategy that defines the role of leisure services in helping to deliver the corporate plan. An emphasis on economic regeneration and improving health and well being will drive the key partnerships the council should maintain and develop. The strategy should consider best practice identified in the review and the priorities for improvement identified in the best value action plan.

A number of councillors who responded to the consultation agreed to take part in a focus group to explore the issues in more detail. This should be used as a means to further challenge the council's role and inform the strategy.

A cultural strategy for Allerdale should raise the profile of leisure within the council and with its partners, and help to identify cultural opportunities in bigger, cross-cutting programmes, e.g. the town centre development. The strategy should consider how the council and its partners can use the natural environment to develop opportunities for leisure. In Workington, the river and quayside will be included in the proposed Derwent Valley development.

To further raise the profile of leisure, the council should improve how it evaluates the effectiveness of leisure programmes so the benefits are more apparent. This links to the findings of the best value review of social inclusion and the launch of the social inclusion network. One of its aims is to identify and spread best practice in terms of community development.

### **Attract investment:**

The public told us that providing advice about funding and giving grants was important. The council is building its capacity in this area through the appointment of a corporate Investment Officer to identify and develop bigger scale investment opportunities. The initial focus will be on improving parks and open spaces - priorities identified in the review.

Raising the profile of leisure with other organisations, public and private sector, will increase the council's ability to influence their strategies and help identify investment opportunities for leisure, especially when through improved monitoring and evaluation of projects, the council can show evidence of the benefits of leisure.

### **3. Challenge people to work together to improve communities:**

In response to what local people and our partners told us was important, the council should continue to build capacity with its partners and within communities to provide opportunities for leisure.

The council is using this approach to develop arts and heritage in the borough through its support of the Workington Arts & Heritage cluster, a partnership with local groups, artists and business, including the Civic Society and Corus, and local people interested in developing arts and cultural activity in the town. The partnership is working with Workington Regeneration to ensure that the contribution culture and creative activities can make to community regeneration is considered in the town centre development.

## **Facilities**

To free capacity in order to strengthen its community development role, the council should identify the most appropriate means of managing its sports centres and swimming pools, learning from its experience in developing new partnering arrangements to deliver its key services. Future arrangements should be informed by the current feasibility study around proposals for a new stadium in Workington and the Derwent Valley development. This is in addition to the options being developed to provide a more sustainable future for the council's museums, Carnegie theatre and proposed facility in Maryport. Short term, the council and its contractors should improve the collection and management of information about the users of centres in order to assess how this aspect of the service is supporting the corporate plan.

## **Parks & open spaces**

There are strong parallels between central government recommendations and local community needs for developing parks and open spaces. The council and its partners should help build capacity within communities through involving local people in planning and delivering services.

Initially, parks and open spaces that serve the council's priority wards should be targeted for improvement, in support of the corporate plan. In developing these facilities, the council should learn from best practice identified in the review, especially how local "friends" groups have been used to ensure longer term sustainability.

The council should also build on its own success, working in partnership to refurbish Allonby playground.

## **Arts & sports development**

The council recognises the contribution that the arts and sport can make to community development and to delivering its corporate plan. Leisure should continue to work within the council and with partners to build capacity to deliver these services.

Ewanrigg arts project, in partnership with the community and Home Housing, was an example of best practice. The council should consider how this success can be replicated in other priority wards, enabling the authority to build on its success and establish greater links with social housing landlords (and others).

The council should continue to support amateur sports clubs through providing financial advice and establishing a sports network to develop and celebrate volunteering and coaching opportunities. Key partners are the Sports Action Zone and Cumbria Sport.

**Promote excellent standards of service:**

The best value action plan and emerging cultural strategy will provide a focus on what is important to local people and to the council in helping to deliver the corporate plan. Targeting our resources more effectively towards these priorities so we do these things well, will help us to provide a good quality service that is valued by our local communities.

## Appendix 4

# The Role and Responsibilities of Trustees

The following is based on a publication produced by the NCVO. It was produced in 1982. I am awaiting an updated version of this report.

### **(1) Who may be a trustee?**

It is necessary to consider not only legal capacity but also fitness for the task. Generally, anyone who is capable of holding and dealing with property may be a trustee. However, a minor, i.e. a person under 18 years of age, cannot be appointed. A bankrupt or a person incapable of acting by reason of mental disorder ought not to be appointed or allowed to continue to act. A limited company or other corporation may be appointed. The governing instrument may require special qualifications as, for example, that trustees must reside in a certain area or be of a certain religious denomination.

### **(2) How many trustees?**

Maximum: none in the case of charitable trusts. However, regard should be had to convenience in administration. Minimum: one, but remember that there is safety in numbers. The governing instrument may, and often will, lay down specific requirements.

### **(3) Special types of trustee**

(a) *Custodian trustees* Certain approved corporate bodies (e.g. insurance companies, friendly societies, local authorities in certain cases) may be appointed as custodian trustees. The function of a custodian trustee is simply to hold the property of the trust. Management is left in the hands of the charity trustees. The advantages of using custodian trustees are (1) security of capital against loss due to fraud or breach of trust, and (2) saving of the periodical expense caused by the necessity to transfer the trust property on every appointment of new trustees. (A custodian trustee, being a corporate body, does not die.) A disadvantage is that a commercial custodian trustee may charge yearly fees.

(b) *The Official Custodian for Charities* The Official Custodian is a permanent office (in the form of a corporation) held from time to time by an officer appointed by the Charity Commissioners. The Official Custodian holds property – land and/or securities – on behalf of charity trustees and he has all the powers and duties of a custodian trustee, except the power to charge fees. His two main services to charities (provided free) are the safe-keeping of all property transferred to him and the remittance of income from securities to the charity trustees without deduction of income tax. Full details of the Official Custodian and the services he provides may be obtained from the Charity Commissioners.

