

Open Report on behalf of Andy Gutherson, Executive Director – Place

Report to:	Executive
Date:	03 September 2019
Subject:	Future of the Heritage Service
Decision Reference:	I018064
Key decision?	Yes

Summary:

This report informs the Executive of the results of public consultation on and seeks approval for a series of recommendations relating to proposed changes to the Council's Heritage service.

These changes include the move to a Cultural Enterprise Model that delivers culture-based products and services to generate a surplus which is then used to ensure the enterprise's long-term sustainability and development.

The changes also involve moving to a supersite approach offering multiple experiences, including both permanent and temporary exhibitions and events, which enables the broadest range of audiences to engage with the widest range of experiences, and which maximizes the potential for income generation.

The Report also proposes changes to the mix of sites that the Council should continue to deliver as part of the portfolio of Visitor Attractions operated by its Heritage Service.

Recommendation(s):

That the Executive:-

1. Approves the Heritage Service moving to a more commercial approach (also referred to as a cultural enterprise model) to attract greater income and make the Heritage Service as financially self-sustaining as possible.
2. Approves the carrying out of works at The Collection building to develop it into a flexible space capable of hosting and displaying a range of art and archaeology including major touring exhibitions.
3. Approves Lincolnshire County Council giving two years notice to the City of Lincoln Council to terminate the collections management agreement dated 31 January 2001 and the return of the collections owned by the City of Lincoln Council to the City of Lincoln Council.

4. Subject to paragraph 5 below approves Lincolnshire County Council continuing to explore with the City of Lincoln Council and third parties the potential for third party operation of the Usher Gallery in whole or in part as an art gallery.
5. The Council's continued exploration under paragraph 4 above shall be conditional on:-
 - there being a sustainable business case for third party operation of the Usher Gallery building or part of it as an art gallery to the satisfaction of the Council not later than 31 October 2019;
 - there being demonstrable progress towards the securing of all necessary funding and the obtaining of all necessary consents and the conclusion of any necessary contracts and other legal documentation to the satisfaction of the Council not later than 31 December 2019;
 - there being no later than 31 May 2020 final agreement on the terms of any legal documentation involving the County Council and clear evidence to the satisfaction of the Council that operation of the Usher Gallery building or part of it as an art gallery will commence not later than 31 July 2020; and
 - operation of the Usher Gallery building or part of it as an art gallery commencing not later than 31 July 2020.
6. Approves Lincolnshire County Council continuing until the expiry of the notice given under recommendation 3 above to explore with the City of Lincoln Council alternative permitted uses of the Usher Gallery by the County Council alongside or in replacement for an art offer.
7. approves Lincolnshire County Council ceasing to operate the Usher Gallery as an art gallery on the expiry of the notice given under recommendation 3 above or a third party commencing operation of the Usher Gallery building or part of it as an art gallery whichever is the earlier.
8. Approves serving notice on English Heritage in October 2019 to terminate the lease Of Gainsborough Old Hall in October 2020 with Lincolnshire County Council ceasing to manage and operate the Old Hall in October 2020.
9. Approves the retention of the Museum of Lincolnshire Life, Battle of Britain Memorial Flight Visitors Centre and Heckington Windmill as part of the Lincolnshire County Council heritage offer.
10. Approves the County Council working with third party organisations with a view to a third party organisation taking on responsibility for Discover Stamford, Ellis Windmill, Burgh le Marsh Windmill and Alford Windmill .

11. Delegates to the Executive Director - Place, in consultation with the Executive Councillor for Culture and Emergency Services, authority to take all future steps and decisions relating to the implementation of the above decisions including any decision to give the Council's notice to terminate the Collections Agreement and to determine whether the conditions specified in recommendation 5 have been met.

Alternatives Considered:

1. Maintain the status quo.
2. Offer a different mix of sites as part of the Council's heritage offer.

These alternatives were considered in section 1.7 'Options considered' of the Report to the Executive dated 5 February 2019 attached at Appendix A to this Report. They are further assessed in the light of the responses to the consultation in this Report.

Reasons for Recommendation:

Reductions in government funding with increased demand on mandatory services leave discretionary services such as the Heritage Service at risk of cuts in service. The County Council must make savings of some £30m in the next three years in order to balance the budget in circumstances where £311m of savings have already been made since 2011.

At the same time heritage contributes significantly to the wider economy. An increase in engagement with culture and heritage increases economic performance and growth through increased employment and visitor numbers as well as improving health and wellbeing and reducing pressures on NHS services.

If these benefits are to continue to be realised the Heritage Service will have to become financially self-sustaining. This cannot be achieved without a move towards a cultural enterprise model which will involve the service becoming more commercially minded and shifting its focus from managing its own and the City Council's collections and displaying them in accordance with professional assessments of value towards curating and staging a range of exhibitions utilising Council owned and borrowed items to tell stories of relevance to the diverse communities within and outside of the county and responding to customers views of what they want from a heritage attraction.

The current Heritage offer in Lincolnshire is based on a model of multiple microsites which are limiting and fixed in the stories that they tell. Microsites lack the size and flexibility to enable a changing offer which enables differentiated narratives and experiences to be offered. As well as giving rise to a static, unchanging heritage experience microsites do not create the conditions for financial self-sustainability through attracting an increase in visitors through attracting new audiences or repeat visits.

This would be partly remedied by creating a new supersite at The Collection Museum and Art Gallery to add to the one at Lincoln Castle. This would represent a change to a more modern, responsive and relevant heritage service, telling a range of stories and offering a range of heritage experiences that aims to enrich the cultural experience the Council and Lincolnshire has to offer to residents and visitors alike. It would also enable the generation of greater income to support the financial sustainability of the service.

The strategic goals of moving to the supersite model would then be enhanced by the retention of three microsites, Museum of Lincolnshire Life (MLL), Battle of Britain Memorial (BBMF) and Heckington Windmill, given their uniqueness and inability to be recreated within the supersites.

The internal layout of the Usher Gallery and the constraints on its redevelopment imposed by the listed building status limits the ability to develop it as a supersite. It also lacks the security and environmental controls necessary to attract many loaned artworks. Given that the Council has limited capital to spend it would be better spent on the Collection building which has significant, open plan space in the lower ground floor that is more suitable to how gallery spaces are built for modern audiences. These spaces already have humidity and temperature management through a fully integrated building management system that allow for control of the environment in a greater degree of control to showcase collections and exhibitions.

The operation of Gainsborough Old Hall is best entrusted to English Heritage whose building it is and who are best placed to manage it as a site of special architectural rather than historical interest.

The remaining microsites at Discover Stamford, and Ellis Mill, Burgh le Marsh and Alford Windmills have little improvement or development potential as attractions and do not contribute significantly to the story of Lincolnshire and would be better operated as standalone sites by third parties.

1. Background

History

At its meeting on 5 February 2019 the Executive received a Report setting out the result of a review of the Council's heritage service in the form of a Detailed Business Case (DBC) for a future model of the heritage service.

That DBC and earlier Executive Report set out the drivers for the proposals, the details of the changes being proposed and the reasons for those changes.

Both documents should be read alongside this Report and are attached at Appendix A.

