

# Minutes National Council



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Date	Tuesday 14 <sup>th</sup> November 2023	
Time	12:00-15:30	
Location	Black Country Living Museum and Microsoft Teams	
Present:	Sir Nicholas Serota CH (Chair)	Chair of Arts Council England
	Helen Birchenough	South West Area Council Chair
	Bill Bush	National Council Member
	Sukhy Johal MBE	Midlands Area Council Chair
	Andrew Miller MBE	National Council Member
	Abigail Pogson	National Council Member
	Paul Roberts OBE	National Council Member
	Deborah Shaw	National Council Member
	Baroness Fleet CBE (Veronica Wadley)	National Council Member
	David Bryan CBE	London Area Council Chair
	Kate Willard OBE	North Area Council Chair
	Elisabeth Murdoch	National Council Member
	Roni Brown	South East Area Council Chair
Apologies:	YolanDa Brown OBE	National Council Member
Also Present:	Darren Henley CBE	Chief Executive
	Laura Dyer MBE	Deputy Chief Executive, Places and Libraries
	Simon Mellor OBE	Deputy Chief Executive, Arts and Museums
	Tonya Nelson	Executive Director, Enterprise and Innovation
	Mags Patten	Executive Director, Communication and Public Policy
	Navees Rahman	Executive Director Chief Finance & Resources Officer
	Richard Russell	Executive Director and Chief Operating Officer
	Ruth Alaile	Director, Governance and Planning
	David Bryant	Senior Manager, Governance and Data Protection Officer
	Eliza Burrows	Officer, Governance (Minutes)
	Jacqueline Hodges	Senior Officer, Governance (Minutes)
	Paul Blackmore	Head of Estates and Facilities (Item 10)
	Jane Dawson	Director, Funded Organisations (Item 5)
	Jessica Farmer	Senior Relationship Manager, North (Item 8)
	Pete Massey	Director Northern Economy and Partnerships (Item 8)

Claire Mera-Nelson  
Andrew Lovett

Director, Music and London (Item 9)  
Director and Chief Executive, Black Country  
Living Museum (Item 1)

<p><b>1.</b></p> <p>1.1.</p> <p>1.2.</p> <p>1.3</p>	<p><b>WELCOME AND APOLOGIES</b></p> <p>Andrew Lovett, Director and Chief Executive of Black Country Living Museum provided a brief introduction to the museum.</p> <p>The Chair welcomed members of National Council and Executive Board to the meeting. It was noted that apologies had been received from Yolanda Brown.</p> <p>National Council members were informed that the Secretary of State had appointed Sally Shaw as the South East Area Chair and Annabel Turpin as the North Area Chair with effect from 1 December 2023. National Council members welcomed their appointment.</p>	<p><b>Action</b></p>
<p><b>2.</b></p> <p>2.1.</p> <p>2.2</p>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>National Council members were asked to review their registers of interest and to declare any interests in matters or connections with any organisations due to be discussed.</p> <p>No further interests were declared.</p>	
<p><b>3.</b></p> <p>3.1.</p>	<p><b>MINUTES FROM THE PREVIOUS MEETING (20<sup>th</sup> SEPTEMBER 2023)</b></p> <p>The minutes from the meeting of 20 September 2023 were <b>AGREED</b> as a true and accurate record.</p>	
<p><b>4.</b></p> <p>4.1.</p>	<p><b>MATTERS ARISING FROM THE PREVIOUS MEETING</b></p> <p>National Council were asked to note the Action Point log outlining progress on outstanding actions.</p>	
<p><b>5.</b></p> <p>5.1.</p>	<p><b>QUARTERLY INVESTMENT RISK REPORT</b></p> <p><i>(Jane Dawson joined the meeting)</i></p> <p>Jane Dawson introduced this item which updated National Council on the risk profile of the National Portfolio and risk assessment compliance rates at the end of quarter two (July-September 2023-24).</p>	

