

# Scrutiny Panel Meeting

**Online Meeting,  
Thursday, 18 March 2021 at 18:00**

**The Scrutiny Panel** examines the policies and strategies from a borough-wide perspective and ensure the actions of the Cabinet accord with the Council's policies and budget. The Panel reviews corporate strategies that form the Council's Strategic Plan, Council partnerships and the Council's budgetary guidelines, and scrutinises Cabinet or Portfolio Holder decisions which have been called in.



## Information for Members of the Public

### Access to information and meetings

You have the right to observe all meetings of the Council, its Committees and Cabinet including those which may be conducted online such as by live audio or video broadcast / webcast. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published. Dates of the meetings are available here:

<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

Occasionally certain issues, for instance, commercially sensitive information or details concerning an individual have to be considered in private. When this is the case an announcement will be made, the live broadcast will end and the meeting will be moved to consider the matter in private.

### Have Your Say!

The Council welcomes contributions in the form of verbal or written representations from members of the public at most public meetings. Each representation may be no longer than three minutes (or 500 words, if a written submission). Written submissions must be submitted via Democratic Services ([democratic.services@colchester.gov.uk](mailto:democratic.services@colchester.gov.uk)) before noon on the working day before the meeting date. If you wish to speak in person to the Panel, you must register your wish by noon on the previous working day, by emailing [democratic.services@colchester.gov.uk](mailto:democratic.services@colchester.gov.uk), and include a written copy of what you wish to say, in case technical difficulties prevent you joining the meeting. The Chairman will invite members of the public to make their representations at the start of the meeting.

If you would like to submit representations to a meeting and need to find out more, please refer to the Have Your Say! arrangements here:

<https://colchester.cmis.uk.com/colchester/HaveYourSay.aspx>.

E-mail: [democratic.services@colchester.gov.uk](mailto:democratic.services@colchester.gov.uk)  
[www.colchester.gov.uk](http://www.colchester.gov.uk)

## Scrutiny Panel – Terms of Reference

1. To fulfil all the functions of an overview and scrutiny committee under section 9F of the Local Government Act 2000 (as amended by the Localism Act 2011) and in particular (but not limited to):

- (a) To review corporate strategies;
- (b) To ensure that actions of the Cabinet accord with the policies and budget of the Council;
- (c) To monitor and scrutinise the financial performance of the Council, performance reporting and to make recommendations to the Cabinet particularly in relation to annual revenue and capital guidelines, bids and submissions;
- (d) To review the Council's spending proposals to the policy priorities and review progress towards achieving those priorities against the Strategic and Implementation Plans;
- (e) To review the financial performance of the Council and to make recommendations to the Cabinet in relation to financial outturns, revenue and capital expenditure monitors;
- (f) To review or scrutinise executive decisions made by Cabinet, the North Essex Parking Partnership Joint Committee (in relation to decisions relating to off-street matters only) and the Colchester and Ipswich Joint Museums Committee which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;
- (g) To review or scrutinise executive decisions made by Portfolio Holders and officers taking key decisions which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;
- (h) To monitor the effectiveness and application of the Call-In Procedure, to report on the number and reasons for Call-In and to make recommendations to the Council on any changes required to ensure the efficient and effective operation of the process;
- (i) To review or scrutinise decisions made, or other action taken, in connection with the discharge of functions which are not the responsibility of the Cabinet;
- (j) At the request of the Cabinet, to make decisions about the priority of referrals made in the event of the volume of reports to the Cabinet or creating difficulty for the management of Cabinet business or jeopardising the efficient running of Council business;

2. To fulfil all the functions of the Council's designated Crime and Disorder Committee ("the Committee") under the Police and Justice Act 2006 and in particular (but not limited to):

- (a) To review and scrutinise decisions made, or other action taken, in connection with the discharge of those functions by the responsible authorities of their crime and disorder functions;
- (b) To make reports and recommendations to the Council or the Cabinet with respect to the discharge of those functions.

**COLCHESTER BOROUGH COUNCIL**  
**Scrutiny Panel**  
**Thursday, 18 March 2021 at 18:00**

**The Scrutiny Panel Members are:**

Councillor Kevin Bentley  
Councillor Lewis Barber  
Councillor Tina Bourne  
Councillor Paul Dundas  
Councillor Chris Hayter  
Councillor Mike Hogg  
Councillor Sam McCarthy  
Councillor Lorcan Whitehead

Chairman  
Deputy Chairman

**The Scrutiny Panel Substitute Members are:**

All members of the Council who are not Cabinet members or members of this Panel.

**AGENDA**  
**THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING**  
**(Part A - open to the public)**

**Please note that Agenda items 1 to 5 are normally dealt with briefly.**

**Live Broadcast**

Please follow this link to watch the meeting live on YouTube:

[\(107\) ColchesterCBC - YouTube](#)

**1 Welcome and Announcements (Virtual Meetings)**

The Chairman will welcome members of the public and Councillors to the meeting and remind those participating to mute their microphones when not talking. The Chairman will invite all Councillors and Officers participating in the meeting to introduce themselves. The Chairman will, at regular intervals, ask Councillors to indicate if they wish to speak or ask a question and Councillors will be invited to speak in turn by the Chairman. A vote on each item of business will be taken by roll call of each Councillor and the outcome of each vote will be confirmed by the Democratic Services Officer.

**2 Substitutions**

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

**3 Urgent Items**

The Chairman will announce if there is any item not on the published agenda which will be considered because it is urgent and will explain the reason for the urgency.

**4 Declarations of Interest**

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other pecuniary interest or non-pecuniary interest.

**5 Minutes of Previous Meeting**

There are no minutes to approve at this meeting.

**6 Have Your Say! (Virtual Meetings)**

Members of the public may make representations to the meeting. Each representation may be no longer than three minutes (500 words). Members of the public may register their wish to address the meeting by registering online by 12.00 noon on the working day before the meeting date. In addition a written copy of the representation will need to be supplied for use in the event of unforeseen technical difficulties preventing participation at the meeting itself.

**7 Decisions taken under special urgency provisions**

The Councillors will consider any decisions by the Cabinet or a Portfolio Holder which have been taken under Special Urgency provisions.

**8 Cabinet or Portfolio Holder Decisions called in for Review**

The Councillors will consider any Cabinet or Portfolio Holder decisions called in for review.

**9 Items requested by members of the Panel and other Members**

(a) To evaluate requests by members of the Panel for an item relevant to the Panel's functions to be considered.

(b) To evaluate requests by other members of the Council for an item relevant to the Panel's functions to be considered.

***Members of the panel may use agenda item 'a' (all other members will use agenda item 'b') as the appropriate route for referring a 'local government matter' in the context of***

***the Councillor Call for Action to the panel. Please refer to the panel's terms of reference for further procedural arrangements.***

- 10     **Review of the impact of the Covid 19 pandemic on Colchester Borough Council's Strategic Arts Partners: The Mercury Theatre, Colchester Arts Centre and Firstsite**     9 - 82
- A review of the impact of the Covid 19 pandemic on the organisations in receipt of a Strategic Arts Grant from the Council: The Mercury Theatre, Colchester Arts Centre and Firstsite.
- 11     **Colchester Borough Homes Performance Targets 2021/22**     83 - 92
- This report presents the set of performance targets which Colchester Borough Homes (CBH) will be accountable to in 2021/22. This set of performance indicators was agreed with CBH as part of their Medium-Term Delivery Plan (MTDP) 2018 to 2022, which in turn forms part of their Management Agreement with the Council. This report is being brought to provide the Scrutiny Panel with greater detail on how the MTDP targets are set and the role they play in performance management of CBH.
- 12     **Corporate Key Performance Indicator Targets for 2021-2022**     93 - 114
- The Panel is invited to consider the Corporate Key Performance Indicator (KPI) Targets for 2021-2022.
- 13     **Exclusion of the Public (Scrutiny)**
- In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

**Part B**  
**(not open to the public including the press)**





18 March 2021

Report of	Assistant Director Communities	Author	Claire Taylor ☎ 282655
Title	Review of the impact of the Covid 19 pandemic on Colchester Borough Council's Strategic Arts Partners: The Mercury Theatre, Colchester Arts Centre and Firstsite		
Wards affected	Not applicable		

## 1. Executive Summary

- 1.1 A review of the impact of the Covid 19 pandemic on the organisations in receipt of a Strategic Arts Grant from the Council: The Mercury Theatre, Colchester Arts Centre and Firstsite.
- 1.2 Representatives from the three organisations will attend for a discussion with the Panel:

**Mercury Theatre:** Steve Mannix, Executive Director  
Kathleen Hamilton, Chair

**Colchester Arts Centre:** Anthony Roberts, Director

**Firstsite:** Sally Shaw, Director

## 2. Action Required

- 2.1 The Panel has invited these organisations to discuss the following:
  - How they are coping with the ongoing Covid-19 situation
  - What innovative ways they have been using to connect with the public
  - Plans or options to encourage people return to their venues when lockdown is lifted and restrictions are gone.

## 3. Reason for Scrutiny

- 3.1 The Panel recognises the importance of these organisations to the community and local economy. Regular reviews of Colchester Borough Council's (CBC's) strategic arts and cultural partners are undertaken at their request.

## **4. Background Information**

### **4.1 Introduction**

Colchester's leading cultural organisations contribute to making the Borough a vibrant place to live, learn and visit. Together they play a vital role in ensuring a diverse range of experiences and activities are accessible to all. These organisations are also integral to the creative industries and tourism, priority sectors for economic growth.

In partnership with CBC each is custodian of a key landmark building and community asset. They work closely with the Council to ensure these remain fit for purpose, and crucially to lever in external funding and investment to maintain and improve these facilities.

The Mercury Theatre, Colchester Arts Centre (CAC) and Firstsite are Arts Council England (ACE) National Portfolio Organisations (NPOs) and in receipt of ACE funding in the current cycle 2018-2022 – now extended to 2023 as a Covid-19 support measure. The funding partnership between the Council, the organisations and ACE delivers a strong cultural asset base for Colchester, underpinning the wider creative community.

The impact of the pandemic and resultant shutdown on cultural provision and practice has been severe. However, the crisis has also served to highlight the importance of the arts to individuals and communities. Led by these organisations the Borough's cultural sector has demonstrated inspirational resilience and ingenuity in the face of Covid 19. All three are members of the One Colchester Partnership which has been instrumental in supporting the community response to Covid 19.

### **4.2 The Organisations**

#### **The Mercury Theatre**

The Mercury Theatre is the most active professional producing theatre in East Anglia. In normal times it engages with more than 130,000 people each year through a broad and vibrant programme staged across two auditoria and education, outreach and mentoring programmes. Under the Made in Colchester brand the Mercury reaches audiences and generates critical attention regionally and nationally, helping to raise the profile of Colchester. The theatre is a significant local employer and a major driver of the restaurant and hospitality economy in Colchester.

The Mercury main site was under redevelopment at the time of the first lockdown in March 2020. A programme had been taking place off site, including at the innovative 'Big Top' temporary venue on the Abbey Fields over autumn/winter 2019.

Backed by the ACE Major Capital Grant Scheme and supported by the Council with £1million of match funding, the multi-million pound 'Mercury Rising' redevelopment of the Mercury site should have seen the theatre reopen in autumn 2020. Inevitably the pandemic delayed the project which will now reach practical completion in April 2021. To help cover additional pandemic-related costs associated with the project the Mercury has been awarded a grant of

£864,089 from the DCMS/ACE Culture Recovery Capital Kickstart scheme, and other funds have been secured including an offer of £350K from the Colchester Town Deal Fund.

The Mercury has also received £250K from Round 1 of the DCMS/ACE Culture Recovery Fund towards operational costs and loss of income during the period Oct20 – March 21 and is applying for funding to Round 2, which supports organisations as they transition back to a viable and sustainable operating model during April-June 2021. It is also the recipient of a grant from the Garfield Weston Foundation of £100K.

Information on the Mercury's extensive work to engage and support the community in Colchester and beyond during the pandemic can be found in Appendix B. Steve Mannix, Executive Director of the Mercury will be attending to talk to the Panel in detail about this and the organisation's future plans.

### **Colchester Arts Centre**

Housed in St Mary's Church, Colchester Arts Centre (CAC) has been closed to audiences since March 2020, but in normal times would expect to reach over 40,000 people a year with a full and diverse programme across a wide range of contemporary performing arts and popular events.

Backed by the ACE Small Capital Grant scheme and supported by the Council with match funding of £35K, a major project to transform the venue's accessibility for artists and audiences and improve energy efficiency and technical infrastructure has been delivered in the past year, with additional pandemic related costs met by a grant of £128,182 from the Culture Recovery Capital Kickstart scheme.

CAC has also received £51,986 from Round One of the Culture Recovery Fund towards operational costs and loss of income during the period Oct20 – March 21 and is applying for funding to Round 2 covering the period April to Jun 21. They are also the recipients of a grant from the Garfield Weston Foundation of £100K.

Information on CAC's extensive work to engage and support the community in Colchester and beyond during the pandemic can be found in Appendix D. Anthony Roberts, Director of CAC will be attending to talk to the Panel in detail about this and the organisation's future plans.

### **Firstsite**

Housed in a landmark building designed by international architect Rafael Viñoly, Firstsite is a leading contemporary visual arts organisation presenting free exhibitions of both local and internationally renowned artists, as well as events, activities, workshops and a film programme that together aim to bring art to the heart of the community.

During the first national lockdown Firstsite partnered with Community360 to make the building a hub for co-ordinating support for vulnerable members of the community under the One Colchester Operation Shield initiative. It reopened under social distancing requirements in July 2020 and again after the

second national lockdown ended in December. The profile of the organisation is at an all-time high following their nationally recognised programmes of engagement during lockdown including the 'Art Is Where The Home Is' and 'Great Big Art' Exhibition activity packs.

Firstsite has received £250K of ACE Emergency Response Funding for National Portfolio and Creative People and Places Organisations.

Information on Firstsite's extensive work to engage and support the community in Colchester and beyond during the pandemic can be found in Appendix F. Sally Shaw MBE, Director of Firstsite will be attending to talk to the Panel in detail about this and the organisation's future plans.

#### **4.3 CBC Strategic Partnership Delivery Arrangements**

Annual Funding Agreements are agreed in consultation with each organisation and set out the activity and targets around delivery. Those for the previous financial year with final outcomes and the current agreements for 2020/21 completed to date are attached as Appendices.

The Funding Agreements for 20/21 were amended and simplified to take into account the unprecedented situation of the pandemic, which rendered the normal range and type of targets unachievable or irrelevant.

A Member of Colchester Borough Council is nominated to sit on the Board of each organisation. Currently these are:

Mercury Theatre:	Cllr Lyn Barton
Colchester Arts Centre:	Cllr Theresa Higgins
Firstsite:	Cllr Julie Young

#### **4.4 Financial Arrangements**

In 2020 the Council agreed to extend the current level of funding to these organisations for a further three years from FY 20/21 – 22/23. The funding is agreed by Cabinet and full Council.

Therefore, in each financial year over this period the Council will provide revenue grant funding of:

- £168,175 to The Mercury Theatre
- £48,175 to Colchester Arts Centre
- £97,000 to Firstsite

The terms and conditions of funding including eligibility criteria and performance monitoring arrangements are set out in the Funding Agreements attached here as Appendices.

In recognition of the impact on their operations and cashflow of the first lockdown and ongoing restrictions, in the 20/21 financial year the full award to each organisation was released in two grants in the first half of the year, rather than quarterly as normally specified.

## **5. Equality, Diversity and Human Rights implications**

5.1 Not applicable

## **6. Standard References**

6.1 There are no consultation or publicity considerations; or financial; community safety; health and safety or risk management implications of this review.

## **7. Strategic Plan References**

7.1 The relationship between Colchester Borough Council and the Strategic Arts Partners relates to the 'Celebrating Our Heritage and Culture' key strategic priority theme in the [Better Colchester Strategic Plan 2020-23](#)

### **Appendices**

Appendix A	Funding Agreement with The Mercury Theatre 2019/20
Appendix B	Funding Agreement with The Mercury Theatre 2020/21 (current)
Appendix C	Funding Agreement with Colchester Arts Centre 2019/20
Appendix D	Funding Agreement with Colchester Arts Centre 2020/21 (current)
Appendix E	Funding Agreement with Firstsite 2019/20
Appendix F	Funding Agreement with Firstsite 2020/21 (current)



## Funding Agreement between Colchester Borough Council and the Mercury Theatre

### 1.0 Introduction

- 1.1 Colchester's vibrant cultural scene is one of the Borough's unique selling points, and something that Colchester Borough Council (CBC) is keen to support and sustain. The Mercury Theatre, Colchester Arts Centre and Firstsite and are central to this, together 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; to contribute to the delivery of the Council's Strategic Plan and to support the Creative Colchester Strategy, which is a framework for enhancing the impact of the arts and creative industries on the local economy. The Creative Colchester Strategy is currently being updated, but in line with its overarching aims the Council continues to work with partners to align policy and funding to help deliver key economic and social outcomes through investment in the arts.
- 1.3 As part of the Council's commitment to transparency, quality and performance management systems, the organisations that receive CBC funding must set out clear objectives and provide performance and sector data so that the service 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 The Mercury Theatre is one of three arts organisations funded strategically by CBC in alignment with Arts Council England (ACE). In 2017 the Mercury was successful in their bid to ACE for continued National Portfolio Organisation (NPO) funding from April 2018 for four years. Therefore, the 2019-20 funding agreement with CBC will continue to focus on the Theatre's work towards the goals as set out in that bid, as well as the key areas of performance and delivery required by CBC.
- 1.5 Supported by Colchester Borough Council the Mercury Theatre is currently undergoing a major redevelopment and will relocate to a temporary site during the period covered by this agreement. The likely impact of this is acknowledged and will be reflected in the targets agreed.

### 2.0 Scope and Financial Arrangements

- 2.1 Between 1 April 2019 and 31 March 2020, the Council will fund the Mercury Theatre to the amount of £168,175. 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.

## Colchester Borough Council strategic funding for arts organisations 2019/20

- 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 owner of the theatre buildings is deemed to be outside of this agreement. However, any tenant responsibilities that the Mercury Theatre holds are considered to be within this agreement.
- 2.4 On signing this Agreement, the Mercury Theatre recognises that it is in receipt of public funding and accepts responsibility for showing proof of eligibility, meeting the targets for performance, and collecting qualitative and quantitative performance data to provide evidence of the service standards. The Theatre also agreed 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 Mercury Theatre 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 Mercury Theatre 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 Mercury Theatre 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 Mercury Theatre 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 2018-19 when available.
- 4.2 As a minimum throughout the term of the agreement, the Mercury Theatre must submit quarterly budget reports if required and invite a Council representative to observe Board meetings if appropriate. The organisation will also participate in an annual review meeting, as outlined below.