In short the proposals were a response to the need to ensure the financial sustainability of the County Council's Heritage Service in the face of the continuing financial challenge faced by the County Council as a result of the continuing need to make savings to balance the Council's budget.

The DBC and Executive Report set out a new vision for the County Council's Heritage Service based on a greater degree of income generation supported by a move to a new model of operation and a reassessment of the mix of sites that should be included in the heritage offer based on the degree to which those sites fitted with the new model.

It is important to note that the County Council's proposals related to the shape of its own Heritage Service driven by its assessment of what is sustainable for it in the light of its own financial resources and challenges. However, the County Council recognises that other organisations and communities have an interest in the wider heritage offer in Lincolnshire and their own roles in delivering it. The County Council will continue to play its part in facilitating wider involvement in the delivery of heritage in Lincolnshire and specific reference is made in this Report to ways in which that can happen.

At its meeting on 5 February 2019 the Executive approved the carrying out of a public consultation on the proposed changes. This Report sets out the result of that consultation and officer analysis of those results. The Report recommends proceeding with the original proposals.

The Consultation

The consultation ran from 13 February to 24 April 2019.

The consultation took the form of an online survey hosted on the council's website. The survey was also available in hard-copy, alternative language and accessible formats.

The existence of the consultation was widely publicised. Four news releases were issued between January and April 2019, and the story was covered 65 times by 17 TV, radio, online and print outlets. In addition, an article featured in County News which reaches 349,000 homes and businesses.

LCC webpages on the consultation had 10,500 views and messages were placed on Twitter and Facebook throughout the consultation period. A campaign group set up to lobby to "Save Lincolnshire's Usher Gallery" was active on social media and had its own a website providing information and direct links to the online survey.

The Community Engagement Team visited seven of the affected sites, at least twice, on various days of the week (including weekends) and at different times of day when particular events were on, as well as on 'normal' days. Lincoln library was also visited and the consultation was promoted at a number of community meetings and events that the Community Engagement Team attended.

The survey was completed online by 1,104 people and was available at sites or on request in paper format (submitted by 42 individuals and groups).

As well as 1,104 survey responses, 246 non survey items were received by Senior Management, Councillors and to a dedicated email address. 84 letters were received, 129 emails, five items from campaign groups, 21 items from heritage specialists and seven 'others groups' (including the voluntary and community sector, Town and Parish Councils and the business sector).

Whilst these non-survey items were received via other communication methods externally to the consultation, they were all taken into account and considered in the preparation of this Report. There were no new themes in the emails and letters that were not already captured substantially in the formal consultation responses. All individuals and groups who communicated outside of the scope of the consultation were responded to and encouraged to also fill in the survey.

137 non-survey comments were received by post to an address that was given for paper survey returns. 36 of the comments related to negative feedback about The Usher Gallery, eight were about mills, five about The Collection and two regarding the Museum of Lincolnshire Life. Four positive comments were received and all related to the county's mills.

An online petition addressed to the Leader of the City of Lincoln Council was established on change.org in opposition to closing the Usher Gallery. The petition was supported and promoted by The Save Lincolnshire's Usher Gallery campaign. This attracted 4,192 signatures as of 5th July 2019.

The organisers of the online petition were encouraged to refer signatories to the consultation questionnaire so their responses could be obtained in more detail and taken into account through the formal consultation process.

There was an overall response of 1,104 surveys together with additional feedback provided in separate correspondence from 148 groups and individuals. Lincolnshire's population, based on the office of national statistics 2017 survey, is 751,200. Of these 622,600 are aged 16 and above. Survey responses shown as a percentage of the population aged 16 and above are 0.18%. The separate petition of 4172, equates to 0.67% of 622,600 populations aged 16 and above. We have not combined the responses to the consultation with the numbers signing the petition as this would be likely to involve a degree of double counting.

Correspondence from the Usher Trust and in partnership with the Historic Lincoln Trust was received during the consultation period, with a follow up letter post consultation highlighting a high level scoping of potential third party involvement in the operation of the Usher Gallery.

Approach to the Consultation Responses

The detailed results of the consultation are set out in the consultation report at Appendix B.

The overall purpose of this Report is to analyse those results in the context of the original business case for the proposed changes and to provide to the Executive the professional advice and recommendations of the Heritage Service on the way forward in the light of the original business case and the results of the consultation and other feedback received.

The consultation took the form of an eight-section survey, featuring 36 questions or comments boxes, seeking feedback on six proposals and inviting other heritage-related comments, including alternative options.

People were asked to 'score' proposals on a scale of 1-10, and were provided with open text boxes to explain their score and propose alternative ideas if they wished.

The consultation elicited a large number of comments which have been analysed in detail. The results of that analysis are set out in the consultation report at Appendix B and members of the Executive are referred to that Appendix for the full analysis of the consultation. The Executive must conscientiously consider those responses in reaching their decision.

Although the consultation took the form of a number of discrete questions it should be borne in mind in the analysis that the original proposal was intended as a holistic approach to the future of the County Council's heritage service combining both a vision for a re-shaped service and specific proposals in relation to sites that supported that vision.

Accordingly, the questions posed were a mix of "strategic" questions seeking feedback on the Council's wider vision for the future shape of the heritage service and more specific questions relating to the future of specific sites within that overall vision.

In order to structure the analysis and to preserve the holistic nature of the original proposal this Report will not simply treat each question separately but group them according to the degree to which they are strategic or specific. The main body of this Report will therefore have three sections

- 1 The Strategy – this will deal with proposal 1 (cultural enterprise model) and proposal 2 (supersite model)
- 2 The Collection Supersite and the Usher Gallery – this deals with proposal 3 separately, reflecting the degree to which it played such a prominent part in the consultation and the importance of these particular sites to the realisation of the strategic vision. As such this proposal sits somewhere between the strategic and the specific.
- 3 The other sites – this will deal with proposals 4 to 6.

In each of these sections the proposals will be placed in their original context, the main themes of the consultation responses that impact on that proposal will be identified and the service response will be set out. For the purposes of this Report and of responding to the points raised in the consultation it has been necessary to

group comments together in a form in which they can be related to the original proposals and the responses addressed as challenges to the original arguments in favour of the proposals.

Finally, while there was not a question about it in the consultation it should also be borne in mind that alongside the cultural enterprise model and the supersite approach there was third strand to the strategy – i.e. the Lincolnshire DNA as a guiding principle governing the presentation of our heritage assets and the stories that they tell. This is important in particular to the issues of individual sites.

The Strategy

This section considers the proposal for moving to a cultural enterprise model and a supersite approach as elements of the same strategic vision. Although they are in theory separable, they constitute in the proposals set out in the DBC elements of a single vision for the future of the heritage service.

There are also some shared themes emerging from the consultation which lend themselves to being considered together as elements of the same overarching proposal.

This section proceeds by setting out the context and main consultation conclusions for each of the proposals before setting out a unified service response which addresses the two proposals together.

Proposal 1 - Moving to a more commercial approach (also referred to as a cultural enterprise model) to attract greater income and make the Heritage Service as financially self-sustaining as possible.

