

REPORT TO CABINET MEMBER FOR DECISION

Open		Would any decisions proposed :		
Any especially affected Wards	Discretionary	(a) Be entirely within cabinet's powers to decide YES		
		(b) Need to be recommendations to Council NO		
		(c) Be partly for recommendations to Council NO and partly within Cabinets powers –		
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted: Cllr Elizabeth Nockolds, Cllr David Pope		
		Other Members consulted:		
Lead Officer: Chris Bamfield E-mail: chris.bamfield@west-norfolk.gov.uk Direct Dial: 01553 616648		Other Officers consulted:		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full	Risk Management Implications YES/NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)				
Date meeting advertised: 20 th January 2016		Date of meeting decision to be taken: 27 th January 2016		
Deadline for Call-In: 3 rd February 2016				

Date of meeting:

KING'S LYNN ARTS CENTRE

Summary

The report details the arrangements for the Council to work in partnership with the King's Lynn Arts Centre Trust to wind up its operation and hand back leases to the Council.

Recommendation

Cabinet agrees to;

- (a) work with the Arts Centre Trust to achieve an orderly and satisfactory closure of the service and
- (b) to authorise the Executive Director, Commercial Services, in consultation with the Portfolio Holder to contribute up to £25k to assist in meeting the costs of close-down.

Reason for Decision

To enable the winding up of the Arts Centre Trust.

1. Background

- 1.1 In 2010 the Council determined to close the King's Lynn Arts Centre. Following representations from a group of arts enthusiasts and agreement was reached to lease the premises to an Arts Centre Trust and establish a Service Level Agreement for visual arts provision. The Arts Centre Trust commenced operation in April 2012. Details of the agreement are detailed at Appendix 1.
- 1.2 In December 2015 the Arts Centre Trust informed the Council that their operation was no longer financially viable and that they had determined to close the complex on 31 December.
- 1.3 Following discussions with the Trust and relevant Portfolio Holders it was agreed that the Council would work to support the Trust in winding up its legal and financial affairs in an orderly manner.

2. Arts Centre Closure

- 2.1 The Council would agree to work to support the Arts Centre Trust Trustees to arrange for the winding up of the Trust and its financial and legal affairs in a satisfactory manner. The basis for this would be that the Arts Centre closes its doors from the 31st December and winds down its offers over the next three months to a formal termination on 31st March 2016.

The principles for a partnership arrangement to work effectively would include;

- 2.2 Open Booking Accounting: The Trust would agree to open book accounting with the Council in terms of its finances to ensure that all monies available are utilised for the costs involved in closing down the service.
- 2.3 Staffing Costs: The Trust will be responsible for staff termination costs and for the arrangements to give notice to relevant staff.
- 2.4 Contribution to Closure Costs: Based on open book accounting the Council is prepared in principle to support the Trust as it winds down financially and with legal/personnel advice as required. From the information we have to date concerning the funding available to the Trust to meet its liabilities the Council would in principle anticipate support to a maximum of £25,000 may be required.
- 2.5 Knowledge Transfer: During the winding down of the Trust between January and March 2016 the Trust will ensure its best endeavours to hand over to the Council any relevant information and records which might be of use for any future occupancy of the site.

- 2.6 Public Information: The Trust and the Council will work together to ensure that accurate and reliable information is provided to current users of the service and database contacts to enable external hirers and organisations to plan for the future. At the moment our view is that the relevant activity areas may be available for hire but without any specialist arts staff to support the hiring.
- 2.7 Assets: The physical assets within the Arts complex that were transferred to the Trust and any new assets relevant to the operation of the service should be transferred to the Council as part of the closure. If there are specific items that the Trust feel would be of better use to other Charitable Organisations then we would be happy to discuss this during the wind up period.
- 2.8 Lease/Licence: The Trust will surrender possession of the leased/licenced elements of the site by handing back the keys on 31 March 2016 or an earlier date as agreed.

3. Policy Implications

- 3.1 At its meeting on 25th November 2015, the Regeneration and Development Panel considered a report and presentation on the future for the Arts Centre complex. The issues discussed at the meeting will continue to progress aiming for a report to the Panel and Cabinet in the spring on long term future of the Arts Complex.

4. Financial Implications

- 4.1 The contribution to closure costs up to a maximum of £25,000 can be met from the 2015/16 budget. The budget amendment will be reported as part of the monthly monitoring reports to Members.

Signed:

Cabinet Member for

Date