- (c) *Trust corporations* These include the leading banks, companies formed to undertake trust business and other corporate bodies authorised by law to act as trustees. A trust corporation may be appointed as sole trustee or jointly with a number of individual trustees. Trust corporations are given certain statutory privileges in dealing with trust property. They may charge fees. (d) *Holding trustees* A governing instrument may provide for the property of the charity to be held by a separate body of individuals instead of being held either by some or all of the charity trustees, or by a custodian trustee. In such a case the holding trustees (sometimes called 'bare trustees' or 'nominee trustees'), will not usually have powers of management, but may have limited duties concerned with administration of land or investment of property of the charity. In suitable circumstances a body corporate may be appointed as holding trustee; and where the charity is large enough, fees may be paid at a proper rate for the management of its investments by such a trustee.

## **(4) Appointment**

- (a) *Original trustees* are usually appointed by the founder or promoters of a charity. After the creation of a charity, such persons have no further powers of appointment unless such a power is contained in the governing instrument.
- (b) *New trustees* may be appointed: – (i) under a power contained in the governing instrument; (ii) under the Trustee Act 1925 (unless the governing instrument excludes this power); (iii) by the Charity Commissioners (see below); or (iv) by the Court, although this will rarely be necessary in view of the Commissioners' wide powers. A parish or community council or meeting has limited powers of appointment under the Charities Act 1960, in the case of secular parochial charities.

## **5) Retirement and removal**

A trustee may retire or be removed: – (a) under the Trustee Act (above) on the appointment of a new trustee in his place; or (b) without the appointment of a new trustee, under Section 39 of the Trustee Act. Certain formalities must be complied with; (c) under a power, if any, in the governing instrument; (d) by, or with the consent of the Court, but again this will rarely be necessary in view of the powers of discharge and removal exercisable by the Charity Commissioners; (e) by the Charity Commissioners; (f) subject to the consent of the Charity Commissioners, the existing trustees of a secular parochial charity may transfer its property to the parish or community council or its appointee(s) as new trustees. Where a new trustee is to be appointed or an existing trustee wishes to retire, it will generally be desirable to seek advice and assistance either from a solicitor or from the Charity Commissioners. This is particularly important for trustees who both manage the charity and hold its property since an appointment or retirement will not necessarily vest the property in the new and/or continuing trustees. On the other hand, where a custodian trustee holds the property, and a straightforward power of

appointment/ retirement is contained in the governing instrument, no professional assistance may be necessary for the appointment/retirement of a charity trustee. It will always be desirable to obtain advice where a question of removal arises.

## (6) Duties and powers

A trustee's duties are what he must do. His powers are what he is permitted to do.

*Duties.* A trustee must do what he is told to do by the governing instrument, or by statute or other rule of law. A duty must be performed with all necessary diligence or the trustee may be liable for any loss to the charity.

*Discretions.* These are matters on which trustees are required to form their own opinion. In the case of discretionary powers, a trustee must act honestly, with a fair consideration of the subject, and must use as much care as a prudent man or woman would exercise in dealing with his or her own private affairs. This means that a trustee must act rationally, sensibly and carefully. Where there is any doubt about the existence of or the proper way to exercise a discretion, charity trustees should obtain the advice of the Charity Commissioners.

### Particular duties and powers of trustees

Before accepting the trust: disclose any conflicting interests.

On accepting the trust:

Discover the terms of the trust by examining the charity's governing instrument. This is necessary since charity trustees have a duty to administer in accordance with the trusts and in the manner laid down by the trust instrument. Trustees themselves cannot alter the provisions of the trust instrument unless they have a clear power to do so. If the established purposes of the charity or the provisions for its management are ambiguous, the matter should be drawn to the attention of the Charity Commissioners and, if necessary, an application made for a scheme.

- (i) Discover what property is subject to the trust. This is necessary so that it can be administered, invested and protected. For its proper administration, trustees must, amongst other things, look to the maintenance and security of the property and must make sure that all income is received and that all tax advantages are obtained. Trustees must also know what assets they may spend on running the charity and what must be preserved as capital to produce future income. Occasionally, a new trustee on appointment becomes aware that there may have been a previous breach of trust or that the trust has suffered some loss. If this should happen, take advice from a solicitor or from the Charity Commissioners. For powers to dispose of or to charge property, see below under the heading 'Charity Commissioners'. Duties in relation to investment are dealt with below.

- (ii) Discover the identity of co-trustees. Trustees must normally take their decisions and act together as a body. Unless the governing instrument provides to the contrary, a charity's affairs must be managed by the whole body and not by committees or by individual trustees. But efficient management may require a committee, for example, to look into a certain matter and to report back to the whole body of trustees for decision. The rules of a charity may fix a quorum for trustees' meetings. If not, generally a majority of the trustees must be present. Charity trustees do not need to act unanimously. But the decision and act of a majority which is within the scope of the authority of the trustees will be treated as the decision and act of the whole body and will thus bind a dissenting minority.
- (iii) Ensure that the trust property is brought into joint control so that it cannot be dealt with without the knowledge of all the trustees. If there was a deed of appointment this may have dealt with the transfer of some, or all, of the trust property. On the other hand the trust property may already be held by custodian or holding trustees, or by the Official Custodian (see above). This should be evident from the deeds of title of the property.
- (iv) Ensure that the title deeds of the trust are in safe custody. Bearer securities not held by the Official Custodian, a custodian trustee, etc., should be deposited with a bank in the names of all trustees. Title deeds to trust property should also generally be deposited with a bank to be held to the order of all trustees. Take advice when in doubt.
- (v) Pay particular attention to the security of cash. The operation of bank accounts also requires consideration and should be discussed with the charity's bankers. Where there are a number of trustees it may be inconvenient to require cheques to be signed by all – but substantial sums should never be available to one trustee or one employee acting alone.

While acting in the trust. Some of the duties of trustees administering a charity have been referred to above. In addition:

- (i) There is a general principle that a trustee must not place himself in a position where his duty as trustee might conflict with his personal interest. This principle gives rise to the duty of a trustee not to profit, whether by salary, remuneration, fees or otherwise, either directly or indirectly, from his position. This will normally prevent trustees claiming to be paid for their services. However, the governing instrument may sometimes permit some payments to be made, e.g. to a trustee who is a solicitor, for legal work done for the charity. A trustee is generally entitled to receive reasonable and necessary out-of-pocket expenses incurred in the proper administration of a charitable trust. The general principle will also prevent trustees from selling trust property to themselves or their nominees; nor can they sell their own property to the trust. This rule does not depend on how fair or unfair the

transaction is. The prohibition is absolute unless authorised by the governing instrument or by the Court or the Charity Commissioners.

