

**HAMPSHIRE COUNTY COUNCIL****Decision Report**

<b>Decision Maker:</b>	Executive Member for Culture, Recreation and Countryside
<b>Date:</b>	4 December 2014
<b>Title:</b>	The Andover Museum Deed of Waiver
<b>Reference:</b>	6275
<b>Report From:</b>	Director of Culture, Community and Business Services

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## **1 Executive Summary**

- 1.1 The purpose of this paper is to confirm the arrangements concerning the County Council's ongoing support for the Andover Museum.
- 1.2 It also seeks to confirm the simplification of the reciprocal funding arrangements with Test Valley Borough Council (TVBC) who have been a long standing partner in the running of both venues.
- 1.3 Executive Member approval is sought to do this by confirming the specified governance adjustment linked to the ongoing operation of the Museum by the Hampshire Cultural Trust and to approve the attached deed of waiver (Appendix 1).

## **2 Contextual information**

- 2.1 For many years the Borough and County Council have worked together to support the operation of The Lights and the Museum whereby the governance and funding of the Museum operated through a Joint Management Committee.
- 2.2 This has been reflected in parallel and contra-flowing funding whereby a significant grant was received from TVBC for the running of the museum and the Borough received a similar grant from Hampshire County Council in support of The Lights. The proposed position for the future funding of arts and museums provision in Test Valley is that TVBC and HCC give reciprocal notice with regards the Andover Museum Joint Management Agreement and The Lights Investment Fund Grant to cease this cross-subsidy from 2015/16. A Deed of Waiver has been drafted (Appendix 1) and authority is being sought from both HCC and TVBC to give reciprocal notice for termination. As part of this decision making at HCC it will be requested that

funding is re-directed to the Hampshire Cultural Trust to support Andover Museum and Museum of the Iron Age.

- 2.3 Once confirmed, the Deed of Waiver will be signed by both parties to effect the dissolution of the JMA on 31 March 2015. It is proposed that following this, an annual 'strategic coordination forum' will be established to focus on cultural development in the Borough.
- 2.4 The specific financial implications of this are set out in section 2, and the recommendation required is dealt with in the Grant Funding report (Agenda Item: 4).
- 2.5 These changes coupled with the move of the museum to the Hampshire Cultural Trust remove the need for a formally constituted Joint Management Committee (JMC). All parties have agreed to this and the Cultural Trust intends to establish appropriate liaison arrangements to ensure that local views and ideas can be harnessed effectively.
- 2.6 The Deed of Waiver attached reflects the formal adjustment required by both parties to conclude the matter. Test Valley Borough Council are in full agreement with the change.

### **3 Finance**

- 3.1 The current financial arrangement sees Test Valley contributing £80,000 to the running of the Museum and HCC contributing £71,000 to The Lights.
- 3.2 Agreement has been reached with both funding partners to cancel these figures out as a more efficient solution and for the funding for the Museum to be added to the financial support for the Hampshire Cultural Trust who took over responsibility for running the Museum from 1 November 2014. This overall figure will be subject to a 2% reduction resulting in a figure of £78,400 being transferred to the Arts and Museums base budget. This will enable the Trust to continue to run the museum effectively.
- 3.3 This action and the formal recommendation required is set out in the wider grants report presented to the Executive Member as a separate agenda item (Agenda Item 4).

### **4 Performance**

- 4.1 This arrangement simplifies the joint approach and funding which will reduce administrative costs and improve efficiency.

### **5 Consultation and Equalities**

- 5.1 The relevant portfolio holders and members of the Joint Management Committee including the relevant members from the County and Borough Councils have been involved in this process and in particular the move of the Museum to the recently launched Hampshire Cultural Trust. This was approved along with the revised management and consultation arrangements

- 5.2 In terms of customer and community impact there is not deemed to be any significant impact and the equalities impact assessment undertaken for the project overall is equally relevant for this decision (see integral appendix B)

**6 Future direction**

- 6.1 This arrangement will enable both authorities to maintain appropriate levels of support and funding for both venues and do to so in a collaborative manner.

**7 Recommendation(s)**

- 7.1 That the Executive Member for Culture, Recreation and Countryside:
- i) Approves the formal confirmation of the deed of waiver to conclude the necessary governance arrangements and the termination of the Andover Museum Joint Management Committee as of 31 March 2015.
  - ii) Welcomes the new role of the Hampshire Cultural Trust in developing new opportunities to support and develop arts and museums activities both across the county and as part of ongoing collaboration locally in Andover.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	no
<b>Maximising well-being:</b>	Yes
<b>Enhancing our quality of place:</b>	yes

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

DocumentLocation

None

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

**Equalities Impact Assessment:**

#### **1.2 Equalities Impact Assessment:**

Impact for staff transferring to the Trust:

Staff from both Councils have been involved in the development of the Trust. During the implementation phase staff and union representatives have been kept informed and consulted throughout with regular staff briefings and communications. These have covered the formal TUPE consultation and Trust management structure. Staff feedback has been responded to in the design of the management structure and during the implementation the staff from both Councils have been involved where possible in workshops and discussion planning for the future, including visioning sessions.

No staff are being made redundant. All the current staff working within the arts and museums service will transfer to the Trust under their existing terms and conditions and within their current roles. The transferring staff are able to remain within the Local Government

Pension Scheme. The Winchester City Council staff will join the headquarters base at Chilcomb but no other staff are asked to change their work location as part of the transfer.

Impact for the public:

There are no plans to reduce opening hours, close venues, or bring in charges to public arts, museums and heritage venues in Hampshire (currently operated by the two founding partner authorities) as part of the transfer arrangements. Therefore there are no known negative impacts perceived on the public and stakeholders associated with this proposal. While current service provision levels cannot be guaranteed in perpetuity there are no proposals to reduce them in this decision and the judgment taken is that the Trust model will offer the best opportunity to sustain them when further significant local authority budget savings are required. Positive impacts to groups of people are likely as a result of the Trust being established. For example, it may be possible to provide events and exhibitions that appeal to a small section of the community, such as a small geographical area, young people, older persons, people with disabilities and to provide better access to cultural services by minority groups.

Charities have a legal duty to comply with the Equality Act 2010 and the Trust will be required to adopt an appropriate equalities policy. It will also be subject to the requirements of grant giving organizations in relation to Equalities.

The establishment of a charitable trust secures the greatest opportunity for resilience of Hampshire arts and heritage services for the long term. The Trust will bring together the two organisations including staff, collections and buildings. The establishment of an independent trust to manage and develop arts, museums and heritage services will attract external investment and develop an organisation with a strong regional and national profile. It is hoped that the Trust will raise the profile of the Hampshire region arts and heritage services and increase audiences through improved quality of public programmes, marketing and the digital offer. Any surplus revenue funding will be reinvested into front line delivery of services. In the long term the Trust will deliver savings to the founding local authorities.

## **2. Impact on Crime and Disorder:**

- 2.1 The County Council has a legal obligation under Section 17 of the Crime & Disorder Act 1998 to consider the impact of all the decisions it makes on the prevention of crime. The proposals in this report have no impact on crime and disorder.

**3. Climate Change:**

- a) How does what is being proposed impact on our carbon footprint / energy consumption? Not applicable
- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts? Not applicable