## Colchester Borough Council strategic funding for arts organisations 2019/20

- 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 Mercury Theatre at least once during the period of the agreement. The meetings shall be attended by the Portfolio Holder (PFH), relevant officer(s) of the Council and Executive staff of the Mercury Theatre.
- 5.2 The Portfolio Holder and Theatre Management may be asked to sit before a Scrutiny Panel to monitor performance and achievements. As such, the bi-annual 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 The Mercury Theatre 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 Mercury Theatre 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 Mercury Board.
- 7.4 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 Mercury Theatre
  - ii. A breach of the law by Mercury Theatre
  - iii. Petitioning the court for the appointment of an administrator
  - iv. Having a receiver appointed over all or any part of the Theatre's assets
  - v. Being the subject of a petition or resolution for the Mercury Theatre's 'winding up'
- 7.5 The Council should be consulted where any change or development in the direction of the organisation's affairs might affect this Agreement.

## 8.0 Breach in agreement

- 8.1 In the event of either the Council or the Mercury Theatre 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 Mercury Theatre 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 the Mercury Theatre. 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 Overview

Target	Outputs/Report
Annual target to put on <b>148</b> performances with <b>76,000</b> people attending.	<b>195</b> performances and events achieving a capacity of <b>61%</b> (against the national average of <b>48%</b> ).  Actual audience attendance of <b>70,205</b> . In addition a further <b>230,000</b> attended non-ticketed events. (Streaming of Cinderella over Easter)
Collate and report audience feedback about the artistic programme with a minimum of <b>60%</b> approval rating.	Customer Satisfaction Surveys are carried out following <i>each Made in Colchester</i> Production. Customers currently rate the Mercury as <b>4.8*</b> out of <b>5*</b> . This feedback is reviewed daily.
Collate and report press feedback about the artistic programme.	All press reports from local, regional and national papers are collated. Copies are available on request.  There were <b>412</b> mentions of the Mercury in the press in 2019/20.  <b>3 Review Quotations</b>  <b>The Sun: Ain't Misbehavin'</b> (24 <sup>th</sup> March 2019?) This musical review and the five characters at the heart of it take you on a joy ride

	<p>through the hits of jazz pianist Fats Waller—certain to have you dancing in the streets.</p> <p><b>Colchester Gazette – Cinderella:</b> But it's the little touches that make this show shine like the end of Act I, which if I say any more will ruin Christmas itself, and the transformation of Cinders Ella into Cinderella, which is very, clever. If you're after a little magic in your lives this Christmas, take a trip to the Big Top - it's the greatest show on Earth - well in Colchester anyway.</p> <p><b>Colchester Gazette – Cinderella:</b> A SHOW-STOPPING pantomime which was staged in a huge tent as the Mercury Theatre undergoes refurbishment has been nominated for two awards. The theatre's production of Cinderella has been shortlisted for two accolades at the Great British Pantomime Awards.</p> <p><b>Oliver: Winners at The Paulies:</b> SPECIAL AWARD The Mercury Theatre/Colchester Operatic co-production of Oliver! - With the technical side being provided by The Mercury, this show gave local amateur performers such a terrific experience, so this has to be the special award of the year. I've no doubt it changed some young lives, and we may never see anything like it again.</p> <p><b><u>BritishTheatre.com</u> - Cinderella</b> Director Ryan McBryde has brought together a terrific team, and the energy from the stage fills the large arena with fun and joy- and, thanks to Magic Consultant Michael J Fitch, some truly magical moments. "What till you see the end of Act One" everyone was telling me beforehand, and they were right, it is an absolute highlight! Well done Mercury for taking the plunge and moving the action to the Big Top.</p>
<p>At least <b>50%</b> local audience and <b>50%</b> audience supporting tourism economy.</p>	<p><b>65%</b> of our audience was local to Colchester (within Borough postcodes) and <b>35%</b> from beyond Colchester (the majority from Essex).</p> <p>Given the year of operation this was an increase of local people attending our work from previous years in the region of</p>

## Colchester Borough Council strategic funding for arts organisations 2019/20

	15%
Annual target of community and education sessions with <b>17,500</b> participants of which <b>150</b> will be undertaken at The Abbey Field Centre.	<b>15,859</b> people took part in our Learning and Participation Programme across <b>608</b> sessions.  162 sessions took place at the Abbey Field Centre.
Continue SLA partnership between CBC, Arts Council England and the Mercury to ensure on-going revenue funding for core stage and community work is maintained.	Revenue funding maintained for 2019/20 with a slight increase of £14,000 as an inflationary award. The Mercury retains membership of Arts Council England's National Portfolio.
Continue to develop Abbey Field Centre and consolidate community hires for local groups.	During the year the Abbeyfield Centre continued as the primary centre for our youth and community programme and rehearsals.  In addition, we established an easily accessible on-line booking system for local community groups interested in hiring the space.  During the year we facilitated a range of bookings such as: <ul style="list-style-type: none"> <li>• Residents meetings</li> <li>• The Local Mosque</li> <li>• Fundraising Coffee Mornings</li> <li>• Fundraising Fetes</li> <li>• Weddings, Engagement Parties and Family Celebrations</li> </ul>

### 9.4 Community and Audience Development

Target	Outputs/Report
<b>£150,000</b> to be invested into work in the community.	Total Investment: <b>£142,122</b> from Mercury core budget, with significant additional project funding from external sources.
Annual target – <b>787</b> community and education sessions with <b>17,500</b> participants.	Please refer to the above.
Maintain rate of <b>7%</b> of tickets sold to disabled people and carers.	<b>7.4%</b> achieved.

## Colchester Borough Council strategic funding for arts organisations 2019/20

Maintain level of accessible performances for disabled and deaf people – <b>14</b> performances.	<b>14</b> access performances achieved, including three relaxed performances and a dementia friendly performance.
Maintain methods of seeking audience and user feedback – 75 surveyed events per year.	<p>An audience experience survey is conducted throughout the year following each of our Mercury Productions. Feedback is reviewed daily and actioned throughout the organisation.</p> <p>As an Band 2 NPO Mercury Theatre is part of the Insight and Impact programme managed by The Audience Agency where our audience data is compared to other similar theatres and venues regionally and nationally.</p>

### 9.5. Governance and Management

Target	Outputs/Report
<p>Mercury Theatre Board of Directors to agree a new three-year business plan for the period 2018/19 – 2021/22 to include:</p> <ul style="list-style-type: none"> <li>• Activity Plan</li> <li>• Artistic Programme</li> <li>• Financial Projections</li> <li>• Cash Flow</li> </ul>	<p>Our Three Year Business plan for the period to 2021/22 was agreed in 2018 with annual reviews each year alongside an Annual Action Plan.</p> <p>This includes:</p> <ul style="list-style-type: none"> <li>• Activity Plan</li> <li>• Artistic Programme (including Creative, Learning and Talent)</li> <li>• Budgets and Quarterly Management Accounts</li> <li>• Cashflow projections (including sensitivity analysis relating to our off site season and our return to the new building).</li> </ul> <p>The Board of Directors receive regular reports on artistic activity and review quarterly management accounts at the full meeting and its quarterly Finance and General Purposes Committee.</p>
<p>Mercury Board to review and update all policy statements to include:</p> <ul style="list-style-type: none"> <li>• Equality and Diversity Strategy and action plan</li> <li>• Digital Plan</li> <li>• Audience Development Plan</li> </ul>	<p>All policies have been reviewed annually with appropriate updates.</p> <p>Policies and procedures introduced last year have continued to ensure the safety and well-being of our staff including:</p>

<ul style="list-style-type: none"> <li>• Risk Management</li> <li>• Health and Safety</li> <li>• Sustainability and Environmental Strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Employee Confidential Telephone Support Service</li> <li>• Safeguarding</li> <li>• Dignity at Work</li> </ul> <p>During the year we have also introduced a new mental health and well-being policy and staff training.</p>
<p>Mercury Board and senior staff to continue to progress the capital development of the Mercury Theatre:</p> <ul style="list-style-type: none"> <li>• Tender and procurement processes</li> <li>• Details plans and costings to completion</li> <li>• Financial and fundraising strategy</li> </ul> <p>(subject to additional capital funding being secured).</p>	<p>During the year our Mercury Rising Capital Programme continued to progress positively.</p> <p>At the year end a projected further <b>£573,691</b> was confirmed from individual donations, Trusts and Foundations and the corporate sector during the year.</p> <p>Confirmed funding at the end of the period was <b>£9,737,191</b> against a target of <b>£936,191</b> (an increase of approx. £1 million from the last costing (<b>£8.9 million</b>) due to costs relating to meeting environmental standards and material/labour increases.</p> <p>The remaining target is <b>£561,281</b>. Further funding bids to the value of <b>£1 million</b> have been submitted during the period.</p> <p>The project continues to be managed by Colchester Borough Homes on behalf of Colchester Borough Council and the Mercury and will meet all necessary RIBA Stages, tendering and procurement processes.</p> <p>A Joint Working Group continues to meet on a monthly basis between CBC, CBH and ECC.</p> <p>The Mercury's Board of Directors has established a Capital Sub Committee to support the Large Capital Scheme with a further internal Capital Operations Group made up of Senior Management and Heads of Department to manage the associated work streams.</p> <p>The agreed Fundraising Strategy continues to be implemented to secure the required partnership funding.</p>

## 9.6. Diversity

Target	Outputs/Report
<p>Continue to encourage more diverse audiences and participants engage with the Mercury across all equality groups.</p> <p>Target: <b>3%</b> of audiences</p>	<p><b>2.9%</b> of our audience self identified as being from a minority ethnic group in 2019/20</p> <p><b>7.4%</b> of our audience was disabled, deaf or hard of hearing.</p> <p><b>58.76%</b> of our audience were women. No data is available around sexuality, religion, marital status etc.</p>
<p>Continue to ensure the Mercury recruits and attracts a diverse workforce.</p> <p>Target:</p> <p><b>70%</b> female  <b>5%</b> disabled  <b>2%</b> minority ethnic  <b>5%</b> lesbian and gay</p>	<p>The Mercury continues to ensure all of its recruitment methods target local diverse communities.</p> <p>Staffing statistics include –</p> <p><b>49</b> staff employed across full time, part time and casual</p> <p><b>71</b> actors and creatives.</p> <p>Across both groups:</p> <p><b>63%</b> female  <b>14%</b> disabled  <b>16%</b> minority ethnic  <b>17.5%</b> lesbian/gay  <b>57%</b> under 34</p> <p>Please note staffing numbers were reduced during the year to reflect the smaller programme and playing weeks to accommodate our capital project.</p>
<p>Annual review all equality action plans and policies.</p>	<p>All policy documents are reviewed on an annual basis by our staff, Senior Management and Board of Directors.</p>
<p>Continue to attract those from lower income and modest income households, proactively engaging with those from disadvantaged backgrounds and deprived areas of Colchester.</p> <p>Target: <b>10%</b> of users and audiences</p>	<p>Attendance from 2019/20 priority areas – St. Anne's Ward, St Andrew's. Greenstead, Berechurch, Shrub End (CO4 0, CO4 3, CO2 CO9) was <b>6,292</b> which is <b>7.8%</b> of the total audience.</p> <p>Increase of .8% on the previous year</p>



## 9.7. Young People

Target	Outputs/Report
Maintain rate of <b>10%</b> all tickets sold as concessions are for young people.	<b>12%</b> achieved.
Deliver <b>787</b> community and education sessions attracting <b>17,500</b> participants.	Please refer to the above comments.
<p>Maintain Teachers Forums for Primary and Secondary Schools.</p> <p>Target: <b>40</b> members schools</p>	<p>The Teachers Network was postponed during the year but will be relaunched in March 21</p> <p>We have delivered <b>4 CPD</b> opportunities for teachers with a total attendance of <b>47</b> teachers including session on Bringing Shakespeare to life.</p> <p>Our Creative Learning and Talent team represents the Mercury Theatre:</p> <ul style="list-style-type: none"> <li>• As a cultural lead on Colchester's <b>Local Cultural Education Partnership</b> maintaining key relationships with ROH Bridge, Essex MeH other cultural organisations and schools</li> <li>• As a representative of cultural organisations on the University of Essex's Cultural Outreach Steering Group</li> <li>• At Creative Colchester Projects Board Meetings</li> <li>• Colchester BID</li> </ul>
Continue to create opportunities for access to the arts particularly for children and young people. This includes community involvement in Mercury Company productions and an ongoing commitment to overall community activities.	<p>Opportunities created for people of all ages:</p> <p><b>5 – 11 years</b></p> <ul style="list-style-type: none"> <li>• 5-7's and 8-10's Mercury Youth Theatres</li> <li>• John Bunyan Literacy project</li> <li>• Market Field, Lexden Springs, , Kingswode Hoe Primary Schools Literacy through Drama</li> </ul> <p><b>11 – 18 years</b></p> <ul style="list-style-type: none"> <li>• 11-13's, 14-16's and 16-18's Youth Theatres</li> <li>• Kingswode Hoe School, Market Field</li> </ul>



	<p>School and Doucecroft School SEND Afterschool Drama Clubs</p> <ul style="list-style-type: none"> <li>• hACkT digital summer school</li> <li>• SEND Summer School</li> <li>• “So you want to work in Theatre” Work Experience Week</li> <li>• Schools and Youth Theatre Festival</li> <li>• “Pantomime” Junior Chorus</li> <li>• Silver and Gold Arts Award qualification courses in Clacton and Walton on the Naze Schools</li> <li>• Aspire, Share Create club nights monthly</li> </ul> <p><b>16 – 25 years</b></p> <ul style="list-style-type: none"> <li>• 16-18’s Mercury Youth Theatres</li> <li>• Vocational Internships</li> <li>• Youth Assistant roles</li> <li>• Work Experience</li> </ul> <p><b>18+</b></p> <ul style="list-style-type: none"> <li>• Talent Development Programme – including Mercury Creatives and Associate Artists Scheme</li> <li>• Mercury Voices Archiving Volunteer Programme</li> <li>• Mercury Voices Exhibitions and talks</li> <li>• Senior Matinees pre show talks</li> </ul> <p>Additional workshops have taken place in partnership with organisations such as:</p> <ul style="list-style-type: none"> <li>• Colchester Operatic</li> <li>• Cultural Marquee at Colchester Food and Drink Festival – working with Colchester Chinese Society, Nepalese Society, Arts La Olam, AFiUK and Refugee Action(<b>2058 visitors over 2 days</b>)</li> <li>• Action for Children</li> <li>• Autism Anglia</li> <li>• Balcerne Gardens Care Home</li> <li>• Livestream of panto free to local care homes.</li> <li>• Army Welfare Services</li> <li>• Colchester Garrison</li> </ul> <p>Colchester Operatic collaboration on Oliver involving 45 members of the community</p>
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## Colchester Borough Council strategic funding for arts organisations 2019/20

Maintain level of <b>145</b> young people enrolled in youth drama classes (Youth Theatre).	<p><b>134</b> young people enrolled in youth drama classes.</p> <p>We have expanded our Youth Theatre offer to <b>9</b> regular groups including a Youth Theatre group for young people with Autism Spectrum Conditions</p> <p>All Youth Theatre Groups are based at Abbeyfield Centre and take place Sunday – Wednesday each week.</p>
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### 9.8. Older People

Target	Outputs/Report
<p>Work with older people will continue during the period through senior matinees and other specific activities.</p> <p>The former ACT V Programme has been transferred to the Headgate Theatre. A new programme of work will be developed over the next two years to be launched in 2020 within the new building.</p>	<p>Senior Matinees remain popular during the year – there were <b>5</b> in total during 2019/20 achieving <b>1,720</b> people in total.</p> <p>ACT V was transferred to the Headgate Theatre with a small grant as due to the capital project it has not been possible to accommodate the group over the next two years.</p> <p>We remain in regular contact with the group attending their committee and planning meetings.</p>

### 9.9. Job Creation, sector skills development and contribution to the local economy

Target	Outputs/Report
Deliver <b>10</b> work experience placements during the year.	<p><b>8</b> school student work experience placements (1 week)</p> <p><b>8</b> student internships ranging from 16 weeks to 12 months</p> <p><b>1 Apprentice.</b></p> <p><b>Total: 17</b></p>
Deliver <b>1</b> apprenticeship across all areas of the Mercury and 5 internships.	<p>During the year we continued our <b>Hervey Benham Technical Apprenticeship Scheme</b>. Part funded by the Hervey Benham Trust, the apprenticeship is aimed at a local young person aged 16-18 years old. The course is validated by Norfolk and Norwich College.</p> <p>We continue to work in partnership with Colchester Institute and Creative and</p>

## Colchester Borough Council strategic funding for arts organisations 2019/20

	<p>Cultural Skills to create further opportunities in the future.</p> <p>Hosted <b>8</b> paid internships supported by the University of Essex sponsored by Santander.</p>
<p>Provide evidence and support for new and emerging regional talent and companies.</p> <p>Target: <b>60</b> participants</p>	<p>During 2019/20 we continued our Talent Development Programmes.</p> <p>We were able to launch our new Mercury Creatives programme offering mentoring, professional development and support for a wide variety of local creative businesses and artists.</p> <p>Activities included:</p> <p>Mercury Creatives Participants in cohort 1: <b>42</b> Number of jobs created: <b>17</b> Number of products created: <b>45</b></p> <p>Associate Artists 2019-20 Number of Artists: <b>6</b> Additional Collaborators: <b>10</b> Sharing Attendees: <b>25</b></p> <p>Borders photographic competition Total Entrants: <b>19</b></p> <p>SECCADS creative business development Total applicants: <b>17</b> Number of participants: <b>17</b> Number of session: <b>6</b></p> <p>Essex Theatre Artists Network Total Members: <b>899</b></p> <p><b>4</b> x Diverse Creatives Open Days <b>4</b> x Scratch Nights profiling Artists of Colour</p> <p><b>8</b> x PROUD LGBTQ+ Writers Group</p>
<p>Launch new Mentoring and Professional Development Programme for start-up and emerging professionals and artists in the Creative Industries (funded by the European Regional Development Fund</p>	<p>Our Mercury Creatives Programme was launched during the year offering professional development, mentoring and networking for artists and creative businesses.</p>

