Funding Agreement between Colchester Borough Council and

Colchester Arts Centre

1.0 Introduction

- 1.1 Colchester's vibrant cultural scene is one of the town's unique selling points, and something that Colchester Borough Council (CBC) is keen to support and sustain. Colchester Arts Centre, firstsite and the Mercury Theatre are central to this, providing the leadership, capacity, creativity and innovative programmes of delivery to make Colchester a great place to live, learn, work and visit.
- 1.2 The Council provides core revenue grants to these organisations, because they deliver on the Council's Strategic Plan, in particular they are fundamental to supporting delivery of the Creative Colchester Strategy and Action Plan which is a detailed delivery framework for promoting and enhancing the arts in the local economy. In line with the Creative Colchester strategy, the Council continues to work with regional partners to align policy and funding to help deliver key economic and social outcomes through investing in development of the arts.
- 1.3 As part of the Council's commitment to transparency, quality and performance management systems, the arts organisations that receive CBC funding must set out clear objectives and provide performance and sector data so that the service that is provided through partnership working can be measured, evaluated and improved. This document defines the performance targets and monitoring process, and confirms the funding amounts currently agreed.
- 1.4 Colchester Arts Centre is one of three arts organisations strategically-funded by CBC. In 2014 the Arts Centre was successful in their bid to the Arts Council for continued National Portfolio Organisation funding from April 2015. Therefore, the 2015-16 funding agreement with CBC will focus on the Arts Centre's work towards the goals as set out in its bid, as well as the key areas of performance and delivery required by CBC.

2.0 Scope and Financial Arrangements

- 2.1 Between 1 April 2015 and 31 March 2016 the Council will fund Colchester Arts Centre to the amount of £63,650. This funding was agreed by the Cabinet and full Council in line with the budget strategy to support the core operations of the organisation as set out in the business and operations plan and to meet the targets for performance set out in section 9 of this Agreement.
- 2.2 Upon signature of this Agreement, the Council will release the funding in quarterly instalments.
- 2.3 Any financial investment that the Council needs to make under its obligations as the lease holder of the building is deemed to be outside of this agreement.

However, any tenant responsibilities that Colchester Arts Centre Theatre holds are considered to be within this agreement.

- 2.4 On signing this Agreement, the Arts Centre recognises that it is in receipt of public funding and accepts responsibility for showing proof of eligibility, meetings the targets for performance, and collecting qualitative and quantitative performance data to provide evidence of the service standards. The Arts Centre also agrees to provide available sector data to assist with monitoring and performance assessment.
- 2.5 Where appropriate and possible within current resources, Colchester Borough Council will provide non-financial support to the Arts Centre where it seeks to develop additional services that contribute towards meeting the Council's strategic priorities. If these additional services are developed to a point that requires additional funding, the Arts Centre may request such funding formally, and the Council may issue a separate funding agreement if applicable. If this circumstance arises, the services will be deemed to fall outside of this agreement.

3.0 Eligibility and Criteria for Acceptance

- 3.1 In order to be eligible for funding the Arts Centre must supply evidence to demonstrate that it is:
 - a. Properly constituted
 - b. Financially viable
 - c. Able to manage its work effectively, monitor and manage risk, and seek necessary professional financial, legal and insurance advice
 - d. Operating with effective policies and procedures in equal opportunities, health and safety, equality and diversity, access, and protection of children, young people and vulnerable adults.
 - e. Delivering on the current strategic priorities of the Council.

4.0 **Performance monitoring framework**

- 4.1 The Arts Centre must submit an up to date Business Plan and operations information to CBC, including a budget to cover the same period as the funding agreement and a copy of the audited accounts from 2015-16.
- 4.2 As a minimum throughout the term of the agreement, the Arts Centre must submit quarterly budget reports and invite a Council representative to observe two Board meetings. The organisation will also participate in two bi-annual review meetings, as outlined below.
- 4.3 At the end of the agreement period, the organisation must provide audited accounts and submit performance data to evidence the organisation's turnover, audience and participation levels as well as contribution to the Council's strategic priorities.

5.0 Bi-annual review process

- 5.1 A review meeting will take place between Colchester Borough Council and Colchester Arts Centre twice in the period of the agreement. The meetings shall be attended by the relevant officer(s) of the Council and Executive staff of the Arts Centre.
- 5.2 The Portfolio Holder and Arts Centre Management may be asked to sit before a Scrutiny Panel to monitor performance and achievements. As such, the biannual review process should be seen as an opportunity to ensure that the Portfolio Holder can evidence performance within their area of responsibility.

