

EXPLANATORY MEMORANDUM TO
THE NATURAL HISTORY MUSEUM (AUTHORISED REPOSITORIES) ORDER
2018

2018 No. 94

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Department for Digital, Culture, Media and Sport and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

- 2.1 To authorise the relocation of the Natural History Museum radioactive mineral collection from South Kensington to a joint facility at the British Geological Survey site at Keyworth, Nottingham.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

- 3.1 None.

Other matters of interest to the House of Commons

- 3.2 As this instrument is subject to negative resolution procedure and has not been prayed against, consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

4. Legislative Context

- 4.1 The British Museum Act 1963 (“the Act”) establishes the powers and duties of the Trustees of the Museum (the “Trustees”). Section 10(3) of the Act prevents the Trustees from selling or otherwise disposing of a building or site vested in them, being an authorised repository or the site of an authorised repository. The authorised repositories of the Museum are defined by section 10(1) of the Act and Part 2 of Schedule 3 to the Act.
- 4.2 Section 10(2) of the Act allows the Secretary of State to add a reference to a further site to Part 2 of Schedule 3 of the Act, with the agreement of the Trustees. The instrument is being made to add a site to the list of the Museum’s authorised repositories described in Part 2 of Schedule 3 to the Act.

5. Extent and Territorial Application

- 5.1 This instrument extends to all of the United Kingdom.
- 5.2 The instrument applies to England only.

6. European Convention on Human Rights

- 6.1 Michael Ellis has made the following statement regarding Human Rights:

“In my view the provisions of the Natural History Museum (Authorised Repositories) Order 2018 are compatible with the Convention rights.”

7. Policy background

What is being done and why

- 7.1 The Natural History Museum is seeking to move its collection of naturally radioactive minerals from South Kensington to a new-build joint facility at the British Geological Survey site at Keyworth, Nottingham. Permanent storage on the site requires an amendment to the British Museum Act 1963 to add an authorized repository.
- 7.2 The Natural History Museum radioactive minerals collection consists of 3050 specimens representing some 150 mineral species with some additional rock, ore and concentrate samples.
- 7.3 Current storage provisions in South Kensington meet health and safety requirements but are too limited to allow use of the collection by either research or collections staff.
- 7.4 The proposed move of the entire collection to Keyworth would allow secure access to the collection by curators and researchers. With the British Geological Survey collection, it would create a world-class collection of naturally radioactive minerals under joint stewardship of both organisations.
- 7.5 The joint British Geological Survey-Natural History Museum proposal is for a new-build, secure facility in the grounds of the British Geological Survey Keyworth site near Nottingham. The British Geological Survey site is home to the organisation's main operations, the National Core Repository, associated laboratories and handling facilities. The British Geological Survey Keyworth site is also host to the current high-level and low-level radioactive stores for the British Geological Survey collections.
- 7.6 The British Geological Survey site is secure with an outer perimeter fence and 24-hour security attendance at the site entrance. Public are allowed on site to visit the shop and limited parts of the grounds during office hours. Access to facilities and laboratories is strictly controlled with electronic passes.
- 7.7 The proposed storage facility, referred to as NORMA (Naturally Occurring Radioactive Materials Archive), is a simple, largely concrete construction with a single secure access and fire exit with provision for storing high-level and low-level radioactive samples in separate inner constructions.
- 7.8 The store will accommodate current Natural History Museum and British Geological Survey collections and allow a modest provision for expansion. Space will be included to allow collections to be handled prior to removal from the store to laboratory facilities for further examinations. This will ensure that collection material can be accessed and sorted in a protected environment. The joint facility will allow access to the Natural History Museum collection by suitably trained Natural History Museum curatorial staff for the examination, conservation and sampling of the collection. By separate agreement, access may be arranged to use British Geological Survey laboratory facilities for further examination and preparation of material for research and curation purposes.

Consolidation

- 7.9 Given Part 2 of Schedule 3 to the Act has been amended previously, consideration was given as to whether consolidation would be appropriate. However, the decision has been reached that this is not necessary at this stage.

8. Consultation outcome

8.1 Consultation not considered necessary. The instrument is required to be made with the consent of the Trustees, which has already been obtained.

9. Guidance

9.1 Guidance not considered necessary.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies.

10.2 There is no impact on the public sector.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to activities that are undertaken by small businesses.

12. Monitoring & review

12.1 Monitoring and review not applicable. If the licence expires or terminates the description of the relevant sites in Part 2 of Schedule 3 to the Act will be reviewed and amended as required.

13. Contact

13.1 Nicola Guy at the Department for Digital, Culture, Media and Sport (Telephone: 07808 847372 or email: Nicola.Guy@culture.gov.uk) can answer any queries regarding the instrument.