<p>to 2022).</p>	<p><b>42</b> sole traders and businesses were engaged in the first cohort phase (target <b>40</b>).</p> <p>Each participant is offered 24 hours of mentoring across a wide variety of skills areas of their choosing such as:</p> <ul style="list-style-type: none"> <li>• Marketing</li> <li>• Business Planning</li> <li>• Creative Skills (writing, directing etc)</li> <li>• Personal Skills</li> <li>• Fundraising</li> <li>• Product development</li> </ul> <p>We were particularly pleased that the majority of participants were based in Colchester and North Essex.</p> <ul style="list-style-type: none"> <li>• Number of jobs created: <b>17</b></li> <li>• Number of products created: <b>45</b></li> </ul> <p>An interim evaluation report about the programme is available on request.</p>
<p>Target and engage with <b>20</b> volunteers during the year.</p>	<p><b>12</b> regular volunteers and <b>24</b> one-off volunteers for projects such as our Mercury Voices Archive project that launched during the year funded by the Heritage Lottery Fund.</p>
<p>Assist CBC with other initiatives including:</p> <ul style="list-style-type: none"> <li>• Night-time economy</li> <li>• Local employment and skills</li> <li>• Development of creative and cultural industries</li> <li>• Marketing of Colchester as a visitor destination</li> </ul>	<p>The Mercury continues to work in partnership with CBC as follows –</p> <p><b>Night-time Economy</b> The Mercury are active members of local trade associations such as the Business Improvement District for the town centre. We work closely with the BID on marketing campaigns, joint branding (for example our panto was jointly branded across the Town this year) and our Panto Dames switched on the Christmas Lights.</p> <p><b>Local Employment and Skills</b> The Mercury continues to work in partnership with a variety of organisations to improve local employment and skills such as –</p> <p>Hosting Essex Chamber of Commerce bi-</p>

	<p>monthly breakfast briefings and twilight events for local businesses.</p> <p>Regular presence at local business and employment events and fairs.</p> <p>Strong partnerships exist with local Job Centre, Colchester Institute and Essex University.</p> <p>The Mercury has been awarded Silver Employer Status from the Ministry of Defence for our employment of former service personnel and their families. We aim to gain Gold Status next year. During the year we have participated in several recruitment and skills events held locally and regionally.</p> <p><b>Development of Creative and Cultural industries</b></p> <p>The Mercury is an active member of the Creative Colchester Initiative with representation at Board level (the Mercury's Chair is the Chair of the organisation) and the Project Working Group.</p> <p><b>Marketing of Colchester as a Visitor Destination</b></p> <p>The Mercury continues to engage in dialogue with senior officers from CBC about how to promote Colchester as a destination.</p> <p>The Mercury continues to offer ticketing services for key events (such as the annual Fireworks in Castle Park, Summer Screens and Charter Hall). This data will be used to support further campaigns and initiatives to support tourism and the visitor economy for the town.</p> <p>During the year, the Mercury continued to offer support and advice to Charter Hall and the Town Hall.</p> <p>Through its overall marketing strategies, the Mercury continues to promote Colchester as a destination and through the use of the <i>Made in Colchester</i> brand on tour throughout the UK.</p>
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	The Mercury's Executive Director continues to be a Board Member of <i>Visit Essex</i> and the <i>Haven Gateway Partnership</i> .
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### 9.10. Environmental and Economic Sustainability

Target	Outputs/Report
Develop and agree a Sustainability and Environmental Policy and Action Plan.	<p>During the year in partnership with Colchester Borough Homes, we have continued to work on the detailed design of the new building to ensure that it is as sustainable as possible and creates the least environmental impact on completion.</p> <p>We have been able to retain our BREEAM certification of VERY GOOD for this phase of the project.</p>
Collate and publish targets to reduce carbon footprint and provide evidence of improvement at regular intervals.	<p>This has been completed for the first quarter of the year in our old building.</p> <p>Once back in our new building we will establish clear reporting methods and targets.</p>
Monitor the usage of green energy.	<p>Completed for the first quarter as above. Statistics are collated quarterly and reported internally and to Arts Council England (through our membership of the Julie's Bicycle Scheme).</p>
Strengthen and grow partnership working through joint bids, cross programming and shared activity, including developing a big data approach to audience development across partners.	<p>Achieved. Commitment to the Audience Agency's Audience Finder big data project.</p> <p>Discussions have continued with CBC and the other NPO's in Colchester about the development of joint projects and closer joint working.</p> <p>Successful joint funding bids have been achieved once again with community groups including Stage Write and the Packing Shed.</p> <p>The Mercury offered support and guidance for a further <b>16</b> Grants for the Arts Funding Bids to Arts Council England for local artists and companies. All of which were successful.</p>

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

This year has been extraordinary for the Mercury as we left our old home in late June to allow our contractors to start work to extend our front of house area and re-fit our main theatre.

Throughout the period we have maintained strong local partnerships. We are particularly grateful to the MOD for their support of our temporary venue on Abbeyfield.

Our partnerships with other community groups have continued including - Chinese and Nepalese Communities, Colchester and Tendring Women's Refuge, Colchester Operatics Societies and others.

We continue to develop co-productions to enable our **Made in Colchester** shows to tour nationally and where appropriate internationally raising the profile of Colchester.

In 2019/20, the Mercury's productions gained the following national awards and nominations:

- *Cinderella* – National Panto Awards – *Best Ugly Sisters*
- *Aint Misbehavin*
  - Stage Debut Award (nomination) – Tyrone Huntley (Director)
  - Off West End (nominations) - Best Ensemble, Set Design, Choreographer and Musical Director
  - OFFIE - Oti Mabuse for best Choreographer
  - West End Wilma Awards - Best Off West End Production (nomination)

We were particularly pleased to be gain an award from UK Theatre (the UK's largest industry body for Theatre) for *Excellence in Inclusivity*.

The Mercury continues to attend regional and national conferences and events to present and share best practise to those within the arts and creative industries and others acknowledging the support of the Council.

Acknowledgement of the Council's support in **31,000** brochures distributed twice a year. In addition, electronically we distribute a monthly e-newsletter to **69,080** people with more than **20,941 monthly** unique visitors to our website in 2019/20. **37,831** monthly visits. In addition, there was continued steady a growth on Facebook and an increase in Twitter followers.

**35,906** Social Media subscribers

The Mercury invites civic guests to press/gala evenings each year as a chance to say thank you for the support given and to promote the stage and community work that the funding partnership makes possible. The event includes acknowledgment of the Council's support.



### 9.12. Please outline the way in which your organisation will meet the Colchester Borough Council Strategic Plan 2018-21 and other relevant local, regional or national strategies

#### **Local**

The Mercury Theatre continues to work proactively with the Council and Colchester and Ipswich Museums, Firstsite and Colchester Arts Centre to ensure a collective and united vision for Arts, Culture & Heritage promotion and accessibility across Colchester aimed at maximising potential and seeking out opportunities for a more collaborative and sustainable approach. This has included in engaging with the other arts and cultural organisation about joint working models, the benefits of a joint box office and shared data and the joint commissioning of services.

We were particularly pleased to be able to contribute to the BID during the year and ensure that arts, culture and heritage were contained within the prospectus. We were also pleased to be able to consolidate our relationship with the Garrison and the MOD through our use of Abbeyfield for our temporary venue. This project alone attracted a new audience to our work that we hope to re-engage once we return to our new building.

The Mercury Theatre actively contributes to 'The Creative Colchester Strategy' by supporting emerging local talent and providing work experience, supporting cultural tourism initiatives, and working with a range of community service providers such as charities, health providers and voluntary groups to engage and develop communities.

The Mercury is an active member of the Creative Colchester Board (Chair of Mercury Board of Directors Chaired the group until the end of the calender year) and the Creative Colchester Project Group (Head of Creative Learning and Talent).

The Mercury is an active member of the BID and contributes to the Christmas Lights Switch On Event and other community events throughout the borough.

Further partnership agreements are in place with Colchester Institute and Essex University around joint funding bids, skills development and other place-making initiatives.

#### **National**

The Mercury Theatre has promoted its collaborative working with other arts providers to strategic funders such as Arts Council England and the Heritage Lottery Fund. This has demonstrated a strategic partnership approach to the development of arts and heritage in Colchester which will raise the profile and status of the town as a cultural centre and generate greater efficiencies and value for money.

We look forward to building on discussions during the year of creating a new Cultural Strategy for the borough.



## Colchester Borough Council strategic funding for arts organisations 2019/20

### 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 Mercury Theatre	Date	
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**Signed** (Executive Director)

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**Name** (please print)

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On behalf of Mercury Theatre	Date	
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**Signed** (Chair of the Board)

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**Name** (please print)

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On behalf of Colchester Borough Council	Date	
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**Signed** (Portfolio Holder)

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**Name** (please print)

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On behalf of Colchester Borough Council	Date	
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**Signed** (Officer)

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**Name** (please print)

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## Funding Agreement between Colchester Borough Council and the Mercury Theatre

### 1.0 Introduction

- 1.1 Colchester's vibrant cultural offer is one of the Borough's unique selling points and something that Colchester Borough Council (CBC) looks to support and sustain, working with partners to align policy and funding to help deliver key social and economic outcomes through investment in the arts.
- 1.2 As Arts Council England (ACE) National Portfolio Organisations (NPOs) The Mercury Theatre, Colchester Arts Centre and Firstsite are key partners, together providing leadership, capacity, and innovative programmes of delivery that contribute to making Colchester a great place to live, learn, work and visit.
- 1.3 CBC provides core revenue grants to these organisations under the Strategic Arts Partner programme; to contribute to the delivery of the Council's Strategic Plan including the development of a new Cultural Strategy for Colchester; and to support Creative Colchester, a framework for enhancing the impact of the arts and creative industries on the local economy.
- 1.4 As part of the Council's commitment to transparency, quality and performance management systems, the organisations that receive CBC funding must set out clear objectives and provide performance and sector data so that the value provided through this partnership can be measured, evaluated and improved.
- 1.5 In normal circumstances in addition to confirming the monitoring process and funding, this document sets out pre agreed performance targets for the year. However due to the impact of Covid 19 on the Mercury's operations it is acknowledged that planned activity will be severely curtailed and setting performance targets for this unprecedented and uncertain time is unrealistic. Instead this document will record retrospectively the activity undertaken by the organisation during the funding period to secure its future, including the completion of the Mercury Rising project; deliver alternative programming adapted to the conditions; and in collaboration with the Council and One Colchester partners towards the community response to Covid 19.

### 2.0 Scope and Financial Arrangements

- 2.1 Between 1 April 2020 and 31 March 2021, the Council will fund the Mercury Theatre to the amount of £168,175. This funding was agreed by the Cabinet and full Council in line with the budget strategy to support the core operations of the organisation.
- 2.2 The Council has released this funding upfront in the first half of the year to support the organisation through the disruption to operations caused by Covid 19.

- 2.3 Any financial investment that the Council needs to make under its obligations as the owner of the theatre buildings is deemed to be outside of this agreement. However, any tenant responsibilities that the Mercury Theatre holds are considered to be within this agreement.
- 2.4 On signing this Agreement, the Mercury Theatre recognises that it is in receipt of public funding and accepts responsibility for providing evidence of eligibility and collecting qualitative and quantitative performance data where applicable to the current circumstances.
- 2.5 Where appropriate and possible within current resources, Colchester Borough Council will provide non-financial support to the Mercury Theatre 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 Mercury Theatre 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 Mercury Theatre must supply on request 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 Mercury Theatre must supply on request operations information to CBC, including a budget to cover the same period as the funding agreement (it is acknowledged this may be subject to amendment during the year as a result of Covid 19) and a copy of the audited accounts from 2019-20 when available.
- 4.2 Throughout the term of the agreement, the Mercury Theatre must submit quarterly budget reports if required and invite a Council representative to observe Board meetings if appropriate. The organisation will also participate in an annual review meeting, as outlined below.
- 4.3 At the end of the agreement period, the organisation must provide audited accounts and submit performance data (it is acknowledged the latter will be impacted by Covid 19) and other evidence in support of the organisation having delivered value for the Council's investment in this financial year.

## 5.0 Annual review process

- 5.1 A review meeting will take place between Colchester Borough Council and Mercury Theatre at least once during the period of the agreement. The meetings shall be attended by the Portfolio Holder (PFH), relevant officer(s) of the Council and Executive staff of the Mercury Theatre.
- 5.2 The Portfolio Holder and Theatre Management may be asked to sit before a Scrutiny Panel to monitor performance and achievements. As such, the bi-annual 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 The Mercury Theatre 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 steps that it has taken 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 while delivering the Business Plan and agreed performance targets.
- 7.2 This agreement does not constitute the Mercury Theatre 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 Mercury Board.
- 7.4 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 Mercury Theatre
  - ii. A breach of the law by Mercury Theatre
  - iii. Petitioning the court for the appointment of an administrator
  - iv. Having a receiver appointed over all or any part of the Theatre's assets
  - v. Being the subject of a petition or resolution for the Mercury Theatre's 'winding up'
- 7.5 The Council should be consulted where any change or development in the direction of the organisation's affairs might affect this Agreement.

## 8.0 Breach in agreement

- 8.1 In the event of either the Council or the Mercury Theatre 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 Mercury Theatre 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 End of year performance review to be completed Apr 2021

As with everyone, over the last year, Covid-19 has had an historical impact on our sector and our survival as an organisation.

As we started the year, we were forced to have to cancel performances of our site-specific show *Borders* in the old Library in the Town Hall. At this stage it was unclear as to how long the initial lockdown would continue for and the severity across all areas of our operation.

As the year has progressed with a further two lockdowns the challenges presented by Covid have gone on for much longer than any of us had ever anticipated. At the time of writing it is still unclear from the latest Government guidelines when we will be able to re-open. Even if we are given to re-open under social distancing at a reduced capacity of 50% this would be financially unviable (the potential loss of at least £6,000 per night).

However, against all of the odds we have been able to 'weather the storm'. It is evident that recovery to 'business as normal' will take much longer than we had ever anticipated not only in terms of ensuring the safety of our staff and audiences but in terms of our usual business streams coming back online. For example, touring product is currently not available as producers and companies are not willing to 'risk' being out on the road. They all face the threat of cancellation, the lack of available insurance cover and the financial risk from reduced houses as well as the health of their staff and artists.

### **1. Context**

When compared to the majority of our sector and other regional theatres of our size and financial model we are incredibly lucky.

In the previous financial year, we had reduced our staff numbers to accommodate a limited year of performances and events due to the capital project. As we were closed we avoided the additional liabilities that others have encountered such as high staff and overheads, work being on stage, contracted to appear or in development.

During the year we have lost at least **£2.9 million** of income across our box office, ancillary sales, fundraising and associated trading.

We now face a unique position of having meet our overheads and running costs *and* meet the unknown costs of re-opening a new building. A challenge

to say the least.

## **2. Planning and Risk Management**

In order to try and effectively manage the ever-changing environment and respond to Government guidelines throughout the year we put in place a comprehensive risk management strategy that has included:

- Organisational Risk Register
- Daily Senior Management Briefings
- Weekly Board and Executive Briefing Meetings attended by the Chair, Treasurer and Vice Chair
- Monthly Management Accounts

All expenditure has been frozen (apart from essential spend) along with all vacant posts unless deemed to be essential for programme or operational delivery.

## **3. Staff Well-Being**

Last March all staff were set up to work at home with the necessary IT equipment, internet connections and online approvals and security passwords. Staff have had their work stations risk assessed and additional equipment provided if needed.

The health and well-being of all staff has been closely monitored by their line manager. This has been supported by additional training in mental health awareness and remote working. We have implemented a range of support, meetings and gatherings to ensure effective communication and clarity of decision-making such as:

- Virtual tea breaks
- Regular team and staff meetings
- Social events (quiz's, Christmas party etc)

## **4. Support for Freelancers**

We have established a Hardship Fund (total funds - **£45,000**) to support any freelance staff and their dependents who have worked with us in the last two years. They are able to apply confidentially to our Executive Director for support. (Our Memo and Arts allow us to issue grants).

## **5. Programme**

As soon as possible at the start of the year we transferred our programme on line (such as Youth Theatre and our masterclasses and workshops). This included a range of new events such as:

- Festival of New Theatre (in partnership with Essex University)
- Artist Networking Events
- Play Readings
- Family Sing a longs and story reading

Number of Digital Events: **118**

Audience Attendance: **5,513**

Number of Access Performances: **10**

Prior to this year we only had two of our live shows recorded at broadcast standard that we were able to stream during the year:

## **Cinderella**

Easter Screening: **61,272**

December Schools Screening: **336,000**

December Care Homes (Essex): **10,860**

December household screening: **11,092**

**Total: 419,224**

It should be noted that the Cinderella was one of the only fully subtitled pantos available in England last Christmas.

## **Pieces of String**

Easter Screening **7,200**

Given the success of these screenings we are in the process of raising funds to buy more equipment to enable us to film and record our work in future.

## **Digital Theatre Festival** **210**

Events **13**

## **Participation and Engagement Activities**

Creative Engagement Sessions **214**

(across Schools, Youth Theatre, Care Homes)

Mercury Creatives Launch **96**

Mercury Creatives Sessions **96**

(mentoring/advice)

Mercury Creatives Applications **118**

Businesses supported **110**



Master Classes **21**

Mercury Reads (Play Readings) **6**

Mercury Connects **6**

(Artist networking)

Youth Theatre Sessions **60**

LGBTQ History Month (Feb '21) (tbc)

We are currently presenting a month of events in partnership with Outhouse and Colchester Pride to support local LGBTQ artists and audiences.

Borders photographic competition

Total Entrants: **19**

SECCADS creative business development

Total applicants: **17**

Number of participants: **17**

Number of session: **6**

Essex Theatre Artists Network

Total Members: **899**

Other projects continued online:

- The Mercury Teachers' Network successfully continued online having been set up to consult teachers from Essex about ways in which the Mercury could work more closely with them at Primary, Secondary and Further Education levels. We continue our partnership with Royal Opera House Bridge to support this aspect of our work.
- Creative Engagement staff worked with other local organisations and the Royal Opera House Bridge to establish a Local Cultural Education Partnership to ensure the future engagement of schools in the quality provision of arts and cultural activities.
- Our Aspire, Share Create continued during the year in response to a gap in out of school provision for young people with autism spectrum conditions in partnership with Autism Anglia. For example we have recently offered an Arts Award Programme for young disabled people for the first time. This programme continues to be funded by Essex County Council and managed by Action for Children.

## 6. Audience Data

Due the nature of online activities it has not been possible to fully gather data of participants household address. From our limited surveys we estimate at least **39%**

being Colchester residents.

## **7. Press Coverage**

During the year there were **232** mentions in the press about our work.

## **8. Mercury Rising Capital Project**

During the year the Mercury's Board, Executive and Senior Management continued to develop the scheme in partnership with Colchester Borough Council and Colchester Borough Homes.

The challenges of the various lockdowns have had a significant impact on the project resulting in the programme now being 7 months late. This was as a result of:

- Requirement to reduce contractors allowed on site down to 25%
- Interruptions in the supply chain for materials
- Contractors and their staff shielding or self-isolating and therefore not being available when scheduled

At the start of the year we were just **£200,000** away from our fundraising target with the programme on time to complete in August and re-open to the public last September.

We now estimate that the project will receive practical completion on the 20<sup>th</sup> April and 'soft open' to the public (front of house and bar area only) late May Bank Holiday with our Youth and Community Programme and hires commencing on the 1<sup>st</sup> June.

The project continues to meet all necessary RIBA Stages, tendering and procurement processes.

We were successful in securing a grant of **£864,089** from the Arts Council England/DCMS Capital Kickstart Funding

Additional funds were offered from CBC's Town Deal Fund of **£350,000** and the Mercury was able to secure a loan of **£400,000** from NESTA.