6.0 Acknowledgement of funding

- 6.1 Colchester Arts Centre will acknowledge its financial assistance from CBC in all marketing and communication materials in print, electronic, broadcast and other formats.
- 6.2 The organisation is asked to specify particular steps that it will take within the period of this Agreement to promote the support that it receives from the Council in Section 9.

7.0 General conditions

- 7.1 The funding provided under this agreement may not be assigned to any other person, association or company other than in the course of delivering the Business Plan and agreed performance targets.
- 7.2 This agreement does not constitute the Colchester Arts Centre as an agent of the Council or otherwise make the Council liable to any person who may take proceedings against the Theatre.
- 7.3 The Council reserves the right to nominate annually a councillor to be a director on the Colchester Arts Centre Board.
- 7.4 The Council should be consulted where any change or development in the direction of the organisation's affairs might affect this Agreement.
- 7.5 Funds will be repayable in full to the Council in the event of any of the following:
 - i. Misuse of payment received from the Council by Colchester Arts Centre
 - ii. A breach of the law by Colchester Arts Centre
 - iii. Petitioning the court for the appointment of an administrator
 - iv. Having a receiver appointed over all or any part of the Arts Centre's assets
 - v. Being the subject of a petition or resolution for the Arts Centre's 'winding up'

8.0 Breach in agreement

8.1 In the event of either the Council or Colchester Arts Centre's notifying the other in writing of a breach in this agreement, the parties shall meet to discuss the alleged breach within 21 days.

8.2 Both the Council and the Colchester Arts Centre agree that they have an equal responsibility to reach a practical and reasonable solution to the breach, but if after 12 weeks a solution has not been agreed then the parties mutually agree to arbitration.

9.0 Specification of performance targets

- 9.1 The specification of performance targets is developed collaboratively between the Council and your organisation. The information provided here substantiates the Council's decision to invest public funds and helps to strengthen the partnership delivery model.
- 9.2 The information is set out in line with the Strategic Plan to help to convey to Members, officers and partners how the Council's financial support is an effective and efficient way to deliver services to meet local identified needs.

9.3 Performance/Programme Overview

Target	Outputs/Report
Colchester Arts Centre will promote,	International work presented by
present and nurture artistic talent.	Reverend Billy and The Church of
Through a combination of curatorial	Stop Shopping Gospel Choir from
expertise, outstanding production values	the USA, theatre from Freedom
and straightforward commercial nous it	Theatre (West Bank, Palestine),
will act as a home for artists, a breeding	performance work from Canada's
ground for artistic ambition and	The Chop Theatre, and music
innovation, and a platform for local,	from international artists Lubomyr
national and international talent. In line	Melnyk (Ukraine) and Massar
with CBC's Strategic Plan, with its broad	Egbari (Egypt).
ranging and risk-taking performance	
programme Colchester Arts Centre will	We partnered with Firstsite to
seek to inspire and nurture creativity in	produce their hugely successful
the local community, inspiring artists	relaunch night in June 2015.
already on the path and encouraging	
others to embrace their creativity.	Eight jazz performances delivered,
	with a reinvigorated programme
Target: In 2015/16 we will present:	led by a former member of
Four pieces of international work.	Colchester Jazz Club.
One major partnership project.	Performances on the first Sunday
Eight jazz performances	of every month and occasional
Forty Folk gigs	one-offs. Artists included the Tom
Sixteen Rock / Indie / Pop gigs	Harrison Quartet, Alec Dankworth
Forty Comedy Shows	and Deirdre Cartwright. A
Thirty-two shows specifically for	successful relaunch night featuring
children.	John Etheridge, Anita Wardell &
Six World Music performances.	Robin Aspland and the Reg Webb
Six Film screenings	Trio played to a sold out crowd.
 Six Experimental Music Performances 	
	The thriving Monday Folk Club
	programme continues, hosted by
	Colchester Folk Club. 40 shows

	took place, including highlights outside of the regular programme from big names such as Fairport Convention, Sharon Shannon and Maddy Prior.
	49 Indie / rock artists represented across the spectrum, with up and coming artists such as Fickle Friends and Eliza vs The Bear alongside established names like Turin Brakes, The Levellers and Don Broco.
	61 comedy shows delivered, with a slew of up and coming names appearing for the first time in Colchester, and sold out shows from household names such as Omid Djalili, Dave Gorman, Jeremy Hardy, Sean Lock and more.
	29 Childrens' shows delivered, with popular theatre shows represented alongside more ambitious work encompassing a multitude of artforms including dance, music, puppetry and mime.
	Five World Music performances, including Tim Kliphuis, Acid Mothers Temple, Islam Chipsy and Seckou Keita.
	Six film nights delivered: Buster Keaton Night, Still The Enemy Within, Cowspiracy, White Shadow and The Dinner Party Revisited.
	Experimental music performances from Macgillivray, United Bible Studies, Goodiepal, Guillaume Gargaud, Justice Yeldham and Solstafir.
Wonderful Wednesdays – the flagship part of our programme – where we present innovative, new, exciting, cutting edge and perhaps "experimental" work in	30 performances delivered, featuring artists working in a variety of fields ranging from dance, live art, theatre, installation and spoken word. Hugely

