

POLICY & FINANCE COMMITTEE

26 SEPTEMBER 2019

NEWARK TOWN MUSEUM DELEGATION

1.0 Purpose of Report

1.1 The report sets out a request received from Newark Town Council that the District Council delegates to it the exercise of the powers set out in Section 12 of the Public Libraries and Museums Act 1964, to allow it to continue to provide and maintain a museum and art gallery.

2.0 Background and Proposal

2.1 Newark Town Council has recently discovered that they do not, as a matter of law, possess an ability to run an accredited Museum and Gallery, notwithstanding that they have done so since 1997.

2.2 Section 206 of the Local Government Act 1972 (as amended by the Local Government Act 1985, s. 102(2), Schedule 17) defines local authorities for the purposes of the Public Libraries and Museums Act 1964 in England. It does not include town and parish councils. Under the Localism Act 2011 and Local Authorities: General Power of Competence 2012 a town or parish council may incur expenditure for museum provision. However, Newark Town Council does not currently fulfil the requirements laid out in the General Power of Competence, meaning it cannot officially run an accredited museum.

2.3 Such an 'oversight' has, to Officers knowledge, only recently been identified elsewhere. Other authorities have taken the precautionary measure of formally deleting this function to a relevant Town or Parish Council.

2.4 It is proposed that the District Council formally delegates to the Town Council an ability to continue a museum as is currently the case. It is recommended that such delegation be conditional upon the museum continuing to maintain its accredited status and any significant changes to the existing demise or content being firstly agreed with the District Council.

3.0 Equalities Implications

3.1 None

4.0 Financial Implications (FIN19-20/9982)

4.1 No financial implications arising from this report.

5.0 Comments of Director – Growth and Regeneration

5.1 The Town Hall Museum has operated for many years and there is no desire to remove or prejudice the ability of Newark Town Council to continue to run this offer. Members will be aware, however, that there is a renewed focus on Newark Town Centre, Newark Town (given the recent announcement of the Future Towns Fund), and its wider re-purposing.

The District and Town Council have a proud record of working collaboratively and I see no reason why this would not continue. I support the proposed delegation and that this be conditional upon retaining accreditation and agreement to any significant changes to the current demise and content.

6.0 RECOMMENDATIONS that:

- (a) the Council authorise the Director – Growth & Regeneration to formally delegate to Newark Town Council (for as long as it remains a Town Council), subject to Arts Council England Museum Accreditation Status being maintained, those powers under Section 12 of the Public Libraries and Museums Act 1964 to provide and maintain a museum and art gallery at the Town Council’s current extent of demise of the ‘Newark Town Hall Museum and Art Gallery’ under a legal agreement which also sets out the standards and policy aims of museum service to be provided;**

- (b) the Council authorises the Director – Growth & Regeneration, in consultation with the Business Manager - Legal Services and the Business Manager - Heritage, Culture & Visitors to finalise negotiations on the standards and policy aims of the museum service to be provided by the Town Council at the ‘Newark Town Hall Museum and Art Gallery’; and**

- (c) the Director – Growth & Regeneration be given delegated authority, in consultation with the Chairman and Business Manager - Heritage, Culture & Visitors, to negotiate and amend any future revisions to the demise, standards, and policy aims of the ‘Newark Town Hall Museum and Art Gallery’.**

Reason for Recommendations

To allow Newark Town Council to continue to deliver a Museum and Art Gallery.

Background Papers

Nil.

For further information please contact Matt Lamb, Director – Growth & Regeneration on Ext.5800

Matt Lamb
Director – Growth & Regeneration.