Context

The cultural enterprise model has two essential characteristics:-

- It creates products and services (exhibitions, events, programmes) based on art, culture and heritage to deliver a wide range of social outcomes; and
- It also seeks to generate a surplus from greater commercialisation of their activity.

Central to the ability to generate surplus from greater commercial activity is a change of mind-set from the delivery of a fixed offer based on the determination of heritage professionals to one that recognises that people are motivated to engage with culture and visit heritage sites for different reasons and seek different experiences and this is what the heritage service needs to respond to.

The recommendation of the cultural enterprise model was a response both to the changing appetite for culture and the fundamental challenge of how to make a heritage service financially sustainable in the face of the continuing financial challenges facing local government and Lincolnshire County Council.

As identified in the Report of 5 February 2019 Lincolnshire and Lincolnshire County Council have not been immune to these financial pressures. The County Council has had to make savings of £130 million since 2015 as a result of central government cuts and has experienced a 38% reduction in its funding between 2009/10 and 2016/17 with cost pressures expected to continue.

The County Council continues to face significant financial challenges. It must make savings of some £30m in the next three years in order to balance the budget in circumstances where £311m of savings have already been made since 2011.

The provision of heritage services is not a statutory duty. A significant risk therefore arises that the Council's discretionary spending will get squeezed between reduced funding and increasing cost pressures from mandatory services. The current model therefore, is likely to be unsustainable.

Work has already been done to make savings through a staffing re-organisation in July 2017. This has contributed to the reductions in the amount the County Council puts into the Heritage Service from £2.5m in 2016/17 to £1.5m in 2018/19. However the service continues to face the challenge of exploring possibilities for reducing the funding it needs from the Council.

The cultural enterprise model is seen as a model which gives the service the best chance to become as self-sustaining as possible and thereby be affordable to the public purse accepting that the County Council is required to make savings.

Consultation

The consultation survey results showed that 46.2% (510) of respondents were either neutral or more positive in the extent to which they scored their support of the proposal (19.5% (215) positive, 26.7% (295) neutral). 49.3% (544) who completed the survey, however, were more negative about the proposal. 4.5% (50) did not answer.

Analysis of the comments made in the survey showed that the key topics were:

- 1 Keeping and protecting heritage
- 2 Heritage is not for money-making
- 3 Comments on funding or commercialisation
- 4 Third party ownership

At one level there was a view that heritage was not a matter that should be commercialised, that it is a public good that should be funded publicly. The alternative suggestions that went with this type of response were suggestions that external funding should be sought or that savings should be found elsewhere.

Similar to this approach were those suggestions which would see the service acting more commercially but within the existing range of attractions. On this view there is more that could be done to raise money from the existing attractions as they are through such things as improving retail, chargeable events or entrance fees.

A number of the comments made in response to this proposal called for increased investment in the attractions and their marketing.

Reference was made to third party ownership or working with third parties.

Proposal 2 – Moving towards a supersite rather than microsite model

Context

The DBC recommends moving away from what is described in the DBC as a microsite approach, a museum, gallery or heritage site which offers access to a single narrative through a highly specialized collection, which is currently operated by LCC's Heritage Service, to what is called a supersite approach, a heritage site, gallery or museum that offers multiple experiences, including both permanent and temporary exhibitions and events, which enables the broadest range of audiences to engage with the widest range of experiences, and which maximizes the potential for income generation.

A supersite therefore is specifically designed to facilitate the kind of programming and activity that engages with visitors through both permanent exhibitions as well as rotating programmes of high quality temporary exhibitions and events encouraging repeat visits and increased revenue opportunities by meeting audience expectations.

With the exception of Lincoln Castle all of the Council's heritage attractions are microsites telling a single story through fixed exhibitions.

It is considered that the changes proposed in the DBC would provide a more modern, responsive and relevant heritage service, telling a range of stories and offering a range of heritage experiences that aims to enrich the cultural experience the Council and Lincolnshire has to offer.

The conclusion of the DBC is also that the Heritage Service cannot free itself of the grant-in-aid funding model, and therefore move towards self-sustainability, on the basis of a continued microsite approach. The DBC concludes that the Heritage Service therefore needs to move the focus of its model from a microsite approach to a more supersite approach accepting that it will have a mixed economy of microsites and supersites for the foreseeable (and perhaps in any) future.

Consultation

The consultation survey results showed that 43.8% (484) of respondents were either neutral or more positive in the extent to which they scored their support of the proposal (18.7% (207) positive, 25.1% (277) neutral). 51.1% (564) of respondents were more negative about the proposal. 5.1% (56) did not answer.

Analysis of the comments made in the survey showed that the key topics were:

1. Improving and developing the service (197 comments)
2. Disagreeing with the proposal (100 comments)

3. Approving the proposal (89 comments)
4. Retaining the Usher Gallery (86 comments)
5. Keeping and improving microsites (84 comments)
6. That the Usher Gallery and the Collection are already a supersite (82 comments)
7. Protecting and retaining heritage (81 comments)

Analysis of the full data in the Future of the Heritage Service Consultation 2019 report shows that disagreement with proposal was registered by 51.1% of respondents, though only 35% felt that there was another option.

The most common theme in the comments made regarding other options, was around expansion and improvement including better marketing, management, commercialisation and use of sites.

There was some opposition to the idea of supersites with some respondents supporting microsites as local and providing variety and diversity whilst the proposal was seen as a dilution. They were seen as providing a valuable experience that a supersite did not provide.

In addition to the key themes comments were made around third party/community ownership. It is also acknowledged that comments received in the response to the proposal highlighted the option of handing over microsites to third parties.

Service Response

Whilst there is clearly room for different views about how heritage services should ultimately be funded the Council must respond to the circumstances it finds itself in and in particular the extremely challenging financial circumstances identified in the original report to Executive and DBC.

The Council would have the power to provide additional funding to the Heritage Service. However, in the light of budget pressures in mandatory services such as social care and continuing reductions in funding it would be a significant challenge to find the savings required from those services. It is in principle right that discretionary services make an appropriate contribution to the financial challenge faced by the Council. As to improvement and investment in the current climate the Council does not have capacity to find additional monies itself to put into heritage on a grant in aid subsidised model on a scale necessary to deliver heritage in the way it is currently delivered and develop and improve the offer. As argued in the original Executive Report and the DBC, there are compelling reasons to believe that the existing service is not sustainable on the current model.

In terms of attracting additional external funding, the service needs to move to an audience focused cultural offer that appeals to a broad spectrum of potential visitors and increases the reasons to revisit. Key to this is the redevelopment of spaces within The Collection museum to be able to host the large touring exhibitions from national museums and galleries. Potential funders in terms of institutions and previously unexplored source of personal giving would seek key outputs and outcomes. These would include audience appeal, brand position,

brand association, and impacts which cannot be delivered in the current model of the Heritage Services.

One group of respondents did not raise objection to commercialisation as such but wished the Council to do more to exploit commercial opportunities from the existing offer not by changing the existing offer. The service has explored the degree to which greater income can be achieved from the existing sites and in line with intelligence shared throughout the cultural sector; it is felt that the service is close to maximising income within its current operating model.