We now estimated the project costs have increased due to Covid to **£11.3 million** with all funds secured apart from **£210,000**.

A Joint Working Group meets on a monthly basis between Colchester Borough Council, Colchester Borough Homes, Arts Council England and Essex County Council. In addition, the Mercury's Board of Directors has established a Capital Sub Committee to ensure appropriate governance of the scheme with a further internal Capital Operations Group made up of Senior Management and Heads of Department managing the associated day to day work streams.

**9. Equality Data****Audiences/Attendees**

BAME	13%
Disabled or D/deaf	15%
Male	42%
Female	48%
Prefer Not to Say	10%

**Workforce**

Number of Permanent staff	36
Freelance Staff	132
Gender (Perm and Freelance)	
Male	59
Female	72
Prefer Not to Say	37

**BAME**

Permanent Staff	8.33%
Freelance	5%
Total (average)	7.1%

**LGBT**

Permanent Staff	16.67%
Freelance	25%
Total (average)	19.6%

**10. Financial Position**

We could not have got through this year without the additional support outlined below. During the year there were moments where our Executive Team and Board were facing significant redundancies or depleting all our reserves.

Additional one-off funding was received from:

Arts Council/DCMS Cultural Recovery Fund 1	£250,000
Wolfson Foundation	£120,000 (1)
Covid19 Grant (CBC Rate Relief)	£10,000
CJRS Payments (Furlough)	£190,000
Garfield Weston Foundation	£100,000 (2)
<b>Total</b>	<b>£670,000</b>

(1) We will carry forward this award to 2021/22 to support in-year costs to support re-opening.

(2) We will carry forward this award to support the staging of Outdoor Shakespeare in the Park planned for August.

The additional ACE/DCMS funding has met the costs of the following:

- Pilot Youth and Community Programme (implementing Covid-19 safety measures) from 2021/22 in the new building.
- All PPE costs – screens, temperature checking devices etc
- Staff Training – Covid Health and Safety
- Business Consultant
- Health and Safety Consultant
- Marketing campaign to build confidence amongst vulnerable audience members (including new access videos for disabled audiences, video featuring new Covid safety measure etc)

We have made a further application (as per the fund guidelines) to Arts Council England/DCMS CRF 2 for **£125,000** towards costs in the first quarter of next year.

We have applied for:

- Trading losses in the quarter when compared to our standard trading quarter (start of 2018/19).
- Contactless till system and iPads for Front of House (to support Covid safe ancillary sales)
- Feasibility Study for outdoor performances – Castle Park – Summer 2021

We expect a decision by the end of March.

With the additional support received during the year we have been able to retain our unrestricted reserve level at **£267,000**.

### **11. Additional Activities**

The Mercury continues to be active in the civic life and well-being of Colchester and Essex through board and project group representation in forums such as:

- Creative Colchester
- Colchester Business Improvement District (BID)

- Essex Chamber of Commerce
- Haven Gateway Partnership
- Visit Essex

In response to Covid-19, we were proud to be able to offer support such as:

- Secondment of staff to CBC to support emergency marketing and comms
- Paid time off for staff to volunteer at the Foodbank
- Our wardrobe staff made scrubs and masks for Colchester General Hospital
- Active membership of One Colchester Emergency Response Board
- Offer free space (at the Abbeyfield Centre) for local schools to host socially distanced learning, the local mosque for prayers and meetings and local tenants association meetings.

### 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 Mercury Theatre	Date	22/2/21
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Signed (Executive Director)



Name (please print) Steve Mannix

Signed (Portfolio Holder)

Name (please print)

On behalf of Colchester Borough Council	Date	
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Signed (Officer)

Name (please print)



## 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; to contribute to the delivery of the Council's Strategic Plan and to support the Creative Colchester Strategy, which is a framework for enhancing the impact of the arts and creative industries on the local economy. The Creative Colchester Strategy is currently being updated, but in line with its overarching aims the Council continues to work with partners to align policy and funding to help deliver key economic and social outcomes through investment in 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 alignment with Arts Council England (ACE). In 2017 the Arts Centre was successful in their bid to ACE for continued National Portfolio Organisation (NPO) funding from April 2018 for three years. Therefore, the 2018-19 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 2019 and 31 March 2020, the Council will fund Colchester Arts Centre to the amount of £48,175. 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 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, meeting 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 If requested 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.
- 4.2 Throughout the term of the agreement, the Arts Centre must submit quarterly budget reports if required and a Council representative may request to observe a Board meeting during the period of the agreement. The organisation will also participate in 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.



## **Colchester Borough Council strategic funding for arts organisations 2019/20**

### **5.0 Annual review process**

- 5.1 A review meeting will take place between Colchester Borough Council and Colchester Arts Centre at least once in the period of the agreement. The meetings shall be attended by the PFH, 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 annual 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**

## Colchester Borough Council strategic funding for arts organisations 2019/20

- 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
<p><b>Colchester Arts Centre</b> will promote, present and nurture artistic talent. Through a combination of curatorial expertise, outstanding production values and straightforward commercial nous it will act as a home for artists, a breeding ground for artistic ambition and innovation, and a platform for local, national and international talent. With its broad ranging and risk-taking performance programme the venue will seek to inspire and nurture creativity in the local community, inspiring artists already on the path and encouraging others to embrace their creativity.</p> <p><b>Target:</b> In 2019/20 we will present:</p> <ul style="list-style-type: none"><li>• Two pieces of international work.</li><li>• One major partnership project.</li><li>• Twelve jazz performances</li><li>• Thirty Folk gigs</li><li>• Forty Rock / Indie / Pop gigs</li><li>• Fifty Comedy Shows</li><li>• Forty shows specifically for children.</li><li>• Six World Music performances.</li><li>• Five Film screenings</li><li>• Ten Experimental Music Performances</li></ul>	<p>335 total shows 15 Jazz performance 33 Folk gigs 60 Rock / indie / pop gigs 48 Comedy shows 2 World Music performances 11 Film Screenings 7 Experimental music performances</p>

## Colchester Borough Council strategic funding for arts organisations 2019/20

<p><b>Wonderful Wednesdays</b> – New, challenging, experimental, innovative performance work, made accessible for a regular Colchester audience with a radical pay what you can afford admission structure that makes this work, often regarded as the preserve of the arts elite, truly open to anyone. Personally curated by the Director.</p> <p><b>Target:</b> 30 performances in the funding period.</p>	<p>30 performances delivered.</p>
<p><b>A dedicated programme of Childrens' Shows and Workshops</b> –All show tickets kept at a low, accessible, affordable price.</p> <p><b>Target:</b> 40 Shows and 10 workshops, including a run of special Christmas shows at an accessibly low admission price.</p>	<p>30 shows including 4 workshops. Drop reflects change of approach to booking more mainstream work after loss of funding from ECC for Childrens' programme.</p>

### 9.4 Community and Audience Development

Target	Outputs/Report
<p><b>Community Events</b> – we commit to program a number of events focusing on the talents of the local community including:</p> <ul style="list-style-type: none"> <li>• A “Made In Colchester” Art Fair featuring work from local artists</li> <li>• Sixth Form College Battle of the Bands</li> <li>• Variety Night 2019 in aid of Mayor’s Charities</li> </ul>	<p>Made in Colchester Fair no longer in operation – we will search for a new partner in 20/21.</p> <p>Vibrant Sixth Form battle of the Bands delivered.</p> <p>An eventful and packed Variety Night as is now traditional!</p>
<p><b>Increase known audience attendance</b> from 45, 232 (2018 /19) to 46,000</p>	<p>41,708.</p> <p>A quiet summer and slightly curtailed year due to covid.</p>
<p><b>Increase online audience figures</b> This to include the Colchester Arts Centre website and our social media platforms.</p> <ul style="list-style-type: none"> <li>• Increase website Unique Browsers from 123,814 to 125,000</li> </ul>	<p>Facebook fans 11,968 Twitter followers 12,200 Unique browsers 124,765 Website page impressions 763,876 Website visits 315,420</p>

## Colchester Borough Council strategic funding for arts organisations 2019/20

<ul style="list-style-type: none"> <li>• Increase number of website page impressions from 759,401 to 765,000</li> <li>• Increase number of website visits from 313,025 to 315,000</li> <li>• Increase Facebook fans from 10,11 to 11,000</li> </ul> <p>Increase Twitter followers from 11,900 to 12,500</p>	
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### 9.5. Governance and Management

Target	Outputs/Report
<b>Arts Centre Board:</b> Organise a Board retreat.	Not possible due to scheduling conflicts. Deferred to 20 / 21.
<b>Senior Management Team</b> The creation of this grouping to work closely with the Director on all aspects, particularly Business Plan creation and setting of targets. Increase frequency of meetings – 1 meeting per month.	Monthly meetings and extra brief but formal progress reports where required.

### 9.6. Diversity

Target	Outputs/Report
<b>Arts Centre Board:</b> Increase diversity across age and ethnicity. The board currently has a good male / female balance, and representation of disability and older people. Gaps have been identified in representation of younger people, BAME and LGBTQA people. Board retreat to identify individuals to approach.	BAME presence with the appointment of Dylan Christopher. Ongoing discussions regarding the appointment of a “Thinker In residence” reporting at Board level, whom it is hoped would assist inclusion of other characteristics.
<b>Accessible Shows</b> – we will program specific performances made accessible to people with disabilities, beyond our regular venue accessibility offer. <b>Target:</b> <ul style="list-style-type: none"> <li>• Ten relaxed performances</li> <li>• An audio described performance</li> <li>• Ten BSL interpreted performances.</li> </ul>	Seven relaxed Performances and 2 BSL performances. Reduction in Kids programme due to departure of the Artistic Co-ordinator mostly explains the shortfall – targets remain for 20/21. Audio Described performances target exceeded.
<b>Mystery Shoppers</b> – We will continue to work with mystery shoppers to evaluate our accessibility provisions. <b>Targets:</b> Wheelchair users to evaluate 3 performances. Deaf / Hearing Impaired users to	Evaluations received and feedback circulated.

## Colchester Borough Council strategic funding for arts organisations 2019/20

evaluate 3 performances	
<b>Staff Training</b> – to be ongoing. <b>Targets:</b> Disability Equality Training for Core staff and volunteers. LGBTQA training for staff and volunteers. Refugee Awareness training for staff and volunteers.	Completed.
<b>Increase Diversity of Artistic Programme</b> – encouraging diversity to permeate all levels of the organisation, not just within the staff. <b>Target:</b> work with 10 artists with disabilities during the term of the funding agreement.	Artists with Disabilities: Aspergers Are Us Masked Vijay Patel Martin O'Brien  LGBTQA++ representation: Alice D'Lumiere Tom Marshman The Rainbow Masquerade Ball Bod Chaines Ron Athey The Lipsinkers

### 9.7. Young People

Target	Outputs/Report
<b>Schools Rock Prom / On For ...</b> – These are dedicated events for young local bands, giving emerging talent the experience of performing in a fully professional venue. <b>Target:</b> <ul style="list-style-type: none"> <li>One Rock Prom.</li> <li>One On For 2020 Local Band showcase.</li> </ul> Offer support slots to visiting national and international bands to those appearing at the On showcase.	On For 2020 cancelled due to Covid. Rock Prom a huge success with a record number of participating bands and a record audience of 300+.  We gave slots to Colchester based acts, supporting international touring acts The Blockheads, Turin Brakes, Skilron, Negativland, Hope & Social and more.
<b>A Kids Summer Festival with Arts Award Accreditation</b> We will provide two multi-day workshops for children, with the option to gain an Arts Award qualification.	Departure of Artistic Co-ordinator has left a gap here. Childrens educational offer to be re-thought for 20/21.

### 9.8. Older People

Target	Outputs/Report
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## Colchester Borough Council strategic funding for arts organisations 2019/20

<b>Programming</b> – We aim to programme events of particular interest to older people. <b>Target:</b> Minimum 6 in the funding period.	Many and varied, from the regular Monday night Folk Clubs through to Jazz nights and theatre shows. Target exceeded.
<b>The Warm &amp; Toasty Club</b> We will continue our association with this excellent project working with older people in Colchester, hosting 2 afternoon gigs.	Delivered – a fantastic project which we we continue to work with into 20/21. <a href="https://youtu.be/sgXgqt6alic">https://youtu.be/sgXgqt6alic</a> <a href="https://youtu.be/t3MM52yVDi0">https://youtu.be/t3MM52yVDi0</a>

### 9.9. Job Creation, sector skills development and contribution to the local economy

Target
<b>Chamber of Commerce</b> – We have joined in order to forge closer links with local business through sponsorship opportunities and or possible partnerships. <b>Target:</b> <ul style="list-style-type: none"> <li>• Update commercial sponsorship brochure.</li> <li>• CAC Representative to attend 4 networking events per year.</li> </ul> <p>Outcome: Commercial sponsorship brochure update held over due to change in post. 2 networking events attended.</p>
<b>Volunteers</b> – Volunteering, whilst hugely aiding the operation of the arts centre, also provides a valuable opportunity for work experience and skills development.  <b>Target:</b> Increase volunteer numbers by 5% for future-proofing\ Outcome: Volunteer numbers stable at 54.
<b>Work Experience</b> – we will provide work experience to secondary school aged students and those seeking internships to cement their skills and experience.

### 9.10. Environmental and Economic Sustainability

Target	Outputs/Report
<b>Farmers Markets</b> – 11 monthly Farmers Markets during the funding period, offering a wide range of locally sourced produce. Working with new partners for a revitalised feel.	Delivered. Attendances on the rise, with renewed interest from stall holders and slightly extended hours.
<b>Julie's Bicycle</b> – we will continue our work with this organisation to establish measurement data for use in setting green targets.	Continued use of Julie's Bicycle IG online tools in monitoring the venue's energy usage. Energy expert consulted in run up to building refurbishments to establish best route to carbon reducing operation.
<b>Green Team</b> – meeting monthly to improve green credentials across the organisation. Research into wider aspects of Climate Change. Empirical analysis of data to identify areas in	We partnered with green energy consultant Peter Chisnall to guide our efforts in energy monitoring and usage. Programme of baseline measurements began in 2019 and is ongoing. The Green

which we can make the biggest impact.	Team along with Peter attended a number of seminars and trade fairs to further our understanding of sustainability and how it can apply to our sector. Waste management reviewed – a change of supplier made in 2019.
<b>Waste Management</b> – regular review of best practice: we commit to constant monitoring of cost effectiveness and green credentials.	

## 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 20,000 mailing list subscribers.

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

## 9.12. Please outline the ways in which your organisation meets local, regional and national strategies including the Council's Strategic Plan 2018-21

### LOCAL

Our mission is intertwined with the objectives as set out in CBC's GROW strategic plan:

### GROWTH

#### Ensuring all residents benefit from the growth of the borough

We have ambitious plans with our successful capital bid, to expand the capability and reach of the venue in line with CBC's vision for the growth of the borough.

### RESPONSIBILITY

#### Encouraging everyone to do their bit to making our borough even better

The venue demonstrates a clear commitment to Green responsibility, diversity and inclusion (Relaxed Performances, BSL, Audio Description, Artists representative of the protected characteristics).

### OPPORTUNITY

#### Promoting and improving Colchester and its environment

Bringing internationally renowned talent to Colchester, both the big names and the innovative new talents. Improving the building's outside spaces and keeping our celebrated building of the Church of St Mary At The Walls open to the public and bustling with activity.

### WELLBEING

#### Making Colchester an even better place to live and supporting those who need most help.

Championing work for and by those with disabilities. Enshrining accessibility as a priority that permeates all levels of the organisation. Encouraging Green sensibilities, and the arts as a tool for mindfulness, self development and combating loneliness.

### Regional

We are a leading and 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. 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)



## Colchester Borough Council strategic funding for arts organisations 2019/20

**Name** (please print)

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**On behalf of Colchester Borough Council**

**Signed** (Officer)

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**Name** (please print)

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## Funding Agreement between Colchester Borough Council and Colchester Arts Centre

### 1.0 Introduction

- 1.1 Colchester's vibrant cultural offer is one of the Borough's unique selling points and something that Colchester Borough Council (CBC) looks to support and sustain, working with partners to align policy and funding to help deliver key social and economic outcomes through investment in the arts.
- 1.2 As Arts Council England (ACE) National Portfolio Organisations (NPOs) The Mercury Theatre, Colchester Arts Centre (CAC) and Firstsite are key partners, together providing leadership, capacity, and innovative programmes of delivery that contribute to making Colchester a great place to live, learn, work and visit.
- 1.3 CBC provides core revenue grants to these organisations under the Strategic Arts Partner programme; to contribute to the delivery of the Council's Strategic Plan including the development of a new Cultural Strategy for Colchester; and to support Creative Colchester, a framework for enhancing the impact of the arts and creative industries on the local economy.
- 1.4 As part of the Council's commitment to transparency, quality and performance management systems, the organisations that receive CBC funding must set out clear objectives and provide performance and sector data so that the value provided through this partnership can be measured, evaluated and improved.
- 1.5 In normal circumstances in addition to confirming the monitoring process and funding, this document sets out pre agreed performance targets for the year. However due to the impact of Covid 19 on Colchester Arts Centre's operations it is acknowledged that planned activity will be severely curtailed and setting performance targets for this unprecedented and uncertain time is unrealistic. Instead this document will record retrospectively the activity undertaken by the organisation during the funding period to secure its future, including the completion of the current capital project; deliver alternative programming adapted to the conditions, and in the collaboration with the Council and One Colchester partners towards the community response to Covid 19.

### 2.0 Scope and Financial Arrangements

- 2.1 Between 1 April 2020 and 31 March 2021, the Council will fund CAC to the amount of £48,175. This funding was agreed by the Cabinet and full Council in line with the budget strategy to support the core operations of the organisation.
- 2.2 The Council has released this funding upfront in the first half of the year to support the organisation through the disruption to operations caused by Covid 19.

- 2.3 Any financial investment that the Council needs to make under its obligations as the owner of the theatre buildings is deemed to be outside of this agreement. However, any tenant responsibilities that CAC holds are considered to be within this agreement.
- 2.4 On signing this Agreement, CAC recognises that it is in receipt of public funding and accepts responsibility for providing evidence of eligibility and collecting qualitative and quantitative performance data where applicable to the current circumstances.
- 2.5 Where appropriate and possible within current resources, Colchester Borough Council will provide non-financial support to CAC 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, CAC 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 CAC must supply on request 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 CAC must supply on request operations information to CBC, including a budget to cover the same period as the funding agreement (it is acknowledged this may be subject to amendment during the year as a result of Covid 19) and a copy of the audited accounts from 2019 - 20 when available.
- 4.2 Throughout the term of the agreement, CAC must submit quarterly budget reports if required and invite a Council representative to observe Board meetings if appropriate. The organisation will also participate in an annual review meeting, as outlined below.
- 4.3 At the end of the agreement period, the organisation must provide audited accounts and submit performance data (it is acknowledged the latter will be impacted by Covid 19) and other evidence in support of the organisation having delivered value for the Council's investment in this financial year.

