

<b>Classification:</b> Open	<b>Decision Type:</b> Key
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<b>Report to:</b>	Cabinet	<b>Date:</b> 30 June 2026
<b>Subject:</b>	Bury Art Museum Appointment of Contractor	
<b>Report of</b>	Cabinet Member for Culture, Economy and Skills	

## 1. Summary

**Bury Art Museum (BAM)**, located in the heart of Bury Town Centre, is a purpose-built Grade II listed building, located in the town’s conservation area. The museum was built to house the Wrigley Collection, gifted to the town by the Wrigley Family to celebrate Queen Victoria’s Diamond Jubilee and on the condition that there was a building to house it. The museum houses a collection of over 2,000 works of art and 60,000 museum artefacts. The collection of paintings amassed by Thomas Wrigley contains the work of the better-known British painters of the 19<sup>th</sup> Century. The collection contains paintings of international significance including J. M. W. Turner’s *‘Calais Sands at low Water: Poissards collecting Bait’*. Since its opening in 1901, the museum has been a cultural landmark for the community. It houses a Victorian collection of importance, a great contemporary collection and has a deep connection with the local community.

BAM and its’ collection belong to the people of Bury. The core function of the Arts Service is to preserve BAM and the objects and artworks inside, ensuring that future generations get to enjoy, and contribute, to the history of Bury. This includes having a central role in collecting/acquiring artworks and objects for the collection. The team provide access to a wide range of exhibitions, events, workshops, talks, outreach and community engagement activities. Inside BAM is an art gallery, a museum space, a contemporary sculpture centre and a shop. Of central importance is providing a service to our local community, which is relevant, inclusive and engaging.

The community that is served by BAM has high levels of economic disadvantage, which in turn, statistically, leads to limited access to the cultural capital that is most likely to develop future opportunities. BAM provides access to the highest quality contemporary art from across the world in our immediate locality. The Wrigley Collection and regularly refreshed museum exhibits offer a local and national context to this work, with the innovative curation ensuring that these concepts are considered. The impact of these opportunities for the museums audiences and community cannot be overstated.

In March 2024, Bury Council secured a restricted grant of £589,545 from the Arts Council, through the Department of Culture, Media and Sport’s MEND Capital Programme, supplemented by £65,505 in match funding from Bury Council’s

Capital Programme (“Grant”). The grant funding received from the Arts Council must be spent by 31<sup>st</sup> March 2027.

The Grant is specifically allocated for essential and urgent repairs to BAM’s roof (“Building Works”). It will cover the costs of engaging a quantity surveyor, a conservation architect, and a building contractor. It is anticipated that the Building Works will take between 6-9 months to complete.

As part of the Funding Agreement with the Arts Council, Bury Council has entered into a Deed of Covenant with the Arts Council of England (dated 15<sup>th</sup> December 2025), placing a 15-year restriction over the freehold of BAM. This covenant requires that, upon completion of the Building Works, BAM will continue to operate as an Accredited Museum for at least 15 years. An Accredited Museum is a museum that has met the nationally agreed professional standards set by the UK Museum Accreditation Scheme, which is administered by Arts Council England in partnership with the Welsh Government, Museums Galleries Scotland, and the Northern Ireland Museums Council.

To deliver Building Works, a procurement process was undertaken by the Council to appoint a contractor. Five local contractors were invited to submit quotes for the role, with procurement support from Constellia.

BAM is prioritising essential repairs and upgrades, particularly to the roof, to ensure the long-term preservation of the building and its collections. This work is supported by targeted grants, such as the Museums Renewal Grant and the Museum Estate and Development Fund (MEND), which aim to address maintenance backlogs, improve environmental performance, and enhance accessibility for all visitors. During periods of closure or restricted access, the BAM will develop alternative provision and maintain strong connections with the community through outreach and digital engagement.

## **1. Recommendation(s)**

That Cabinet:

1. Notes the receipt of £589,545 restricted grant funding from the Arts Council, and £65,505 match funding from Bury Council, together totalling £655,050.04, which is specifically allocated for essential and urgent repairs of the roof at Bury Arts Museum (“Building Works”).
2. Notes that Bury Council as part of the funding conditions has entered a Deed of Covenant with the Arts Council dated 15<sup>th</sup> December 2025, this places a 15-year restriction over the freehold of Bury Arts Museum. This is in accordance with an earlier Cabinet approval (September 2024).
3. Notes that the Council has committed an additional £247,833.59 towards the cost of the Building Works.
4. Notes the procurement process that has been undertaken by the Council to identify a contractor to undertake the Building Works.
5. Approves the appointment of U.K Restoration Limited (company number 02710154) as the contractor (“Contractor”) to undertake the Building Works, with a total estimated contract value of up to £888,801.63 (“Fee”).

- Notes that in line with the recommendation of the project panel, the form of contract with the Contractor, will be JCT Intermediate Building Contract with Contractor's Design 2024 Edition including amendments.

### **3. Reasons for recommendation(s)**

Approval to appoint the Contractor is sought so that the urgent Building Works required to the BAM roof can commence. The Contractor has been selected by the project panel as the most qualified/experienced to carry out the work on a Grade II Listed building, and with the most competitive quote of the tenders. The project panel included the Arts & Museums Manager and Senior Curator from BAM, Chambers Conservation Ltd (Architect), Poole Dicke Associates Ltd (Quantity Surveyor), and Constellia Ltd providing procurement support.

### **4. Alternative options considered and rejected**

The Council has a statutory duty to protect Grade II listed buildings under the Planning (Listed Buildings and Conservation Areas) Act 1990. If the urgent repairs to the BAM roof are not carried out, the water ingress will continue, and the condition of the building will deteriorate further.

There are no alternative options, as the BAM roof needs urgent repairs and the Arts Council have awarded a grant to enable this work to be carried out. If the grant is not drawn down, the work cannot continue. Do nothing is not an option as the building requires urgent work to the roof and protects the Cultural estate.

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### **5. Background**

The Arts Council MEND is a capital fund targeted at non-national Accredited Museums and Local Authorities based in England to apply for funding to undertake vital infrastructure and urgent maintenance backlogs which are beyond the scope of day-to-day maintenance budgets.

The criteria for the MEND Fund have been set by the Department for Digital, Culture, Media and Sport (DCMS), Arts Council England, Historic England (HE) and The National Lottery Heritage Fund. The grants are administered, awarded and monitored by Arts Council England.

Bury Council has been awarded a restricted grant of £589,545 from the MEND Fund to carry out essential repairs to the BAM roof. This has been matched with £65,505 funding from Bury Council's Capital Programme as set out in the Capital Funding Agreement between The Arts Council and Bury Council.

Bury Council is required under the terms of the Capital Funding Agreement to enter into a Deed of Covenant with The Arts Council of England with restriction on title over the freehold of the building for a period of 15 years. This means Bury Council commits BAM to a minimum period of 15 years as an Art Museum. This process has been completed.

Bury Council is required under the terms of the Capital Funding Agreement, procurement law and its own Contract Procedure Rules to ensure that a competitive tendering process is undertaken in identifying a Contractor to undertake the Building Works. In order to ensure that it complied with these requirements, Bury Council invited 5 local Quantity Surveyors and Heritage Architects to quote for the work, followed by it undertaking an Open Procedure (one of the two competitive tendering procedures under the Procurement Act 2023) on the Chest to identify a contractor.

## **6. Progress to date**

Bury Council submitted the MEND Grant application in August 2023, at RIBA Stage 3 of the project. The requested funding has since been approved by the Arts Council, with matching funds secured from Bury Council's capital programme. Cabinet approval is now being sought to appoint the Contractor and draw down the Grant.

Listed Building Consent (LBC application 70518) has been obtained.

The matter was presented to Cabinet in in September 2024, who subsequently gave approval to enter into a Deed of Covenant. The Deed of Covenant is set out in the appendices to this report.

As part of tender exercise, five local companies were invited to submit quotations for the contractor role.

The procurement was conducted through an open invitation to tender on the Chest, with submissions evaluated by the project team, including the Quantity Surveyor and Architect.

Two tenders were received out of those invited. They were from U.K Restoration Limited and HH Smith & Sons Co. Limited Both tenders' submissions came back with quotes at just over £1million, leaving a significant shortfall in the funding secured. The original construction costs were valued at £526,942. However, there have been significant increases in the cost of labour and materials since the scheme of works was costed. A meeting took place with the Arts Council Relationship Manager for Museums and the MEND Fund to discuss the outcome of the contractor's tenders and establish from MENDs point of view what we need to do. At this meeting it was confirmed that no further funding was available from this round of MEND funding.

The BAM Team have explored additional funding from Heritage Fund, but this is not feasible within the scope of the project and the time frame. There might

be scope to apply to other funders, such as the Pilgrim's Trust who might fund a discrete part of the project, e.g. the restoration of the decorative plaster work.

A value engineering exercise has been undertaken. This involved reprioritising the schedule of works, with a view to phasing some of the work. Both contractors who submitted tenders have been given the opportunity to revise their pricing based on the amended schedule of works. Two key components of this process were reassessing the scaffolding requirements, which is a significant cost of the project and taking out work that is below the roof line. This could be done in a second phase. The priority is to do the work that stops the water ingress into the building and diverts water away and repair any areas that are a health and safety hazard.

