

Public Document Pack

Penallta House,
Tredomen Park,
Ystrad Mynach,
Hengoed CF82 7PG

Ty Penallta,
Parc Tredomen,
Ystrad Mynach,
Hengoed CF82 7PG



www.caerphilly.gov.uk
www.caerffili.gov.uk

For all enquiries relating to this agenda please contact Charlotte Evans
(Tel: 01443 864210 Email: evansca1@caerphilly.gov.uk)

Date: 3rd July 2019

Dear Sir/Madam,

A meeting of the **Cabinet as Trustees of Blackwood Miners Institute** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 10th July, 2019** at **11.00 am** (or immediately following the meeting of Cabinet) to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested.

All Committee meetings are open to the Press and Public, observers and participants are asked to conduct themselves with respect and consideration for others. Please note that failure to do so will result in you being asked to leave the meeting and you may be escorted from the premises.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy'.

Christina Harrhy
INTERIM CHIEF EXECUTIVE

AGENDA

- | | Pages | |
|---|--|--|
| 1 | To receive apologies for absence. | |
| 2 | Declarations of Interest.
Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any items of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for | |

A greener place Man gwyrddach



both Councillors and Officers.

To approve and sign the following minutes:-

- | | | |
|---|---|--------|
| 3 | Cabinet Sitting as Trustees of Blackwood Miners' Institute held on 15th May 2019. | 1 - 2 |
| 4 | Blackwood Miners Institute - Update Report. | 3 - 10 |

Circulation:

Councillors C.J. Cuss, N. George, C.J. Gordon, Mrs B. A. Jones, P.A. Marsden, S. Morgan, L. Phipps, D.V. Poole and Mrs E. Stenner,

And Appropriate Officers.

HOW WE WILL USE YOUR INFORMATION

Those individuals that attend committee meetings to speak/give evidence will be named in the minutes of that meeting, sometimes this will include their place of employment or business and opinions expressed. Minutes of Meetings including details of speakers will be publicly available to all via the Council website at www.caerphilly.gov.uk. except for discussions involving confidential or exempt items.

You have a number of rights in relation to your information, including the rights of access to information we hold about you and the right of complaint if you are unhappy with the way your information is being processed.

For further information on how we process your information and your rights please view the Full Committee Meetings Privacy Notice on our website <http://www.caerphilly.gov.uk/Committee/Privacy> or contact Legal Services by email griffd2@caerphilly.gov.uk or telephone 01443 863028.



CABINET SITTING AS TRUSTEES OF BLACKWOOD MINERS' INSTITUTE

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN
ON WEDNESDAY 15TH MAY 2019 AT 11.10 A.M.**

PRESENT

Councillor D.V. Poole – Chair

Councillors:

C. Cuss (Social Care and Wellbeing), N. George (Neighbourhood Services), C. Gordon (Corporate Services), B. A. Jones (Finance, Performance and Governance), P. Marsden (Education and Achievement), S. Morgan (Economy, Infrastructure and Sustainability), L. Phipps (Homes and Places) and E. Stenner (Environment and Public Protection).

Together with:

C. Harrhy (Interim Chief Executive), R. Edmunds (Corporate Director - Education and Corporate Services), M. S. Williams (Interim Corporate Director - Communities), D. Street (Corporate Director – Social Services and Housing).

Also in attendance:

P. Hudson (Marketing and Events Manager), R. Crane (Senior Solicitor) and C. Evans (Committee Services Officer).

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

3. CABINET AS TRUSTEES OF BLACKWOOD MINERS' INSTITUTE, THE NINE MILE SCHOLARSHIP FUND AND THE JOHN EDWARDS FUND

RESOLVED that the minutes of the meeting held on 16th January 2019 (minute nos. 1 - 5) be approved and signed as a correct record.

4. BLACKWOOD MINERS' INSTITUTE – MEMBERSHIP REVIEW

At the Cabinet as Trustees meeting of Blackwood Miners' Institute held on the 16th January 2019 it was resolved that Officers seek advice in respect of reviewing the membership of the Trustees to include arts and commercial sector expertise, to maximise opportunities within the Blackwood Miners' Institute (BMI), and ensure that revenue remains sustainable and resilient and that a further report be brought in response.