### 5.0 Bi-annual review process

- 5.1 A review meeting will take place between Colchester Borough Council and Colchester Arts Centre at least once during the period of the agreement. The meetings shall be attended by the Portfolio Holder (PFH), relevant officer(s) of the Council and Executive staff of the Mercury Theatre.
- 5.2 The Portfolio Holder and CAC Management may be asked to sit before a Scrutiny Panel to monitor performance and achievements. As such, the bi-annual 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 CAC 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 steps that it has taken 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 while delivering the Business Plan and agreed performance targets.
- 7.2 This agreement does not constitute CAC as an agent of the Council or otherwise make the Council liable to any person who may take proceedings against CAC.
- 7.3 The Council reserves the right to nominate annually a councillor to be a director on the Colchester Arts Centre Board.
- 7.4 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 CAC
  - ii. A breach of the law by CAC
  - iii. Petitioning the court for the appointment of an administrator
  - iv. Having a receiver appointed over all or any part of CAC's assets
  - v. Being the subject of a petition or resolution for the Colchester Arts Centre's 'winding up'
- 7.5 The Council should be consulted where any change or development in the direction of the organisation's affairs might affect this Agreement.

### 8.0 Breach in agreement

- 8.1 In the event of either the Council or Colchester Arts Centre 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 CAC 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 End of year performance review to be completed Apr 2021

#### **PROGRAMMING**

The bringing forward of Capital Works due to Covid 19, whilst being of obvious expediency, has meant that venue-based programming (albeit of the online kind) was limited up until December 2021. That said we have still been able to make a continued offering whilst the building remains closed, comprising:

#### **Online Broadcast Shows**

Performances and workshops, both live and pre-recorded, available to view or bookable via our website. Events ranged from an online interactive magic show, reprises of classic arts centre favourites with live Q&A sessions, commissioned performance / live art through to poetry workshops and an in-venue live broadcast of our traditional favourite Christmas Poetry bash featuring John Cooper-Clarke and Martin Newell with a huge international audience.

We Are The King of Ventilators - a Colchester Arts Centre co-commission

Richard Layzell: Not Green

Mark Thomas: Showtime From The Frontline

A Kind of Magic Hosted by Magical Bones (6 shows)

Mark Thomas: Serious Organised Criminal

Platform 4: Invisible Music - A Digital Meditation on Hearing Loss

Livewire Colchester with Luke Wright, Molly Naylor, Maria Ferguson & More

Mark Thomas: The Red Shed

Mark Thomas: Cuckooed

Best before: The Mark Thomas Comedy Product Vintage Cuts 1

Poetry Writing Workshop with John Hegley (2 workshops)

A Christmas Carol - Live From Ant's House (2 Shows)

I Wanna Be Yours At Christmas with John Cooper-Clarke, Martin Newell & Special Guests

Best Before: The Mark Thomas Comedy Product Vintage Cuts 2

We were able to bring another Yuletide favourite in the form of Director Anthony Roberts's live reading of A Christmas Carol, streamed live from his house. This was a valuable learning experience and has laid the

groundwork for delivering future in-house produced live streamed events, and achieved an audience of 700+ across two nights, raising in excess of £5,000 for Colchester's Night Shelter.

Much more work was planned which sadly had to be cancelled due to the fluid nature of restrictions at the time, including a Christmas socially-distanced Kids Show with the ever popular Theatre of Widdershins, a Coats For Colchester donation event and a live Broadcast gig with post-show Graveyard Q&A from Goth / Black Metallars Cradle of Filth.

### **Live Performance in Colchester Castle Park**

We delivered a Stand Up Comedy Quadruple bill, headed by local compere Jo Fletcher-Cross at the bandstand in Colchester Castle Park. Seating with socially distanced with strict Covid Safe protocols enforced. Strong appetite for live performance was clearly in evidence with the show selling out within an hour. Production lights and sound was kindly donated by local company Audio Plus, stepping up to help despite their business suffering greatly during the pandemic.

### **Ant's Daily Poems**

Every day since Lockdown was enforced, Arts Centre Director Anthony Roberts has read a poem to help uplift the spirits. Posted online across our social media and youtube, the poems have quite a following, along with Anthony's now voluminous beard which he has vowed not to cut until the venue re-opens.

We are the only venue in the UK to have produced fresh online content everyday throughout the pandemic. Every single day something new is emailed directly to those signed up (714) and posted across the social media platforms, facebook, twitter, Instagram. Each day the poem is seen and enjoyed by approximately 750 people. Making a total of 259,000 viewings of poetry since lockdown.

### **COMMUNITY RESPONSE TO COVID 19**

Anthony's poems have also been offered as an outreach service to anyone in the community who feels they'd benefit from them. He conducted covid-safe socially distanced readings outside a number of care homes, and even a solicitors, as seen on BBC's Look East:  
<https://www.youtube.com/watch?v=MPkrxY4jgsM>

Later he was able to offer a Dial A Poem Service which saw an enthusiastic take-up.

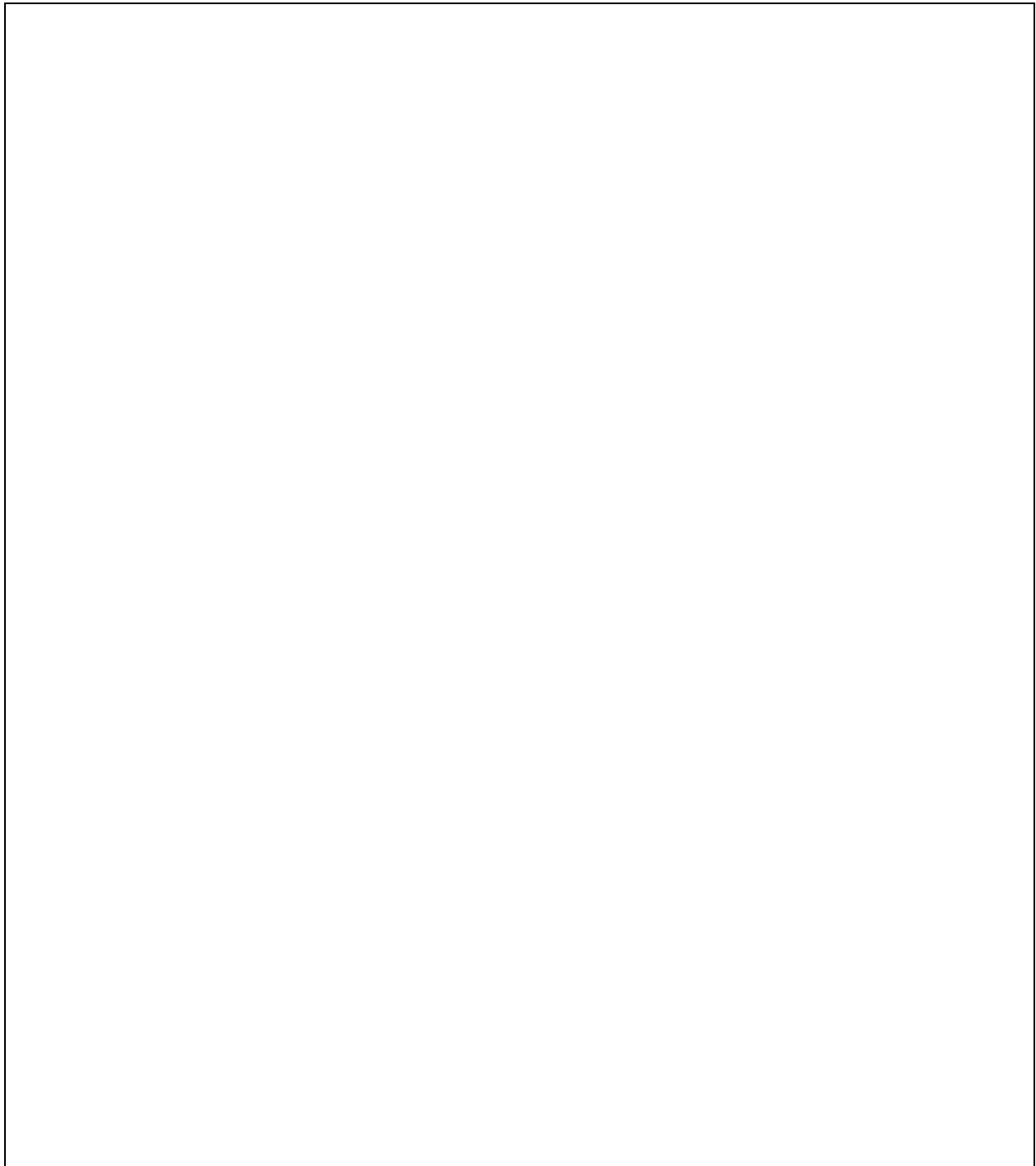
We've been an active member of One Colchester network chaired by Pam Donnelly – also participating in the Green Initiative Webinar,

Modern Slavery Webinar, Anti Racist Webinar.

## CAPITAL PROJECT

We advanced the planned capital project. This has seen the arts centre introduce new gender neutral toilets, new facilities for disabled performers backstage, new seats full redecoration and introduction of art work. Total project costs £816,000





## **11.0 Acceptance**

## Colchester Borough Council strategic funding for arts organisations 2020/21

- 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.

<b>On behalf of Colchester Arts Centre</b>	<b>Date</b>	
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**Signed** (Director)

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**Name** (please print)

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**Signed** (Portfolio Holder)

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**Name** (please print)

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<b>On behalf of Colchester Borough Council</b>	<b>Date</b>	
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**Signed** (Officer)

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**Name** (please print)

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## Funding Agreement between Colchester Borough Council and Firstsite

### 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. Firstsite, Colchester Arts Centre, 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; to contribute to the delivery of the Council's Strategic Plan and to support the Creative Colchester Strategy, which is a framework for enhancing the impact of the arts and creative industries on the local economy. The Creative Colchester Strategy is currently being updated, but in line with its overarching aims the Council continues to work with partners to align policy and funding to help deliver key economic and social outcomes through investment in 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 Firstsite is one of three arts organisations strategically-funded by CBC in alignment with Arts Council England (ACE). In 2017 Firstsite was successful in their bid to ACE for National Portfolio Organisation (NPO) funding from April 2018 until March 2022. Therefore, the 2019-20 funding agreement with CBC will focus on Firstsite'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 2019 and 31 March 2020 the Council will fund Firstsite to the amount of £97,000. 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 owner of the building is deemed to be outside of this agreement.

However, any tenant responsibilities that Firstsite holds are considered to be within this agreement.

- 2.4 On signing this Agreement, Firstsite recognises that it is in receipt of public funding and accepts responsibility for showing proof of eligibility, meeting the targets for performance, and collecting qualitative and quantitative performance data to provide evidence of the service standards. Firstsite also agrees to provide available sector data to assist with monitoring and performance assessment.

Where appropriate and possible within current resources, Colchester Borough Council will provide non-financial support to Firstsite 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, Firstsite 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 Firstsite 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 Firstsite 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 2018-19 when available.
- 4.2 As a minimum throughout the term of the agreement, Firstsite must submit quarterly budget reports if required 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.

# Colchester Borough Council strategic funding for arts organisations 2019/20

## 5.0 Stakeholder review process

- 5.1 Review meetings will take place between Colchester Borough Council, Essex County Council, Arts Council England and Firstsite in the period of the agreement. The meetings shall be attended by the relevant officer(s) of the Council and partner stakeholders and Executive staff of Firstsite
- 5.2 The Portfolio Holder and Firstsite Management may be asked to sit before a Scrutiny Panel to monitor performance and achievements. As such, the bi-annual 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 Firstsite 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 Firstsite as an agent of the Council or otherwise make the Council liable to any person who may take proceedings against Firstsite.
- 7.3 The Council reserves the right to nominate annually a councillor to be a director on the Firstsite Board.
- 7.4 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 Firstsite
  - ii. A breach of the law by Firstsite
  - iii. Petitioning the court for the appointment of an administrator
  - iv. Having a receiver appointed over all or any part of Firstsite's assets
  - v. Being the subject of a petition or resolution for Firstsite's 'winding up'
- 7.5 The Council should be consulted where any change or development in the direction of the organisation's affairs might affect this Agreement.

## 8.0 Breach in agreement

- 8.1 In the event of either the Council or Firstsite notifying the other in writing of a breach in this agreement, the parties shall meet to discuss the alleged breach within 21 days.

## Colchester Borough Council strategic funding for arts organisations 2019/20

- 8.2 Both the Council and Firstsite 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 Firstsite. The information provided here substantiates the Council's decision to invest public funds and helps to strengthen the partnership delivery model.
- 9.2 Information provided should be 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 Overview

Target	Outputs/Report
Deliver 4 seasons of exhibitions	<b>Complete</b> – Headline exhibitions included Super Black, Chance & Control from the V&A and Antony Gormley' Field for the British Isles
Deliver between 130,000 and 150,000 visitors	<b>Complete</b> 136,000
Deliver a film programme with average 20% occupancy	<b>Partial completion</b> – cinema capacity averaged at XX% of capacity
Deliver a comprehensive programme of learning and education activities for a broad range of audiences which reflect Colchester's key demographics with regards diversity, disability, age, gender, sexuality, affluence and migrant status	<b>Complete</b> –online causes and in-building activities were delivered and created new income sources.

### 9.4 Community and Audience Development

Target	Outputs/Report
Produce an audience development plan which focuses on x4 key demographics in line with ACE audience finder segmentations.	<b>Complete</b> – target audiences were vulnerable families from low socio-economic backgrounds
Deliver a new website that better communicates Firstsite's offer and contributes significantly to footfall and income generation through sales and donations	<b>Complete</b> . New website has increased footfall by 5%
Continue to develop the volunteer pool to x55 volunteers by recruiting x5 new volunteers	<b>Complete</b> – x15 new volunteers were recruited
Hold 1:2:1 consultations with x6	<b>Complete</b> – new programmes being

## Colchester Borough Council strategic funding for arts organisations 2019/20

community groups who do not typically engage with Firstsite's offer	generated through the Arts Council Collection Programme
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### 9.5. Governance and Management

Complete and circulate the short-form business plan for the period 2019/20	<b>Complete</b> – reported to ACE and CBC.
Appoint new Trustees and embed new Chair, engage the revised Board with vision and mission	<b>Complete</b> – Rosie Millard OBE in place and Susan Pui San Lo, Catherine Francis, Peter Tibber appointed new Trustees
Begin to flesh out a new Business Plan for the next NPO application round	<b>In progress</b> – Strategy conversations in progress with board throughout 2019/20 and 2020/21
Complete x4 Board meetings with a focus on strategic projects, audience and communications, diversity and inclusion, commercial growth	<b>Complete</b> – all Board meetings completed with additional committees and accompanying papers.

### 9.6. Diversity

Target	Outputs/Report
Ensure full Board membership reflects national demographics especially with regards disability, age, gender, sexuality and BAME background of Trustees	<b>Partially Complete</b> except for Disability
Appoint a new Senior Management Team member from a protected characteristic group and Arts Council Collection from	<b>Not complete</b> – pending.
Appoint one new member of the team from a BAME background	<b>Complete</b> – Finance Support Officer
Increase diversity of our audiences from protected characteristic groups overall by 1%	<b>Complete</b>

### 9.7. Children and Young People

Target	Outputs/Report
Attract x10 new schools increasing our engagement from x50 to x60 with a focus on schools from low socio-economic areas	<b>Complete</b> – over 100 schools connecting with Firstsite via the Holiday Fun Programme
Engage x5 young artists and curators in first-hand exhibition making experience over the course of the year	<b>Complete</b> via YAK collaboration with Flying Leaps
Attract 25% of volunteers with age range below 25 years	<b>Complete</b>
Continue to deliver the Firstsite Holiday Fun programme with a view to confirming	<b>Complete</b> – expanded to include new activities and new income from ECF

## Colchester Borough Council strategic funding for arts organisations 2019/20

long-term sustainability funding for the next two years	
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### 9.8. Older People

Target	Outputs/Report
Attract 20% of volunteers age over 60 years old	Complete
Attract 10% audiences 60+	Complete
Deliver one event in collaboration with Will Quince MP to support the work of elderly people	Complete

### 9.9. Job Creation, sector skills development and contribution to the local economy

Target	Outputs/Report
Deliver x3 Work Experience placements over the year	Not complete
Create one new Senior Management post for three years	Complete - COO role created and appointed
Continue to support volunteers into paid employment at Firstsite	

### 9.10. Environmental and Economic Sustainability

Target	Outputs/Report
Complete capital application to ACE for remaining lighting system funds	Not complete due to ACE delay of capital funding programmes.
Continue to develop plans with NHS to draw in funds for culture to the region	Ongoing
Significantly improve performance of Firstsite's commercial activities to meet and exceed year end targets	Complete - All commercial targets met except for hires
Deliver x3 high-level fundraising dinners / events which attract new sources of funding to Firstsite	Partially complete - X1 dinner hosted. X2 delayed due to COVID.

### 9.11. What are Firstsite's particular plans to promote the support that the Council provides during the period of the agreement?

<p>9.11.1 CBC Logo and acknowledgement of support will appear on all promotional material including x15,000 exhibition guides, new website, fortnightly e-bulletins and social media posts.</p> <p>9.11.2 Firstsite will continue to deliver a Community events programme which proactively seeks to offer its facilities to specific communities who will benefit from our support such as Colchester Refugee Action, Civic Alliance, Big Sunday etc</p>
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9.11.4 Firstsite will regularly present at conferences and events locally and nationally to raise the profile of CBC's investment in culture.

9.11.5 Firstsite will attend Independent Advisory Group meetings, Creative Colchester meetings, SECEN meetings and University of Essex Digital Programming Advisory Group meetings to continue to support strategic activities in the area

### 9.12. Please outline the way in which your organisation meets relevant local, regional and national strategies including the Council's Strategic Plan 2018-21

#### Local

9.12.1 Firstsite will take a proactive leading role in the delivery of project outcomes for the Creative Colchester Strategy and Board.

9.12.2 Firstsite is now a member of the Visit Essex Consortium, the One Colchester Volunteer strategy group and University of Essex LGBT Action Group

#### Regional

9.12.3 Firstsite is collaborating on an Ambition for Excellence project with Arts Council support to increase levels of regional cultural activity. The project is in collaboration with Wysing Arts Centre and Kettles Yard in Cambridge.

#### National

9.12.5 Firstsite is a member of the +Tate network of galleries that regularly meet to share best practice and collaborative opportunities as well as visiting other organisations to see first hand activity in other regions of the UK.

9.12.6 Firstsite is now one of three art galleries in England to be selected as an Arts Council Collection National Partner Organisation bringing £550,000 worth of investment to the area and creating access for community groups to a world class collection of contemporary British artworks.