the most accessible fashion. Admission is by Pay What You Can Afford – anything from £0 (nothing) to £15. This encourages "risk-taking" in taking a chance on trying something they may not have experienced before, being affordable for anyone whatever their income. Target: 30 performances in the funding period under	encouraging attendances thanks to the popular Pay What You Can Afford structure. Average attendance of 60 over the funding period (full capacity is 80).
A dedicated programme of Childrens' Shows and Workshops – programmed by a dedicated booker with specialist knowledge. All show tickets kept at a low affordable price of £4.95. Target: 32 Shows and 10 workshops.	A very successful programme with many shows sold out and regular attendances of 80+ (capacity 150). A pleasing variety of shows going far beyond the regular theatre / panto offer. Very accessible pricing with a low baseline ticket price and discounts for families on some shows. Summertime workshops with Arts Award accreditation delivered.

9.4 Community and Audience Development

Target	Outputs/Report
 Community Events – we commit to program a number of events focusing on the talents of the local community including: A Variety Night in Aid of the Mayor's Charities Colchester's Got Talent Sixth Form College Battle of the Bands A Christmas Cracker Variety Night 	Variety Night postponed in 2015 / 16 due to Director's commitments to management of firstsite. Returning in 2016 / 17. Colchester's Got Talent delivered for a second successful occasion. Sixth Form College Battle of the Bands delivered, with four acts fighting for the title. A successful Frock Swap event at which members of the community can trade and recycle their unwanted clothing. A successful Teddy Bear's Concert at which children aged 5 to 11 and their families enjoyed a relaxed afternoon orchestral concert. Christmas Cracker variety Night
	postponed due to scheduling conflicts.
Increase known audience attendance from 48,003 (2014 /15) to 50,403.	Figures down: 41774
Increase online audience figures by 5% by the end of the funding agreement.	Targets met and significantly surpassed:
This to include the Colchester Arts Centre website and our social media	Number of website Unique Browsers: 115,443

platforms.	
la ses e such site i la inve Dasses an	Website Page Impressions: 700,419
Increase website Unique Browsers 98,877 to 103,820.	Website Visits: 266,849
 Increase number of website page impressions from 634,714 to 666,449. 	Facebook fans: 6970
 Increase number of website visits from 234,037 to 245,738. 	Twitter followers: 9766
Increase Facebook fans from 4133 to 4339.	
Increase Twitter followers from 6180 to 6489.	
The Watching Club – In partnership with our associate artists we will create a group of audience members and nurture	Initiative postponed due to lack of resources.
a closer and more intimate relationship between the arts centre and this group. The Watching Club will be invited to experience the full breadth of the	Audience surveys carried out by volunteer conducting face to face interviews on the night during the Wonderful Wednesdays season.
programme – from Farmers Markets to Wonderful Wednesdays. This will help us to better understand the needs of our audience, as well as provide crucial feedback on the quality of our offer:	Ever increasing volunteer force invited to pass on feedback, either by word of mouth or by email.
Group to be in place by October 2015.	Childrens' programme – written feedback invited at end of each show.
 Group will visit one event per calendar month for the duration of the funding period. 	We have provided in kind support to the FUEL theatre group, which meets to discuss the creative content of work at the arts centre and other venues.
 The Audience Finder & The Audience Agency – We undertake to sign up to the Audience Finder by April 2016, and work with The Audience Agency to share information and develop strategies across a regional cluster across the following strands: Identifying and understanding the demographic profile of participating organisations' audiences 	We are fully signed up to the Audience Finder, and are now sharing detailed anonymised data with a Colchester Cluster of organisations, including the Mercury Theatre, Minories and firstsite. We have joined an additional cluster working with venues further afield to further understand demographics around our performance work.
 Understanding the overall patterns of cultural attendance in Colchester and the crossover between venues and organisations Building a picture of Colchester's demographic landscape; with a focus on how different demographic groups engage with 	

the arts	
 understanding audiences' 	
behaviour and their different	
motivations to engage	
 identifying and understanding the 	
place making and cultural tourism	
impacts of participating	
organisations	
 Audience loyalty and levels of 	
deeper engagement through	
friends and membership	
schemes.	
Membership Scheme:	Current numbers 95. The scheme is being
Increase our membership from 107 to	revamped into a more targeted and
150 by the end of the funding period.	potentially lucrative offer in 16 / 17.

