

CABINET MEMBER FOR CORPORATE SERVICES, HOUSING, HERITAGE, ARTS AND TOURISM – CLLR RICHARD CLEWER

HERITAGE AND ARTS

OFFICER CONTACT: joan.davis@wiltshire.gov.uk 01225 718518

REFERENCE: CSHHAT-01-18

MERGING OF EDWIN YOUNG COLLECTION AND THE JOHN CREASEY MUSEUM TO FORM THE YOUNG AND CREASEY GALLERY TRUST

Purpose of Report

1. To recommend the merger of the two charitable trusts, the Edwin Young Collection (EYC) and the John Creasey Museum (JCM) (the Charitable Trusts), of which Wiltshire Council is sole trustee, into a new single charitable trust, The Young & Creasey Gallery Trust.
2. Combining the two trusts would create a single more efficient body allowing more streamlined administration and simplified auditing and accounting, resulting in a stronger and more sustainable organisation.
3. Over the last six years the two charities have attracted over £235,000 in external funding and welcomed over 120,000 visitors to the galleries in Salisbury. A more streamlined, resilient combined Young & Creasey Gallery Trust would build on this success.

Relevance to the Council's Business Plan

4. By merging the two trusts into the Young and Creasy Trust a more efficient and effective organisation can be formed to help promote Art within Salisbury and the rest of the County as well as promoting the existing collections.

Main Considerations for the Council

5. Finances

- i. The Edwin Young trust has an annual income from investments of approximately £13,700 and the John Creasey has an annual income of approximately £6,500. Over the years this has been supplemented by various successful bids to Art organisations to purchase works of art and run art related projects.

6. Impetus to merge

- i. The Charitable Trusts share management, curatorial support and premises, have the same products, operational direction, display and storage needs, identified ambitions, marketing, aims and objectives and national accreditation requirements.
- ii. It has become clear to the management committees of both Charitable Trusts that a high level duplication exists. They have the same aims and objectives: Honour the donor, support and promote the arts, in particular the visual and written forms, collect art forms relevant to each trust including local, regional and national. Merging the Charitable Trusts will result in a more efficient and effective organisation better placed to meet these aims.

7. **Arts Council England (ACE)**

- i. Informal discussion around the future of the Charitable Trusts has been ongoing since 2014. A key impetus for moving forward now with the merger has come from Arts Council England's Museum Accreditation Scheme. Both the John Creasey Museum and Edwin Young Collection are due to renew their accreditation during 2018. Consultation with Arts Council England (ACE) has shown that ACE would welcome the merging or linking of the two trusts, to form one accredited museum.

8. **Charity Commission**

- i. The Charity Commission encourages regular reviews of charitable governance and management. It also encourages charity trustees (in this case Wiltshire Council) to ensure they are acting in the best interests of their charity. It is recognised that greater efficiency can be achieved by merging trusts with common objects.

9. **Grant organisations**

- i. In discussions with various grant making organisations it has become clear that there is nothing to be gained financially by maintaining separate charitable trusts. Funders already view and assess all applications as being from a single organisation.

Background

10. Wiltshire Council is sole trustee of two charities, both based in The Young Gallery at Salisbury Library:
 - a) The Edwin Young Collection (Charity No 309519)
 - i. The Edwin Young Collection was established in 1913 as the result of a bequest from Edwin Young (1831-1913) a watercolourist and Victorian philanthropist. The bequest consisted of money to build an art gallery, adjacent to the old City Library in Chipper Lane, property to act as an endowment, his personal art collection and a large number of his watercolours. The gallery opened in 1915 and held continuous exhibitions of his work until it relocated to the new Library

and Galleries building in 1975. The Edwin Young Collection contributed £22,500 to the build costs of two rooms in the new Salisbury Library and has a beneficial interest in the building. This represents 4.8% of the net value of the new Salisbury Library and Galleries building.

