

TITLE OF REPORT: Tyne and Wear Archives and Museums – Joint Agreement**REPORT OF: Paul Dowling, Strategic Director, Communities & Environment**

Purpose of the Report

On 1st June 2017, new governance arrangements for Tyne & Wear Archives & Museums (TWAM) came into effect. The Joint Committee that had previously been responsible for the organisation was dissolved. Cabinet is asked to approve and adopt the attached 'Agreement in Relation to Archives and Museums' (the Joint Agreement) which sets out the roles, rights and responsibilities of the four local authorities and how they will operate together, and covers the period 1st June 2017 – 31st May 2027.

Background

1. On 29 November 2016, Cabinet approved in principle the adoption of new governance arrangements for TWAM including the dissolution of the existing Joint Committee to be replaced from 1 June 2017 by a Strategic Board and the establishment of a wholly-owned Trading Company. Authority was delegated to the Service Director, Legal, Democratic and Property Services to negotiate and prepare the necessary legal agreements, subject to a report back to Cabinet before the Council entered into any legally binding agreements.
2. During the course of discussions between the legal advisers for the participating authorities, it became clear that the Strategic Board could not practically be constituted as anything other than a Joint Committee of the local authorities for the purposes of the Local Government Act 1972. A further report was therefore brought to Cabinet on 25th April regarding the Terms of Reference of the Strategic Board and the requirement for them to take account of the need for the continued existence of a Joint Committee.
3. Although having a sub-committee to act as the Strategic Board was the initial discussion, that was not taken forward. Instead the present provisions are that the Joint Committee itself will be the Strategic Board and that Independent Members will be non-voting on all Reserved Matters (any matter capable only of being determined by the elected members on the Joint Committee).

Proposal

4. A copy of the new agreement is attached. It covers a period of 10 years starting on 1st June 2017. Minor delays in the implementation of the new governance arrangements mean that the presentation of the Agreement for approval is also slightly later than intended.

Recommendations

5. It is recommended that Cabinet approves and adopts the Joint Agreement which sets out the roles, rights and responsibilities of the four local authorities and how they operate together, and covers the period 1st June – 31st May 2027.

For the following reasons:

- (i) To secure the confidence and future investment from Arts Council England.
- (ii) Provide clarity about the partnership between the four local authorities and the way in which they work together.
- (iii) Establish the commitment of the four local authorities to the work of the new Strategic Board and the continued development of TWAM.
- (iv) Enable the organisation to focus on new entrepreneurial activities and income-generation for investment in its programmes, people and audience participants

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Policy Context

1. The proposal will help deliver Vision 2030's ambitions for a Creative Gateshead as well as the Council Plan priorities of Live Love Gateshead and Live Well Gateshead. It addresses the five big ambitions of the Creative Gateshead Culture Strategy.

Consultation

2. Portfolio Holders for Culture Sport & Leisure and Communities & Volunteering have been consulted on this report.

Alternative Options

3. Cabinet could elect not to proceed with the revised governance arrangements; however, this would present significant risk to the continuation of TWAM.

Impact of Recommended Option

4. Resources

a) Financial Implications – The Strategic Director, Corporate Resources confirms that there are no direct financial implications arising from the contents of this report. Future contributions to TWAM will be determined as part of the Council's normal budget setting process.

b) Human Resources Implications – There are no direct HR implications associated with the Council.

c) Property Implications – There are no direct property implications arising from this recommendation,

5. **Risk Management Implications** - The principal risk to TWAM associated with the proposals in this report will come in 2017/18 and the years that follow is if any of the four participating authorities is unable to maintain its financial commitment. This would jeopardise the Arts Council England funding which supports the services. Mitigation is provided by the strong engagement of all partners.
6. **Equality and Diversity Implications** – There are no equality and diversity implications from this recommendation.
7. **Crime and Disorder Implications** – There are no crime and disorder implications from this recommendation.
8. **Health Implications** - There are no health implications from this recommendation.
9. **Sustainability Implications** – There are risks to the future sustainability of TWAM if these recommendations are not supported.

10. **Human Rights Implications** – There are no human rights implications arising from this report.
11. **Area and Ward Implications** – There are no area or ward implications arising from this report.