

# North Tyneside Council Report to Cabinet 9 November 2015

## ITEM 6(c)

Joint Archives and  
Museums Service: new  
Joint Agreement

Portfolio(s): Leisure, Culture and  
Tourism

Cabinet Member(s): Cllr Eddie Darke

### Report from Service

Area: Environment, Housing and Leisure

Responsible Officer: Phil Scott, Head of Environment,  
Housing and Leisure (Tel: (0191)6437295)

Wards affected: All

## PART 1

### 1.1 Executive Summary:

The purpose of this report is to seek Cabinet approval for the adoption of the revised Joint Agreement to deliver archives and museums services for the 2014/15 and 2015/16 municipal years.

Tyne and Wear Archives and Museums Service is governed by a Joint Committee comprising representatives of the four local authorities that are stakeholders. Their roles, rights and responsibilities, and the way in which they will operate together, are laid out in a Joint Agreement which is reviewed periodically, as and when required. The Agreement for the period 1 April 2014 – 31 March 2016 has yet to be formally agreed, though the Joint Committee has been operating within its principles.

### 1.2 Recommendation(s):

It is recommended that Cabinet authorise the Head of Housing, Environment and Leisure, in consultation with the relevant Cabinet Member for Leisure, Culture and Tourism and the Head of Law and Governance to approve the terms and complete the proposed Joint Agreement for the Joint Archives and Museums Service for the 2014/15 and 2015/16 municipal years.

### 1.3 Forward Plan:

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 22 September 2015.

### 1.4 Council Plan and Policy Framework

This report relates to the following priorities in the 2014/18 Our North Tyneside Plan:-

#### Our Places

Investing in high quality infrastructure across the borough to provide excellent recreational facilities for residents and visitors

#### Our Economy

Promoting the heritage and culture of North Tyneside as a key aspect of economic regeneration

## **1.5 Information:**

- 1.5.1 Tyne and Wear Archives and Museums (TWAM) service is governed by a Joint Committee comprising representatives of the four local authorities (North Tyneside, South Tyneside, Gateshead and Newcastle) who are stakeholders in the organisation. The roles, rights and responsibilities of each Authority, and the way in which they will operate together, are laid out in a Joint Agreement which is reviewed periodically, as and when required.
- 1.5.2 Tyne and Wear Museums and Tyne and Wear Archives services were originally governed by separate Joint Committees and were established, following the demise of Tyne and Wear County Council, in 1986.
- 1.5.3 Joint Agreements lasting a decade were drawn up for each. These were renewed in 1996 and again in 2006. At the time, it was expected that the last renewal would run until 2016.
- 1.5.4 In 2009, however, the five local authorities in Tyne and Wear agreed that a merger of the two Joint Committees would result in a better service. The new combined service would be provided and administered in accordance with the terms of an Agreement which came into effect on 1 April 2009 and was due to expire in March 2019. On 1 April 2013 Sunderland City Council withdrew from the Joint Agreement.
- 1.5.4 As a result of the withdrawal of Sunderland City Council the four remaining local authorities drew up a new, one-year, Joint Agreement which reflected this change and allowed them sufficient time to assess the impact and implications of the new circumstances. That Agreement expired at the end of March 2014.
- 1.5.5 During 2013/14 the Joint Service and the Joint Committee appraised the options available and concluded that a wider review of the governance would be beneficial. The Joint Committee commissioned Bond Dickinson, Solicitors, to lead the review. The review was concluded in the autumn of 2014. Two options were considered viable and members of the Joint Committee requested further detailed costings from the pension fund actuaries for the second of the two options. That information is still awaited before the Joint Committee can consider the options further.
- 1.5.6 In the meantime the difficult financial environment in which all the authorities were by then operating had occasioned reviews in each authority of the scope and extent of the cultural services they would be able to provide in future, and the mechanisms by which they would be provided. In South Tyneside, the Authority gave formal notice that it might withdraw from the Joint Committee. That Notice was renewed at the beginning of the 2015/16.
- 1.5.7 The uncertainty occasioned by the governance review detailed above and the internal reviews in each of the local authorities has mitigated against the signing of a new Joint Agreement before the start of the period covered by the Agreement (April 2014). That uncertainty has continued throughout the last eighteen months. However, no further significant changes are anticipated before the end of the 2015/16 financial year and the four authorities may now sign the Agreement without any addition to their existing risk.
- 1.5.7 Ongoing support for the Joint Agreement will ensure that existing funding arrangements through Arts Council England remain in place. The Tyne and Wear Archives and Museums continues to run an excellent service despite the turbulence in the environment in which it operates.