Both contractors resubmitted revised tenders following the value engineering exercise and in response to the revised scheme of works. From this a decision has been made by the Council as to the selection of the contractor. The Fee from the Contractor for the completion of the Building Works is £888,801.63. This still left a shortfall of £247,833.59; a business case was made to fund this and it was agreed that this would be funded by the Authority.

The revised scheme of works has been approved by the Arts Council.

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## **7. Links with the Corporate Priorities:**

'The government estimates that creative industries generated £126bn in gross value added to the economy and employed 2.4m people in 2022. A range of research is also examining the way in which creative industries and the arts can positively impact wellbeing' DCMS 2022

GMCA launched its new Cultural Strategy, 'Create GM' in August 2024. It sets out the strong links between culture and economic growth, care and health through its Creative Health work.

Bury Council has published its Cultural Strategy setting out how the cultural institutions in Bury will contribute to the Let's do it! principles of Inclusive Growth, Wellbeing and Equality and Diversity.

The Cultural Strategy is rooted in strong co-operation between the various cultural partners in Bury including the BAM who between them have developed a strong cultural and events offer across the Borough. This has led to an increased footfall across Bury Town Centre as evidenced in Council monitoring around the use of the UKSPF grant. Increased footfall leads to increased spend in the town centre and is a catalyst for attracting new residents to Bury. This includes the very successful Bury Art Festival, the Food and Drink Festival, Pride and National Heritage Weekend which BAM has delivered with partners.

The events programme has equality and diversity at its core and BAM events is working with locally based community groups and individuals through the Community Arts Grants Programme ensuring that art and creativity reaches all part of the Borough and its diverse communities of place and interest.

It is essential that the BAM is fit for purpose and the repair of the roof is key to both protecting the collection, preserving the listed building and contributing to the delivery of the Let's do it! Strategy.

Using the collection's, the BAM team engages with a wide range of groups/organisations in the community. This work is informed by Bury Council's LET's 2030 strategy: BAM's collections, activities and events attract visitors to the borough who then spend money in the gallery and the town, contributing to the cultural economy. Improvements to the building will contribute to reductions in carbon emissions and reductions in energy costs. BAM uses the Collection to contribute to regeneration projects, e.g., *Spirit of a Place* generated interest in the local heritage, reigniting civic pride, using the collection to understand the history of the townships and neighbourhoods and engaging communities. The collection is used to support other services and the groups that they work with such as ESOL Learners and groups working with residents with various mental health issues. The BAM team uses the collection to engage formal and informal learners, linking to the national curriculum and topics covered at college/university—creating learning experiences in a non-classroom-based environment, attracting schools from across the northwest.

The collection is also used to inspire artists and visitors to create work and gain a deeper understanding of current issues including those relating to LGBTQ+ and BAME groups, creating opportunities for inclusive engagement. This has kickstarted a wider discussion about how to present the collections and increase access to the collections by people who have not visited the Gallery before. This includes developing a programme of events that will reach a wider audience such as local sports group and neurodiverse visitors. The museum is a space for artists to collaborate with marginalised people, including working with people from the local community with dementia, school children who are in danger of exclusion, and people with experience of homelessness.

BAM is free to enter, it provides a safe, warm, compassionate space for people to socialise, learn, have fun, enjoy cultural and heritage activities. It is a space where diversity and difference are welcomed.

BAM is actively seeking new income streams to ensure financial resilience. This includes procuring a new supplier for the gallery café, developing ideas to increase income, and leveraging grants to offset losses during repair periods. The museum's income targets are ambitious, with a focus on maintaining and growing revenue through innovative programming and partnerships.

BAM is expanding its reach through partnerships across Greater Manchester, collaborating with schools, community centres, and other cultural venues.

These partnerships will deliver mobile exhibitions, joint programming, and volunteer exchanges, ensuring the museum's impact is felt across boroughs and supporting regional cultural priorities.

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## **8. Equality Impact and Considerations:**

Once the building contractor is appointed, a full schedule of works will be available which will determine how much of the building may have to temporarily close for Health and Safety reasons. We are aiming to partially close and mitigate a full closure. The museum will continue to deliver a programme of events, workshops, and outreach activities, with a focus on inclusivity and relevance to the local community during this refurbishment. Plans include promoting the gallery to schools to increase footfall, raising the museum's profile as a welcoming venue for children, young people, and families, and keeping audiences informed during building works. The procurement specification will set out the need for minimum disruption, and an Equality Impact Assessment will follow once any closures are known. This will be included in a further Cabinet report once the procurement of the building contractor approved.

