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Pwyllgor Diwylliant, Cyfathrebu, y
Gymraeg, Chwaraeon, a Chysylltiadau
Rhyngwladol | Culture, Communications,
Welsh Language, Sport, International
Relations Committee

Comiswn Brenhinol Henebion Cymru
**Royal Commission on the Ancient and
Historical Monuments of Wales**

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21 October 2024

Annwyl Gadeirydd,

I am writing in follow up to the Senedd hearing by the Culture, Communications, Welsh Language, Sport and International Relations Committee on 9 October. Once again, I apologise for not having been able to join you on the day but was grateful to my Vice Chair, Hayley Roberts, for joining the Secretary to represent the Royal Commission.

Having read the transcript of the discussion, I would like to offer some further thoughts around two of the topics raised, if I may. If possible, I would be grateful if this letter could be included as an addendum to the transcript, or reflected in the Culture Committee's final report.

Charitable status

The Royal Commission is not a UK Registered Charity. Legal advice was sought in 2016 as to whether it would be possible for the Commission to seek charitable status but we were advised that it would prove difficult to register the Royal Commission itself as a charity, owing to our constitutional status under our Royal Warrant. In 2017 we explored the option of establishing a separate Charitable Incorporated Organisation (CIO) to act as a fundraising vehicle for the Royal Commission, but the degree of control which was likely to be retained by the Commission, even with an independent Chair and majority of Trustees, did not meet the Charity Commission's requirements for the charity to be fully autonomous. The restricted and exclusive beneficiaries of the CIO's work was also felt to support the Charity Commission's view that the charity would be directly controlled. At this time it was agreed with Welsh Government to hold off from pursuing the establishment of a CIO.

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg | Correspondence welcomed in Welsh and English

Our success in securing European and other public funding for our work, notably the CHERISH project which ran between January 2017 and June 2023, meant that our need to attract philanthropic funding diminished. Early in 2023 however the Royal Commission began again to explore opportunities to engage with charitable trusts and foundations but in early approaches to funders including The Garfield Weston Foundation and The Wolfson Foundation, our status was still a barrier to success. Given that the view of the law firm we engaged in 2017 was that the Commission's purpose was charitable, we proposed to Welsh Government that in light of this the Royal Commission could be considered as an 'exempt' organisation. Under the Charity Commission's Guidance on Exempt Charities (CC23) we would be exempt from registration with, and oversight by, the Charity Commission for England and Wales under the heading of "Museums, galleries and other institutions of national importance". Currently however, there are no such institutions registered as exempt charities in Wales, only in England. In order to achieve this status in Wales, we would need Welsh Government to act as 'principal regulator', but in 2023 we were advised that Welsh Government only act in this capacity for further education corporations and foundation schools. Technically we believe Welsh Ministers could act as a principal regulator for the Royal Commission, but there is no precedent for them to do so for cultural institutions. The key benefit of achieving exempt charity status would be to enable the Royal Commission to apply for philanthropic funding from a larger pool of charitable trusts and foundations, who require their beneficiaries to be either a UK Registered Charity or an exempt charity. The Royal Commission undertook to explore the potential funding sources that would be open to us as an exempt charity and the quantum of funding this might unlock, but a lack of capacity since late 2023 has prevented us from taking this work forward.

Cadw governance review

The purpose of the review underway to examine the working relationship between Cadw and the Royal Commission is to establish arrangements which sustain those areas of work where both organisations have a clear collective interest. It aims to deliver a solution which has the Welsh historic environment at its heart. The review has not been established to identify cost-savings through redundancies nor the closure of the Royal Commission's Aberystwyth office and nationally important archive facility. Instead it is exploring ways in which both Cadw and the Royal Commission can best deliver their responsibilities to Wales's historic environment collectively, and in a sustainable manner, identifying and building on the centres of excellence and expertise that exist within both organisations, and ensuring they are provided with the clarity of purpose to operate effectively into the future.

I am grateful to you for your consideration of these additional points, which I would have raised and reinforced if I had been able to join the hearing.

Yn gywir,



Caroline Crewe-Read
Cadeirydd Dros Dro | Acting Chair

