

Division(s):

## **CABINET – 21 JUNE 2011**

### **SOLDIERS OF OXFORDSHIRE**

#### **Report by Director for Social and Community Services**

##### **Introduction**

1. In September 2008 the Cabinet approved in principle a recommendation to locate a new museum for the Soldiers of Oxfordshire (SOFO) within the grounds of The Oxfordshire Museum (Woodstock). That report also required officers to draw up a Memorandum of Understanding for the SOFO Museum, following completion of a feasibility study (Phase II) and conclusion of other detailed negotiations, to be agreed by the Cabinet Member for Safer and Stronger Communities.
2. The Memorandum of Understanding was completed and signed in 2009 (and revised in 2010) and since then a SOFO Group, chaired by the Cabinet Member, has steered the project.
3. SOFO, a registered charity, has reported that it has successfully raised c £4 million towards the cost of the new museum; it has achieved planning permission for a building on the north side of the museum site, replacing an old and temporary Pratten Building which is now redundant.

##### **Current position**

4. Since 2008 SOFO and the county museum service have been working very successfully towards the objectives of strengthening their partnership working, building community interest and support for the SOFO project, and planning the project in detail. SOFO has reported that it has achieved its initial target for capital funding, though more funds are needed for future support. SOFO has fostered a particularly successful relationship with the Marlborough School, Woodstock – recognised recently by a visit of the Prime Minister to view an exhibition in The Oxfordshire Museum created by pupils of the school using SOFO collections. SOFO has also been awarded £50,000 by the Heritage Lottery Fund (their second such award) towards an exhibition and participation programme at The Oxfordshire Museum later this year, 'Children and War', which is planned to include a significant learning programme for Oxfordshire schools, plus outreach work with older people, reminiscence and 'hard to reach' audiences..

##### **Legal issues**

5. The issues to be resolved, subject to the recommendations below, relate to legal and property matters to allow SOFO to move ahead with the project. There is a detailed project plan with a start on site for preliminary works in July and construction from September 2011 and completion in 2013/14. There is some urgency for the conclusion of these matters in order to meet this

timetable and to fit with other funding plans, including a further application to the Heritage Lottery Fund for a substantial contribution towards the fit-out costs.

## **Equality issues**

6. SOFO and The Oxfordshire Museum are working together to address equality issues. The county museum service's learning and outreach team is working closely with SOFO to reach children in primary schools and the elderly in day care and other venues and to take collections to other 'hard to reach' groups. It is planned to include a new learning and outreach post in the forthcoming application to the HLF for the SOFO project ; if that is successful it will add further capacity to this work and the post holder will lead the learning and participation programme at The Oxfordshire Museum.

## **Sustainability issues**

7. The planned new building has been designed to minimise its environmental impact; it will replace a sub-standard building and enhance the environment of the museum site. The addition of the new building within the grounds of the Oxfordshire Museum will increase the critical mass of the visitor attraction on the site – with anticipated benefits of increased income for retailing and catering, supporting the sustainability of the whole site. The project as a whole, on this site, is of mutual benefit to both parties.

## **Risk issues**

8. There is a risk to the County Council that SOFO will find that it is not able to sustain the fund raising and income generation necessary to support the new building and its services. In those circumstances the SOFO building will revert to the Council, with an expectation that arrangements would be put in place for the long term care of the collection. SOFO perceives that there is a risk that the Council may decide not to continue to support The Oxfordshire Museum; this would undermine the capital investment and the possibility of further grants. It is likely that the HLF and other grant providers will require a long term (25 years) commitment from both parties to retain the museum, or provide a suitable alternative, in return for their substantial capital investments. The details of the lease will resolve these matters; and to improve the viability of the site as a whole and to help towards mitigating these risks on both sides, SOFO and museum representatives are working in partnership to discuss medium and longer term possibilities – including future joint governance of the whole site under an independent 'trust' or similar body.
9. Linked to the above is the risk to SOFO and the Council that the principal access and visibility of the SOFO museum is through The Oxfordshire Museum entrance and reception area on Park Street. Maintaining that access and entrance for SOFO will reduce the value of The Oxfordshire Museum building, should the Council wish to sell it. Property Services are working to resolve this issue.

## **Financial and Staff Implications**

10. The development, construction costs and running costs of the new building and museum are to be met entirely by SOFO.
11. A 99 year ground lease is to be recommended at a peppercorn rent in recognition of the capital to be invested in the new building, the charitable status of SOFO, its mission and purpose to preserve the heritage resources of the armed services relating to Oxfordshire, and the links between those armed services and the people of the county; and the synchronicity of the project with the role of the Oxfordshire Museum.
12. Through agreement of a long term ground lease, the County Council is granting general disposal consent. The County Council is therefore foregoing a potential capital receipt from the sale of that part of land which the new building will occupy. This area of land has not been set aside for future sale and is not included in the capital programme as a capital receipt.
  - 1.1. In general the County Council is required to achieve the 'best consideration reasonably obtainable' when it is disposing of land. The County Council will use its powers under the General Disposal Consent 2003 for the transference of land at less than its market value. This can be done without the need to seek specific permission from the Secretary of State, as the purpose for which the land is to be transferred is likely to contribute to the 'promotion or improvement' of the economic, social or environmental well-being of the area.
13. Negotiations over future staffing arrangements are currently taking place and where appropriate and of mutual benefit joint staffing arrangements are being considered. Such joint arrangements will be included in a Management Agreement.

## **RECOMMENDATION**

14. **The Cabinet is RECOMMENDED to**
  - (a) **authorise the County Council's Assistant Head of Property to agree a Development Agreement for the whole project and the grant of a lease on the site within the grounds of the Oxfordshire Museum to SOFO on terms to be agreed in accordance with the County Council's obligations for disposal of land contained in the Constitution**
  - (b) **authorise the County Solicitor to agree suitable agreements with SOFO for future shared and joint management arrangements on the museum site**

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Background papers:Memorandum of Understanding 2009

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