<p>5.2.</p> <p>5.3.</p> <p>5.4.</p> <p>5.5</p> <p>5.6</p> <p>5.7</p>	<p>It was noted that there was an ongoing trend of increased risk profiles for reasons such as rising costs and staff turnover. Increasing numbers of client handling groups were being established internally to manage the risks. Members asked how the Arts Council was responding to this trend. There was also concern that not all organisations were openly reporting the risks they are currently facing.</p> <p>There was a discussion about the risks emanating from the deteriorating local government finances for arts, museums and libraries.</p> <p>While the Arts Council does not have the resources to provide financial support to organisations in difficulty, there were a number of measures being taken this included:</p> <ul style="list-style-type: none"> <li>• Work to assess exposure of the sector to local authority financial challenges, and discussion with Government about this.</li> <li>• To help alleviate the inflationary pressures, the Arts Council had offered the opportunity to National Portfolio Organisations (NPO) to reduce their activity plans by 15%.</li> <li>• The Arts Council’s Enterprise and Innovation team are thinking about medium to long term business innovation.</li> </ul> <p>National Council asked Executive Board to develop a position statement on the economic and funding pressures on the sector.</p> <p>Jane also provided verbal updates on two specific organisations.</p> <p>National Council <b>AGREED</b> to:</p> <ol style="list-style-type: none"> <li>a) Note the National Portfolio risk assessment compliance at 30 September 2023</li> <li>b) Note the risk profile of the National Portfolio at 30 September 2023 as set out in appendix A</li> </ol> <p><i>(Jane Dawson left the meeting)</i></p>	<p>Mags Patten</p>
<p>6.</p> <p>6.1.</p>	<p><b>MUSEUMS AND CULTURAL PROPERTY PANEL UPDATE</b></p> <p><i>(Sarah Posey joined the meeting)</i></p> <p>Sarah Posey presented the item which provided an update on progress with work to diversify the perspectives and expertise</p>	

	<p>available to the Acceptance in Lieu Panel, and asked National Council to appoint two new members to the panel.</p> <p>6.2. National Council was also asked to note some appointments to the Designation Panel, and to consider a proposal to remunerate the chairs of the Museum Accreditation Committee, Designation Panel and the Acceptance in Lieu Panel.</p> <p>6.3. National Council <b>AGREED</b> to:</p> <p>(a) approve the appointment of Dr Francesca Vanke and Dr Matt Smith to the Acceptance in Lieu Panel, and to delegate authority to the Chair of National Council to make a decision whether to make a further appointment following an imminent interview.</p> <p>(b) note the following appointments to the Designation Panel, as approved by the Chair</p> <ul style="list-style-type: none"> <li>• Katie Eagleton (Director of Museums, University of St Andrews)</li> <li>• Janet Dugdale (Director of Museums, National Museums Liverpool)</li> <li>• Belinda Day (Curator, National Army Museum)</li> <li>• Hugh Maguire (Freelance museums consultant based in London)</li> </ul> <p>(c) give in principle approval to the proposal to remunerate the chairs of the Acceptance in Lieu Panel, the Museum accreditation Committee and Designation Panel, with authority delegated to the Chair of National Council to sign - off the specific terms.</p> <p><i>(Sarah Posey left the meeting)</i></p>	
<p>7.</p> <p>7.1.</p> <p>7.2.</p>	<p><b>PERFORMANCE AND AUDIT COMMITTEE – 3 OCTOBER 2023 UPDATE</b></p> <p>Paul Roberts, Chair of Performance and Audit Committee (PAC) updated National Council on 3 October 2023 PAC meeting.</p> <p>Paul highlighted, to National Council, that the Committee had discussed the arrangements for the ongoing administration arrangements for DCMS CRF Repayable Finance Scheme and received a presentation from the Data and Insight team.</p>	

7.3.	<p>National Council <b>AGREED</b> to:</p> <p>a) Note the update from 3 October 2023 Performance and Audit Committee meeting.</p>	
<p><b>8.</b></p> <p>8.1.</p> <p>8.2.</p> <p>8.3.</p> <p>8.4</p> <p>8.5</p>	<p><b>BRADFORD CITY OF CULTURE 2025</b></p> <p><i>(Pete Massey and Jessica Farmer joined the meeting)</i></p> <p>Pete Massey presented this item which asked National Council to accept and approve the administration by Arts Council England of a £15 million of grant to Bradford Culture Company for the Bradford City of Culture 2025 programme.</p> <p>The Department of Culture, Media, and Sport (DCMS) has asked the Arts Council to administer up to £15 million of funding for Bradford City of Culture 2025. [.....]</p> <p>[Information has been withheld here in line with the requirements of <b>section 22 of the Freedom of Information Act 2000 – information intended for future publication</b>. Under section 22 we are entitled to withhold information until the intended publication date as long as there is a clear intention to publish the details in the future, and where it is reasonable in all the circumstances to maintain the original timetable for publication.]</p> <p>The Chief Executive at Arts Council will act as the Accounting Officer for the management of the grant and the processes for awarding said grant, with DCMS responsible for agreeing the programme for the award, any changes to delivery and the subsidy control assessment.</p> <p>National Council discussed the previous City of Cultures and the approach to learning from both Hull and Coventry. National Council asked for a briefing on the learnings and reflections from Hull City of Culture and Coventry City of Culture before March 2024.</p> <p>National Council <b>AGREED</b> to:</p> <p>a) Approve the administration by Arts Council England of up to £15 million of grant funding to Bradford Culture Company for the Bradford City of Culture 2025 programme</p> <p><i>(Pete Massey and Jessica Farmer left the meeting)</i></p>	<p>Laura Dyer</p>