Key Performance Indicators (KPIs) for the existing period and for a further two years to come have been agreed with its current stakeholders, including Arts Council England (ACE), its principal funder. They are laid out in its business plan which was presented to, and agreed by, the Joint Committee at its most recent meeting on 30 June 2015. Achievement against targets is closely monitored and is reported to the Joint Committee on a quarterly basis.

- 1.5.8 A new Joint Agreement, dating from 1 April 2016, will be drawn up during the coming months, taking account of all the information available and the changing circumstances of the individual authorities. In the event that it is incomplete at 31 March 2016, the remaining authorities will continue to operate as though an Agreement had been signed, as they have done for the last year and a half. Notice from South Tyneside that it may withdraw from the Joint Committee and the Joint Agreement on 31 March 2016 remains in place.

## **1.6 Decision options:**

The following decision options are available for consideration by Cabinet:

### Option 1

- 1) agree the adoption of the revised Joint Agreement for the Tyne and Wear Archives and Museums Services for the 2014/15 and 2015/16 municipal years; and
- 2) authorise the Head of Housing, Environment and Leisure, in consultation with the relevant Cabinet Member for Leisure, Culture and Tourism and the Head of Law and Governance to approve the terms of the Joint Agreement for the Joint Archives and Museums Service for the 2014/15 and 2015/16 municipal years.

### Option 2

Not to sign the proposed Joint Agreement and request that Officers undertake additional discussion with the other members of the Joint Committee in relation to the operation of the Tyne and Wear Archives and Museums Service.

Option 1 is the recommended option.

## **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

Ongoing support for the Joint Agreement will ensure that existing funding arrangements through Arts Council England remain in place.

Tyne & Wear Archives & Museums continues to run an excellent service despite the turbulence in the environment in which it operates. Key Performance Indicators (KPIs) for the existing period and for a further two years to come have been agreed with its current stakeholders, including Arts Council England (ACE), its principal funder. They are laid out in its business plan which was presented to, and agreed by, the Joint Committee at its most recent meeting on 30 June 2015. Achievement against targets is closely monitored and is reported to the Committee on a quarterly basis.

## **1.8 Appendices:**

None

## **1.9 Contact officers:**

Steve Bishop, Senior Manager, Cultural Services, tel. (0191) 643 7410  
Alison Campbell, Senior Business Partner, tel (0191) 643 7038

1.10 **Background information:** The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) [North Tyneside Council Tyne and Wear Archives and Museums Service Level Agreements 2015-18](#)
- (2) [Tyne and Wear Archive and Museums Options Appraisal - Bond Dickinson September 2014](#)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

There are no direct financial or resource implications arising from this report. Each Authority will continue to contribute to its own direct costs, and existing arrangements will apply to core costs. There should be no additional costs for the four constituent local authorities.

As part of the Joint Agreement the Council currently contributes £0.428m to Tyne and Wear Archives and Museums from its Cultural Services budget.

The Arts Council currently contributes £1.6m of core funding and £1.5m Major Partner Museum funding. A signed Joint Agreement is a condition of this funding.

If the terms of the Joint Agreement for the Joint Archives and Museums Service for 2014/15 and 2015/16 give rise to additional financial implications for the Authority, these will be reported to Cabinet / Council, as appropriate, for a decision before any expenditure is incurred.

### **2.2 Legal**

Under Section 101 of the Local Government Act 1972 two or more Local Authorities may establish a joint committee for the purpose of discharging the Authorities' function(s). Joint Committees may only be established between local authorities for the discharge of functions that both authorities jointly share.

### **2.3 Consultation/community engagement**

#### 2.3.1 Internal Consultation

Engagement with Elected members of the Joint Committee from the four local authorities.

#### 2.3.2 External Consultation/Engagement

Not applicable

### **2.4 Human rights**

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

### **2.5 Equalities and diversity**

Equality and diversity issues are dealt with as part of Tyne and Wear Archives and Museums' corporate policy and are consistent with procedures required across the four local authorities.

## 2.6 Risk management

Tyne and Wear Archives and Museums Risk Management Strategy includes on-going risk management processes designed to identify the principal risks to the achievement of Tyne and Wear Archives and Museums service's objectives, to evaluate the nature and extent of those risks and to manage them effectively and economically. The adoption of the Joint Agreement presents no risks that have not already been identified in Tyne and Wear Archives and Museums service's risk register.

The principal risk to Tyne and Wear Archives and Museums and the Joint Committee will come in 2016/17 and the years that follow if any of the four constituent authorities is unable to maintain its commitment to the joint provision of archives and museums services. This would jeopardise the strategic benefits realised by the partnership and the Arts Council funding which supports the services as a whole. Mitigation is provided by the strong engagement of all partners.

## 2.7 Crime and disorder

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

## 2.8 Environment and sustainability

There are no direct environment and sustainability issues arising from this report.

## PART 3 - SIGN OFF

- Deputy Chief Executive
- Head(s) of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy