



## **National Campaign for the Arts (NCA)**

### **Response to the National Assembly for Wales' consultation on Cultural Duty**

Friday, 04 September 2009

#### **1. INTRODUCTION**

- 1.1** The NCA is the UK's only independent lobbying organisation representing all the arts. It provides a voice for the arts world in all its diversity. It seeks to safeguard, promote and develop the arts and win public and political recognition for the importance of the arts as a key element in our national culture.
- 1.2** The NCA welcomes the opportunity to respond to this consultation. This consultation response has been informed by NCA's individual and organisational members.

#### **2. GENERAL PRINCIPLE**

- 2.1** The NCA welcomes the move by the Assembly Government to acquire legislative competency in this area. Given that culture at a national level is within the Assembly's jurisdiction we believe that allowing the Assembly to influence cultural provision at a local level will allow for better strategic planning and raise the arts and culture up the local government agenda.
- 2.2** The NCA notes that its recently published Arts Manifesto calls on all national governments to require local authorities to: "address culture and the arts within their local strategic plans and to prioritise the provision of arts and culture in spatial planning policy". The manifesto was informed by a nationwide consultation of artists and arts organisations. We believe that this LCO will provide a useful starting point for the Assembly Government in realising the sector's ambition.
- 2.3** We further believe that the LCO is essential for the Assembly Government to realise its own ambition in relation to culture in Wales (as outlined in *One Wales*). In particular the NCA fully supports the Assembly Government's aim to widen participation in the full range of arts, cultural, sport and recreational activities.
- 2.4** The NCA recognises that local authorities play a crucial role in supporting and providing cultural opportunities for the communities they serve therefore the move by the Assembly Government would seem sensible in order to raise the level of provision and opportunity across Wales.
- 2.4.1** The NCA is, however, concerned that the proposed powers might result in a one-size-fits-all approach to cultural delivery which we believe would be detrimental to the arts and culture in Wales.

- 2.4.2 We are also concerned that this approach may lead to a lowering of cultural provision and opportunity in some areas as a result of the Statutory Duty being seen as a minimum standard for provision.
- 2.4.3 The NCA is pleased to note that section 16 of the Assembly Government's Memorandum on the proposed order states that: "there is a need to preserve the local flexibility of local authorities to determine and meet the cultural service needs of their own communities." and: "There is also a need to ensure that a statutory duty does not create a minimum standard which could have the unwanted negative impact of lowering provision in some areas." We note, however, that there are no proposals from the Assembly Government as to how these concerns will be met and recommend that these issues should be further explored as a matter of immediate priority, and that the Assembly Government commit to monitoring the impact of the LCO to ensure these concerns are addressed.

### **3. TERMS OF THE PROPOSED ORDER**

- 3.1 The NCA believes that the terms of the proposed order are adequately drawn to ensure the achievement of the Assembly Government's stated aims.

### **4. SPECIFIC EXCLUSIONS**

- 4.1 The NCA has no objection to the specific exclusions listed.

### **5. CONCLUSION**

- 5.1 The NCA supports the Assembly Government's desire to improve cultural provision, opportunity and participation in Wales.
- 5.2 The NCA further supports the Welsh Assembly Government's desire to impose a statutory duty on local authorities subject to satisfactory safeguards for authority's ability to act flexibly to meet the need of their communities and to prevent authorities using the duty as a minimum standard.
- 5.3 The NCA would welcome the opportunity to give oral evidence to the committee.

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