Currently the local authority acts as sole corporate trustee and has a legal duty to operate the charity in accordance with the governing document and has a legal obligation to account for the charity's finances in accordance with the Charity Act 2011. All charities must produce annual statements of accounts under charity law.

There are a number of ways that the Council can effect a change in the membership in order to progress towards delivering a sustainable and resilient service, as follows:

- Incorporate the charity;
- Appoint new Trustees under the existing Trust;
- Set up Holding Trust;
- Set up an Advisory Group.

Cabinet as Trustees of Blackwood Miners' Institute were asked to consider the options in 5.1.1 to 5.1.4 of the report.

Cabinet thanked the Officers for the report and discussion ensued.

Cabinet considered each of the options within the report and sought further information on 5.1.2 (Appoint new Trustees under the existing Trust) and 5.1.3 (Holding Trust) and the benefits of these options. Officers provided details on each of the options and explained that current circumstances would demonstrate that 5.1.2 would be the most suitable option as Trustees could be added or replaced under the powers contained in the Charity's governing document. As a result, job descriptions and person specifications could be developed and adverts could be posted for Trustees with relevant skills and knowledge as required.

Following consideration and discussion it was moved and seconded that subject to the inclusion of an additional recommendation whereby a total of 9 new Trustees be appointed, 4 from members of the public and 5 Cabinet member representations, the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's Report and subject to the aforementioned additional recommendation:

- i) option 5.1.2 outlined in section 5 of the Cabinet report to 'Appoint new Trustees under the existing Trust' be agreed as the favourable option;
- ii) *a total of 9 new Trustees be appointed, 4 from members of the public and 5 Cabinet member representatives.*

The meeting closed at 11.20am.

CHAIR



CABINET AS TRUSTEES OF BLACKWOOD MINERS INSTITUTE - 10TH JULY 2019

SUBJECT: BLACKWOOD MINERS' INSTITUTE – UPDATE REPORT

REPORT BY: INTERIM CORPORATE DIRECTOR COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To update Cabinet as Trustees of Blackwood Miners' Institute on progress with the resolution to change the membership of the trustees, to update on ongoing operational activities and to advise of proposed budget savings to be implemented for 2020/21.

2. SUMMARY

- 2.1 At the Cabinet as Trustees meeting of Blackwood Miners' Institute held on the 15th May 2019 it was RESOLVED to 'Appoint new Trustees under the existing Trust' with an additional recommendation that a total of 9 new Trustees, 4 from members of the public and 5 Cabinet member representatives be appointed.
- 2.2 The Council's Legal Services department are currently considering how best to bring about the required changes to the Charity's existing governing document to bring into effect the recommendation, particularly with regard to decision making procedures following the appointment of new trustee. Before the legal changes are brought into effect steps will need to be taken to identify potential external trustees to be appointed.
- 2.3 The report provides an update on a number of areas of operation and programme activity including:
- Trustee membership review
 - Box Office opening hours
 - Staffing requirements
 - Digital Marketing Signage
 - Arts & Education Network
 - Communities for Work Plus – Employment mentoring support
 - Programme

3. RECOMMENDATIONS

- 3.1 Cabinet as Trustees endorse the steps outlined in 5.1.1 to establish the change of Trustees membership previously resolved and support the saving proposals identified in paragraphs 5.1.2 and 5.1.3 of the report as part of the Council's budget setting process for 2020/21.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To respond to the previous resolution to review the membership of the Trustees.
- 4.2 To contribute to the Council's Medium Term Financial Plan budget requirements.