- ii. The objectives of the trust are - to advance the education of the public by establishing and maintaining for exhibition to the public a collection of watercolours, paintings, prints and drawings which are of artistic merit or historical or topographical interest and in particular watercolours, paintings, prints and drawings of Salisbury and the neighbourhood. Most recent additions include works by Tunnicliffe, Wesson, Fujio Akai and Piper.
- b) The John Creasey Museum (Charity No 309535)
- i. John Creasey MBE (1908 – 1973) was a local author of crime thriller books. He wrote more than six hundred novels using twenty-eight different pseudonyms with his most famous characters being The Toff and Gideon of the Yard.
 - ii. On his death the John Creasey Museum was formed, based on his literary works and associated material. Alongside the historical books a collection of modern and contemporary art has developed and now comprises a significant holding of 20th century art. Leading artists include Henry Moore, Cecil Collins. Peter Randell-Page, Basil Beattie, Prunella Clough, David Hockney, and many others.
 - iii. The objectives of the Trust are to provide a museum at Salisbury library in Wiltshire. It exists to perpetuate the name of a local author, including books and more recently a collection of modern art by artists of an international reputation, especially those with strong Wiltshire. connections.

Safeguarding Considerations

- 11. There are no implications for safeguarding. The Collections Resource will be managed by the new Trust and will be subject to Museum guidelines for security and conservation.

Public Health Implications

- 12. There are no relevant public health implications.

Environmental Impact of the Proposals

- 13. There are no environmental implications from this proposal.

Equalities Impact of the Proposals

- 14. There are no equalities implications from this proposal.

Risk Assessment

15. The Council maintains risk registers which are reviewed and updated annually this will be continued in the merged Charitable Trust. Specific risks associated with the proposal to merge the two charities include:
- i. Merging of charity assets not approved by Charity Commission. Mitigation – Early consultation with Charity Commission has indicated that the Commission is in favour of the Trusts merging.
 - ii. Failure to meet ACE accreditation deadline mitigation – Early consultation with ACE. Extension negotiated but work must be completed by September 2018.
 - iii. Loss of identity of existing Trusts. Mitigated by maintaining the main title of each Trust in the title of the new Trust, as well as naming areas of the galleries in their honour.

Financial Implications

16. The £5,000 estimate in respect of legal costs to implement the merger of the two trusts has been budgeted for. The merger will not cause any additional cost pressures nor are there any savings that will be realised as a result.

Procurement Implications

17. There are no implications on procurement. The Trust will follow Wiltshire Council procurement procedures.

Legal Implications

18. There will be a legal involvement in the proposed merger of the Charitable Trusts, as a new constitution will be required and the approval of the Charity Commission will need to be sought and obtained. In the event that the Charity Commission's approval is given, further legal steps will need to be taken to transfer the Charitable Trust's assets to the merged charitable trust.

Overview and Scrutiny Engagement

19. This action has not been subject to overview and scrutiny. However, the Director of Communities and Communications and the Cabinet member for Corporate Services, Housing, Heritage Arts and Tourism have been consulted and updated.

Options Considered

20. Options considered:
1. Merge the Charitable Trusts under the name the Young & Creasey Gallery Trust.

2. Continue with two separate charitable trusts (i.e. do nothing).
3. Subsume one charity trust into the other.

Reason for Proposal

21. The Merger will:
 1. Ensure the long term viability of the Charitable Trusts.
 2. Provide a new governance structure for merged Charitable Trust.
 3. Create a single fit for purpose organisation in line with sector advice.

Proposal

21. To recommend that the Cabinet Member for Corporate Services, Housing, Heritage Arts and Tourism make the decision on behalf of Wiltshire Council as sole trustee of the Edwin Young Collection and the John Creasey Museum (the Charitable Trusts) to:
 - a) Merge the Edwin Young Collection (EYC) and John Creasey Museum (JCM) into a new single charitable trust to be called The Young & Creasey Gallery Trust.
 - b) Delegate authority to the Director, Communities and Communications to conclude all necessary formalities relating to the merger of the Trusts into the new single charitable trust including entering into all legal documentation and liaising with and complying with any requirements of the Charity Commission.
-

Supporting documents can be requested from the Officer named above.