

Malmesbury Town Council
Town Hall and Facilities Committee meeting 11.11.20
Report No.4

Governance arrangements with Cinema / Movies@ Malmesbury

1. As part of the clarifying the new Facilities Officer role and duties, it has come to my attention an anomaly in respect of the governance arrangements for the Movies@malmesbury, particularly in relation to the film supply process.
2. To date as part of previous duties of the Town Hall Administrator, the postholder was asked to 'sign' the licensing agreement for 'movies@malmesbury'. This means a Council officer is signing for another organisation, which could lead to unclear accountability in respect of liabilities.
3. It's seems to me the agreement needs to be in Malmesbury Town Councils name, in which case the Town Clerk or a designated delegated officer could sign on behalf of Malmesbury Town Council, or if it is in 'Movies@malmesbury' 's name then it should be signed by someone of that organisation.
4. The current arrangement gives rise to a 'grey' area that exists in the cinema 'set up', which ideally should move to a clear agreement position. i.e. is it 'MTC Cinema', or 'Movies@malmesbury'. Currently all the liabilities lie with the Council.
5. On the assumption Movies@malmesbury does not have any formal governance structure to enable it to do this, this responsibility continues to falls to the Council by default.
6. From a Local Council governance perspective Movies@malmesbury as things stand, is by definition a Council operation/service (all be it with a with a public facing brand name) run under Section s145 of the Local Government Act
7. Alternatively, Movies@malmesbury could operate as an independent cinema operator, with the Council awarding financial support under section 137 of the Local Government Act, but they would need their own governance arrangements in place to enable this.
8. The Committee are asked to consider the matter, with a view to clarifying the governance issue, and instruct the Town Clerk accordingly.

Richard Spencer-Williams – Town Clerk