

North Tyneside Council

Report to Cabinet

Date: 20 May 2013

ITEM 6(e)

Title: Joint Archives and
Museums Service: New
Joint Agreement

Portfolio(s): Leisure, Culture and
Tourism

Cabinet Member(s): Councillor E Darke

Report from Directorate: Community Services

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Wards affected: All

PART 1

1.1 Purpose:

The purpose of this report is to advise Cabinet of changes within the Tyne and Wear Archives and Museums Service (TWAM). This report seeks Cabinet's authority to approve a new Joint Agreement for the Joint Archives and Museums Service, following the withdrawal of Sunderland City Council from the Joint Museums Service.

1.2 Recommendation(s):

It is recommended that Cabinet authorises the Head of Cultural Services in consultation with the Head of Law and Governance and the Cabinet Member for Community and Regulatory Services to negotiate and complete the adoption of a revised Joint Agreement for the Tyne and Wear Museums Service for the 2013/14 municipal year.

1.3 Forward Plan:

28 days notice of this report has been given and it first appeared on the Forward Plan that was published on 10 April 2013.

1.4 Council Plan and Policy Framework

This report relates to the following themes/programmes/projects in the Council Delivery Plan:

Priority 1 – Sustaining the front line Council Services within the Council, but only spending what we can afford.

1.5 Information:

1.5.1 Why is this proposal being put forward?

Sunderland City Council has confirmed its decision to withdraw from the Museums element of TWAM, with effect from 1 April 2013, thus terminating the existing Joint Agreement involving the five local authorities in Tyne and Wear.

Sunderland will continue to buy into the Archives Service, and on a transitional basis will benefit from some specialist museum services provided by TWAM and funded by Arts Council but will no longer be a full partner.

For that reason a new Joint Agreement is required (attached as a draft at Appendix 1) and needs to be agreed by the four remaining constituent authorities so that a new Joint Committee can be created and convened as soon as possible.

The new agreement does not contain any substantive changes to the previous agreement but is necessary to facilitate the creation of a Joint Committee in order to have clear governance arrangements for TWAM.

1.5.2 What impact will this proposal have?

Sunderland City Council's decision is now final. Colleagues across the Joint Service and the Lead Authority are working to manage the resulting organisational changes, which also have to be managed alongside the budget reductions required by individual authorities.

The Director of Archives and Museums has kept other partners, such as Arts Council England, fully informed about the service and organisational changes.

Prior to Sunderland's confirmation of its decision, officers had been working together to review the Joint Service. This work will continue, and may require further changes to the Joint Agreement based upon the outcomes of the TWAM Review and Options Appraisal undertaken by Black Radley.

Arts Council England and TWAM commissioned a review from consultants Black Radley Culture to help ensure the best value provision of high quality museum and archive services for the people of Tyne & Wear, visitors to the region and the online audience. The report was published in October 2012 and will inform the ongoing review of TWAM operations.

It is proposed therefore that a new Agreement be approved for the municipal year 2013/14, pending the ongoing review of the whole Joint Service.

1.5.3 How will success be measured?

During the course of 2013-14 the Joint Committee will work with officers from the Joint Service, the Lead Authority, officers from the other three authorities and Arts Council England (a principal funding partner) to ensure that key performance indicator targets are met, efficiencies proposed within the 2012 TWAM Review are achieved, and that a new long term agreement for the Joint Archive and Museum Service can be signed before March 2014. This work will include discussions about the potential for linking archive and museum services across the seven local authorities in the region.

1.6 Decision options:

The following decision options are available for consideration by Cabinet:

Option 1

To agree the report and proceed with a new Joint Agreement for 2013/14.

Option 2

Not to agree the report which would require negotiation with the other three local authorities to find agreement.

1.7 Reasons for recommended option:

It is recommended that Option 1 is adopted to facilitate an interim agreement while the full implications for TWAM's governance, raised in the Black Radley report, referred to at 1.5.2 are explored.

1.8 Appendices

Appendix 1 - Draft TWAM Agreement 2013/14.

1.9 Contact officers:

Paul Gowans, Head of Cultural Services, tel. (0191) 643 7401
Steve Bishop, Senior Manager, Culture and Commissioning, tel. (0191) 643 7410
Alison Campbell, Financial Business Manager, tel. (0191) 643 7038
Stephen Greenway, Lawyer, tel. (0191) 643 5375

1.10 Background information:

The following background paper/information has been used in the compilation of this report and is available at the office of the author:

TWAM Review and Options Appraisal, Black Radley (October 2012). <S:\Cultural Services\Management\PA Folders\2013\TWAM\Black Radley Report - FINAL.docx>

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Each authority will continue to contribute to its own direct costs, and existing arrangements will apply to core costs. The changes will not result in any additional costs for the four constituent authorities.

Arts Council England (ACE), who provide funding for the joint arrangements have confirmed that that ACE Core Funding of £1.322m and ACE Major Partner Museum funding of £1.645m, will be fully retained and there will be no reduction in these funding levels following Sunderland City Council's decision to take on direct management of museums.

In accordance with the terms of the Joint Agreement any costs arising from the decision by Sunderland City Council to withdraw from the Joint Agreement will need to be borne by Sunderland City Council.

Following the closedown of the 2012/13 accounts and completion of financial separation of management of Sunderland museums, scope for further efficiency savings within the management of TWAM will be investigated.

Efficiency savings of £0.100m have been negotiated with TWAM for 2013/14 and incorporated in the 2013/2014 Financial Planning and Budget process with a further £0.130m saving proposed for 2014/15. It is envisaged that the withdrawal of Sunderland City Council will not impact on the achievement of these savings but if this were to prove to be the case this would be reported to as part of the regular Financial Management reports to Cabinet.

2.2 Legal

Section 12 of the Public Libraries and Museums Act 1964 allows local authorities to provide and maintain museums within their administrative area or elsewhere in England and Wales.

In accordance with the Local Government Act 1985 the Council along with its Tyne and Wear counterparts assumed on 1 April 1986 additional functions for their areas relating to the locating, collecting, preserving, processing and promoting the uses of archives and records as defined in the Local Government (Records) Act 1962. This function was previously undertaken by the former Tyne and Wear County Council.

Under Sections 101 and 102 of the Local Government Act 1972 Act two or more local authorities may appoint a Joint Committee of those authorities for the purpose of discharging any of the above functions.

Under Section 103 of the 1972 Act the expenses incurred by a joint committee shall be defrayed by those authorities by agreement.

2.3 Consultation/community engagement

Extensive consultation with all local authorities and Joint Committee members was undertaken as part of the TWAM Review and Options Appraisal report.

2.4 Human rights

There are no human rights implications directly arising from this report.

2.5 Equalities and diversity

There are no equality and diversity rights implications directly arising from this report.

2.6 Risk management

The system of internal control currently operated within TWAM includes ongoing risk management processes designed to identify principal risks to the achievement of TWAM's objectives, to evaluate the nature and extent of those risks and to manage them effectively and economically. Implementation of budget proposals will be governed by TWAM's Risk Management Strategy. This approach will help ensure that intended benefits are realised within the anticipated timescales, and that those

timescales are not over-optimistic when the risks to implementation are taken into account.

The main risk of implementing this recommendation is that, over 2013-14 the four local authorities are unable to reach agreement on a long term for the joint archive and museum service and that this jeopardises both the strategic benefits realised by the partnership and the central government funding which supports the partnership. Mitigation is provided by the strong engagement of all partners with the 2012 TWAM review and the commitment of the partners to realise its recommendations for a 're-engineered partnership'.

2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this report.

PART 3 - SIGN OFF

- Chief Executive
- Strategic Director(s)
- Chief Finance Officer
- Monitoring Officer
- Strategic Manager for Policy and Partnerships