

**TRANSFER OF FREEHOLD OF CROMWELL MUSEUM BUILDING TO HUNTINGDON TOWN COUNCIL**

**To:** Commercial and Investment Committee

**Meeting Date:** 23 February 2018

**From:** Group Asset Manager, Strategy and Estates

**Electoral division(s):** Huntingdon West; Huntingdon North and Hartford;  
Godmanchester and Huntingdon South

**Forward Plan ref:** N/a                      **Key decision:** No

**Purpose:** To inform Committee members of the current situation regarding the transfer of the freehold of the Cromwell Museum building in Grammar School Walk, Huntingdon, to Huntingdon Town Council.

**Recommendation:** The Committee is asked to approve the broadening of the restrictive covenant placed on the transfer from

***“a public museum dedicated to the life of Oliver Cromwell, provided that if the Oliver Cromwell collection is withdrawn to the extent the use is no longer possible then the Transferee shall not use the property for any other use than as a museum open to the public or a heritage or cultural asset open to the public”, to***

***“a public museum dedicated to the life of Oliver Cromwell, provided that if the Oliver Cromwell collection is withdrawn to the extent the use is no longer possible then the Transferee shall not use the property for any other use than as a museum open to the public or a heritage or cultural or community asset open to the public.”***

<b><i>Officer contacts:</i></b>		<b><i>Member contact:</i></b>	
Name:	John Macmillan/Alan Akeroyd	Name:	Cllr Joshua Schumann
Post:	Group Asset Manager/Archives manager	Post:	Commercial & Investment Committee Chairman
Email:	<a href="mailto:John.macmillan@cambridgeshire.gov.uk">John.macmillan@cambridgeshire.gov.uk</a> <a href="mailto:alan.akeroyd@cambridgeshire.gov.uk">alan.akeroyd@cambridgeshire.gov.uk</a>		
Tel:	01223 699092	Tel:	01223 706398

## **1. BACKGROUND**

- 1.1 On 13 October 2015 Full Council approved the transfer of the freehold of the Cromwell Museum building to Huntingdon Town Council, at less than best consideration, for continued use as a public museum, with a covenant to restrict the use to “a public museum dedicated to the life of Oliver Cromwell” to be contained in the deeds of transfer. (Link at end of report). The upkeep and liabilities of the museum transferred to the Town Council.

## **2. MAIN ISSUES**

- 2.1 Following negotiation with Huntingdon Town Council (HTC) officers the only outstanding issue holding up the transfer is the restrictive use and overage. The Clerk to HTC has said that the Town Council is unwilling to accept the freehold transfer as it stands because, in their view, the covenant to restrict the use of the building to “*a public museum dedicated to the life of Oliver Cromwell, provided that if the Oliver Cromwell collection is withdrawn to the extent the use is no longer possible then the Transferee shall not use the property for any other use than as a museum open to the public or a heritage or cultural asset open to the public*”, is too restrictive.

The Museum is operated by an independent charitable trust, called the Cromwell Museum Trust and the Town Clerk has stated to County Council officers that if the Museum Trust should fail for whatever reason then they would be unable to use the building for any other purpose and it could be a liability. They are strongly supported by the local MP who is a Museum Trustee.

- 2.2 HTC suggest that the covenant is widened to include “community” use as well as museum, heritage or cultural uses. Their thoughts about “community” might entail are at this stage not developed as it would only be an option if the museum failed. They have in mind a “drop in for pensioners on market day” or “something for youth”. The building does not have toilets or running water so its current potential is limited.
- 2.3 CCC and LGSS Legal recognise that if the covenant is made less restrictive then in theory the value of the property could increase. Community uses can be interpreted very widely and may have an impact on the value of the building although the building as it stands has very limited potential. The overage is in place so that if HTC obtain planning consent to use the building for any other use than prescribed, the County Council shall be entitled to 50% of the increase in value. This overage would remain should a more lucrative use than “community” or public museum be exploited by the Town Council.

## **3. ALIGNMENT WITH CORPORATE PRIORITIES**

### **3.1 Developing the local economy for the benefit of all**

There are no significant implications for this priority.

### **3.2 Helping people live healthy and independent lives**

There are no significant implications for this priority.

### **3.3 Supporting and protecting vulnerable people**

There are no significant implications for this priority.

## **4. SIGNIFICANT IMPLICATIONS**

### **4.1 Resource Implications**

There are no significant implications within this category.

### **4.2 Procurement/Contractual/Council Contract Procedure Rules Implications**

There are no significant implications within this category.

### **4.3 Statutory, Legal and Risk Implications**

There are no significant implications within this category.

### **4.4 Equality and Diversity Implications**

There are no significant implications within this category.

### **4.5 Engagement and Communications Implications**

There are no significant implications within this category.

### **4.6 Localism and Local Member Involvement**

P&E Officers have kept local Members informed of progress with the freehold transfer.

### **4.7 Public Health Implications**

There are no significant implications within this category.

<b>Implications</b>	<b>Officer Clearance</b>
<b>Have the resource implications been cleared by Finance?</b>	Yes Name of Financial Officer: Sarah Heywood
<b>Have the procurement/contractual/Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement?</b>	Yes Name of Officer: Paul White
<b>Has the impact on statutory, legal and risk implications been cleared by LGSS Law?</b>	Yes Name of Legal Officer: Mickaela McMurtry/Satinder Sahota

<b>Have the equality and diversity implications been cleared by your Service Contact?</b>	Yes or No Name of Officer: Tamar Oviatt-Ham

<b>Have any engagement and communication implications been cleared by Communications?</b>	Yes or No Name of Officer: Joanna Shilton
<b>Have any localism and Local Member involvement issues been cleared by your Service Contact?</b>	Yes Name of Officer: Christine May
<b>Have any Public Health implications been cleared by Public Health</b>	N/a

<b>Source Documents</b>	
Full Council minutes 13 October 2015	<a href="https://cmis.cambridgeshire.gov.uk/cc/abid/70/ctl/ViewMeetingPublic/mid/397/mmittee/20/Default.aspx">https://cmis.cambridgeshire.gov.uk/cc/abid/70/ctl/ViewMeetingPublic/mid/397/mmittee/20/Default.aspx</a> ).  <a href="#">Link</a>