

# Minutes

## Midlands Area Council Meeting

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Date Friday 7 October 2022

Time 11.00am

Location Microsoft Teams

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Present Sukhy Johal (Chair), Emily Bowman, Pawlet Brookes, Julie Finch, Pippa Frith, Ayub Khan (Deputy chair), Jennifer McKie, Jaivant Patel, Tanya Raabe-Webber (plus PA Jackie Cooley), Cllr John Reynolds, Gary Topp

Rebecca Blackman, Mark Done, Sue Elwell, Kathy Fawcett, Simon Fitch, Darren Henley, Hugh James, Tharsini Joganathan, Liz Johnson, Sharon Joinson, Sarah Kennedy, Peter Knott, Harinder Matharu, Michele Simmons, Eleanor Whalley, Tom Wildish, Sandip Worwood, Toby Norman-Wright

Apologies Cllr Abi Brown, Cllr Barry Lewis

Observers

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### 1. WELCOME AND APOLOGIES

1.1 Sukhy Johal, Chair, Midlands Area Council, welcomed all attendees to the meeting and apologies were noted from Cllr Abi Brown and Cllr Barry Lewis. He explained that due to Industrial Action taking place across the railway network that this decision meeting is to be conducted online through Microsoft Teams.

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## **2. Introduction**

### **a) Purpose of Meeting**

The chair outlined the purpose of the meeting. Midlands Area Council were asked to consider the recommendations of Executive Board and to agree funding recommendations on organisations which had applied for less than £1m per annum in any one year and make recommendations to National Council on organisations which had applied for £1m or more per annum in any one year. The chair emphasised that this process was to decide a national portfolio of organisations and decisions should be considered taking into account both the area and the national context.

Members noted that the Equality Analysis will be published alongside National Council's decisions on 26 October 2022 and that an Equality Action Plan would be presented at a future meeting.

Members noted that any disagreements or challenges to the recommendations would be addressed in agenda item 5 and these will go to National Council on 19 October for ratification in view of the overall portfolio. They also noted that in the event any decisions are taken to a formal vote, decision will be made by a simple majority of members present and voting, in the case of any equality of votes the chair or individual chairing that aspect of the meeting will have the casting vote.

Members' views and comments on communications would be welcomed later in the meeting and members would be asked if they foresee any particular challenges for Arts Council England.

### **b) Conflicts of Interest**

The chair outlined the Arts Council's policy on managing conflicts of interest and loyalty, explaining that the general principle for both Council members and advising officers was that if a member of the public would reasonably conclude that an interest an Area Council member or officer may have might have influenced the approach we take, they must declare it. Members who have a financial interest in the outcome of the discussion or a part of the discussion, or who are personally invested in the success of an organisation being discussed, should withdraw from the meeting at that point and take no part in the conversation or voting on

the issue.

The chair outlined how conflicts of interest would be managed in the meeting and would apply when there is material decision to be made. He said he would ask members to declare any additional interests or any that appear to be inaccurate on the register at item 3 on the agenda.

Members also noted that in the event a Conflict of Interest emerges which would require him to absent himself from the discussion, the nominated deputy, Ayub Khan would lead the meeting from that point onwards.

### **c) Confidentiality**

The chair reminded all present of the importance of maintaining confidentiality and confirmed that information or discussions must not be shared with anyone outside the Arts Council. It was also requested that correspondence be deleted from email inboxes and Microsoft Teams at the end of the meeting. He thanked members for their professionalism and conduct in this matter.

## **3. Declarations Of Interest**

3.1 Area Council members reviewed their register of interests and the chair asked members to declare any additions or amendments in relation to any organisations who are likely to be discussed at this meeting. The following declaration was increased from low to high risk conflict of loyalty:

[redacted]  
[redacted] [redacted under  
Commercial Interests)

3.2 In addition to the Register of Interests, members were asked to declare any general artform, genre or discipline interests. The following declarations were made:

Cllr John Reynolds  
Pawlet Brookes  
Pippa Frith

Multidisciplinary  
Dance, Heritage  
Contemporary,

Experimental	Visual Arts
Gary Topp	Music (inc. Music Education Hubs)
Jennifer McKie	Culture Education
Ayub Khan	Libraries, Museums & Archives
Emily Bowman	Children & Young People, Theatre, Music
Jaivant Patel	Dance, South Asian Arts, Heritage & Archives
Julie Finch	Museums
Tanya Raabe-Webber	Visual Arts, Learning Disability Arts, Creative Practice for Disabled individuals