This group of responses can be related to another strand which disagreed with the Council over the advantages of supersites over microsites. Characteristic of this group of responses was the valuing of the small and the local over the large and what was perceived as being centralised. These responses served as a reminder that for some visitors to heritage sites a more concentrated encounter with a specific collection in a single use site leads to a better experience than encounters with a changing collection or multiple collections on the same site.

Other responses, following this approach, called for the Council to invest the money that it would propose to invest in the development of a second supersite into the existing microsites.

Another element of this approach was the suggestion that collaboration with third parties or the involvement of third parties in the running of the existing sites could be an alternative approach.

The Council certainly recognises the value of microsites and under its proposals a number of microsites would be retained. The original Executive report recognised that a mixed economy of supersites and microsites is likely to be a feature of the County Council's heritage service for the foreseeable future and perhaps permanently.

In terms of investment and the capacity of such sites to be sustained into the future the ability to obtain a substantial return on any development of the microsites due to their size, capacity and lack of the broader offer which would be delivered from the supersite model is limited.

Collaboration with other services and the involvement of third parties in the operation of the service also have much value to add but are not capable either in isolation or in combination with the other suggestions made in the consultation of making savings or generating revenue from within the existing model sufficient to sustain the existing service.

There was a strong message emerging from the consultation that respondents wished to see the protection and improvement of the county's heritage assets and this is an aspiration that the service shares. The issue is how this can be achieved and the service be sustained.

In the view of the service, the heritage service does have the potential to be self-sustaining by changing its model. The new model has two elements – the

enterprise model and supersites. The new model is in itself an exciting new direction for heritage services opening up new opportunities for the service to engage with communities and for communities to see their interests more fully reflected in the heritage offer.

Therefore although the consultation elicited a real debate concerning the role of heritage services in society and provided ample evidence for the high value placed by people in Lincolnshire on the county's heritage no compelling reasons were given either for believing the service's original analysis to be incorrect or for the alternatives that have been suggested.

A number of respondents stressed the importance of heritage to the economy and people's wellbeing. The original DBC identified that by 2023/24 the impacts of the new model on the economy of the county would be £11,610,686.

Overall therefore it is recommended in principle that the Council proceed with the cultural enterprise model and the supersite approach. However it has to be accepted that progressing with that vision in reality requires the service to identify a workable model for the development of at least one additional supersite. The proposal made by the service was to develop that supersite at the existing Collection building in Lincoln and as a result for the Council to cease to operate the Usher Gallery as an art gallery.

That was the subject matter of Proposal 3.

Proposal 3 – Creating a supersite within The Collection building offering both museum and art displays, and no longer operating the Usher Gallery.

Context

It is proposed that the Collection Museum and Art Gallery (CMAG) would be created as a supersite from the current Collection Museum and Usher Art Gallery, displaying both art and archaeology within the Collection building. The permanent exhibition would be redeveloped to make best use of our collections and exhibition spaces would be expanded to display art and increased flexible space would form the basis for a programme of travelling exhibitions and events supported by the wider Heritage Service commercial plan. Any changes to the building layout would form part of negotiations with the landlord, City of Lincoln Council.

The Usher Gallery would no longer be operated by the County Council as an art gallery.

It was proposed that many of the Usher Gallery's key art collections would continue to be showcased at the CMAG supersite and around the county. However, it was recognised the future use of the Usher Gallery and collections, which are both owned by City of Lincoln Council (CoLC), would have to be part of on-going discussions between LCC, CoLC and other third parties having regard to existing covenants.

Although under this proposal the Usher Gallery would not be operated as a gallery by LCC, LCC would continue to lease the Usher site and considers that it could potentially be used by other LCC departments with a public-facing role. One such use that could be considered is the use of the site for the Registrars & Celebration service. Any change in use for the Usher site would require a renegotiation of the lease with City of Lincoln Council.

Consultation

The consultation survey results showed that 23.5% (259) of respondents were either neutral or more positive in the extent to which they scored their support of the proposal (13.1% (144) positive, 10.4% (115) neutral). 74.9% (827) of respondents were more negative about the proposal. 1.6% (18) did not answer.

Analysis of the comments made in the survey showed that the key topics were:

1. not closing the Usher Gallery (235 comments),
2. keeping both museum and art gallery separate (84 comments),
3. supporting the proposal (53 comments with an additional 82 comments agreeing but with provisos) and
4. improving exhibitions at the Usher Gallery (61 comments).

Amongst those who completed the survey, the quantitative data showed disagreement with the County Council ceasing to operate the Usher Gallery as an art gallery. The majority of the negative comments focussed on the proposal to cease to operate the Usher Gallery rather than commenting on the proposal to develop The Collection.

A strong element of these responses stressed the nature of the bequest that was made by James Ward Usher and what was seen as the obligations on the Council to adhere to the terms of that bequest. The Usher Gallery building was seen as uniquely valuable in its own right and worthy of preservation in its current role. These responses would tend to call for any investment to be put into the Usher Gallery to improve the facilities and increase the potential for the Usher Gallery to generate income in its own right. This strand of responses has strong affinities with and can be seen as a specific example of those responses to Proposal 2 that defended the importance of microsites and called for the Council to generate more income from its existing sites.

Another variation on this approach stressed the different natures of the Usher Gallery and the Collection (the former for art the latter for archaeology) or stressed the particular importance of the Usher Gallery building itself as the setting for art and the James Usher Collection in particular.

Other responses on the other hand did evidence a degree of interest in the concept of a supersite. One element of these responses suggested that the Usher and the Collection taken together were already a supersite while others proposed that if a supersite was to be created at the Collection then the Usher Gallery be seen as part of that supersite, perhaps with the addition of works to better join the two buildings so they were more obviously part of the same museum and gallery complex.

During the consultation there was some belief that the proposal was to turn the Usher Gallery into a dedicated commercial wedding venue and this idea elicited a strong degree of opposition.

Service response

As set out in the response to Proposal 2 there are strong reasons for believing that the creation of an additional supersite or supersites (in addition to Lincoln Castle) is an integral part of any viable strategy to secure a sustainable future for a Lincolnshire County Council heritage service.

It is of the essence of a supersite to have flexible modern spaces to accommodate the best touring exhibitions and to allow the display of a variety of exhibits together in ways that enhance the customer experience of those exhibits and which allow a variety of stories to be told.

For all of the merits of the Usher Gallery building as a building and as an important part of the environment of Lincoln as a city it is not capable either of being or becoming a part of a supersite conceived in this way.

The internal layout of the Usher Gallery and the constraints on redevelopment imposed by the listed building status limits the ability to develop it as a supersite.

The Collection building on the other hand has significant, open plan space in the lower ground floor that is more suitable to how gallery spaces are built for modern audiences. These spaces already have humidity and temperature management through a fully integrated building management system that allow for control of the environment in a greater degree of control to showcase collections and exhibitions.

In many ways therefore Proposal 3 is a test case for the concept of a supersite. If supersites are central to a sustainable strategy for the County Council's heritage service as we believe then the redevelopment of the Collection is the Council's best opportunity for bringing an additional supersite into existence in the foreseeable future and in the view of the service should be proceeded with. This would entail the County Council ceasing to operate the Usher Gallery building as an art gallery. However it is worth going into some detail about what is meant by that and its implications for both the Usher Gallery building and the Usher Collection.