5. THE REPORT

5.1.1 The Trustee membership model resolved at the last meeting of the Cabinet sitting as Trustees will typically be brought into effect under the terms of the existing governing document by supplemental trust deed. Once the changes are brought into effect by resolution of the Trustee, the Charity Commission must be notified. In some cases, the Charity Commission can also make the changes of its own accord by making a new charitable scheme. Before the legal changes can be implemented a number of steps need to be taken as outlined below:

- Identify potential new external trustees with following considerations in mind:
 - Organisational challenge
 - Experience / knowledge / skills requirement
 - Role description
 - Expectations / remuneration / length of tenure
 - Advert / application / appointment process
 - Any other considerations as set out in the Charities Commissions Guidance on the appointment of new trustees (CC30)
- Formulate new terms of reference and decision making procedures to be exercised by the Trustees when making decisions concerning the charity, and where necessary, inclusion of additional trustee powers
- Instruct Legal Services to draft a Supplemental Trust Deed setting out variations to the Charity's governing document and dealing with the appointment of new trustees
- The making of a formal resolution by Cabinet as Trustees appointing new trustees and adopting variations to the governance of the Charity as set out in the Supplemental Trust Deed
- Notification of changes sent to the Charity Commission

5.1.2 A new box office system has now been implemented at Blackwood that allows customers to choose a seat of their choice and purchase their ticket online, supporting the Council's emerging Digital Strategy by opening the Digital Front Door to transform our service delivery. The system will also allow customers to purchase add on services such as the pre-ordering and payment of drinks. <https://bmi.ticketsolve.com/shows>

As sales of tickets are increasingly delivered through digital channels, a corresponding change to the box office opening hours will be required in order to translate the changes to a financial benefit and to bring the opening hours into line with similar venues operating across the region. A proposal to reduce the box office opening hours will potentially generate £15,000 of savings for the 2020/21 budget. Complementary works to improve secure access to the building are scheduled for the summer to create a safer environment for staff.

5.1.3 There is scope for a review of the staffing structure to generate further savings of up to £15,000 by looking at matching the role requirements to the future delivery of the desired programme activity.

5.1.4 Caerphilly County Borough Council is the lead partner in hosting the Arts and Education Network: South East Wales, one strand of a major Welsh Government and Arts Council of Wales project, the all Wales Arts and Education Offer. The network is 100% funded by the Arts Council of Wales and generates an income of £15,000 from the provision of office space and administrative support to the Network.

The Regional Arts & Education scheme is now in its fourth year of funding operating from Blackwood Miners Institute working across the South East Wales region to support the delivery of Creative Learning through the Arts (CTLA) programme, the five-year Arts and Education Action Plan. Working closely with schools, the Regional Education Consortia, local authorities and stakeholders in the education, arts, creative, cultural and heritage sectors, the network aims to deliver quality arts experiences and wider learning in schools in the

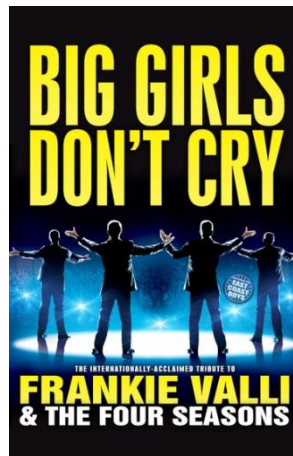
Expressive Arts. The Creative Industries are the fastest growing sector of the economy in the UK, growing at twice the rate of the economy as a whole¹.

The Network has engaged with 31 (36%) of schools across the county borough and their current work activity includes:

- Offering Professional Development training sessions for teachers and educators
- Support for Arts Champions offering mentoring and professional development support
- Innovation Seed Fund grants for schools up to £1,000 for expressive arts projects
- Developing Partnership courses with National Museum of Wales, CADW, Borough Theatre, Newport Riverfront, Blackwood Miners Institute, Llantarnam Grange and PYKA, with an objective of sharing and developing new audiences and income streams

5.1.5 Officers are currently looking at the possibility of hosting the employment mentoring support that covers the East of the county borough through the Community Regeneration Service and the Communities for Work Plus programme at Blackwood Miners Institute.

5.1.6 Upcoming shows include 'Womans (Like Romans but with a 'W')', 'the Noise Next Door', 'Explosive Light Orchestra', 'Community Dance Showcase', 'Drama Showcase', the 'Pitmen Poets' and the 'India Electric Co'.



5.1.7 Cabinet as Trustees have previously requested that the business case for installing fixed promotional digital signs in a number of our principal town centres is looked into. Provisional figures suggest that the supply & installation of a reasonably sized digital promotional / informational sign with an interactive capability would be circa £35,000 plus preparation and running costs. Subject to a planning application, the installation of such signs could be used to deliver campaign, promotional and information messages across a range of Council and private sector activity with the potential to generate a revenue stream for the Council. A funding application is currently with Welsh Government in respect of a proposal to install such signs in Caerphilly that could, if successful, act as pilot for potential further installations in Blackwood and other town centres.