- (ii) Delegation. A trustee has a duty not to delegate his office to others unless authorised to do so. This means that the trustees must take the decisions themselves and not leave them to others. But trustees can employ professional advisers to obtain advice on which to base a decision and they can employ agents to implement those decisions once made.
  
- (iii) Accounts. Charity trustees are obliged to keep proper accounts of the affairs of the charity. This generally requires the preparation of consecutive statements of account consisting of an income and expenditure account relating to a period of not more than fifteen months and a balance sheet made up to the end of that period. For further information see *Financial Reporting by Charities* by Peter Bird and Peter Morgan-Jones which will be of interest to those professionally concerned with charity accounts. It is a report of the research study supported and published in 1981 by the Institute of Chartered Accountants. It contains a survey of current charity accounting practice (concentrating largely on fund-raising charities) and suggests accounting and auditing guidelines. The Charity Commission's helpful leaflet (AC7) 'Charity Accounts – Notes for Charity Trustees' is a check-list for use by charity trustees at the end of each accounting period. (The leaflet is reproduced in the Appendix.) Accounts must be preserved for at least seven years unless the Commissioners otherwise order. A secular parochial charity must send accounts annually to the parish or community council or to the chairman of the parish meeting. For the duty to submit accounts to the Charity Commissioners, see below. Unless the governing instrument provides otherwise, there is no general obligation to arrange for an annual professional audit. However, charities incorporated under the Companies Acts will have to comply with the accounting and reporting requirements of those Acts; charities established as Friendly Societies and Industrial and Provident Societies must also comply with statutory accounting requirements; and the Commissioners may in certain circumstances require an investigation and audit by an accountant. Accounts of war charities and charities for the disabled must also be audited. Where there is no compulsion to audit, the Commissioners have indicated in their annual reports that it is advisable for trustees to invite independent scrutiny of accounts each year and that where substantial sums are involved an annual professional audit should be arranged, the expenses of which may be charged to the charity. The Auditing Practices Committee (see page 43 for the address) of the Institute of Chartered Accountants and the Association of Certified Accountants has recently issued an auditing guideline which gives guidance on the special factors to be considered in the application of auditing standards to charities.

- (iv) Registration. The duty to register is dealt with above in connection with the functions of the Charity Commissioners. Any person who defaults in carrying out any of the duties relating to registration may be required by order of the Commissioners to make good the default. Failure to comply with such an order can be dealt with as contempt of Court.
- (v) Insurance. It is ordinary prudence to insure against fire, and other usual risks including public and employer's liability where appropriate. The circumstances of some charities may also make it desirable to insure against default by trustees or employees. The Commissioners have said that it is the duty of charity trustees to insure charity property for its full value against loss or damage. This will require trustees to review insurance cover to keep it in line with increasing costs of repair and re-instatement. For further information see: *Insurance Protection for voluntary organisations and voluntary workers* (NCVO).
- (vi) Investment. Subject to what is said below, trustees of charitable trusts have broadly the same powers of investment as private trustees. These powers are generally to be found in either the governing instrument or in the Trustee Investments Act 1961, unless the powers given by that Act are excluded by the governing instrument. Where the 1961 Act applies, and the governing instrument does not give any wider power, trustees can invest in certain securities which are divided by the Act into 'narrower range' and 'wider range', the former being mainly fixed interest investments, the latter mainly ordinary shares of companies incorporated in the UK with a share capital of not less than £1 million, and authorised unit trusts. Before making any investment trustees must consider the need for diversification, and the suitability of (a) investments of the type proposed and (b) the particular investment proposed. Trustees can invest in the following narrower range securities without obtaining advice: Defence Bonds, National Savings Certificates, National Development Bonds, British Savings Bonds, National Savings Bank and Trustee Savings Banks. But before investing in any other narrower range securities or in any wider range securities, trustees must obtain proper advice and, in the case of wider range investments, must also first divide the trust fund into two equal parts called the narrower range part and the wider range part and may only use the latter for wider range securities. Detailed information about trustees' powers under the 1961 Act are contained in a leaflet, *Trustee Investments Act 1961*, TP1 available from the Charity Commissioners, while the general principles affecting charity investment policy are contained in a booklet entitled *Investment Management by Charity Trustees*, also available from the Commissioners. However, many charities have insufficient funds to enable them to make effective use on their own of the wider powers given by the 1961 Act. Participation in a common investment fund may be the answer for such charities. A number of common investment funds have been established for particular classes of charities. In addition, the Charities Official Investment Fund, established by the Charity Commissioners (see below) is generally available to all charities. Further information about

the Charities Official Investment Fund is available from the Official Custodian for Charities.

## **(7) Liabilities of trustees**

### *(a) To the trust*

The responsibilities mentioned above are not lightly to be undertaken because a charity trustee whose acts or omissions amount to a breach of trust may be personally liable for any depreciation or loss to the charity. Such a trustee may also be liable to pay interest or to account for any profit obtained by the breach. It should also be remembered that breach of trust is not confined to cases where a trustee has acted wilfully or corruptly. An innocent mistake (e.g. a payment made for a purpose mistakenly believed to be a proper object of the trust) may amount to a technical breach of trust. However, the Court has a discretion to relieve a trustee of personal liability for any breach of trust if it appears that he has acted honestly and reasonably and ought fairly to be excused for the breach and for omitting to obtain the Court's directions in the matter in which he committed the breach. But fear of criticism should not deter trustees from putting right a mistake. The Charity Commissioners have said that trustees, who have not followed trusts to the letter in the honest belief that what they were doing was in the best interests of the community they serve, should not be afraid to approach the Commission to ask for a scheme to alter the purposes of their charity. The view taken is that failure to keep within trusts may often be evidence of the need to alter the purposes of the charity rather than of dereliction of duty on the part of the trustees.