The Usher Gallery has its origin in the will of a local Lincoln benefactor James Usher who bequeathed to the Mayor and Alderman of the City of Lincoln (now City of Lincoln Council) both his collection of objets d'art and a sum of money for the purposes of building a building to house the collection. In 1927 City of Lincoln Council constructed the existing Usher Gallery building which since that date has been used to house and display (amongst other things) parts of the Usher Collection.

In 1974 the County Council agreed with City of Lincoln Council to manage the City Council's collections and the Usher Gallery on behalf of City of Lincoln Council. As a result the Usher Gallery together with the Usher Collection and other collections

built up by City of Lincoln Council in the intervening period were taken on by the County Council and managed as part of an integrated County Council Heritage Service with the County Council supplementing the collections over time so that the overall collection now consists of City of Lincoln Council owned objects (including the Usher Collection) and County Council owned objects.

This position has been formalised more recently and is now documented in two Agreements between the County Council and the City of Lincoln Council. The first is a Collections Agreement under which the City of Lincoln Council makes its collections available to the County Council to display in such way as the County Council sees fit and under which the County Council undertakes to manage the City Council's collections including the James Usher collection alongside its own collections.

The second is a lease under which the County Council is entitled to occupy the Usher Gallery building and is permitted (but not obliged) to use it as an art gallery. That lease runs to 2060 and under the lease the County Council is responsible for the maintenance and repair of the building.

The County Council has taken legal advice on the current effect of the James Usher bequest and that advice is that City of Lincoln Council are bound by the bequests set out in the Will of James Usher and the County Council is not bound by those bequests. The bequests are still valid and binding and take the form of two charitable gifts by James Usher to the City of Lincoln Council. The advice is that those gifts in essence require the City Council to look after the Usher Collection and to display it in the Usher Gallery building.

Since 1974 the County Council has fulfilled the City Council's responsibilities under the bequests by managing the City Council's collections generally including the Usher Collection and operating the Usher Gallery building as an Art Gallery which displays amongst other things the Usher Collection.

However, for the reasons set out in the DBC, the County Council is obliged to review the shape and nature of its own heritage offer and as part of that to review the extent to which its continued management of the City Council's obligations in relation to the City Council collections and the Usher Gallery fits within the type of heritage service the Council wishes to operate.

For the reasons given above the Usher Gallery building is not suited to the development of a supersite. At the same time the County Council's continued responsibility for the whole of the City Council collections regardless of their merit or their contribution to the story of the Lincolnshire DNA places the County Council in the role of a collections manager. However the vision for the future of the Heritage Service is much more as a curator of heritage experiences drawn from a wide range of sources of loaned artefacts. This is the position the Heritage Service would wish to be in in relation to the City Council collections as much as any other collection.

The recommendation of the Heritage Service is that the Usher Gallery does not have a role to play in the future of the County Council's heritage offer and the

County Council's relationship to the City Council's collections should change from managing those collections to drawing on those parts of the collections that tell the stories that the service wishes to tell.

All this would mean that the County Council would cease to operate the Usher Gallery as an art gallery. The responsibilities under the bequest would revert back to the City of Lincoln Council and it would be for the City of Lincoln Council to fulfil its obligations under the bequest and to determine what that means for the future of the Usher Gallery building and its collections. In the meantime the County Council would remain responsible under the lease for the maintenance and repair of the building unless and until it was necessary for the City of Lincoln Council to take back responsibility for the building in order to fulfil the terms of the bequest.

In terms of the City Council collections the County Council would terminate the 2001 Collection Agreement at which point responsibility for all the activity necessary to look after the collections including the Usher Collection will revert to the City Council

Although this would mean the County Council no longer has direct control over elements of those collections that are currently exhibited there is a need to change the County Council's relationship to the City Council collections and the County would seek to reach agreement with the City Council over the loan of relevant items.

The existing archaeology collection that is displayed in the Collections museum must continue to be made available under Heritage Lottery Fund grant conditions which the County Council and City Council are jointly bound by.

The notice period under the Collections Agreement is two years. Recommendation 3 in this Report recommends that such notice is given.

Of course, as is clear from the consultation document, the County Council would welcome discussions on ways in which the use of the Usher Gallery could be varied to allow use of the building for different but complementary uses. Although there was a lot of opposition expressed against the use of the Usher Gallery building as a wedding venue any potential change of use of the Usher Gallery is envisaged as being for the use of public services such as Registration and Celebratory Services. This would include civil ceremonies but not purely on a commercial basis and not receptions. This would be only one of the improved public services delivered from this building. Any such proposals would be subject to a change of permitted use within the existing lease agreement.

Alternatively interest has been expressed by third parties in exploring how they might be able to run the Usher Gallery as a separate art gallery. This is also a discussion that the County Council would welcome. Although the County Council has to review what it can offer itself by way of a heritage offer and has to make some difficult decisions about that, it has a continuing interest in ensuring a strong heritage offer in Lincolnshire and will be happy to engage with any organisation with an interest in heritage to explore how the Council's own offer can be supplemented without undermining the Council's efforts to establish its own

Heritage Service on a sustainable basis. However, those discussions must be time limited and pursued diligently and in a business-like way as the Council's resources put into engaging with third parties could otherwise be used to pursue its own vision for its own heritage offer. The conditions and timetable set out in recommendation 5 are considered to be reasonable and realistic.

The involvement of City of Lincoln Council will be central to those discussions given their role as owners of the building, trustees of the James Usher bequest and as owners and eventually managers of their own collections.

The Other Sites

Proposals 4 to 6 dealt with the County Council's proposals for the mix of sites that would accompany the supersites at the Castle and Collection as part of the County Council's heritage offer.

As set out above, it was part of these proposals that while the County Council may not continue to provide these sites as part of its own heritage offer it would work with third parties to see whether they could continue to be operated in the interests of the wider heritage offer within the county generally.

The underlying principle governing the choice of sites was the degree to which they contributed to the telling of Lincolnshire stories as part of the Lincolnshire DNA approach

Proposal 4 – The operation of Gainsborough Old Hall

Context

Gainsborough Old Hall (GoH) is owned by English Heritage and leased to Lincolnshire County Council (LCC) to operate. That lease can be terminated by either English Heritage or LCC in October 2020 on the basis of a year's notice (in Oct 2019). The real importance of GoH lies in its architectural legacy, rather than the stories associated with the site and as the national body who have the remit to preserve and present it, English Heritage are best placed to interpret and showcase its history. Accordingly, discussions have been had with English Heritage over the future operation of the Hall who have embraced the opportunity to fully engage with this plan. It is therefore the proposal of the Council to surrender the lease and for English Heritage to take over its operation.

If the lease is terminated, the operation of the attraction at Gainsborough Old Hall including the opening hours, event and exhibition programmes and facilitated learning programme would be determined by English Heritage.

