



# REPORT TO EXECUTIVE

## PORTFOLIO AREA: Performance and Development

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**Date of Meeting:** 14 March 2011

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**Public**

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**Key Decision:** No

**Recorded in Forward Plan:**

**No**

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**Inside Policy Framework**

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**Title:** Representative on outside body: Tullie House Museum and Art Gallery Shadow Trust Board/Trust Board

**Report of:** Assistant Director (Governance)

**Report reference:** GD18/11

### **Summary:**

This Report deals with the appointment of Members to serve on the Tullie House Museum and Art Gallery Shadow Trust Board/Trust Board.

### **Recommendations:**

That the Executive nominate two Members as the Council's representatives on the Tullie House Museum and Art Gallery Trust's Shadow Board and thereafter on the said organisation's Trust Board.

**Contact Officer:** Mark Lambert

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**Note:** in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

## **1. BACKGROUND INFORMATION AND OPTIONS**

1.1 Members of the Executive will be aware that the Council is currently engaged in the process of setting up a Charitable Trust to run the Tullie House Museum and Art Gallery.

1.2 The current position is that there is a Shadow Trust Board which will, once the Trust is formally established, become the Tullie House Museum and Art Gallery Trust Board. It is important that the Council is represented on both the Shadow Board and the Trust Board once it is established. Discussions are still on going but it is anticipated that there will be eleven members of the Trust Board once all of the recruitment has taken place.

1.3 The Shadow Board the members will take part in discussions with the Council to reach agreement between the parties as to the best basis for the Trust to move forward and flourish. The Shadow Board input will be required into the various agreements covering the memorandum and articles of association; partnership and funding; collections; property etc. Once the Trust is formally and legally established, the Trust Board will be responsible for the business affairs of the Tullie House and Museum Art Gallery and its day to day running. The Board Members will be, effectively, the Directors of the Organisation. In either scenario, it is important, given the significance of Tullie House to the City, that the Council is represented on the Shadow Board and, thereafter, the Trust Board. What is also important is that the Council representation on the Board is no more than 20% of the membership so that (a) the organisation is not local authority controlled and (b) it is not necessary for the City Council to implement a different financial accounting regime. If necessary, to comply with the 20% threshold (due to the number of other Board Members being low), one of the Council Board Members may take an observational role at Trust Board meetings.

1.4 The Executive is requested to nominate two Members as the Council's representatives on the Shadow Board and thereafter the Trust Board.

## **2. CONSULTATION**

2.1 Consultation to Date – not applicable.

2.2 Consultation proposed – not applicable.

### **3. RECOMMENDATIONS**

That the Executive nominate two Members as the Council's representatives on the Tullie House Museum and Art Gallery Trust's Shadow Board and thereafter on the said organisation's Trust Board.

### **4. REASONS FOR RECOMMENDATIONS**

So that the Council is represented on the Tullie House Museum and Art Gallery Trust's Board.

### **5. IMPLICATIONS**

- Staffing/Resources – Participation in the Board will require Member time and input.
  
- Financial – None
  
- Legal – The legal agreements establishing the Trust will require that the Council is represented on the Trust Board. Council representation on the Board will be kept below 20% so that the Trust is not deemed an entity controlled by the Authority.
  
- Corporate – It is important that the Council is properly represented on the Trust Board.
  
- Risk Management – None
  
- Environmental – None.
  
- Crime and Disorder – None
  
- Impact on Customers – None
  
- Equality and Diversity –

Impact assessments: Does the change have an impact on the following?

Equality Impact Screening	Impact Yes/No?	Is the impact positive or negative?
Does the policy/service impact on the following?		
Age	No	
Disability	No	
Race	No	
Gender/ Transgender	No	
Sexual Orientation	No	
Religion or belief	No	
Human Rights	No	
Social exclusion	No	
Health inequalities	No	
Rurality	No	

If you consider there is either no impact or no negative impact, please give reasons:

It is not considered that the appointment of two elected Members on the Tullie House Shadow/Trust Board impacts on the equality issues specified above

If an equality Impact is necessary, please contact the PandP team.