### *(b) To third parties*

**Contracts.** Trustees of unincorporated charities are personally liable on contracts made by them in the administration of a charitable trust; this applies equally to covenants in a deed (e.g. a lease) to which trustees are parties. In general, if a contract is made in the proper administration of a charity (and any necessary consents are obtained – see chapter 4), the contracting trustees will be entitled to be indemnified out of the assets of the charity. This is, of course, only an effective protection to the extent that such assets exist and can properly be used to meet the claim; any deficit may, therefore, have to be made up by the trustees out of their own pockets. It should also be noted that a trustee responsible for a breach of trust must normally make good any loss caused (or be relieved by the Court), before he may claim to be indemnified. By agreement, the terms of a contract with a third party may limit the trustees' personal liability (i.e. to the extent of the trust property in their hands). Trustees who wish to limit their personal liability should see that written contracts expressly cover the point; in the case of verbal contracts, it will generally be advisable to give written notice to the other contracting party limiting the trustees' personal liability. Trustees should ask a solicitor to prepare a notice tailored to suit their case. **Torts.** Trustees may be liable to third parties for torts,

i.e. civil (as opposed to criminal) wrongs committed in the course of administering a trust either by themselves or their servants or agents. If a trustee has acted reasonably and with due diligence, it is thought that he will normally be entitled to be indemnified from the trust property. But if the acts of a trustee which give rise to the liability are reckless or otherwise than normal and reasonable, no indemnity will be possible. Trustees should consider whether to insure against particular risks and/or ask a solicitor whether it is possible to limit or exclude potential liability to third parties in their particular circumstances. No note is capable of covering all cases. Every case has to be dealt with on its own facts. Trustees are recommended to consult their professional advisers and/or the Charity Commission in relation to particular problems.

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# Appendix 5

## Notes of Meeting with Jubilee Group and HTM Users

**Future directions for Workington's Museum: Brainstorming Day  
Wednesday 5 March 2003**

JMercia Haughan opened the meeting at 10.00 am. Apologies were received from Councillor Peter Bales and Ian McCleary. 18 people attended [see signing in list]

Philip Crouch introduced Euan Cartwright, previously Director of Leisure and Community Development with Carlisle City Council. He was involved in the renaissance of Tullie House Museum at Carlisle.

After issuing the Agenda [see separate sheet] Euan stated that he wanted information from the group, and posed the question: "What do we want to get out of the day?" The following ideas were generated by the group.

### **Sustainability**

**Understanding ABC position**

**Commitment from ABC**

**Timescale**

**Preserving heritage**

**Update, upgrade/look to the future**

**Pride in heritage of Workington**

**Continuation of service**

**Compliance with Helena Thompson's will**

**Clarity**

**Conflicting views**

**[Peter Smith commented that there seems to be cash for Sport but not for Culture – it is up to the users to push for Culture Funding]**

**Marketing**

**Link to Education**

**[JMercia Haughan observed there should be support from Regeneration – Workington is not just a shopping centre, it has Culture and Tourism potential too]**

**3 C's CLARITY**

COMMITMENT

CONTINUATION

Following discussion of these points, the need to be realistic meant negative thoughts must also be aired, so 'The Difficult Questions' were addressed:-

## **Does Helena Thompson Museum deliver ABC Objectives?**

**What does the community want?**

**Will change deliver ABC Objectives?**

### **Community Objectives?**

NOTE: If the proposed changes do not fulfil Objectives, then change is not feasible.

In answer to a question, ABC has no statutory obligation to provide a museum, not even under the terms of Helena Thompson's will.

[JMercia commented that the creation of the Oval Centre at Salterbeck increased and fulfilled needs in the local community which had not been previously identified.]

Further questions were posed:

**How much will the change cost? Both to do and to continue.**

**Where will the funding come from?**

**Is the change sustainable?**

NOTE: A Trust is not necessarily the answer to this; grants are available for one-off expenditure, but the running costs have still to be funded.

[Pat Martin asked how do admission-free Museums operate?

Answer – National Government funding is available to certain large museums.]

[JMercia commented that Helena Thompson Museum would not produce income for ABC – the best hope was for sustainability.]

£43,000 was needed to bring Helena up to today's standards.

Copies of an extract from a Report on 'Best Value' or 'Corporate Performance Assessment' were then circulated. Local Government now has clear Objectives and self-set targets against which to measure achievement. Then, following inspection by external auditors, the results are published in 'league tables'. Allerdale Borough Council has to comply. ABC can only be involved if a Museum supports key Objectives.

Copies of the 'Best Value Review of Leisure Services' were handed out, and Philip Crouch explained the basis of the Report – through the Citizens' Panel ABC had looked at specific areas eg Sport, Art etc. Museums were not scrutinised as closely. An Action Plan was agreed and development specified.

**27% of ABC total expenditure is on Leisure, so this is where cost cutting will fall. Leisure is non-statutory.**

**It is getting more costly to develop – all the buildings involved need repair and updating.**

**Leisure Services have to deliver Council Objectives.**

A Table of Usage of Facilities shows few people use Museums across Allerdale.

[Sheila Richardson queried the basis of the Report. How were the participants on the Citizen's Panel chosen? Is it large enough to be statistically representative? The answer was that ABC is using these figures and Philip stated that they reflect the accepted fact that only a small percentage of Workington population use the Museum.]  
It was interesting that 66% were prepared to pay about £2 per visit.

There are national Best Performance Indicators, and the first Bar Chart shows that locally the numbers of school pupils visiting museums and galleries is low for Allerdale.

[The point was made that the provision of schools and museums in each area is very different, making comparisons difficult.]

There has been little investment in local Museums and the Carnegie Theatre. The future sustainability of existing premises will probably have to be by externalisation.

[Pat Martin asked if Leisure development was in the Regeneration Plan. Philip answered that it is in the Master Plan presently being prepared by Mark Edwards. Pat also referred to the success of the 10p bus fares and baths sessions during the recent school break.]

Report Recommendations grouped by ABC Objectives

## **Preparation of strategy**

**Economic regeneration applied to the health and well-being of the community via improved employment prospects**

**Cultural Strategy to raise the profile of the region**

**ABC should promote Cultural Activity**

NOTE: There is a link between Culture – Regeneration – Well-being. Euan identified a rich and varied heritage in Workington area which needs to be passed on to local children.