Consultation

The consultation survey results showed that 75.8% (837) of respondents were either neutral or more positive in the extent to which they scored their support of the proposal (41.3% (456) positive, 34.5% (381) neutral). 14.2% (157) who

completed the survey were more negative about the proposal. 10% (110) did not answer.

Analysis of the comments made in the survey showed that the key topics were:

1. Support for English Heritage running the Old Hall (356 comments)
2. Unsure, having not visited or desiring more information (123 comments)
3. Not agreeing with the proposal (39 comments)
4. Working with third parties/community (35 comments)
5. Support if English Heritage can draw down more funding (33 comments)

Although there were some reservations and provisos expressed concerning issues such as educational provision and community involvement, analysis of the consultation survey results shows clear support within the survey responses for English Heritage, who own the Old Hall, to operate the attraction.

Service Response

For the reasons given in the original Executive Report and DBC the Gainsborough Old Hall, while clearly of historical significance, does not lend itself to being part of the vision for the future of the County Council Heritage Service.

The Council does not own the building and while it is architecturally significant it has a less significant contribution to make to telling the story of the history of Lincolnshire. It is the service's view that the site is best returned to English Heritage through the termination of the existing lease and given the clear support for this in the consultation that is what is recommended.

It is acknowledged that there were comments received during the consultation relating to the Council working with other organisations and third parties. It is not within Lincolnshire County Councils power to grant such an arrangement, however the comments together with the rest of the consultation, will be shared with English Heritage.

Proposal 5a – Retention of Museum of Lincolnshire Life

Context

The Museum of Lincolnshire Life (MLL) tells an important story about the social history of Lincolnshire through permanent exhibitions. This social history offer would be retained as a microsite and forms part of the Lincolnshire DNA. MLL does not currently have sufficient temporary exhibition space for an effective programme of temporary exhibitions and so cannot become an income generating site unless further exploration and development was completed.

Consultation

The consultation survey results showed that 84.7% (935) of respondents were either neutral or more positive in the extent to which they scored their support of the proposal (72.6% (801) positive, 12.1% (134) neutral). 5.2% (57) of respondents were more negative about the proposal. 10.1% (112) did not answer.

Analysis of the comments made in the survey showed that the key topics were:

1. The museum is a great site, a cultural treasure (51 comments)
2. Valuing the site, preserving the agricultural and industrial heritage (29 comments)
3. Rejuvenating /extending the museum (28 comments)
4. Investing in the museum/more marketing and events (24 comments)

Analysis of the consultation survey results shows clear support for retaining the Museum of Lincolnshire Life within those who completed the survey. Indeed there were very positive comments about the site. The opportunity and support for development of the museum is also acknowledged.

5. Proposal 5b – Retention of the Battle of Britain Memorial Flight Visitor Centre

Context

The Battle of Britain Memorial Flight Visitor Centre (BBMF) is a unique Lincolnshire visitor attraction showcasing Lincolnshire's rich aviation history and forms part of the Lincolnshire DNA. The BBMF attraction could not be replicated in the other supersites.

Consultation

The consultation survey results showed that 76.9% of respondents were either neutral or more positive in the extent to which they scored their support of the proposal (60.1% 9663) positive, 16.8% (185) neutral). 9.7% (107) of respondents were more negative about the proposal. 13.4% (149) did not answer.

Analysis of the comments made in the survey showed that the key topics were:

1. That the RAF should operate the visitor centre (33 comments)
2. War and aviation are key stories in the county (27 comments)
3. The attraction has broad appeal (18 comments)
4. Haven't visited (17 comments)
5. Site can be confused with International Bomber Command Centre (15 comments)
6. Retention of visitor centre (12 comments)
7. Shouldn't fund military history/glorify war (11 comments)

Although there may have been some confusion between this site and the Bomber Command Centre and although a number of respondents would prefer to see the RAF play a greater role in the management of the attraction the analysis of the consultation survey results shows clear support for retaining the Battle of Britain Memorial Flight Visitor Centre within those respondents to the survey.

In fact as explained in the consultation document the Battle of Britain Memorial Flight itself is managed by the RAF with the County Council's involvement limited to the operation of the visitor centre.

5. Proposal 5c – Retention of Heckington Windmill

Context

Heckington Windmill is a unique Lincolnshire visitor attraction showcasing Lincolnshire's rich agricultural history and forming part of the Lincolnshire DNA. The uniqueness of this windmill is its eight maintained sails. The Heckington Windmill attraction could not be replicated in the other supersites.

Consultation

The consultation survey results showed that 78.5% (866) of respondents were either neutral or more positive in the extent to which they scored their support of the proposal (57.2% (631) positive, 21.3% (235) neutral). 9.1% (99) of respondents were more negative about the proposal. 12.4% (139) did not answer.

Analysis of the comments made in the survey showed that the key topics were:

1. That the site could be run by others (25 comments)
2. Haven't visited or don't have any interest (24 comments)
3. Why retain this windmill, not others (23 comments)
4. Keep the windmill open (15 comments)

Although a number of respondents expressed a view for retaining other sites and there was a degree of support for the site being managed by third parties, the analysis of the consultation survey results shows clear support for retaining the Heckington Windmill within those who completed the survey.

The site is in fact managed by a third party Trust at present on behalf of the County Council.

Service Response

The proposals for the retention of these three sites were supported with a number of the comments stressing the importance of the sites to Lincolnshire and its history.

Given the level of support there is no compelling reason to reconsider the retention of these sites and it is therefore recommended that they are retained.

Proposal 6

Again there were a number of sub-proposals to this proposal relating to individual sites. The context for all of them was that the County Council would explore putting in place arrangements for the continued management of the sites with third parties. The sites did not in themselves add materially to telling the stories of Lincolnshire in accordance with the Lincolnshire DNA and did not lend themselves to a cultural enterprise approach.

Proposal 6a – Not to retain Discover Stamford

Consultation

The consultation survey results showed that 49.2% (543) of respondents were either neutral or more positive in the extent to which they scored their support of the proposal (19.4% (214) positive, 29.8% (329) neutral). 38% (419) of respondents were more negative about the proposal. 12.8% (142) did not answer.

Analysis of the comments made in the survey showed that the key topics were:

1. For the site to remain open (28 comments)
2. Ideas and alternative suggestions (24 comments)
3. Cultural and tourism benefits (18 comments)
4. Agreement with proposal/haven't visited (11 comments)

Proposal 6b – Not to retain Ellis Mill

Consultation

The consultation survey results showed that 44% (486) of respondents were either neutral or more positive in the extent to which they scored their support of the proposal (16.9% (187) positive, 27.1% (299) neutral). 41.5% (458) of respondents were more negative about the proposal. 14.5% (160) did not answer.

Analysis of the comments made in the survey showed that the key topics were:

1. Operational changes such as combining with the Museum of Lincolnshire Life (28 comments)
2. The mill adds to the character of uphill Lincoln (8 comments)
3. Retention of the mill (6 comments)

Proposal 6c – Not to retain Burgh le Marsh Mill

The consultation survey results showed that 47.2% (521) of respondents were either neutral or more positive in the extent to which they scored their support of the proposal (17.9% (198) positive, 29.3% (323) neutral). 38% (419) of respondents were more negative about the proposal. 14.8% (164) did not answer.