5.2 CONCLUSION

5.2.1 Progress on the changes to charity's governing document and appointment of trustee will be reported at future meetings.

5.2.2 The ongoing reduction in Local Government funding is forecast to continue and will impact on funding for non-statutory areas of public sector spending and in order to enable Blackwood Miners Institute to thrive and build its resilience Officers will continue to review the future programme, develop our audience reach, make efficiencies to the operation of the building and service delivery and explore income generation opportunities.

¹ <https://www.gov.uk/government/news/creative-industries-record-contribution-to-uk-economy>

6. ASSUMPTIONS

- 6.1 It has been assumed that the financial pressures on local authority budgets will continue in the medium term as outlined in the Council's Medium Term Financial plan combined with continuing inflationary pressure's expected on wage and non-wage expenditure.
- 6.2 Population growth by 2029 is expected to rise by 1% from 180,795 (2017 mid-year estimate) to 183,000, limiting the potential catchment area for venues like Blackwood Miners Institute that remain community focussed in their audiences.
- 6.3 It is assumed changes in the age distribution of the population and changes to the composition of family structures will impact on entertainment and leisure choices and the need to adapt to future service provision accordingly.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 Effective financial planning, governance and the setting of balanced budgets and efficient delivery of services is at the heart of everything the Council does and is fundamental to the future of local service delivery.

The report links to the following Council policies:

- The Value of Historic Places, Conservation Strategy for the Historic Environment 2014 – 2019, CCBC.
- A Foundation for Success 2018-2023' - Regeneration Strategy for Caerphilly County Borough.

7.2 Corporate Plan 2018-2023

Blackwood Miners Institute is a creative hub and houses the Council' Arts Development Service and the South East Wales Arts & Education Service that along with the Institute support a number of policy areas and contributes to the following corporate objectives:

Objective 1 - Improve education opportunities for all

Objective 2 - Enabling employment

Objective 5 - Creating a county borough that supports a healthy lifestyle in accordance with the sustainable Development Principle within the Wellbeing of Future Generations (Wales) Act 2015

The proposal will help to ensure the viability and vitality of Blackwood Miners Institute and its creative and cultural role in the community.

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 Blackwood Miners Institute contributes to the Well-being goals through the generation of additional footfall, economic benefits and contributing to a vibrant educational, cultural and heritage offering.

The Well-being of Future Generations (Wales) Act 2015 sets out seven Well-being Goals which aim to make a positive impact upon the social, economic, environmental and cultural well-being of the area or community concerned. The visitor attractions within the service through their programme of activities and focus align with the following Well-being Goals:

- **A prosperous Wales**
Venues such as Blackwood Miners Institute play a key role in the community providing a focus and structure to entertainment, destination and consumer spending choices creating economic prosperity through direct employment in the creative and visitor economy generating valuable secondary spending to support local industry employment.
- **A healthier Wales**
Social prescribing has been highlighted by Public Health Wales as an opportune tool to support a healthier Wales through recognition of the impact of social determinants on health and well-being. Blackwood Miners Institute is a community asset that offer opportunities to support volunteering and through the enjoyment of cultural and art performance and participatory activity that can help improve self-esteem, mood, social contact and the development of transferable skills nurturing creativity.
- **A more equal Wales**
The provision of a range of opportunities to participate in art and creative activity across the county borough can help remove cultural, geographic, economic and social barriers to life enhancing participation and engagement benefits contributing to a more equal Wales.
- **A more resilient Wales**
Arts and cultural provision can help nurture innovation and creativity reaching beyond their realm, though they are its natural nurturing ground. Creativity is a skill that can be used to bring innovative solutions to familiar problems, and encourage new ways of thinking and living.
- **A Wales of Cohesive Communities**
The provision of venues such as Blackwood Miners Institute that are engineered to deliver educational, creative and cultural activities in a safe environment can increase individual and community confidence and sense of self-worth, building social cohesion by creating friendship and a sense of 'belonging'. It can make people feel safer and more positive about where they live, taking a pride in their own culture, heritage and background.
- **A Wales of vibrant culture and thriving Welsh language.**
The service provides a range of activities across the entertainment and art areas contributing significantly to the cultural vibrancy of the area. Over 35,000 participate or engage with a programme of cultural activities at Blackwood Miners' Institute over a diary of 200 performances / shows per year.
- **A Globally Responsible Wales**
Arts, heritage and culture help us to appreciate and understand the world we live in, inspiring and exciting us to question, explore and bring new insights to familiar challenges and can unlock our creativity and imagination, helping us to become more engaged, active and fulfilled citizens.