9.12.7 Firstsite is the first art gallery in the UK to receive NHS funding for a holiday hunger programme

### 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 Firstsite**

**Signed** (Executive Director)

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**Name** (please print)

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**On behalf of Firstsite**

## Colchester Borough Council strategic funding for arts organisations 2019/20

**Signed** (Chair of the Board)

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**Name** (please print)

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**On behalf of Colchester Borough Council**

**Signed** (Portfolio Holder)

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**Name** (please print)

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**On behalf of Colchester Borough Council**

**Signed** (Officer)

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**Name** (please print)

---

## Funding Agreement between Colchester Borough Council and Firstsite

### 1.0 Introduction

- 1.1 Colchester's vibrant cultural offer is one of the Borough's unique selling points and something that Colchester Borough Council (CBC) looks to support and sustain, working with partners to align policy and funding to help deliver key social and economic outcomes through investment in the arts.
- 1.2 As Arts Council England (ACE) National Portfolio Organisations (NPOs) The Mercury Theatre, Colchester Arts Centre (CAC) and Firstsite are key partners, together providing leadership, capacity, and innovative programmes of delivery that contribute to making Colchester a great place to live, learn, work and visit.
- 1.3 CBC provides core revenue grants to these organisations under the Strategic Arts Partner programme; to contribute to the delivery of the Council's Strategic Plan including the development of a new Cultural Strategy for Colchester; and to support Creative Colchester, a framework for enhancing the impact of the arts and creative industries on the local economy.
- 1.4 As part of the Council's commitment to transparency, quality and performance management systems, the organisations that receive CBC funding must set out clear objectives and provide performance and sector data so that the value provided through this partnership can be measured, evaluated and improved.
- 1.5 In normal circumstances in addition to confirming the monitoring process and funding, this document sets out pre agreed performance targets for the year. However due to the impact of Covid 19 on Firstsite's operations it is acknowledged that some planned activity will be curtailed and setting performance targets in advance for this unprecedented and uncertain time is unrealistic. Instead this document will record retrospectively the activity undertaken by the organisation during the funding period to secure its future; deliver alternative programming and other provision adapted to the conditions, and, in collaboration with the Council and One Colchester partners, towards the community response to Covid 19.

### 2.0 Scope and Financial Arrangements

- 2.1 Between 1 April 2020 and 31 March 2021, the Council will fund Firstsite to the amount of £97K. This funding was agreed by the Cabinet and full Council in line with the budget strategy to support the core operations of the organisation.
- 2.2 The Council has released this funding upfront in the first half of the year to support the organisation through the disruption to operations caused by Covid 19.

- 2.3 Any financial investment that the Council needs to make under its obligations as the owner of the theatre buildings is deemed to be outside of this agreement. However, any tenant responsibilities that Firstsite holds are considered to be within this agreement.
- 2.4 On signing this Agreement, Firstsite recognises that it is in receipt of public funding and accepts responsibility for providing evidence of eligibility and collecting qualitative and quantitative performance data where applicable to the current circumstances.
- 2.5 Where appropriate and possible within current resources, Colchester Borough Council will provide non-financial support to Firstsite 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, Firstsite 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 Firstsite must supply on request 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 Firstsite must supply on request operations information to CBC, including a budget to cover the same period as the funding agreement (it is acknowledged this may be subject to amendment during the year as a result of Covid 19) and a copy of the audited accounts from 2019 - 20 when available.
- 4.2 Throughout the term of the agreement, Firstsite must submit quarterly budget reports if required and invite a Council representative to observe Board meetings if appropriate. The organisation will also participate in an annual review meeting, as outlined below.
- 4.3 At the end of the agreement period, the organisation must provide audited accounts and submit performance data (it is acknowledged the latter will be impacted by Covid 19) and other evidence in support of the organisation having delivered value for the Council's investment in this financial year.

## 5.0 Bi-annual review process

- 5.1 A review meeting will take place between Colchester Borough Council and Firstsite at least once during the period of the agreement. The meetings shall be attended by the Portfolio Holder (PFH), relevant officer(s) of the Council and Executive staff of Firstsite.
- 5.2 The Portfolio Holder and Firstsite Management may be asked to sit before a Scrutiny Panel to monitor performance and achievements. As such, the bi-annual 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 Firstsite 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 steps that it has taken 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 while delivering the Business Plan and agreed performance targets.
- 7.2 This agreement does not constitute Firstsite 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 Firstsite.
- 7.4 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 Firstsite
  - ii. A breach of the law by Firstsite
  - iii. Petitioning the court for the appointment of an administrator
  - iv. Having a receiver appointed over all or any part of Firstsite's assets
  - v. Being the subject of a petition or resolution for Firstsite's 'winding up'
- 7.5 The Council should be consulted where any change or development in the direction of the organisation's affairs might affect this Agreement.

## 8.0 Breach in agreement

- 8.1 In the event of either the Council or Firstsite notifying the other in writing of a breach in this agreement, the parties shall meet to discuss the alleged breach within 21 days.

## Colchester Borough Council strategic funding for arts organisations 2020/21

- 8.2 Both the Council and Firstsite 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 End of year performance review to be completed Apr 2021

#### Programme

Target	Outputs/Report
Deliver 4 seasons of exhibitions	Partially complete – 3 out of 4 will be delivered
Deliver between 130,000 and 150,000 visitors	Not complete – 23,294 visitors to the building. 17% of previous and approx. daily average of 151 visitors per day – approx. 50% of previous year.  However! Subscribers to our email database have increased by 297% from 11,862 to 47,166. The Art is Where the Home is Activity packs have been downloaded by 89,199 households (accessed by 180-250,000 individuals) and the Great Big Art Exhibition has generated 4,000 artworks and 20,000 pack downloads to date.
Deliver a film programme with average 20% occupancy	Not complete due to Pandemic.
Continue to deliver Firstsite Holiday Fun to support vulnerable families in Colchester.	Complete – significant increases in provision here. In 2021 we have provided 2777 meals. This is equivalent to 40% of the total provision over the previous 3 years. 1029 of these were delivered in summer holidays alone. Introduction of takeaways and doubling indoor capacity has led to major increase in uptake.

#### Community and Audience Development

Target	Outputs/Report
Produce an audience development plan which focuses on x4 key demographics in line with ACE audience finder segmentations.	Complete – see above note. Audiences have been massively increased online, leading to 15-25% new visitors when we have been able to open.
Deliver new CRM system connecting to revised website	Complete
Continue to keep Firstsite's profile up throughout the Pandemic	Complete – Firstsite has achieved more press coverage both locally, nationally and internationally during the Pandemic than in the last two years combined. The

## Colchester Borough Council strategic funding for arts organisations 2020/21

	Great Big Art Exhibition has been featured on The One Show and is due to be profiled on Blue Peter.
Awards and recognition	Firstsite's Director was awarded an MBE for services to the Arts as a result of the gallery's response to the Pandemic. The Gallery has been invited to apply for both the Freelands Foundation Award and Museum of the year.

### Governance and Management

Develop new Strategy for 2022-26	<b>In progress</b> – Strategy away day delivered in December 2020, on-going strategy in progress factoring in pandemic lessons
Develop strategic funding plan for ACE G4A and National Projects Funding for Holiday Fun	<b>Complete</b> – applications due for submission March 2021 and May 2021
Apply for All forms of emergency support to maintain Firstsite's viability during lockdown	<b>Complete</b> - £250k emergency funding sort and received in Q1 of 2020. CRF funding applied for in Q4 with outcome due end March 2021
Successfully navigate the global pandemic and keep all staff in place without redundancies	<b>In progress</b> – year-end re-forecast suggesting surplus of <£100k which will be added to reserves to support next financial year. All staff retained. Senior Management Team kept in circulation throughout whilst majority of delivery team furloughed during each lockdown.

### 9.6. Diversity

Target	Outputs/Report
Ensure full Board membership reflects national demographics especially with regards disability, age, gender, sexuality and BAME background of Trustees	<b>Partially complete</b> . X3 new appointments to be made next year – Disability and other protected characteristic groups are a priority.
Appoint a new Senior Management Team member from a protected characteristic group and Arts Council Collection from	<b>Not complete</b> due to pandemic
Appoint one new member of the team from a BAME background	<b>Complete</b> – Finance Director appointed.
Increase diversity of our audiences from protected characteristic groups overall by 1%	<b>Mixed results here</b> , Main audiences have become less diverse. Audiences for Holiday Fun initially became much less diverse down from 20% BAME previous year to 7% in summer hols. These went back up to 17% when we introduced takeaway in October and Xmas.



## Children and Young People

Target	Outputs/Report
Attract x10 new schools increasing our engagement from x50 to x60 with a focus on schools from low socio-economic areas	<b>Not complete</b> due to pandemic
Engage x5 young artists and curators in first-hand exhibition making experience over the course of the year	<b>Complete</b> – although outcome delayed to 2021/22
Attract 25% of volunteers with age range below 25 years	<b>Not complete</b> due to pandemic
Continue to deliver the Firstsite Holiday Fun programme with a view to confirming long-term sustainability funding for the next two years	<b>Complete</b> – massive increase in delivery here as we added takeaways and additional days leading up to xmas. See above. We are aiming to confirm funding for the next three years through ACE to develop a major region-wide organisational development programme by replicating holiday fun in other venues.

## Older People

Target	Outputs/Report
Attract 20% of volunteers age over 60 years old	<b>Not complete</b>
Attract 10% audiences 60+	<b>Not complete</b>
Deliver one event in collaboration with Will Quince MP to support the work of elderly people	<b>Not complete</b>

## Job Creation, sector skills development and contribution to the local economy

Target	Outputs/Report
Deliver x3 Work Experience placements over the year	<b>Not complete</b>
Create one new Senior Management post for three years	<b>Complete</b> – HR Manager appointed mid pandemic.
Continue to support volunteers into paid employment at Firstsite	<b>Not complete.</b>

## Environmental and Economic Sustainability

Target	Outputs/Report
Complete capital application to ACE for	<b>Partially Complete</b> – some lighting



## Colchester Borough Council strategic funding for arts organisations 2020/21

remaining lighting system funds	upgrades due March 2021
Continue to develop plans with NHS to draw in funds for culture to the region	<b>Not complete</b> – now completing applications to ACE for G4A and National projects funds to continue Holiday Fun
Significantly improve performance of Firstsite's commercial activities to meet and exceed year end targets	<b>Not complete</b> . Although Christmas Ice Rink was hugely successful. We broke even and at 50% of visitors were new to Firstsite. Significant contribution to High Street Christmas offer.
Deliver x3 high-level fundraising dinners / events which attract new sources of funding to Firstsite	<b>Not complete</b> . However donations are up 300% in line with online audience increases.

### 20/21 Performance Overview

Continued to raise the profile of Firstsite and CBC via nationally and internationally significant projects throughout this year that promote our cultural resilience and regional agility and positivity.

Continued to develop and promote the Firstsite Holiday Fun programme as a very Colchester specific response to a national crisis, promoting Colchester as the home of equality in light of the John Ball Society aims and objectives.

Continued to promote Firstsite and Colchester on the national and international stage by speaking at and representing the gallery and its innovations as a consequence of CBC support and encouragement

Firstsite has a proactive role in the delivery of project outcomes for the Creative Colchester Strategy and Board.

Firstsite is now a member of the Visit Essex Consortium, the One Colchester Volunteer strategy group and University of Essex LGBT Action Group. Sally Shaw is a Fellow of the Human Rights and Law Centre and Vice Chair of the Chelmsford Cultural Development Trust.

Firstsite is developing a region-wide organisational development programme through Holiday Fun in collaboration with ACE and Tendring District Council and Tate Modern, London

Firstsite's Art is Where the Home Is activity packs have been downloaded by 90,000 families nationally and internationally.

Firstsite's Great Big Art Exhibition pack includes all the major national Museums And has been downloaded by 20,000 Households nationally. The project has been featured on the BBC's One Show and on Blue Peter

## 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.

<b>On behalf of Firstsite</b>	<b>Date</b>	
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**Signed** (Director)

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**Name** (please print)

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**Signed** (Portfolio Holder)

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**Name** (please print)

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<b>On behalf of Colchester Borough Council</b>	<b>Date</b>	
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**Signed** (Officer)

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**Name** (please print)

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18 March 2021

<b>Report of</b>	<b>Assistant Director Place and Client Services</b>	<b>Author</b>	<b>Geoff Beales</b> ☎ 506514
<b>Title</b>	<b>Colchester Borough Homes Performance Targets 2021/22</b>		
<b>Wards affected</b>	All wards		

## 1. Executive Summary

- 1.1 This report presents the set of performance targets which Colchester Borough Homes (CBH) will be accountable to in 2021/22. This set of performance indicators was agreed with CBH as part of their Medium-Term Delivery Plan (MTDP) 2018 to 2022, which in turn forms part of their Management Agreement with the Council. This report is being brought to provide the Scrutiny Panel with greater detail on how the MTDP targets are set and the role they play in performance management of CBH.
- 1.2 The MTDP includes performance targets for each of the five years of the plan. These targets were agreed by the Council and are reviewed annually by CBH and the Council to determine whether they remain appropriate or whether any changes in the operating environment mean they should be amended.
- 1.3 The targets proposed for 2021/22 have been amended to reflect the challenges faced next year, with the exception of the target for accepted homelessness applications, which has been reviewed and replaced in light of operational experience of the third full year of working to the Homelessness Reduction Act and the effectiveness of the data provided by the KPI.

## 2. Action Required

- 2.1 The Scrutiny Panel is asked to note the draft performance targets for 2021/22, given as Appendix A.
- 2.2 The Scrutiny Panel is also invited to make recommendations to the Portfolio Holder for Housing on CBH performance management arrangements for 2021/22 and beyond.

## 3. Reason for Scrutiny

- 3.1 Scrutiny Panel provides part of the oversight of the performance of CBH. CBH is a wholly owned arm's length company of the Council and delivers the majority of the Council's housing functions, in particular those connected with the Council's housing stock and delivery of homelessness and housing advice services. As such CBH has a key role to play in contributing to the achievement of the Council's Strategic objectives.

- 3.2 The Scrutiny Panel, at its meeting on 6 August 2019, considered CBH's annual performance review against the targets set for 2018/19. At that meeting the Scrutiny Panel requested that it receive a further report setting out the proposed targets for 2020/21 and beyond. Due to timescales this year approval of the targets has already been given by the CBH Board and the Housing Portfolio Holder.

#### **4. Background Information**

- 4.1 Colchester Borough Homes (CBH) is the Council's Arm's Length Management Organisation (ALMO). CBH's delivery of services on behalf of the Council is governed by a management agreement which was agreed and signed in 2013. This was further extended by Cabinet in 2020 by 5 years to 2028. Integral to this management agreement is a five-year Medium-Term Delivery Plan (MTDP). This plan sets out the detailed outcomes and targets which the management agreement requires CBH to deliver against. The management agreement also has a Liaison Protocol and Performance Framework appended to it, which was last reviewed in February 2020.
- 4.2 The MTDP for 2018-2022 was developed jointly with CBH and the Council. As part of the development of the plan, the approach to setting performance targets was refined. The delivery plan now contains eight high-level performance indicators which provide a clearer focus and visibility of the service delivery required from CBH. Previous performance management arrangements were based around more than 20 detailed performance indicators and targets. CBH continue to share with Council officers a more detailed suite of performance data, the analysis and scrutiny of which forms part of the Liaison Protocol and Performance Framework under which the relationship with CBH is managed.
- 4.3 As well as taking a more focussed approach to key performance targets, the Council also agreed with CBH in 2017 that targets for each service area would be set for the five years of the MTDP.
- 4.4 When setting the targets, consideration was given to a number of factors, such as sector benchmarking data (where available – for example in customer satisfaction), the external operating environment, changes in demand and alignment with the Council's wider strategic objectives.
- 4.5 Three of CBH's performance indicators also form part of the Council's suite of corporate performance indicators, currently these are as follows:
- Rent collected from current tenants as a % of rent collectable plus arrears at the start of the year
  - Average number of days taken to re-let general needs properties
  - Homelessness applications, where a full duty has been accepted, as a % of homeless applications provided with a personal housing plan
- 4.6 The performance targets set in the MTDP mostly increase incrementally over the period of the plan but are reviewed annually by the Council and CBH to ensure they continue to deliver stretching targets. The performance targets for 2021/22 have been reviewed jointly by CBH and Council officers, and by CBH's Board, and have been amended taking into account levels of performance and the effect of the Covid 19 pandemic. (these are shown in Appendix A)

- 4.7 Covid 19 has had a significant impact on performance in 2020/21. It has affected our tenants and leaseholders and their ability to receive services such as repairs. It has affected the delivery of services through restrictions to accessing homes to carry out repairs, voids and delivering capital works to properties. Finally, it has affected contractor's capacity to deliver these works through sickness, furlough and supply chain issues.

### ***Reviewing the homelessness target***

- 4.8 The Council's duties in respect of homelessness changed considerably with the enactment of the Homelessness Reduction Act in April 2018. To reflect these new duties, the homelessness performance indicator for CBH was re-defined in 2020/21. The indicator expressed in its current format as a percentage figure is complicated and difficult to understand. (see Appendix B)
- 4.9 It was therefore proposed that for 2021/22 homelessness has no target and is reported by the provision of 3 key metrics: full duty homelessness acceptances, homelessness preventions and homelessness relief. These figures, presented over a period of time, will highlight trends and overall demand for the service, and provide a measure of how successful the service has been in preventing or relieving homelessness. Reporting in this way will also allow comparisons to be made with other local authorities and with the regional average. (Prevention is described as providing people with ways and means to address their housing and other needs to avoid homelessness. Whereas relief is action taken to resolve homelessness). Appendix C shows these metrics in their new format – narrative will also be provided to put these into perspective.

## **5. Strategic Plan References**

- 5.1 The services and projects delivered by CBH contribute directly to the Strategic Plan 2021-2023 priority areas:
- **Responding to the Climate Emergency**
    - Reduce carbon emissions to help achieve a zero-carbon footprint for Council services for 2030
    - Environment and sustainability imbedded in all Council decision making and the adaption and recovery from Covid-19
  - **Tackling the causes of inequality and support our most vulnerable people**
    - Support people to live in healthy homes that meet their needs
  - **Increase the number, quality and types of homes**
    - Improve existing Council homes to keep them in good repair and improve energy efficiency
    - Continue to improve and modernise available housing for older people
  - **Prevent households from experiencing homelessness**
    - Work with partners to deliver the 2020-23 Homelessness and Rough Sleeping Action Plan
    - Intervene early to prevent homelessness and work in partnership with other organisations to sustain people's accommodation
    - Tackle rough sleeping in the Borough

- **Enable economic recovery from Covid 19 ensuring all residents benefit from growth**
  - Ensure our Borough becomes stronger post Covid 19 by supporting businesses to recover, adapt and build resilience
  - Develop opportunities to ensure the new economy is greener, sustainable and more resilient
- **Create an environment that attracts inward investment to Colchester help businesses to flourish**
  - Encourage green technologies and innovative solutions to the Climate Emergency
  - Maximise the social value benefits derived from third party contracts
  - Ensure the Councils assets continue to contribute to economic growth and opportunity

## **6. Consultation**

- 6.1 The performance information and monitoring framework was developed in conjunction with CBH Board Members, Council Officers and the Portfolio Holder for Housing, as part of its development, it was subject to scrutiny by tenant and leaseholder representatives.