New investment in Parks and Open Spaces is also recommended in the Report.

The Action Plan accompanying the Report was not given out at the meeting.

Externalisation is not just an ABC idea. Nationally, Housing and most recently Hospital provision, and Leisure Facilities, including museums are moving towards externalisation. So far only two Museums (Sheffield and York) are run by Trusts, but the formation of Trusts is gaining pace in all Leisure areas, including sports and concerts etc. As a general rule the large scale externally-funded facilities are more successfully run. Smaller trusts struggle to keep going.

National Objectives can be summarised as follows:-

**BEST VALUE  
CORPORATE PERFORMANCE ASSESSMENT  
TRUST FORMATION Sport/Housing/Museums  
COMMUNITY PLANS**

Philip confirmed these are also the ABC Objectives and Euan picked out of the key vision 'REDUCE LEVELS OF UNEMPLOYMENT IN DEPRIVED AREAS OF THE BOROUGH'.

Among the 5 aims on the Report Agenda was 'Improve Customer Care' – so that includes heritage.

Philip briefly outlined the background to the decision to outsource museums in the area. Keswick Museum and Maryport Maritime Museum were also reviewed. All expressed similar concerns both of uncertainty but also opportunity for the future.

A plan to develop and refurbish at Keswick Museum is further along the line, with ideas and a draft business plan being released, looking at working in partnership, eg with the National Trust.

Maryport has been aspiring to build a heritage centre for approximately 12 years now, as there are problems of access with the existing site. It is hoped to build a new civic facility [provisionally called the Maryport Festival Hall] sited on the Quay area, in which it would be likely to include a new home for the Maritime Museum. A key supporter in this is the proposed Solway Wind Farm, which may be able to guarantee income, so there is possible progress there.

Workington Hall is still deteriorating, a survey undertaken 2 years ago confirms this. The Regeneration Plan identifies Curwen Park as a possible site for a museum, but the Hall would need re-roofing as well as extensive repair work to make it safe. However, if major work has to be done, it may be possible to tap into funding from the 'Building Preservation Trust' through the 'Heritage Trust for the North West'.

[Sheila commented that she hoped Workington would not have to battle for 12 years like Maryport.]

JMercia could see that Whitehaven has Sellafield, now Maryport may have the Wind Farm, it seems Workington does not exist. She also reminded the group that when the Siddick Wind Farm was established, part of the Planning conditions was an Information Centre to be built at Northside, which would attract tourism and create jobs. What happened to that?

Sheila reported that Siddick Pond Nature Reserve has been allowed to fall into decline by ABC.

JMercia asked the group to 'get at' their local councillors to express their concerns about museum provision and related topics.

Philip concurred that councillors would welcome constructive ideas on what needs to be done locally

Pat Hall and Philip both felt that Maryport and Whitehaven were more likely to attract tourists than Workington at present, despite its heritage.

The local situation was then summarised as follows:-

1. The main driving force is REGENERATION
2. Being Positive about Allerdale's good features.
3. HELENA THOMPSON  
MUSEUM Excellence [there is a very good service to visitors there]
4. KESWICK TRUST (probably)
5. MARYPORT (Possibly a purpose-built Festival Hall including the Maritime Museum – not sure if it will be big or small.)
6. WORKINGTON HALL Action very distant, but it is in serious structural disrepair and it cannot be knocked down, so remedial work must be done.

So to set the picture now, the big factor is the group of people around the table, as they are the ones who will have to deliver any proposed change.

Following an exercise in pairs the group made notes on their perceived strengths and weaknesses as managers of a museum.

**STRENGTHS**

**COMMITMENT**

**ENTHUSIASM**

**KNOWLEDGE / EXPERTISE**

**SITE / LOCALITY [Importance of the Workington Hall]**

**COMMUNITY SUPPORT [User Groups]**

**SEEK CHANGE FOR COMMUNITY BENEFIT**

**PRACTICAL SKILLS**

**FRIENDLY**

**FUND RAISING EXPERIENCE [Only 1 member of the Group]**

**WEAKNESSES**

**AGE**

**LACK OF TECHNICAL KNOWLEDGE**

**LACK OF LEGAL SKILLS**

**LACK OF FINANCIAL SKILLS**

**LACK OF STRUCTURAL SKILLS**

**LACK OF FUND RAISING SKILLS**

**LACK OF MARKETING SKILLS**

**LACK OF MANAGERIAL SKILLS**

**DISUNITY OF PURPOSE**

**LACK OF 'CLOUT'**

**SHORT TIMESCALE**

The Group then did a similar exercise to identify Opportunities and Threats  
**OPPORTUNITIES**

**MAXIMISING USE OF SITE**  
**FREEDOM**  
**CENTRE OF EXCELLENCE FOR CULTURE AND ARTS**  
**REFLECT WORKINGTON'S HERITAGE**  
**COMMITTED OFFICER WITHIN HTM**  
**SUPPORT OF CULTURE AND ARTS CLUSTER**  
**LINK TO NATIONAL POLICY**  
**REGENERATION – SRB [Funds would be available for upgrade of building]**  
**BUSINESS SPONSORSHIP**

**THREATS**  
**ABC 'PULLING THE PLUG' ON FUNDING SUPPORT**  
**CHANGING LEISURE TRENDS**  
**DISINTEREST**  
**TIME / MONEY AVAILABLE**  
**COMPETITION [For Regeneration Funds from other projects]**

The group then focussed on the key issues from those which had been identified during the session. These were:-

**ABC position - a key factor is REGENERATION**  
**National Picture - key is the COMMUNITY PLAN**  
**Strength - SEEKING CHANGE FOR COMMUNITY BENEFIT**  
**Weakness - LACK OF SPECIFIC SKILLS [Technical/Legal etc]**  
**Opportunity - REFLECT WORKINGTON'S HERITAGE**  
**Threat - CHANGING LEISURE TRENDS**

Next the group visualised the things needed to create a new museum service, deciding which were ESSENTIAL, which REALLY USEFUL, those which would be ASPIRATIONAL, and finally those which would NEVER be wanted.