Analysis of the comments made in the survey showed that the key topics were:

1. Retention of the site (5 comments)
2. Operational changes e.g. use of volunteers/different groups (4 comments)
3. Tourism (3 comments)

Proposal 6d – Not to retain Alford Mill

The consultation survey results showed that 46.6% (515) of respondents were either neutral or more positive in the extent to which they scored their support of the proposal (18% (199) positive, 28.6% (316) neutral). 38.3% (423) of respondents were more negative about the proposal. 15.1% (166) did not answer.

Analysis of the comments made in the survey showed that the key topics were:

1. Operational changes, e.g. operation by volunteers (8 comments)
2. The mill's importance to local tourism (6 comments)

Analysis of the consultation survey results for all these proposals shows that although the numbers of respondents who were opposed to the proposal was greater than those in support these did not represent a majority of the respondents.

Comments received within the ideas and suggestions theme included reference to alternative organisation taking over these proposals. The recommendation is already to explore third party management. Given the arguments of the DBC relating to the limited extent to which these sites contribute to the new strategic vision for the service including the Lincolnshire DNA. In the view of the service there is no clear opposition to the proposal or compelling reasons given within the consultation responses not to pursue the proposal.

In order to provide reassurances concerning any transfer of the assets, and finding alternative management arrangements, any transfers would be covenanted to ensure the continuation of the site in question. There would be a requirement for any third party to have a resilient business plan to ensure the sustainability of the sites/offer and that it is retained for local and historical benefit.

Other Issues

Education and Skills

A number of respondents to the consultation identified the impact on education and skills as something that was important to them.

As a result of the proposals for a reduction in sites, the Education and skills provision currently operated at GoH would no longer be offered by the Heritage service if the operation of it is returned to English Heritage.

As a result of the proposals for the creation of supersites at Lincoln Castle and CMAG, the education and skills provisions, including in respect of children with special educational needs and disabilities, will continue although the space in which it is delivered on those sites may alter. Any offer currently available at any of the proposed retained microsites will remain unaffected.

Community Engagement

There was a concern expressed in the response to the consultation that the Council's offer may be concentrated too much on Lincoln to the detriment of Lincolnshire residents in other parts of the County.

In recognition of the fact that both supersites will be located in Lincoln, we are keen to ensure that the service is able to support wider cultural and heritage engagement and activity across Lincolnshire. As part of the Heritage Service's ongoing strategic leadership role within the County we will continue to explore opportunities to support and develop community heritage hubs in addition to the

delivery of the supersites. Acknowledging that this will form a different model to the County's library hubs, it will build on the success of these community hubs as well as existing relationships with town and district councils and local trusts.

Our plan, as described at section 1.10.1 of the DBC, is to explore, with the many excellent existing heritage organisations, how this support can best benefit the heritage offer in Lincolnshire, working with existing heritage hubs, parish, town and district councils, libraries, local history societies, trusts, civic societies, village halls and third sector organisations as well as supporting the establishment of new hubs.

Through artefact loans and advice on funding applications as well as the potential to apply for small grants and support on accreditation processes, the service will explore the development of a framework for broader engagement involving the communities, providing easier access to the county's rich heritage including helping those organisations set up their own temporary exhibitions and displays. This will help communities and visitors to engage with and celebrate the rich history of their local area.

Over time this may lead to new and innovative ways of providing culture and heritage which better respond to the needs of the communities as well as exploring wider objectives of co-curation, creativity, the opportunities for volunteering, learning and skills development, local participation and positive impacts on health and wellbeing.

Finances and Funding

The DBC identifies the financial challenge that has faced the Council since 2015 and the savings that have had to be made to achieve a balanced budget and set out projections for a number of indicators including reductions in LCC contribution to the service and economic benefits. As with any DBC it needs to be kept under review and this section updates the position set out in the Executive Report in February 2019 where new data is available. Overall, however the DBC is considered to be a robust basis for the Executive to base its decision-making.

The challenge facing the Council is that it will need to find a further £30m of savings in order to balance the budget in the next three years. This is at a time when the significant savings have already been made and the potential for further efficiencies is limited. Equally the Council must manage the revenue impacts of its capital expenditure and is reviewing the extent of a sustainable capital programme. Given the Council's existing commitments to the development of key infrastructure the amount of capital to put into the ongoing improvement and development of heritage assets is also limited and any capital has to be spent wisely to give the best possible return.

A series of papers have informed the Heritage Service's current operational position, responding to priorities within LCC to reduce costs, increase efficiency and create higher quality services, which were announced in Nov 2015 as part of an effort to cut spending across the Council by at least £130m. The ramifications of this for the Heritage Service were significant as the aspiration was to save £1.8m from the operations budget and become self-sustaining by April 2018.

The service has generally been met on a funded basis, principally funded by the Council but supported by some peripheral income generation. Reductions in required contributions have been made by the service through a staff re-organisation and efficiencies however they still currently operate on a funded basis.

Year	Heritage Service Budget	Heritage Service Income	LCC Contribution
2016/17	£5.5m	£3.0m	£2.5m
2017/18	£5.0m	£3.4m	£1.6m
2018/19	£4.3m	£3.2m	£1.5m

The future financial risk of the Heritage Service if it continues this model is that it will become squeezed between reduced funding and the increased cost of mandatory services and therefore heritage sites and services are reduced in response to reductions in the money available to subsidise the services.

The financial benefit

The proposal to move to a cultural enterprise model is forecast to reduce the contributions made by LCC and increase financial sustainability through an income generation programme. Over a 6 year period (2018/19 – 2023/24) LCC contributions were forecast in the DBC to decrease from just under £1.0m to less than £250k as income generating activity increases, microsites are reduced and any further efficiencies are made. With no change to a cultural enterprise model and no investment into supersites, the Service would still require funding of circa £1m pa.

Although the DBC and the Executive Report of 5 February 2019 predicted an LCC contribution of £1.1m in 2018/19 the actual figure was 1.5m. Although this does not necessarily mean that the projected contributions in later years need to be revised upwards it is an indication of the challenge faced by the Council to make the service self-sustaining within its existing model and in the view of the service reinforces the case for change.

The economic benefit

Impact on the local economy can be improved greatly by culture and heritage within an area and economic impact analysis on the proposal to move to a cultural enterprise model forecasts a reduction in LCC contribution per visitor from £2.34 (2018/19) to £0.60 (2023/24) whereas there would be no reduction for the status quo option.

Across the proposed programme timeline the Supersite model delivers a marginally higher return for both Tourism Impact (1%) and Wider Economic Impact (0.5%) than the status quo; however in 2023/24 under the first full year following the opening of CMAG under the Supersite Model Tourism Impact is 8.5% greater than the Status Quo, while the Wider Economic Impact is 7.3% greater.

Funding

We estimate the cost for this proposed scheme of work to be £5million, most of which would be to fund capital and exhibition installation at the new CMAG supersite.

