



# Lowestoft Town Council

## Acquisition and Disposal Policy

### 1.0 Introduction

- 1.1 The purpose of this policy is to provide an appropriate framework for the acquisition and disposal of artefacts. This policy recognises the important role that the Town Council, museums and other organisations can play in safeguarding artefacts of significance to Lowestoft.
- 1.2 The Town Council does not have the primary aim of acting as an art dealer, gallery or museum. It has a finite capacity for the long-term guardianship of artefacts, must protect the public purse from escalating demands, and needs to make difficult decisions about the 'significance' of objects offered. This policy is designed to help the Council to make the decisions on acquisitions and disposals and provide confidence that any acquisitions and disposals will be dealt with properly.

### 2.0 Definitions

- 2.1 **Artefacts** include paintings, documents, porcelain, sculptures and other objects which might be considered of significance to Lowestoft.
- 2.2 **Significance** is assessed, among other factors, in relation to Lowestoft's social, economic or cultural heritage. An item is likely to be classed as significant for the purpose of the Lowestoft Town Council Collection if it is unique or rare example of an artefact connected with Lowestoft or it provides an otherwise largely untold story about Lowestoft's social, economic or cultural heritage.
- 2.3 **Collection** is the term for the totality of the artefacts within the care of the Town Council.

### 3.0 General Principles

The Town Council will take into account its ability to apply and resource these principles when making relevant decisions:

- 3.1 Acquisitions and disposals are matters for decision by the Town Council or under delegation arrangements as it sees fit. Consultants working on behalf of the Town Council, particularly on heritage and regeneration projects, may be offered artefacts. The decision to accept these must remain with the Town Council which will decide on acceptance, rejection or redirection of items offered.
- 3.2 There must be sound curatorial reasons for the Town Council to acquire or dispose of any artefacts.
- 3.3 Any artefacts will only be considered for acquisition or disposal where their provenance in respect of ownership and significance is definitively provided. The Town Council will only acquire and dispose of artefacts where it is satisfied that valid title has been established and can transfer and that no unacceptable encumbrances or rights attach to the title. Before the Town Council acquires any artefact, it will satisfy itself that the artefact has not been obtained through illicit or unethical means and that any licence or other legal requirement has been or can be secured. Similarly, the Town Council will ensure that the care or disposal of any artefact in its possession will be carried out legally, ethically, and with due diligence.
- 3.4 The Town Council will not normally acquire artefacts which could be better safeguarded, made accessible for the public and more appropriately cared for by another body. The Town Council will take into account the collecting policies of local museums and other organisations to help maximise use of specialisms and avoid duplication and wasting of resources. Where appropriate to do so, it will redirect offerers to an alternative body.
- 3.5 The Town Council will not consider loans of items in perpetuity. Loans will only be accepted in exceptional circumstances for short and defined periods of time.

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- 3.6 The Town Council will in all cases seek to comply with any specialist requirements e.g. the spoliation of works of art during the Holocaust and World War II, biological, archaeological and geological material and 'treasure'.
- 3.7 Artefacts will only be acquired and retained where it is economically viable and reasonably practicable to do so. Factors to be considered include staffing, storage and care arrangements and resources.
- 3.8 The care of artefacts will take into account any appropriate preservation and remediation requirements that may be necessary, where practicable. If the Town Council is unable to meet the specialist care requirements of any significant documents in its possession, it will seek to place them in a suitable repository that can meet those needs, and where possible a repository within or close to Lowestoft.
- 3.9 Information about artefacts under the guardianship of the Town Council will be maintained accurately and securely.
- 3.10 The Town Council reserves the right to display or store artefacts as it sees fit. However, the Town Council will also take reasonable steps to make the collection available to the public; this might be through display of the object itself or through a representation of that object (including using digital portals).
- 3.11 Acknowledged and independent expert opinions will be obtained where reasonably practicable and appropriate to inform the decisions of Council (including those made under delegation), including regarding acquisitions, storage and care, and disposal. The specialist sought will depend on a number of factors including availability, the area of expertise and degree of independence.