<b>ESSENTIAL</b>	<b>REALLY USEFUL</b>	<b>ASPIRATIONAL</b>	<b>NEVER</b>
<b>Community Support</b>	<b>Retail</b>	<b>Continuous Development</b>	<b>Charges?</b>
<b>Preservation and Interpretation of Local Heritage</b>	<b>Car Park</b>	<b>Lecture Theatre</b>	<b>Discrimination: Disability/Age/Geographic</b>
<b>Approachable</b>	<b>Loos</b>	<b>Multi-Media Displays</b>	
<b>Education</b>	<b>Disabled Access</b>	<b>Telescope</b>	
<b>Someone in Charge?</b>	<b>Training Programme</b>	<b>Active Programme</b>	
	<b>Research</b>	<b>Landscaped Garden</b>	
	<b>Marketing</b>		

The group agreed that the key areas in creating a new museum service were:-

PRESERVATION AND INTERPRETATION OF LOCAL HERITAGE;  
TRAINING PROGRAMME;  
CONTINUOUS DEVELOPMENT;  
NO DISCRIMINATION: DISABILITY/AGE/GEOGRAPHIC etc

Quickly recapping, the options must address the 'Difficult Questions' outlined earlier. Euan agreed to explore the costings. [Funding for specific one-off projects is not too difficult to tap into, but it is hard to get funding for day to day running costs.]

## FUTURE OPTIONS

At one extreme is CLOSURE. This is not an option under the terms of the will. However, ABC is not obliged to run a museum in the existing premises, but if sold off, the capital sum would have to be re-invested in a museum service of some sort, perhaps in a smaller purpose-built building with lower overheads, or given to an existing group, eg Transport Heritage. Permission from the Charity Commissioners would be required. Any contents donated by the public belong to ABC, but depending upon the terms on which they were donated could not be sold, but could perhaps be loaned to other museums.

NO CHANGE is not a viable option. ABC cannot justify the expenditure on the running costs as it does not deliver sufficient benefits to the community as a whole. Also, in regard to Workington Hall, now is an ideal time to get capital funds for urgent renovation, though not for long term costs.

TRANSFER TO A TRUST to manage the Helena Thompson Museum.

There followed a general discussion and question and answer session

Qn: What are the financial constraints on Trustees?

Ans: Limited to £1, provided the Trustees behave responsibly. If members became aware of other trustees behaving recklessly, they must be prepared to act, otherwise they would be penalised also if they turned a blind eye.

Qn: What about if the Trust went bankrupt?

Ans: With proper accounts, it should not be possible to get into that position.

[JMercia asked if there should not be an overall plan covering outsourcing, sports provision, museums, etc.]

Euan proposed to expand on the responsibilities of Trustees and the route to establishing a Trust in his report. He also recommended that members should try to visit an existing Trust and talk to Trustees about their roles.

Philip stated that in the Cumbrian perspective, other Borough Councils were also looking at their museum provision.

Suggestions:

Pat Martin asked - Would it be possible to establish links with a larger museum, eg Tullie House with a view to HTM becoming a satellite and hosting exhibitions as Carlisle City Council inputs funding to Tullie House?

JMercia felt a solution to the question of where to site the museum if it was not in Helena Thompson House could be for the present Carnegie activities to be included in the plans for the new Sports site, then put the Workington Museum in the Carnegie building and create a living museum by restoring the Helena Thompson house to its original purpose as a family residence.

JMercia also suggested the use of volunteers, offer extra services, improve the gardens, link with other facilities, and encourage more user groups.

Qn: What is the possibility of ABC giving some financial support or help in kind - letting the Trust manage HTM and ABC offer Legal Advice/financial services?

Ans: How would that help to fulfil the key objectives of ABC? Also a Trust can seek funding which ABC cannot tap into.

Sheila suggested renaming the HTM to the Helena Thompson Community Trust.

Euan commented that it's not what you call yourself, it's what you do.

He proposed to produce a draft report looking at all the options, to be sent to the members of the Jubilee Trust and to ABC, and when all sides have had time to consider these, then come back and go through the options with a view to making recommendations agreeable to all parties. **He believes that Allerdale deserves to have a quality museum service which contributes to ABC Key Objectives. However, it may not necessarily be based in the existing HTM.**

In answer to a comment that ABC did not seem to be very forthcoming, Philip pointed out that ABC have paid for the present survey, and that in the vacuum which exists over the future of the museum service, constructive suggestions would be welcomed and there is every chance that capital funding would be found, though all museums have issues with running costs.

Harold Martin asked: Does maintaining a museum not go a long way towards meeting ABC Key Objectives? Euan confirmed this is so, but how it is done is the question. It may not be the HTM

On the problem of running costs, a possible route is to use an Endowment Fund to lodge a sum of money in a building society and use the interest for running costs.

Euan stated that he found the meeting immensely helpful in understanding the issues.

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JMercia thanked Euan and everyone for coming and looked forward to reading the preliminary report.

She announced that there is to be a REGENERATION FUN DAY in various venues around the town on Saturday 5 April, when there will be displays and activities, by those who have received funding support and what has been achieved with the cash.

The date of the next meeting of the Jubilee Trust is Friday 21 March at 2.00 pm at the Helena Thompson Museum. The meeting closed at 3.00 pm.