## **7. Publicity Considerations**

- 7.1 The MTDP 2018-22 has been widely distributed which contains all performance information for 2018/19, 2019/20 and targets for 2020/21 and 2021/22.

## **8. Standard References**

- 8.1 Having considered equality, diversity and human rights; financial, health, well-being and community safety, health and safety and risk management, there are no significant matters in this report. However, CBH's success in meeting their delivery plan targets will positively impact all these areas, benefitting parts of our more vulnerable communities, aligned with planned financial management of the HRA.

## **9. Appendix**

- 9.1 Appendix A – Colchester Borough Homes Performance Targets 2021-22.

Appendix B – Current measurement for homelessness 2020/21

Appendix C – New proposed measurement for homelessness KPI

## **Appendix A** Colchester Borough Homes Performance Targets 2021-22

### **Customer satisfaction %**

This is a combined, weighted measure of satisfaction with responsive repairs in-house & contractor, newly let properties, capital works, adaptations, gas repairs and servicing, customer service centre, complaints and antisocial behaviour. Overall volumes for satisfaction data are low for 2020/21 due to a combination of Covid-19 disruption and changeover of ICT systems. For gas servicing/repairs and complaints, 2019/20 data has been substituted for indicative purposes due to no data being collected during 2020/21.

	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Target</b>	New	New	89.3	91	92
<b>Result</b>	New	87.4	92.8	93.6% (Q3)	

### **Repairs completed on time %**

The repairs service has undergone significant disruption during 2020/21 due to Covid. Due to the nature of the work a higher proportion will be complete in time.

	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Target</b>	96.75	97	97.25	97.5	97.75
<b>Result</b>	98.0	98.3	97.81	TBC	

### Homelessness and housing options

In response to the implementation of the Homelessness Reduction Act, during 2019/20 and 2020/21 we monitored the percentage of households for whom a Personal Housing Plan (PHP) was issued; where the actions outlined in the PHP did not result in prevention or relief of homelessness and a full homelessness duty was owed.

	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Target</b>	New	New	20%	30%	N/A
<b>Result</b>	New	27.8%	29.9%	33.2% (Q3)	

For 2021/22, we will monitor the number of households where full duty has been accepted, the number of homelessness preventions and the number of households where homelessness was relieved. As this is a demand-led service which is largely driven by external factors such as the economic landscape and the availability of affordable housing, these indicators will not have targets attached. Context such as the number of applicants and number of households in temporary accommodation will support these measures.

	Homelessness acceptances	Homelessness prevention	Homelessness relief
<b>Latest result</b>	139 (Q3 YTD)	128 (Q3 YTD)	87 (Q3 YTD)

### Capital program elements completed on time %

Progress against the capital programme delivery schedule agreed at the start of the year has been hampered by Covid restrictions and in particular by refusals by tenants concerned about works taking place in their homes. As a result of current restrictions, and a growing reluctance from tenants to allow access to their homes, we have experienced a 16% reduction in the number of completions over the last quarter and now estimate a maximum of 80% completion is achievable against the 2020/21 target of 96%. Given the likelihood of potential prolonged restrictions well into 2021/22 we estimate a similar trend and feel that an achievable but stretching target for 21/22 will be 85% of capital elements completed. It is expected that the completion rate will be slow to start as restrictions are gradually lifted nationally.

	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Target</b>	New	95	95.5	96	85 (previously 96.5)
<b>Result</b>	75.4	66.3	96.1	55.7% (Q3)	



### Rent collection %

Government figures show local government Housing Revenue Accounts lost a combined £165.8m in income between April and December 2020, mostly in the form of rent arrears. As the full effects of the pandemic have yet to be felt both in terms of tenant's incomes and on the limitations on evictions for rent arrears, 2021/22 is likely to present an even more challenging and unpredictable picture. HouseMark is forecasting that by the end of March 2021, the average landlord will have arrears 33% higher than they would have been without the pandemic.

	2017/18	2018/19	2019/20	2020/21	2021/22
Target	98.5	98	98	98.2	98 (previously 98.5)
Result	99.9	99	99.1	97.0 (Q3)	

### Average days to re-let general needs properties

Empty property performance has been affected by Government guidance (Covid-19) for working in empty homes. From March to September performance figures are excluded. Restrictions remain in place impacting on performance such as trade supplies, work force absence and leaving properties idle to reduce spread of infection. The number of properties available to re let has declined significantly (No) which impacts on average times. We recommend a revised target of 25 days.

	2017/18	2018/19	2019/20	2020/21	2021/22
Target	25	25	25	24.75	25 days (previously 24.75)
Result	24.7	26.8	24.3	25.5 (Q3 only due to Covid)	

### Corporate facilities repairs completed on time %

Difficulties in accessing corporate facilities due to Covid restrictions significantly affected performance in Q1 and Q2, although during Q3 performance returned to expected levels. Given the uncertainty of Covid restrictions we recommend a revised target of 90% for 2021/22.

	2017/18	2018/19	2019/20	2020/21	2021/22
Target	New	75	90	90	90 (previously 95)
Result	63.1	95.5	91.0	87.0 (Q3)	

### Gas compliance %

Our gas contractor has experienced some difficulties in gaining access to homes, due to fear of spread of Covid infection. The guidance clarified that Health & Safety servicing remains an essential service. The performance of the gas contractor has been exceptional this year to maintain high levels of compliance.

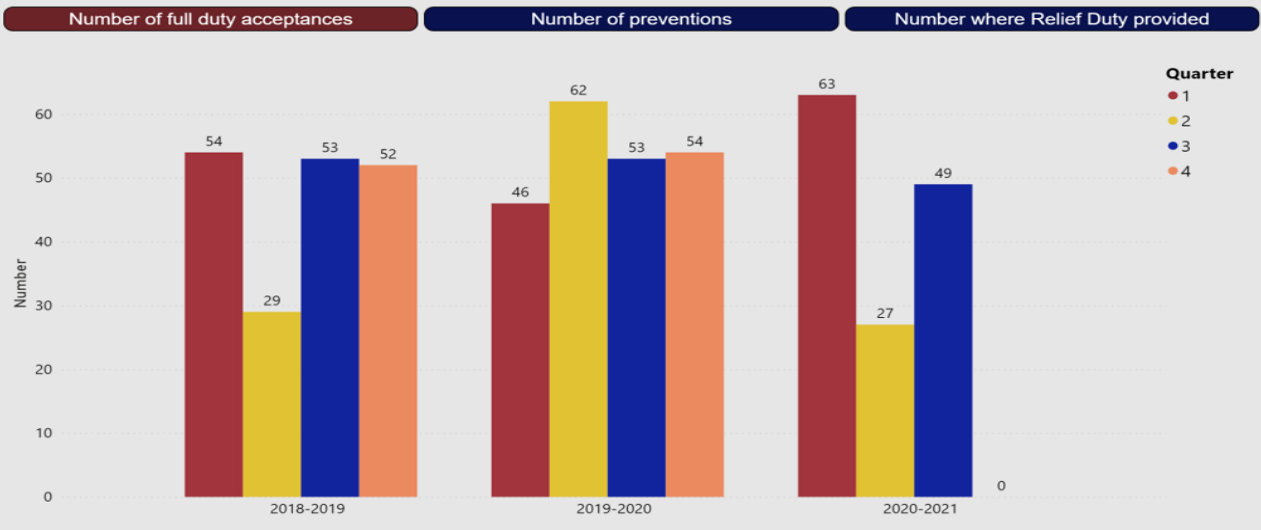
	2017/18	2018/19	2019/20	2020/21	2021/22
Target	100	100	100	100	100
Result	100	100	100	100 (Q3)	

Appendix B – current measurement for Homelessness 2020/21

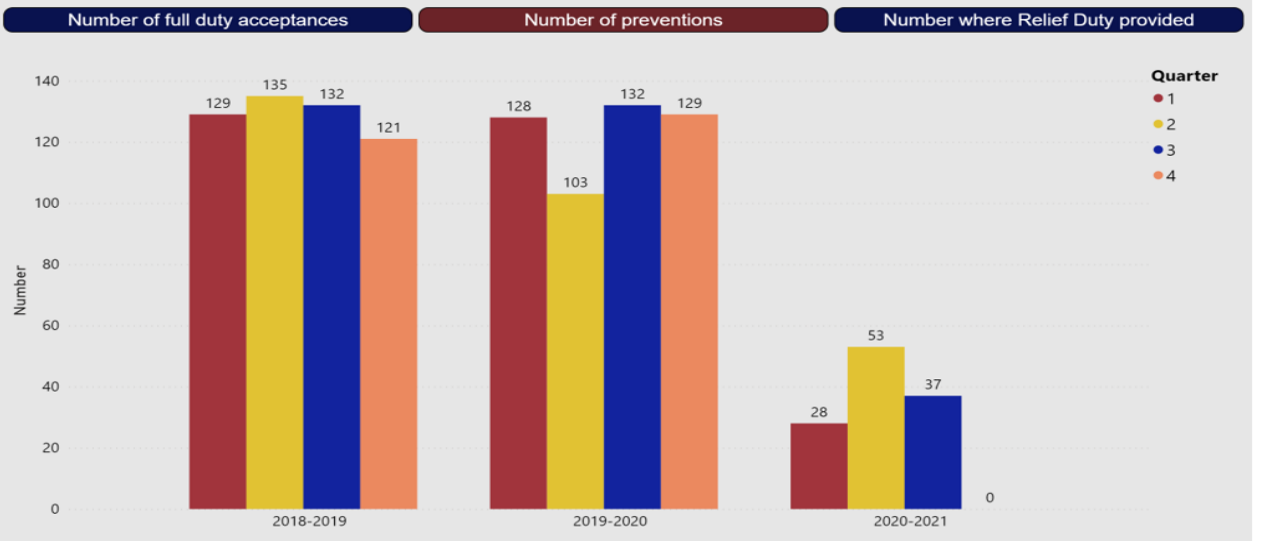


## Appendix C – New measurement for Homelessness

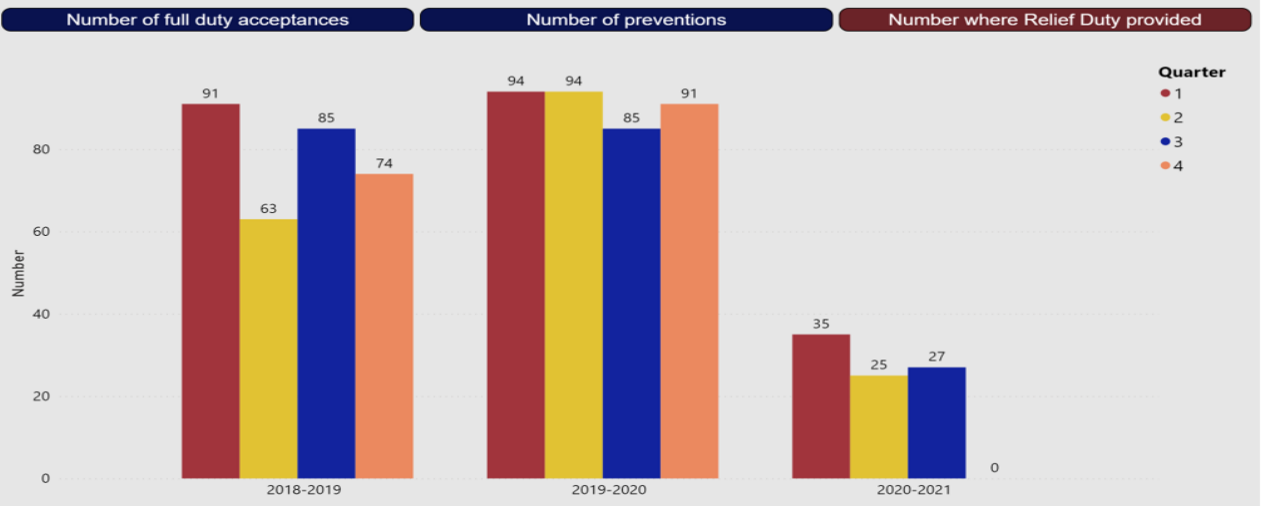
### KPI K1H3 Homelessness Duty Owed



### KPI K1H3 Homelessness Duty Owed



### KPI K1H3 Homelessness Duty Owed



18 March 2021

Report of	Assistant Director - Corporate and Improvement Services	Author	Richard Block ☎ 506825
Title	Corporate Key Performance Indicator Targets for 2021-2022		
Wards affected	All		

## 1. Executive Summary

- 1.1 The Panel is invited to consider the Corporate Key Performance Indicator (KPI) Targets for 2021-2022.

## 2. Action Required

- 2.1 To scrutinise the Corporate KPI Targets for 2021-2022 as proposed in the report.

## 3. Reason for Scrutiny

- 3.1 To consider KPI targets for 2021-2022 as a key element of the Council's performance monitoring.

## 4. Background Information

- 4.1 The overall position for April – December 2020 can be found at Appendix A.
- 4.2 It is proposed that a number of KPI targets remain unchanged. It is also proposed that a number of KPI targets are changed from their current target to make them more appropriate and stretch performance:

KPI	Description	Current Target	Proposed Target
K1B1(a)	Time to process housing benefit new claims and changes	5 days	No change
K1B1(b)	Time to process Local Council Tax Support (LCTS) new claims and changes	6 days	No change
K1H1	New additional homes provided	920 homes	No change
K1H2	Affordable homes delivered (gross)	400 homes Delivered over three years (2018-2021)	<b>See para 4.3</b> 400 homes Delivered over three years (2020-2023)
K1H3	Full Homelessness Duty Owed	30%	<b>See para 4.4</b>
K1H4	Rent Collected	98.2%	<b>See para 4.5</b>
K1H5	Average time to re-let council homes	24.75 days	<b>See para 4.5</b>

K1P1(a)	Processing of Major planning applications	85%	No change
K1P1(b)	Processing of Minor planning applications	91%	No change
K1P1(c)	Processing of Other planning applications	91%	No change
K1R1	Council Tax Collected	97.5%	<b>See para 4.6</b> 96.5%
K1R2	Business Rates (NNDR) collected	98.5%	<b>See para 4.7</b> 90%
K1R3	Sickness rate in working days	8 days	<b>See para 4.8</b> 7 days
K1W1	Residual household waste per household	346kg	No change
K1W2	Household waste reused, recycled and composted	53%	No change
K1W3	Percentage of collections made	99.94%	No change

- 4.3 **Align K1H2 Affordable Homes delivered (gross) to the SPAP (2020-2023).** This KPI is currently aligned to the Strategic Plan Action Plan [SPAP] covering 2018-2021 and should be aligned to the SPAP covering 2020-2023.
- 4.4 **New approach to report on KPI H3 - Full Homelessness Duty Owed.** Following previous comments by Scrutiny Panel on the complexity and validity of this KPI, officers from both CBC and CBH have worked on a new way of reporting that is a more holistic measure of performance that is easier to understand; ahead of Scrutiny Panel on 16 March 2021. A proposed new way of reporting on this KPI can be found at Appendix B. Supporting graphs can be found at Appendix C.
- 4.5 **CBH KPI Targets.** The following KPI Targets will be determined and agreed by CBC and CBH via the Medium-Term Delivery Plan, as approved at the Principal Liaison Meeting on 3 February, CBH Board on 23 February, PFH for Housing and ratified by Scrutiny Panel on 16 March:
- KI H3 - Full Homelessness Duty Owed
  - KI H4 - Rent Collected
  - KI H5 - Average time to re-let council homes
- 4.6 **K1R1 Council Tax Collected.** It is proposed that the target for Council Tax Collection is reduced by 1% due to the on-going impacts of Covid-19. The expected collection for 2020/21 is approximately 97%, however this figure has been supported by the £150 Local Council Tax Support (LCTS) Grant provided by Government for all LCTS claimants, it is not known whether this grant will be repeated for 2021/22.
- It is felt that 96.5% collection is an ambitious and realistic target based on the potential economic and employment issues during 2021/22.
- 4.7 **K1R2 Business Rates (NNDR) Collected.** It is proposed that the target for Business Rates collection is reduced by 8.5% due to the on-going impacts of Covid-19. The expected collection for 2020/21 is approximately 91% with a significant number of businesses unable to pay or recently falling into administration.

The Government provided rates relief covering approximately half of the rate base (£33million) during 2020/21 and it is expected that although some further relief will be given, this will be scaled back. This will potentially add additional pressure to collection where more businesses who have been affected by Covid-19 will be expected to meet their rates liability.

In order to offset the expected lower collection rates, it is proposed that the Business Rates Team focus on increasing the rate base by assessing previously unknown business premises. The distribution of discretionary business grants has helped to identify over 200 potentially rateable business premises which will help increase the overall amount of income to the Council.

- 4.8 **K1R3 Sickness rate in working days.** It was agreed in 2018 that Sickness rate in working days would be set at 9 days and reduce annually. The proposed target set is 7 days.

## **5. Equality, Diversity and Human Rights implications**

- 5.1 Where required, specific Equality Impact Assessments have been conducted for policies and activities rather than for individual performance indicators.

## **6. Strategic Plan References**

- 6.1 Having a robust corporate performance monitoring framework with appropriate KPI's will contribute to the effective delivery of the Strategic Plan.

## **7. Consultation**

- 7.1 There are not any direct implications with regard to consultation.

## **8. Publicity Considerations**

- 8.1 The performance report contains measures for our key performance. Many of these are used to monitor the performance of our services, and as such these may be of public interest. The performance report and related information is published on the Performance section of the Council's website.

## **9. Financial implications**

- 9.1 The annual budget setting report considered separately by Cabinet will ensure there are appropriate resources to deliver the KPI targets for 2021-2022.

## **10. Health, Wellbeing and Community Safety Implications**

- 10.1 Some of the proposed KPI's will ensure effective performance monitoring of key areas which have a positive impact on Health, Wellbeing and Community Safety.

## **11. Health and Safety Implications**

- 11.1 This report has no direct implications with regard to Health and Safety.

## **12. Risk Management Implications**

12.1 There are no specific risk management implications associated with this decision.

### **13. Environmental and Sustainability Implications**

13.1 The KPI targets proposed for recycling and residual waste are examples of indicators of performance at tackling Environment and Sustainability issues. However, as work progresses in responding to the Climate Emergency Declaration, Cabinet may wish to consider if any additional corporate KPI's in this area are required.

#### **Appendices**

- A. KPI Report covering April - December 2020.
- B. New approach of reporting on KPI K1H3 - Full Homelessness Duty Owed.
- C. Supporting graphs for KPI K1H3.