#### 4. Context

- 4.1 Darren Henley, Chief Executive, Arts Council England thanked members and advising officers for the work and diligence they had put in to achieve the ambitions of Let's Create in order to increase investment across all areas, for more groups of people and for more communities. He said the proposed Midlands Area portfolio delivers very strongly on diversity and geography and the importance of museums and libraries and that the Midlands' proposed portfolio contributes enormously to the national picture.
- 4.2 Darren thanked members for their empathy around some of the more difficult decisions and changes in the proposed portfolio and confirmed that help, support and transition funding opportunities would be available to those organisations who are not in the portfolio.
- 4.3 Darren added that he and Sir Nick Serota, Chair, Arts Council England would be meeting with the Secretary of State for Digital, Culture, Media and Sport and the Minister for Arts in the near future to discuss the portfolio and their commitment to Levelling Up.
- 4.4 Darren concluded by saying that consistency of Area Council members into the next Investment round would be important.

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## **5. The Proposed Area Portfolio**

5.1 In response to a question, Rebecca Blackman, Director, Nottingham and Engagement and Audiences, said we understand that the Department for Education was looking at investing significant funds to support musical instruments for school children and that this included a focus on accessible instruments for a wide range of disabilities. She also understood that there were other national organisations, working at scale, undertaking activity to support access to musical instruments for disabled children. This was not the basis on which the decision was made but useful additional context.

5.2 He continued by giving an overview of the national picture and the proposed area portfolio of national organisations, highlighting some key facts and figures including the budget overview, Investment Portfolio Support Organisations (IPSOs), the overall Diversity picture, Geography, Children and Young People and Artform and Disciplines.

5.3 Members felt that IPSOs are very important organisations to have in the proposed portfolio as it is helpful to recognise the delivery of new resources and capacity. They were also interested to know if Arts Council England receives feedback from organisations that benefit from IPSOs. It was agreed to take this discussion to a future Area Council meeting.

5.4 Members felt that while the initial percentage of Diverse organisations in the proposed portfolio and level of investment looks disappointing, the longer term view is more positive.

5.5 Members accepted that their role as Midlands Area Council members is key to ensuring the portfolio represents the Midlands Area and country as a whole.

5.6 Peter then took members through the proposals which had been informed by the published criteria for creating a balanced portfolio of funded organisations and invited members to comment on the officers' recommendations.

5.7 In response to a question, Peter Knott confirmed that concerns around quality will be addressed in funding agreements.

5.8 Members welcomed the commitment to diversifying classical music and it was confirmed that outreach would be addressed in funding agreements.

### **LUNCH 13.30-13.55**

6. Decisions on applications up to and including £1,000,000

6.1 Area Council was asked to agree the funding recommendations for organisations that had applied for less than £1m in each year and agree recommendations to National Council on organisations which had applied for £1m a year or more in any one year.

Where an Area Council member had a conflict of interest with an application, the relevant member did not take part in the decision making.

- a) Jaivant Patel did not take part in the decision on the recommendation for Arena Theatre
- b) [REDACTED]  
[REDACTED] [redacted under Commercial Interests]
- c) Pippa Frith and Cllr John Reynolds did not take part in the decision on the recommendation for Birmingham City University
- d) Ayub Khan did not take part in the decision on the recommendation to National Council for Birmingham Repertory Theatre
- e) Thomas Wildish did not participate in the discussions on the recommendation to National Council around Birmingham Repertory Theatre
- f) Julie Finch did not take part in the decision on the recommendation for Compton Verney
- g) [REDACTED]  
[REDACTED] [redacted under Commercial Interests]
- h) Tanya Raabe-Webber did not take part in the decision on the recommendation for Disability Arts in Shropshire
- i) Jaivant Patel and Pippa Frith did not take part in the decision on the recommendation to National Council for FABRIC
- j) Pippa Frith did not take part in the decision on the recommendation for