## Appendix 6

**EXTRACT from WILL of Hiss H.A.M. Thompson, decd. dated 29th August, 1938.**

"8. **I GIVE** devise and, bequeath MY dwellinghouse outbuildings gardens and premises known as "Park End" situate at Workington aforesaid unto the Mayor Aldermen and. Burgesses of the Borough of Workington aforesaid (hereinafter called "the Workington Corporation" ) on condition that they will accept the same for use primarily as a Museum for the town of Workington and District and are willing that a Committee for the direction or management of such Museum shall include the persons (or each of them as will consent to act ) holding the following offices in Workington for the time being videlicet the Mayor the Chairman of the Magistrates the Rector of St. Michael's Church the Vicar of St. John's Church. the Chairman of the Free Library and two ladies and. two gentlemen inhabitants of Workington to be yearly co-opted or elected. by the other members of the Committee. I DESIRE that in the first place the Museum shall be fitted out and arranged by my friends Annie Harrison Bouch wife of the said Ernest Bouch and Jane Iredale the wife of Frederick William Iredale of Bankfield Workington aforesaid. I WISH to express my desire that at Meetings of the Committee the Town Clerk and the Librarian of the Free Library may also be present in advisory capacity AND I further express my desire that the Committee shall permit the drawing room and dining room of the said house to be used by the women of Workington and District for the purposes of social entertainments and meetings upon such conditions as the Committee shall consider desirable and. the gardens for outdoor meetings of a similar character I ALSO GIVE AND BEQUEATH to the Workington Corporation such of my books pictures curios antiques and household effects as my Trustees shall think suitable and useful for the above purposes . I ALSO GIVE AND BEQUETH to the Workington Corporation the sum of £10,000 Upon Trust to invest the same and to apply the income from time to time in maintaining in good repair and condition the said, property in purchasing antiques or articles of local interest for the Museum, and for the general expenses of the Museum AND I DECLARE that portions of the capital may if necessary be drawn upon and used from time to time for any of the said purposes provided they are subsequently replaced or made good out of income I suggest, that the Workington Corporation shall allow the gardens connected with my said dwellinghouse to be used by the public for quiet strolls and seats and I express a wish that Annie Elizabeth Braithwaite (and, her husband to be) who has been in my service for many years shall if they are willing be employed in looking after the garden and heating apparatus THESE *gifts* and devices are subject to the same being accepted by the Workington Corporation within 3 months of my decease and shall be free of legacy and succession duties AND in the event of their being accepted I DECLARE that the receipt of the Borough Treasurer or other proper Officer of

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the Workington Corporation shall be a sufficient discharge to my Trustees who shall not be concerned to see to the application of the foregoing bequests.”

## Appendix 7

### Allerdale Corporate Plan 2002-3

Allerdale is an area of great beauty, great contrasts... and great potential.

Within its boundaries lies a wide range of challenges and opportunities, from the industrial communities on the west coast to areas in the north and east of the borough heavily dependent on tourism and agriculture.

That mixture makes Allerdale such an interesting and exciting place, and it also brings with it differing needs and expectations, plus requirements for differing types and levels of service and support.

Allerdale Borough Council's Vision is of an area in which **all** communities share in prosperity, with all wards enjoying an employment rate that exceeds the northwest regional average.

#### **How are we going to do it?**

This document, the authority's Corporate Plan for 2002-2003, is the blueprint for progress over the next 12 months.

It points out some of the roads we need to go down and shows how you can check how far we've come.

We have set ourselves a very challenging task. It implies a significant transformation of the West Cumbrian economy. We have therefore devised five Key Aims to help us focus our efforts.

They are:

- To be positive about the area's many good features;
- To attract significantly increased investment from public and private sectors;
- To challenge people to work together to improve local communities;
- To promote excellent standards of service;
- To encourage others to become aligned around our Vision.

The Vision and Key Aims have given us a framework within which we can target our resources to maximum effect.

For the first time, Allerdale Borough Council is now directly involved in regeneration initiatives in all seven towns within the borough.

North Allerdale (including Silloth, Wigton and Aspatria), Keswick and Cockermouth are all involved in the Market Towns Initiative programme.

This involves gaining commitment from local people, developing community-led partnerships and producing strategic action plans for the towns. These action plans will bring in funding from such bodies as the Northwest Development Agency.

Meanwhile, Single Regeneration Budget programmes aimed at transforming Maryport and Workington are continuing and these will continue to be a high priority for the year ahead.

In addition, Allerdale has secured a preferred partner, Harrison Developments of Malton, North Yorkshire, for the multi-million pound rebuild of Workington town centre.

We are also heavily involved in schemes such as the Stoneleigh Community & Training Centre in Workington, which is a facility that will offer valuable training to local people, enabling them to take advantage of upcoming employment opportunities associated with schemes like the town centre redevelopment.

We also want to fully explore the possibilities of developing the sports and leisure facilities along the banks of the River Derwent in Workington.

Another key priority for us will be the former Royal Naval Armaments Depot at Broughton Moor, which we aim to acquire from the Ministry of Defence.

After lengthy studies and consultation with local people, we have decided that a leisure and tourism use would be the most appropriate means of regenerating the site and providing job opportunities to help us achieve our Vision of increasing employment levels.

Some initiatives we will be able to pursue ourselves. However, for many others, partnership working will be the key to success.

The launch during last summer of the Allerdale Community Fund is a good example of how we can work with others to deliver successful projects in a wide range of areas.

The fund broke new ground for Allerdale in a number of ways. It was envisaged as a funder of first resort, and was intended to help community organisations surmount the initial obstacles facing any new and unproven venture.

The eligibility criteria were set deliberately broadly, so that most applications received consideration.

Allerdale allocated £50,000 to the fund and the Local Strategic Partnership matched this with £50,000 from the Neighbourhood Renewal Fund.

The pilot scheme proved a great success and the fund has now been established as a permanent feature.

We also see the ongoing development of a Local Strategic partnership, involving this Council, Copeland Borough Council, Cumbria County Council, and members of the business, voluntary and community sectors, as a key factor.

This partnership will provide an opportunity for local councils to perform their community leadership role by generating a clear vision for the future of the area and promote significant improvements in service delivery.

The priority areas for consideration will be jobs, community safety, health and education.

All of this will be set within the context of the New Vision for West Cumbria and Furness.

There are proposals for setting out long-term economic development improvements that provide an essential foundation for quality of life improvements.

One huge benefit of the New Vision is that it puts West Cumbria and Furness on the map, raising awareness of the issues for this part of the country.

In addition, the Government has identified Allerdale as a recipient of the Neighbourhood Renewal Fund, which is a national programme through which the disadvantaged communities in the country have been identified.

Allerdale Borough Council's role is to help connect the people to the jobs. We will act as an enabling organisation, bringing people together to identify common objectives and then working together to achieve them.

Our role will be to lead local communities and create a more inclusive borough where everyone has the opportunity to fulfil their potential.

We need to consult with people and with our communities and to share with you our Vision of where we are going and what we are doing.

We also need to be very open, not just in what we do, but also in saying whether or not we are achieving what we said we would do.