<p><b>9.</b></p> <p>9.1</p> <p>9.2</p> <p>9.3</p> <p>9.4</p> <p>9.5</p>	<p><b>ENO GRANT 2024-26</b></p> <p><i>(Claire Mera-Nelson joined the meeting)</i></p> <p>Simon Mellor introduced the paper which recommended that the £24m grant to English National Opera for the period 2024-26 should be confirmed following the conditional award National Council approved in July.</p> <p>He updated National Council on: the company’s approach for identifying and agreeing a new base city; the analysis of the revised business plan; and the artistic vision and strategy; and the key risks.</p> <p>National Council discussed the recommendation. The discussion included points about how announcement of a new base would be made; the level of activity/presence in the new base during the 2024-26 period; the current position on discussions with ENO staff; as well as the proposals for the Coliseum and Lillian Bayliss House.</p> <p>National Council AGREED with one abstention to confirm the award of a grant of £24,000,000 for the period 2024-2026 to the English National Opera, subject to:</p> <ul style="list-style-type: none"> <li>a) written confirmation of the chosen new base city from the chair of the ENO’s board, to include a clear rationale for the decision and an updated communication plan</li> <li>b) a review of the ENO board’s decision on the new base city, by the Chair of National Council and Chair of Performance and Audit Committee</li> <li>c) completion of the necessary Subsidy Control compliance work and the successful negotiation of a funding agreement, including appropriate payment conditions.</li> </ul> <p>National Council thanked Simon Mellor, Claire Mera-Nelson and the rest of the project team for their diligence, flexibility and hard work.</p> <p><i>(Claire Mera-Nelson left the meeting)</i></p>	
<p><b>10.</b></p> <p>10.1</p> <p>10.2</p>	<p><b>PROPERTY LEASE DECISION – NEWCASTLE OFFICE</b></p> <p><i>(Paul Blackmore joined the meeting)</i></p> <p>National Council was asked to approve the lease for new premises for the Newcastle Office.</p> <p>National Council considered the business case and the qualified surveyors report. It approved the recommended option.</p>	

10.3	<p>National Council AGREED to <b>approve</b>: [.....]</p> <p>[Information has been withheld here in line with the requirements of <b>section 43(2) of the Freedom of Information Act 2000</b> prejudice to commercial interests. A public authority is entitled to withhold information under this provision where disclosure of that information would be likely to prejudice the commercial interests of any persons or organisations,</p> <p><i>(Paul Blackmore left the meeting)</i></p>	
11.	<p><b>AREA COUNCIL APPOINTMENTS</b></p> <p>11.1 National Council was asked to make three appointments to the South East Area Council, and two appointments to the Midlands Area Council (one was a re-appointment).</p> <p>11.2 Discussion was held on the appointment process and considerations made to ensuring a broad balance of skills and experience within Area Council membership.</p> <p>11.3 National Council <b>AGREED</b>:</p> <ul style="list-style-type: none"> <li>(a) the appointment of Prof. Sarah Barrow, Cllr Jenny Williams and Cllr Mark Durham to South East Area Council from 2nd January 2024 to 1st January 2028</li> <li>b) the appointment of Jason Wilsher-Mills to Midlands Area Council from the 15th November 2023 to the 14th November 2027</li> <li>(c) the re-appointment of Jennifer McKie to Midlands Area Council from the 13th November 2023 to the 12th November 2026</li> </ul>	
12.	<p><b>PERFORMANCE AND AUDIT COMMITTEE</b></p> <p>12.1 National Council AGREED to approve the appointment of William Bush and Helen Birchenough to its Performance and Audit Committee.</p>	
13.	<p><b>CHAIR AND CHIEF EXECUTIVES UPDATE</b></p> <p>13.1</p>	



<p>13.2</p> <p>13.3</p> <p>13.4</p>	<p>The Chair and Chief Executive invited questions on any matters raised within the report.</p> <p>The ‘Reading for Pleasure Round Table’ was highlighted, with the significant positive impact Arts Council England’s conveying of stakeholders had achieved noted.</p> <p>Contributions made into consultations on tax relief within the sector was also discussed.</p> <p>National Council <b>NOTED</b> this update.</p> <p>(Elisabeth Murdoch left the meeting)</p>	
<p>14.</p> <p>14.1.</p> <p>14.2.</p> <p>14.3.</p>	<p><b>ANY OTHER BUSINESS</b></p> <p>National Council members were reminder to complete the skills audit and return their questionnaires to the Governance team.</p> <p>The Chair and National Council Members and the Senior Executive team expressed their sincerest gratitude to Kate Willard and Roni Brown, as this was their last National Council meeting. National Council shared their appreciation for their contributions and knowledge as members of National Council, but also for their time as North Area Council Chair and South East Area Council Chair.</p> <p>No other business was discussed.</p>	
	<p><b>Meeting Closed: 15:30</b></p>	