The report is consistent with the five ways of working as defined within the sustainable development principle in the Act:

Long term

The report provides options to ensure the long term sustainability, viability and role of Blackwood Miners Institute in contributing to the economic prosperity of the region by providing a range of options to meet the financial challenges ahead without submitting to short term objectives that could be detrimental to the long term needs of future generations.

Prevention

Having identified the financial challenges that lie ahead, the report aims to provide a range of options that can be considered that address the issue of sustainability and prevent problems arising in the longer term whilst still allowing the local authority to support the creative industry through the provision of art and cultural provision.

Integration

The Council's well-being objectives for the period 2018-2023 support a number of national objectives and the hosting of the South East Wales Arts & Education Service is an example of how Blackwood Miners Institute is integrating to the work of the Arts & Education Service in supporting wider learning in schools in the Expressive Arts and the delivery of the new Welsh Curriculum.

Collaboration

There are a number of options identified in the report that provide an opportunity to engage and collaborate with external stakeholders.

Involvement

The Council provides opportunities for our residents to participate and represent their and their community's interest in achieving their well-being goals through participation in the 'Nights out' scheme and 'Get Creative' festival and in relation to Blackwood the bicentennial celebrations planned for 2020.

8.2 There are a number of 'national indicators' that are used to measure progress against the Well-being of Future Generations (Wales) Act that relate to Blackwood Miners Institute including:

- No 28: *Percentage of people who volunteer.*
- No 35: *Percentage of people attending or participating in arts, culture or heritage activities at least three times a year.*

9. EQUALITIES IMPLICATIONS

9.1 An EqIA screening will be completed as part of the Medium Term Financial Plan process for the savings proposals under consideration identified in the report.

9.2 Maintaining control over the content of digital signs will ensure Council information and campaign content are presented bilingually.

9.3 The new Box Office system provides for greater inclusivity and accessibility.

10. FINANCIAL IMPLICATIONS

10.1 Set up, administration and remuneration expenses will be clarified as the changing Trustee membership model evolves.

10.2 There are potential savings of circa £30,000 identified through 5.1.2 and 5.1.3.

10.3 The Annual Report and Statement of Accounts for 2018/2019 will be reported to the Trustees later in the year before submission to the Charity Commission.

11. PERSONNEL IMPLICATIONS

11.1 There are potential staffing implications that are being explored through the process of consultation with the Charities Commission with regard to the changing Trustee membership model.

11.2 There are potential staff implications for the proposed restructure saving.

12. CONSULTATIONS

12.1 The comments from consultees have been included in this report.

13. STATUTORY POWER

13.1 Charities Act 2011, Local Government Act 1972 and the Trustees Act 1925.

Author: Paul Hudson, Destination & Events Manager
Consultees: Cllr Sean Morgan, Deputy Leader and Cabinet Member Economy, Infrastructure, Sustainability and Well Being and Future Generations
Mark S Williams Interim Corporate Director of Communities
Stephen Harris, Interim Head of Business Improvement & Section 151 Officer
Rob Tranter, Head of Legal Services
Richard Crane, Senior Solicitor
Lisa Lane, Corporate Solicitor
Anwen Cullinane, Senior Policy Officer – Equalities
Rhian Kyte, Head of Regeneration and Planning
Allan Dallimore, Regeneration Manager
Mike Eedy, Finance Manager
Daryl Whitehead, Theatre and Arts Service Manager
Ruth Lloyd, Arts and Education Network Co-ordinator

This page is intentionally left blank