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FIERCE! Festival

- k) Pippa Frith did not take part in the decision on the recommendation for Geese Theatre Company
- l) Jaivant Patel did not take part in the decision on the recommendation for Jaivant Patel Company CIC
- m) Pippa Frith did not take part in the decision on the recommendation for Lapworth Museum of Geology
- n) Peter Knott did not participate in the discussions around Leicester Theatre Trust Ltd
- o) Jennifer McKie did not take part in the decision on the recommendation for Lincolnshire County Council
- p) Jaivant Patel did not take part in the decision on the recommendation for Midlands Arts Centre
- q) [redacted]  
[redacted] [redacted under Commercial Interests]
- r) Mark Done did not participate in the discussions around People Express
- s) Thomas Wildish did not participate in the discussions around the recommendation to National Council for The Royal Shakespeare Company
- t) Tanya Raabe-Webber and Sarah Kennedy did not take part in the decision on the recommendation for Sense
- u) Pawlet Brookes did not take part in the decision on the recommendation for Serendipity
- v) Ayub Khan did not take part in the decision on the recommendation for Shakespeare Birthplace Trust
- w) [redacted]  
[redacted]  
[redacted] [redacted under Commercial Interests]
- x) [redacted]  
[redacted] [redacted under Commercial Interests]
- y) the chair handed the Committee chairmanship to Ayub Khan while a decision was made on recommendations for The University of Lincoln and Threshold Studios. Emily Bowman did not take part in the decision on the recommendation for Threshold Studios
- z) Liz Johnson did not participate in the discussions around University of Warwick
- aa) Ayub Khan did not take part in the decision on the recommendation for Warwickshire Libraries

bb) Jaivant Patel and Cllr John Reynolds did not take part in the decision on the recommendation for Wolverhampton City Council

6.2 One member formally noted the importance of one organisation understanding copyright and creativity issues and it was agreed that a separate discussion be had.

6.3 One member asked how National Portfolio organisations are monitored and it was noted that they are required to perform under their funding agreements and any risks are reported to Area Council members at routine meetings.

6.4 Members also noted that it will be made clear to organisations leaving the National Portfolio that transition funding is not automatic, but they will be eligible to apply for support funding.

6.5 Following full consideration and discussion the Midlands Area Council:

- (a) Agreed decisions on applications for less than £1m in each year, as set out in appendix A.
- (b) Agreed the Executive's recommendations to National Council for applications for £1m or more in any one year, as set out in appendix B
- (c) The decisions are listed in Appendix A and B at the end of this document.

*Appendices will not be published due to the risk of unsuccessful applicants being disclosed and in line with the requirements of Section 43 (2) of the Freedom of Information Act 2000 - 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, including the Arts Council itself.*

## **7. Communications**

7.1 Sharon Joinson, Head of Advocacy and Communications, Midlands outlined the communications plan and media opportunities, which will include notifying MPs and Local Authorities, and asked members to share any media contacts they have with her. Sharon agreed to a suggestion



by a member to contact local Universities for comments.

7.2 Members will be provided with material for sharing on social media platforms after the embargo date of 26 October 2022.

7.3 Members were also asked to alert Sharon Joinson or Peter Knott to any issues they become aware, before and after the announcements are in the public domain.

7.4 Members agreed that the Midlands has a very positive story to tell, particularly with regards to the diversity of the National Portfolio but to be mindful of those organisations for who it isn't so positive.

Ayub Khan left the meeting at 14.24.

Cllr John Reynolds left the meeting at 14.39.

7.5 Members discussed the need and value of culture against the current cost of living and agreed that the portfolio will offer a new set of voices to individuals audiences.

7.6 A member asked when they would be informed of organisations moving out of London (in the 3<sup>rd</sup> year of their funding agreement). This information will be shared when those organisations are known.

7.7 Members noted that the achievements of the Creative People and Places funding strand is an additional good news story to tell alongside the portfolio announcement.

7.8 In summary, members acknowledged that the external environment makes communications difficult but agreed the complexity of and integrity sitting behind this process is a key story for Arts Council England and Area Council members to tell.

8. **Minutes of the previous meeting held on 20 September 2022**

8.1 The minutes of the meeting held on 20 September 2022 were agreed as an accurate record.

9.

**Close meeting**

9.1 The meeting closed at 15.05