9.5. Governance and Management

Target	Outputs/Report
Arts Centre Board:	Eliza O'Toole appointed.
Appointment of new board member(s)	
with fundraising skills	
CBC representation:	Cllr Julia Havis appointed.
Agree a formalised procedure for CBC to	
attend Board meetings.	

9.6. Diversity

Target	Outputs/Report
 Accessible Shows – we will program specific performances made accessible to people with disabilities, beyond our regular venue accessibility offer. Target: two relaxed performances an audio described performance a number of BSL interpreted performances. 	Relaxed performances from Frozen Light (2 shows, both sold out), 2 Relaxed orchestral concerts with Orchestras Live (with "try an instrument" sessions), and Goblin Theatre. British Sign language interpretation at four shows.
	8 Audio Described performances
Increase Diversity of Artistic Programme – encouraging diversity to permeate all levels of the organisation, not just within the staff. Target: work with 6 artists with disabilities during the term of the funding agreement.	Artists presented included Katherine Araniello (The Dinner Party Revisited) and The Vacuum Cleaner (Mental).
 Staff Training – to be ongoing and not merely introductory. Target: Disability Awareness Training for all staff at all levels of the organisation on an annual basis. 	PMLD training for Box Office staff. Autism Awareness training for all staff, with representatives from Firstsite also attending.

Mystery Shoppers – we have made contact with representatives of Fair Access For Colchester to send people with disabilities to attend our performances, testing our accessibility systems from booking through to the end of the performance. Target: Mystery Shoppers to attend 10 events in the funding period, to include a spread across all art forms.	2 events attended. It has been difficult to engage members of the group to attend a spread of shows, possibly due to lack of interest and / or availability. With our principal contact at Fair Access To Colchester leaving, we are exploring other organisations to take this forward.
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9.7. Young People

Target	Outputs/Report
Improve Ticket price concessions to students in full time education: Target: Difference in price is generally £1 or similar. Expand this to a minimum £2 discount across all events by the end of the funding period.	The £2 differential is in place across the majority of events. Barriers particularly in rock / indie gigs where agents will not countenance a concessionary rate. We continue to push the issue – perhaps this is an area in which we can initiate a change in culture. We are offering larger discounts at particularly appropriate events, e.g. Jeremy Hardy, Owen Jones.
 Schools Rock Prom / On For 2015 – These are dedicated events for young local bands, giving emerging talent a taste of what it's like to perform in a fully professional venue. Target: One Rock Prom One On For 2016 Local Band showcase 	Rock prom delivered 25.02.16. featuring representatives from three Colchester schools. On For 2016 delivered, featuring a record number of applicants. Over 200 attenders came to see 12 local acts, most of whom were playing the arts centre for the first time.

9.8. Older People

Target	Outputs/Report
Concessions to over 60s / those in receipt of state pension: Target: Difference in price is generally £1 or similar. Expand this to a minimum £2 discount across all events by the end of the funding period.	In place across the Folk and Jazz programme, and much of comedy. Looking at same for rock / indie gigs.
Programming – We aim to programme events of particular interest to older people – Talks (such as Henry "The Potaholic" Sandon from Antiques Roadshow), and the recent intergenerational project from Drake Music in which young people presented an afternoon choral concert to care home residents. Target: Minimum 5 in the funding period.	Events programmed: Henry Sandon of Antiques Roadshow Christine Bovill's Piaf (Jazz) Eduardo Martin & Ahmed Dickinson (Classical) Pip Utton: Casanova In Love (Theatre) Passion To Sing (Music) 2 x Warm & Toasty Clubs

9.9. Job Creation, sector skills development and	contribution to the local economy
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Target	Outputs/Report
 Chamber of Commerce – We have joined in order to forge closer links with local business through sponsorship opportunities and or possible partnerships. Target: Produce a commercial sponsorship brochure. CAC Representative to attend 4 networking events per year. 	Commercial sponsorship brochure produced. 4 networking events attended in the period.
Volunteers – Volunteering, whilst hugely aiding the operation of the arts centre, also provides a valuable opportunity for work experience and skills development. Target: Increase volunteer numbers by 10% by the end of the funding period.	Number of volunteers increased from 20 to 56. One volunteer has gone on to join the staff as a paid bar supervisor. Volunteer offer greatly bolstered by a re- invigorated system featuring regular socials, clear benefits, regular recruitment drives and "thank you" nights, publicity print, social media groups and email bulletins.