### 4.0 Disposals – Special Considerations

- 4.1 The Town Council reserves the right to loan or dispose of any items within its care. Any loans or disposals will be undertaken only where this is in the public interest; this might include attracting interest in the area from those outside of Lowestoft.
- 4.2 Due consideration will be given to any encumbrances and rights attached to the artefact prior to deciding its disposal e.g. conditions of any grant-funding will be satisfied.
- 4.3 Disposal options include gift, sale, exchange or, as a last resort, destruction.
- 4.4 Destruction may be acceptable for artefacts of low intrinsic significance (e.g. mass-produced or poor quality items, dangerous items, or those of dubious provenance) where there is no acceptable, alternative disposal available.
- 4.5 Any decision made to dispose of an item shall prioritise keeping the item in the public domain. In the first instance, the priority will be offering the artefact by gift or sale to a relevant accredited museum.
- 4.6 A period of at least two months will be allowed for expressions of interest in any disposal, following appropriate local or national advertising.
- 4.7 Disposal and rationalisation of the collection may take into account financial reasons e.g. where the cost of care is high compared to the relative value of the artefact. The following factors will be considered, particularly where the disposal is primarily for financial reasons:
  - The results of a formal review which weighed up the respective merits of disposal of certain artefacts within the context of the ambition to retain a significant and well-managed collection.
  - The findings of any consultation with relevant bodies and any offers of assistance.
  - Whether the disposal will significantly improve the long-term public benefit derived from the remaining collection.
  - That the disposal will not take place to generate short-term revenue, such as a budget deficit.

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- That the disposal will be a last resort owing to other sources of funds being unavailable.
  - Whether the artefact is part of the Town Council’s established core collection.
  - All sales will be fully recorded and the transfer of items to new ownership will be undertaken with due diligence.
- 4.8 All proceeds of sales shall be allocated to the long-term sustainability, use and development of the collection.
- 4.9 The destruction of items must always be undertaken by an officer (or specialist if necessary) and witnessed by an officer.

<b>Revisions</b>	
<b>Date</b>	<b>Amendment</b>
February 2019 Full Council	Adopted
May 2019 Full Council	Reviewed and adopted
May 2020 Full Council	Reviewed and adopted
October 2020 Full Council	Reviewed and adopted
May 2021 Full Council	Reviewed and adopted
September 2021 Full Council	Para 3.16 added and adopted
May 2022	Reviewed and adopted
July 2022	1.1 – deleted ‘its’ in front of ‘museums’ 3.3 – added ‘or disposal’ and merged with 3.4 3.4 – added ‘normally’ and merged with 3.5
December 2022	2 <sup>nd</sup> sentence added at 3.1
November 2024	3.6 and 3.10 merged into 3.3 with additional wording “Before the Town Council acquires any artefact, it will satisfy itself that the artefact has not been obtained through illicit or unethical means and that any licence or other legal requirement has been or can be secured. Similarly, the Town Council will ensure that the care or disposal of any artefact in its possession will be carried out legally, ethically, and with due diligence”.  3.11 and 3.9 amalgamated into new 3.8 with the following wording: “The care of artefacts will take into account any appropriate preservation and remediation requirements that may be necessary, where practicable. If the Town Council is unable to meet the specialist care requirements of any significant documents in its possession, it will seek to place them in a suitable repository that can meet those needs, and where possible a repository within or close to Lowestoft.”  3.16 (now 3.13) has the following changes: • ‘Or made under delegation’ reword to



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	<p>'including those made under delegation'.</p> <ul style="list-style-type: none"><li>•'Including in relation to' reword to 'regarding'.</li><li>•'Acquisitions, disposal and storage' reword to 'acquisitions, storage and care, and disposal'.</li></ul> <p>4.4 "Destruction is acceptable..." is changed to "Destruction may be acceptable..."</p>