This Corporate Plan is our statement to the people of Allerdale and to ourselves of what we will work towards in the next year to help us achieve our ultimate goal.

You can measure our progress on the five Key Aims through a number of Performance Indicators. These are listed below.

## **Key performance indicators**

These Performance Indicators have been selected because they will give a good overall measurement of Allerdale Borough Council and its development over time.

The targets for the indicators are currently being developed in order that they are both challenging and realistic, and will be revealed, along with progress to date, in the next edition of Allerdale Outlook and also on the Allerdale Borough Council Website.

Full details of the criteria behind each of these PIs can be obtained from Janet Connolly, Head of Performance Improvement on 01900 326306 and at [janet.connolly@allerdale.gov.uk](mailto:janet.connolly@allerdale.gov.uk).

## **Combating Unemployment**

Proportion of people claiming unemployment benefit who have been doing so for more than a year.

Number of social and community business enterprises in the borough

The gap between the average level of unemployment in deprived wards within the borough and the North West Regional average.

## **Strengthening Community Involvement**

Percentage of residents satisfied with their neighbourhood as a place to live

Percentage of residents who have been actively involved with at least one local community or voluntary organisation in the last 12 months.

Number of community projects awarded money from the Allerdale Community Fund.

## **Social Inclusion**

Proportion of the population who live in deprived wards within the borough

Percentage of residents finding it easy to access key local services

## **Service Excellence**

Number of awards or accreditations received by Allerdale Borough Council for service excellence

Percentage of respondents expressing satisfaction (through annual service quality survey) in Allerdale Borough Council services.

Percentage of respondents (to annual service quality survey) who have made a complaint to Allerdale Borough Council and who are satisfied with the way the complaint was handled.

## **Positive image**

Number of Allerdale Borough Council media releases issued which reflect positive aspects of life within the borough

## Appendix 8

### **THE AIMS, RESOURCES AND MANAGEMENT STRUCTURE OF DACORUM HERITAGE TRUST**

#### **Aims**

The objects of the Trust, as expressed in the Memorandum and Articles, are very general and cover all aspects of a typical museum service.

The main function of the Trust is described as:-

"to collect, care for and display material illustrating the heritage of Dacorum. It is a practical network of local history and archaeological societies' which intends to become a registered museum organisation."

1. To sustain Registration (Phases 1 and 2) minimum standards in all its activities and those of its constituent societies.
2. To actively collect evidence of the heritage of the Dacorum area within a defined collections policy.
3. To manage the central collections store at Berkhamsted and to offer a collections management service based at this building within the framework of agreed documentation and conservation policies.
4. To provide public access to the collections within the framework of an agreed Access Policy.
5. To provide professional and technical advice to its constituent societies and other heritage organisations within Dacorum as appropriate.
6. To undertake and stimulate research into all aspects of the area's heritage.
7. Where appropriate, to support the development of permanent exhibitions of local material throughout Dacorum.
8. To organise a temporary exhibitions programme to be available throughout the area.
9. To publish books, booklets, guides, teachers' notes, videos and interactive material within the framework of an agreed Publications Policy.
10. To provide a 'for life education programme within the framework of an agreed Education Policy with priority being given to schools.
11. To obtain funding for all this range of functions.

12. To establish networks with the appropriate departments of the Borough and County Councils, Hertfordshire museums and the South Eastern Museums Service.
13. To develop a skills and awareness programme for staff and constituent societies.

## **Resources**

1. The experience and skills of the Trustees.
2. A seven year lease from Dacorum Borough Council on the Store at Berkhamsted.
3. The collections (and associated information) at the Store, including those of the Trust and those deposited by the constituent societies under a loan agreement and by private individuals.
4. Access to the Borough Council's Heritage Officer and the services of their Documentation Officer.
5. The display fittings and material assembled for a range of travelling exhibitions over the past few years.
6. A range of publications.
7. Annual funding from Dacorum Borough Council together with a limited amount of sponsorship.

The Dacorum Heritage Trust was formed in 1993 and is the museum organisation for the Borough of Dacorum.

The Trust has a SLA with Dacorum Borough Council – without this support it would not function.

The Trust has an annual operating budget of @£40K – the bulk of this is provided by DBC.

There is no permanent museum of local history in the Borough for people to visit. All the objects are housed, catalogued and conserved at the Museum Store in Berkhamsted, an old fire station, which was specially converted in 1994. The Trust has its own full-time, professional curator and a large group of volunteers. It has achieved full registered museum status with Resource. Instead of having a permanent museum building, the Trust has seven permanent display sites in public areas around the Borough. There are currently around 45,000 items housed at the Museum Store, the vast majority of which have been catalogued on to a computer system.

The Borough is similar to Allerdale in that there are many separate small towns (Tring, Kings Langley, Berkhamstead, Hemel Hempstead etc), and no

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obvious focal point in which to aspire to create a 'Museum of Dacorum'. The Curator of the Trust, Mathew Wheeler, takes the view that if there is a sustainable, bottom up move to create a museum in one of the communities, then it would support this ambition. As in Allerdale, there are ambitions in this regard in more than one community. [nb One of them was in the pipeline ten years ago when I worked in the area – sounds a bit like Maryport!]. Mathew's view is that the demography of the Borough is almost unique in the region – and that the nature of the service that the Trust runs is entirely appropriate in the circumstances. The relationship with the local history societies that exist in many of the communities in the Borough is seen to be very important.

The main problems with this structure is that the Trust is denied access to purchase funds such as the V&A as they are perceived to have no 'permanent' display space. The Trust also feels that it has limited access to commercial sponsorship because it does not have this display space.

The Trust rotates displays in the libraries every six weeks. The displays visit Kings Langley Library, then Bovington Library, then Hemel Hempstead Civic Centre, then Hemel Hempstead Library and finally Berkhamsted Library. The Trust also has a display site in the foyer of Berkhamsted Civic Centre and at the Marlowes Shopping Centre, Hemel Hempstead.

Every year, the Trust mounts a major exhibition, which tours around the Borough. In 2002, this focused on Dacorum's Royal Links - the theme for 2003 is Law and Order.