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## **9. Environmental Impact and Considerations:**

- The project to make essential repairs to the BAM roof includes the following work: Repair to glazed roof lights (skylights)
- Repairs to parapets and valley gutters
- Increase capacity for rainwater disposal
- Better understanding of below ground drainage
- Masonry repairs
- Repair of internal plasterwork

As part of the social value considerations, the procurement process sought any further enhancements the companies can provide to support Bury Council meet its carbon neutral and wider climate change commitments although these may be limited due to the listed status of the building.

BAM is part of the Future Preparedness Programme, run by Museum Development North's. The programme supports museums to develop their skills and knowledge around the impact of Climate Change on historic buildings.

Solar panels were considered during the application process to MEND. Standard solar panels could not be used as these would have blocked out the light to the upper galleries. The gallery was built as a top-lit gallery, with natural light, so to block out the light would spoil the original characteristics of the Grade II Listed Building. Integrated solar panels were considered but the physical/geographical positioning of the roof means that solar panels would not generate enough power to make them viable.

Insulation will be added to the slate roof. The glass replacing the existing panels will be double-glazed and therefore the thermal efficiency of the building will be improved.

#### 10. Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
<ol style="list-style-type: none"> <li>1. Risk of unknowns once building work begins</li> <li>2. Building work causes a closure period for the ART Museum.</li> <li>3. The design work will not be compatible with listed building status.</li> </ol>	<p>Surveys have already taken place by a heritage architect in order to submit the MEND bid.</p> <p>The work completed to date on surveys indicates that it will be necessary to close the upper floor during the building work and if necessary for health and safety reasons there may be periods of full closure.</p> <p>The heritage architect was subject to a competitive tendering process where experience of working on listed buildings will be critical. The architects who have quoted for work are all from the HE preferred list</p>

#### 11. Procurement Implications:

Procurement compliant with Contract Procedure Rules and below threshold exercise conducted by Constellia – strategic procurement partner.

#### 12. Legal Implications:

Under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council is under a statutory duty to have *special regard* to the desirability of preserving a listed building, including Grade II buildings, and its setting when determining relevant planning applications. This duty requires decisionmakers to give considerable weight to the preservation of designated heritage assets and to apply the statutory presumption in favour of their conservation.

As a contracting authority, the Council must ensure that all procurements comply with the relevant legislative framework (namely the Procurement Act 2023 or – where relevant, its predecessor, the Public Contract Regulations 2015), and in addition must follow its own Contract Procedure Rules (“CPRs”).

The Council has complied with this obligation in this instance, by undertaking an Open Procedure tender exercise to identify the Contractor to undertake the Building Works on the BAM Roof.

It is understood that the project panel identified JCT Intermediate Building Contract as the form of contract for the works, initially considering the 2016 edition. Legal advice to the Council is that the 2024 edition of the JCT Intermediate Building Contract should be used instead of JCT 2016 because it incorporates essential updates required by new legislation—most notably the Building Safety Act 2022 and modern insolvency laws. The 2016 suite is now outdated in several key areas.

Owing to the value of this contract to comply with the Council's CPRs, the contract should be executed by a Deed under seal.

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### **13. Financial Implications:**

The revised capital works costs of £902,884, will be funded from a combination of grant £589,545 and prudential borrowing £313,339, the associated revenue financing costs of borrowing are c.£30k.

The existing capital programme includes £655,050 from previous approvals allocated to the BAM works, the additional request for £247,834 will be allocated from the corporate amount set aside within the property and estates theme, therefore, no increase to the overall capital programme approved at February 2026 Council. The revenue budget approved at February 2026 Council included the associated revenue financing costs of the overall borrowing requirement to support the capital programme, therefore, no additional budget implications.

It is anticipated that there may be some disruption to day-to-day BAM activities. However, funding was secured from the Arts Councils Museums Renewal Fund to compensate for some of the loss of income due to the urgent Building Works.

As with any capital project there is a risk that costs could increase once the works are underway. The financial estimate from the contractor includes a 10% contingency, however if costs do increase further then the service will need work to minimise the costs and request further funding from the Finance Board if still required.

As detailed in the report the Council is responsible for these essential works, and all options for additional or increased grants to minimise the need for borrowing have been explored by the service.

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### **14. Appendices:**

1. *Completed Deed of Covenant ACE*

2. *Completed Deed of Covenant Bury*
3. *MEND Acceptance Full Details*
4. *Certificate of Title – Signed Mark Townsend*
5. *Signed Undertaking – Deed of Covenant*
6. *Standard Terms & Conditions MEND January 2024*

*Available on request*

**15. Background papers:**

[Bury Art Museum Updated Report on Tender Following VE Exercise.pdf](#)

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning
BAM MEND DCMS	Bury Art Museum Museums Estate Development Fund Department for Culture Media and Sport