9.10. Environmental and Economic Sustainability

Target	Outputs/Report
Farmers Markets – in partnership with En Form we will hold 11 monthly Farmers Markets during the funding period, offering a wide range of locally sourced produce.	Delivered. Looking at ways to assist organisers En-Form to further promote the markets.
Julie's Bicycle – we will work with this organisation to establish measurement data for use in setting SMART targets.	Continued inputting of data to monitor outputs.
Waste Management – regular review of best practice: we commit to constant monitoring of cost effectiveness and green credentials.	Discussed at length in monthly Green Team meetings, alongside establishing environmental sensibilities across all aspects of the organisation.

9.11. What are your particular plans to promote the support that the Council provides during the period of the agreement?

We acknowledge CBC funding support in our quarterly Events Guide, distributed across the Borough and direct mailed to approximately 13,000 mailing list subscribers.

Funding acknowledgement on website and through social media via re-tweets, facebook reposts etc.

Looking at certain flagship events at which to highlight CBC funding, such as the On For 2016 local bands all dayer, Childrens' Workshops etc.

9.12. Please outline the way in which your organisation meets local, regional and national strategies.

Local

We contribute to CBC's Strategic Plan across the four highlighted areas:

Vibrant

Colchester Arts Centre enhances the retail mix of the town by hosting Farmers Markets, Art Fairs and other independent trade events, and the leisure mix through the dynamic eclecticism of our events programme. It contributes to a sense of community through its involvement in "grassroots" projects (Annual Variety Night, The Warm & Toasty Club, hosting the long-standing independent Colchester Folk Club...), contributing to the artistic community of the town through collaborations with other venues (space hire, collaborative projects, provision of rehearsal space) and helping to empower people with disabilities through its strong emphasis on accessibility that permeates all levels of the organisation.

Prosperous

Colchester Arts Centre supports its employees through professional development programmes and on spec training when required. The venue has been the starting point for many high-achieving professionals who have gone on to work on projects such as the Latitude Festival, international tour bookers The Agency Group and Live Nation, and progress to senior positions at other nationally recognised arts institutions. Colchester Arts Centre plays a full part in providing work experience for under 18s, and has participated in the recent Creative Apprenticeships scheme.

Thriving

Promoting Colchester's history and heritage through our Heritage Open Days. The venue recognises it is fortunate to be housed in such a historic building that is of considerable interest to many visitors, including those from overseas and visitors are welcome to view the space whenever circumstances will allow. Providing young people opportunities to make the best of their potential, via the provision of participation of events like the Schools Rock Prom, On For 2016 Local Bands showcase, and in the earlier years through our Kids Workshops and Arts Award qualification sessions. The arts centre cares about its environs with regular litter picks and the recent cultivation of new gardens in the entrance area.

Welcoming

For Colchester Arts Centre, accessibility runs through the organisation and is an agenda item at every meeting. The venue has a can-do attitude to accommodate all requests. The performance programme aims to be accessible and inclusive. We are listening to the views of our customers with disabilities through our Mystery Shopper sessions. Equal Opportunities is enshrined at the core of the organisation.

Regional

We are a leading and indeed founder member of the South East Disability Action Group

National

We respond to the targets as laid out within the Arts Council's "Great Art & Culture For Everyone" Ten Year Strategic Framework. We are working and delivering on three of the five

stated goals:

Everyone has the opportunity to experience and be inspired by the arts, museums and libraries

Building on our already strong audience, broadening our reach, penetrating areas of low engagement and extending and enhancing our appeal and cultural offer to communities.

Excellence is thriving and celebrated in the arts, museums and libraries Delivering a cohesive and dynamic arts provision across a multitude of platforms, interventions and scenarios.

Every child and young person has the opportunity to experience the richness of the arts, museums and libraries

Developing a rich programme of events for those in the 3 to 16 yrs age range. Partnership working with educational and schools networks. Targeted projects for deaf and disabled children. Partnership working Bridge and Essex Music Hub. A Summer Festival with Arts Award Accreditation. Engagement with Schools Artsmark Award. Commissioning of new work.

11.0 Acceptance

11.1 Upon signing this agreement, the organisation agrees to the terms and conditions of funding and use reasonable endeavours to meet the performance targets and monitoring framework that have been outlined above.

On behalf of Colchester Arts Centre

Signed (Director)

Name (please print)

On behalf of Colchester Arts Centre

Signed(Chair of the Board)

Name (please print)

On behalf of Colchester Borough Council

Signed (Portfolio Holder)

Name (please print)

On behalf of Colchester Borough Council

Signed (Officer)

Name (please print)