We would expect to fundraise for around 70-80% of this figure, which we anticipate would be met from HLF, ACE and other public and private donors. Any expectation to meet 100% of the fundraising goal from external funding sources is unrealistic in today's economic climate, and it would be likely that LCC would have to contribute 20-30% of the total, including cash and in-kind donations. This makes LCC's likely contribution around £1-1.5m, depending on the final scheme of work, and would help to facilitate the following:

- Increased income generation at Lincoln Castle and CMAG
- New temporary exhibition space created at CMAG
- New permanent installation at CMAG
- Better utilisation of existing assets at Lincoln Castle

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

An Initial Equality Impact Assessment (EIA) has been undertaken and is included as Appendix C.

The initial EIA appended to the Executive Report of 5 February 2019 identified a positive impact in that development to an existing site provides an opportunity to enhance language/translation (including Audio Guides) that might make the site more appealing and accessible to visitors/tourists/students and migrant communities who are visiting or are new to Lincolnshire. Such enhancements will also positively impact access and experience for those with a disability. In addition any improvements to sites will be fully compliant with the Council's legal duties relating to the accessibility of its buildings.

Greater flexibility to change displays and mount temporary exhibitions increases the potential to tell different stories including those that help advance equality of opportunity and foster good relations in relation to people with protected characteristics.

The initial EIA also identified potential negative impacts mainly in terms of Age and Disability in terms of less heritage sites to access with potentially greater distances to travel.

There would potentially be some loss of educational provision available for children and young people (including those with special educational needs or a disability) at Gainsborough Old Hall depending on what offer is made by English Heritage. Educational provision will be maintained at the other sites forming part of the Council's heritage offer

The initial EIA has been revised following the consultation feedback and assumptions have been tested out with specific groups regarding these and any other identified impacts on those with protected characteristics. The results of this revision process are incorporated in the EIA at Appendix C.

In terms of age (older people and young people) and disability (particularly people on the autistic spectrum) it has been identified that the display of art in a busy supersite may lead to the loss of quite space allowing for reflection and contemplation which respondents find at the Usher Gallery. In mitigation the provision of an autism hour at the new supersite (as currently provided at Lincoln Castle) will be explored.

Some concern was expressed in relation to sexual orientation as a protected

characteristic that there may be nervousness about having exhibitions with a sexual content in a more commercially driven environment and this would be a missed opportunity for these groups to express and share their art which could marginalise them and reduce opportunities for social meetings and forming friendships through shared experiences. However the move to a supersite increases the scope for a broad range of art and exhibits to be displayed making it easier to reflect the needs of groups with a protected characteristic.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

Whilst the impact of these proposals on the JSNA and JHWS is difficult to quantify there is research to assess the cost savings on NHS services due to the reduced likelihood of GP visits and psychotherapy services as a result of visits to museums, galleries and heritage sites. The findings suggested that engagement with different forms of culture will deliver a different range of savings depending on the kind of visit that takes place. Further details of such considerations can be found at section 2.6 in the Economic case of the DBC.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

The Heritage Service plays a crucial role in tackling social exclusion, contributing to regeneration, to promoting safer communities, encouraging healthier lifestyles, providing opportunities for voluntary and community activity and stimulating lifelong learning. The Heritage sector has a significant role to play in achieving this aspiration, by providing inspiring, engaging and educational experiences, promoting a sense of place for all who visit, live and work. Lincolnshire has a strong sense of place and its museums and heritage sites play an important part in helping residents and visitors alike to understand the deep roots of its cultural identity and its traditions, giving our visitors and non-visitors what they want and developing new activities which will encourage them to visit and return on a regular basis, whilst also creating a sense of place and helping deliver social cohesion.

3. Conclusion

The Heritage service has developed a Detailed Business Case to support a case for change and a way forward for the future of the heritage service within an affordable financial envelope.

This report sets out the results of a public consultation on the Council's proposals and recommends a course of action.

4. Legal Comments:

The Council has a power but not a duty to provide museums and art galleries pursuant to the Public Libraries and Museums Act 1964. It is possible that other heritage attractions could be treated for the purposes of this Act as provision of a museum but if not then the power to provide such attractions would otherwise be covered by the general power of competence under the Localism Act 2011.

The changes to the Council's heritage service set out in the Report are within the powers of the Council.

If these changes are approved then the Council would use its powers under these Acts to make improvements at the existing supersite at Lincoln Castle and the proposed supersite at The Collection Museum and Art Gallery but would also cease to use its powers to provide an art gallery at the Usher Gallery and cease to use its powers to provide the other heritage attractions of Gainsborough Old Hall, certain windmills and Discover Stamford.

The Executive must conscientiously take into account the results of public consultation before reaching a final decision.

The decision is consistent with the Policy Framework and within the remit of the Executive.

5. Resource Comments:

Whilst no revenue budget decisions beyond the current year have been made by the Council, given the projected shortfall in the budget available for the council it is still imperative that the Heritage Service looks to reduce its net cost to ensure its future sustainability.

Accepting the recommendations in this report will support the service moving to a self-sustaining heritage offer.

Any budget changes arising from the change in the operational model of delivery of the service will be assessed and included in future revenue budget proposed to Council for approval.

The report identifies the need for capital investment to support the changes to the Heritage Service, these can be met from the currently approved capital programme via, a bid to the new developments capital contingency fund on the production of a suitable capital appraisal and secured external funding.

6. Consultation

a) Has Local Member Been Consulted?

Yes

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

On 23 June 2019, the Public Protection and Communities Scrutiny Committee considered the report on the Future of the Heritage Service. The Committee supported the recommendations to the Executive included in the report, seven votes in favour and one against.

The Committee highlighted the following comments for consideration by the Executive.

- A member of the Committee highlighted the opportunity to explore alternative management arrangements for the Usher Gallery through other interested third party organisations.
- A member of the Committee expressed concerns with the timescales included in the report for the receipt of a sustainable business case for third party operation of the Usher Gallery building by the 31 October 2019. It was queried whether the proposed deadline allowed enough time for third party organisations to complete the paperwork to the standard required.
- A member of the Committee highlighted the need for further discussions between the County Council and City of Lincoln Council to work towards a positive outcome for the Usher Gallery. Officers confirmed that discussions had been on-going for two years and that alternative use of part or all of the Usher Gallery Building would require the permission of City of Lincoln Council as the owner.
- A member of the Committee queried whether the Usher Gallery and Collection could be operated more successfully as a single site by Lincolnshire County Council. Officers acknowledged the passion for the Usher Gallery and confirmed that the two sites had been operated as one management structure since 2005.
- A member of the Committee supported greater partnership working at all heritage sites to unlock external funding and build a sustainable heritage service for the future.

d) Have Risks and Impact Analysis been carried out?

Yes

e) Risks and Impact Analysis

Section one of the Detailed Business Case details the risks and impacts analysis.

7. Appendices

These are listed below and attached at the back of the report

(NOTE: Owing to the size of these documents, these will only be available to view electronically by clicking on the following link or upon request: <http://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=121&MId=5285&Ver=4>)

Appendix A	Executive Report dated 5 February 2019 with Detailed Business Case
Appendix B	Consultation Report
Appendix C	EIA

8. Background Papers

Document title	Where the document can be viewed
Future of the Heritage Service (Executive Report 04/10/16)	http://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=121&MId=4811&Ver=4

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