#### **Background Papers**

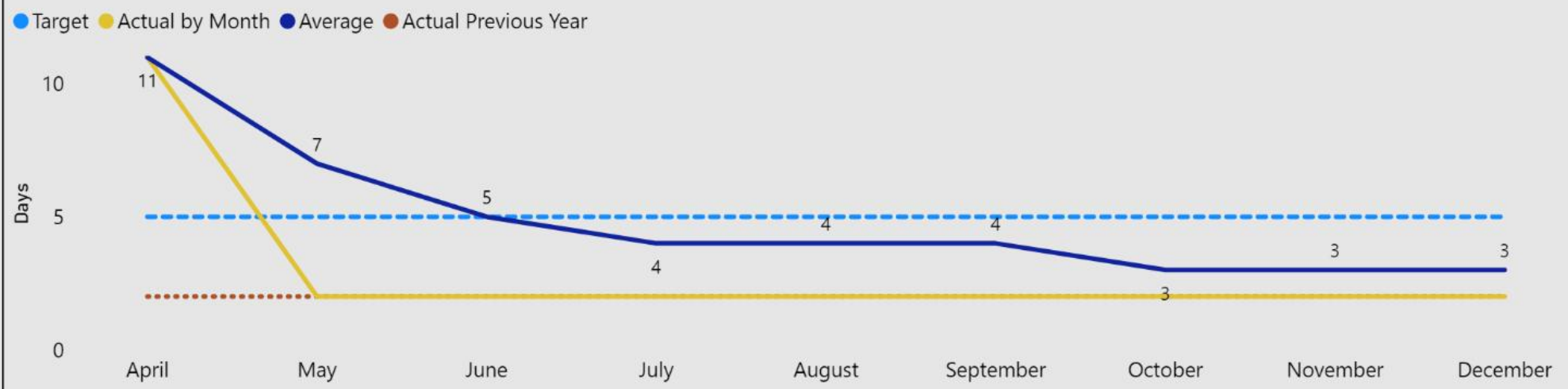
Not applicable.



# Corporate Key Performance Indicators April-December 2020

K1B1 Housing Benefit	→
K1B1 LCTS	→
K1H1 Additional Homes	→
K1H2 Affordable Homes	→
K1H3 Homelessness	→
K1H4 Rent Collected	→
K1H5 Re-lets	→
K1P1 Planning Apps (Majors)	→
K1P1 Planning Apps (Minors)	→
K1P1 Planning Apps (Others)	→
K1R1 Council Tax	→
K1R2 NNDR	→
K1R3 Sickness	→
K1W1 Residual Waste	→
K1W2 Recycled Waste	→
K1W3 % of Scheduled Collections Made	→

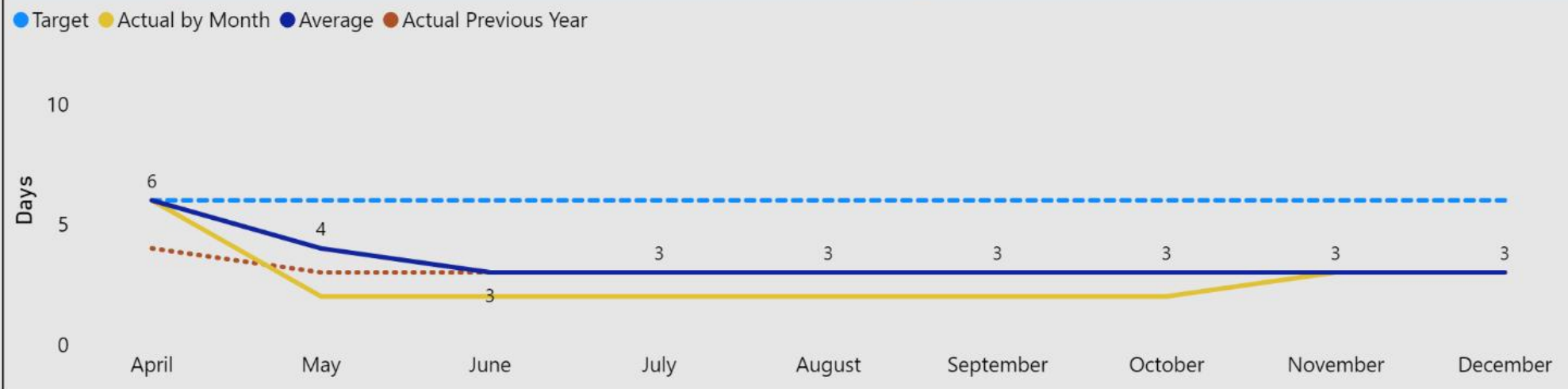
### K1B1 Time to process Housing Benefit new claims and changes



### Average against Target

**3✓**  
 Target: 5  
 December

### K1B1 Time to process Local Council Tax Scheme (LCTS) new claims and changes



### Average against Target

**3✓**  
 Target: 6  
 December

2015-2016

2016-2017

2017-2018

June

September

December

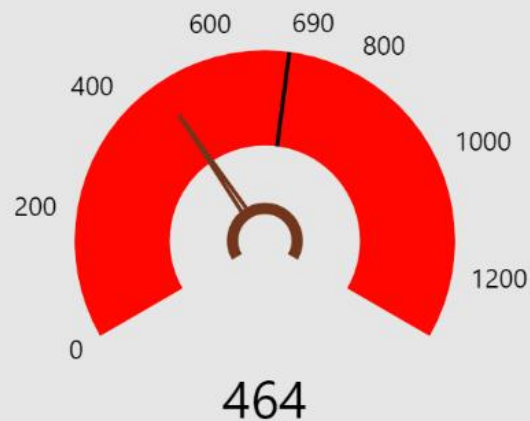
March

2018-2019

2019-2020

2020-2021

## K1H1 Additional Homes Provided



## Actual for Quarter

223

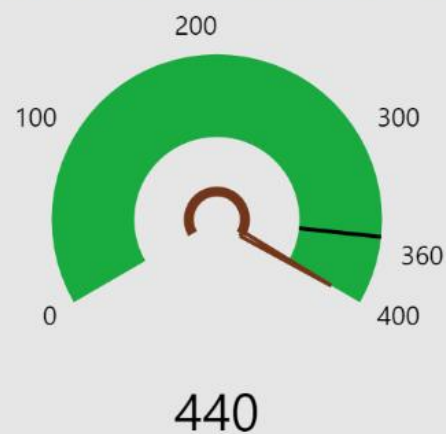


## Actual towards Target

464!

Target: 690  
December

## K1H2 Affordable Homes Delivered over Three Years



## Actual for Quarter

34

## Actual against Year Two Target

440✓

Target: 360  
December

2015-2016

2016-2017

2017-2018

June

September

December

March

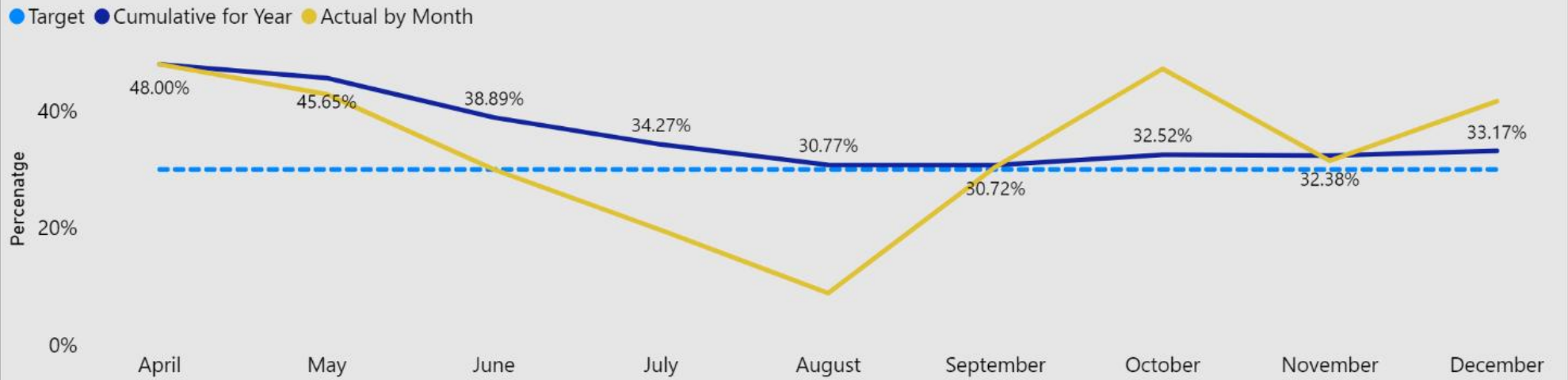
2018-2019

2019-2020

2020-2021



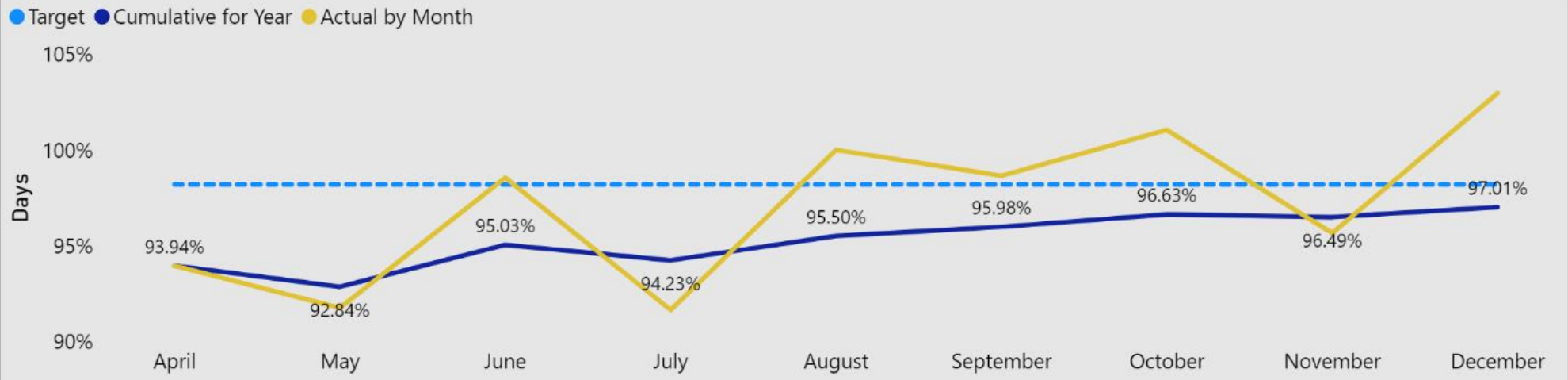
K1H3 Full Homelessness Duty Owed



Cumulative against Target

33.17%!  
Target: 30%  
December

K1H4 Rent Collected



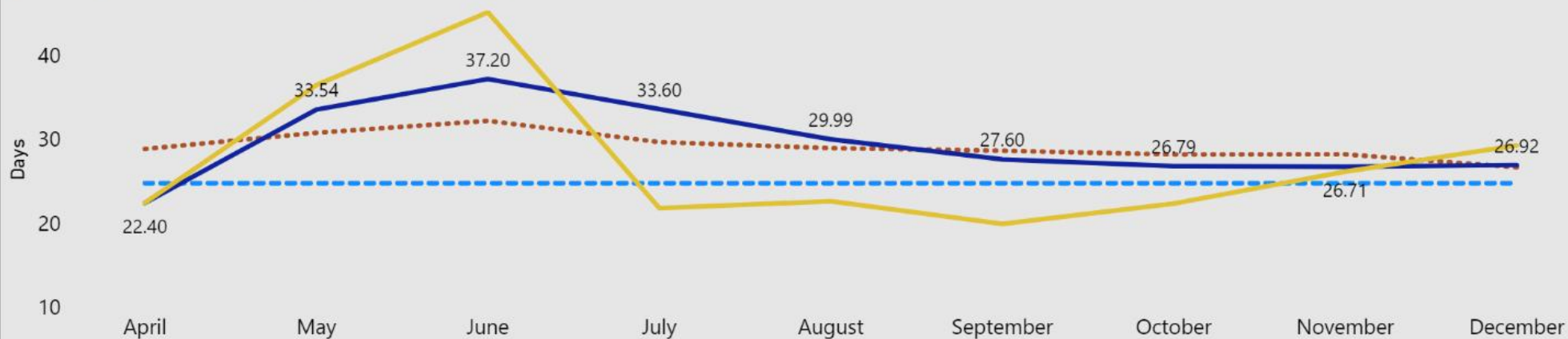
Cumulative against Target

97.01%!  
Target: 98.20%  
December



## K1H5 Average time to re-let Council Homes

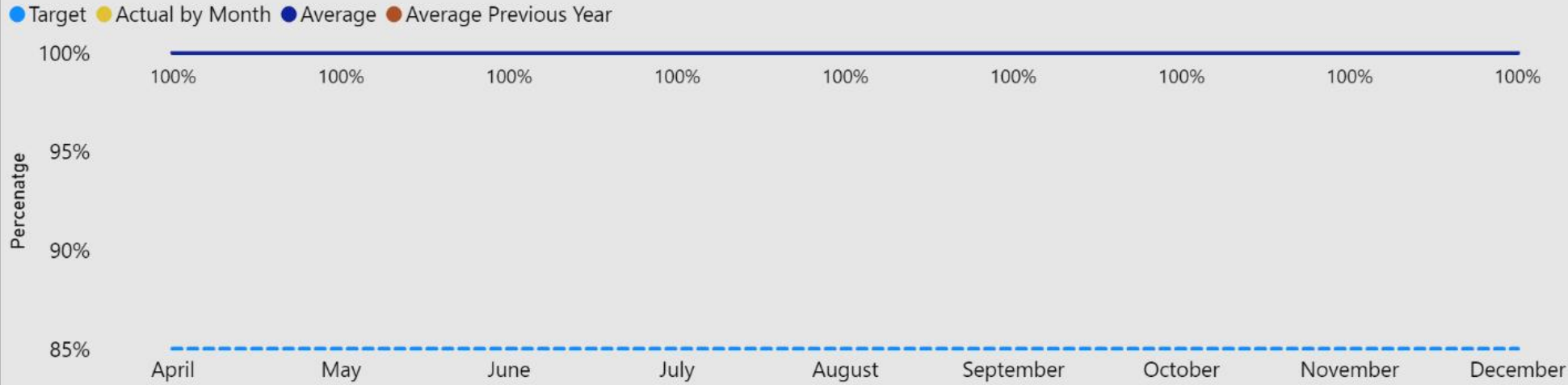
● Target ● Cumulative for Year ● Actual by Month ● Cumulative Previous Year



## Cumulative against Target

**26.92!**Target: 24.75  
December

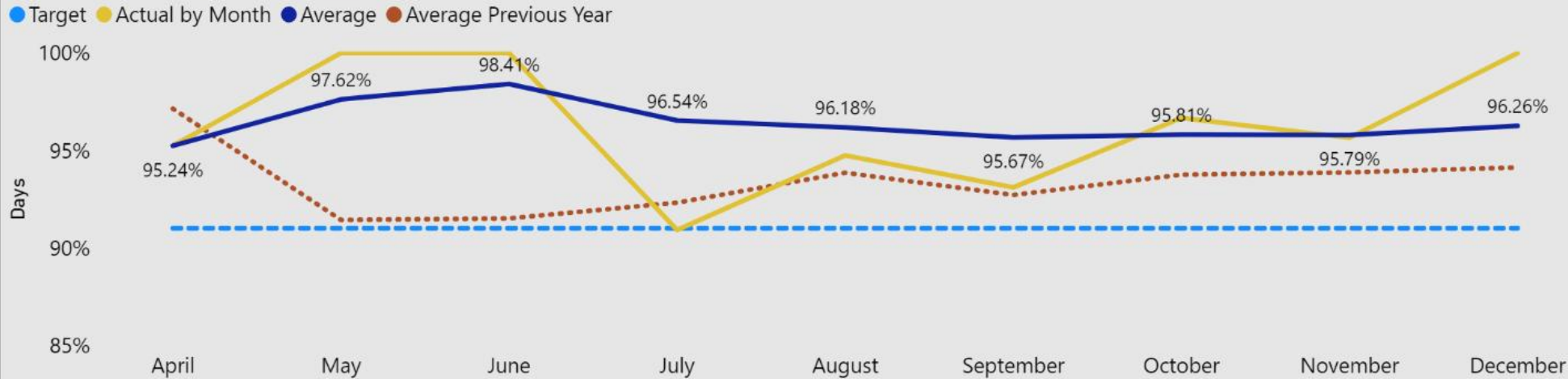
### K1P1 Processing of Planning Applications - Majors



Average against Target

100%✓  
Target: 85%  
December

### K1P1 Processing of Planning Applications - Minors

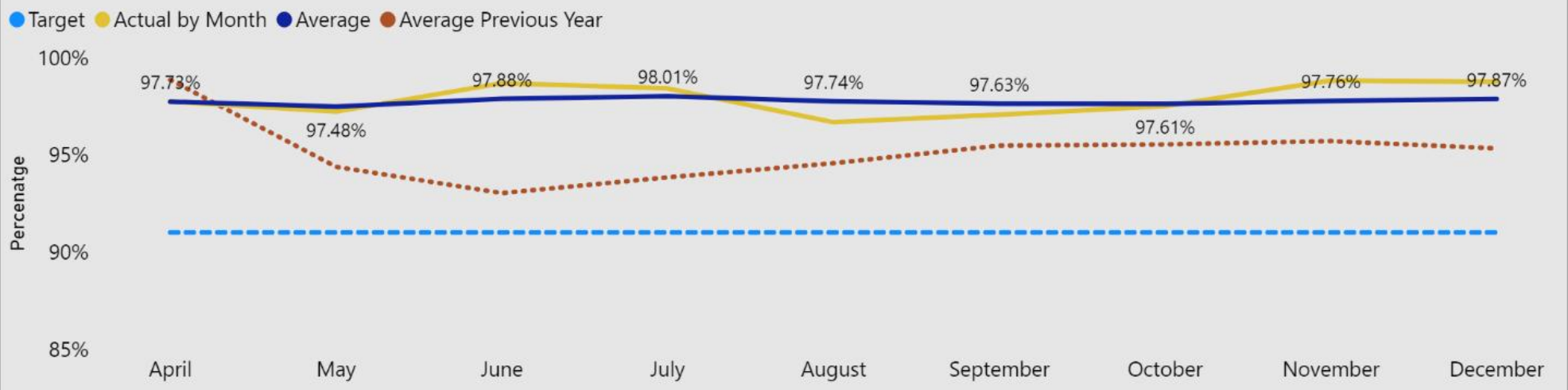


Average against Target

96.26%✓  
Target: 91%  
December



K1P1 Processing of Planning Applications - Others



→

←

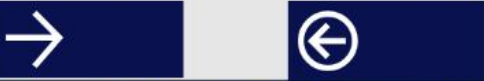
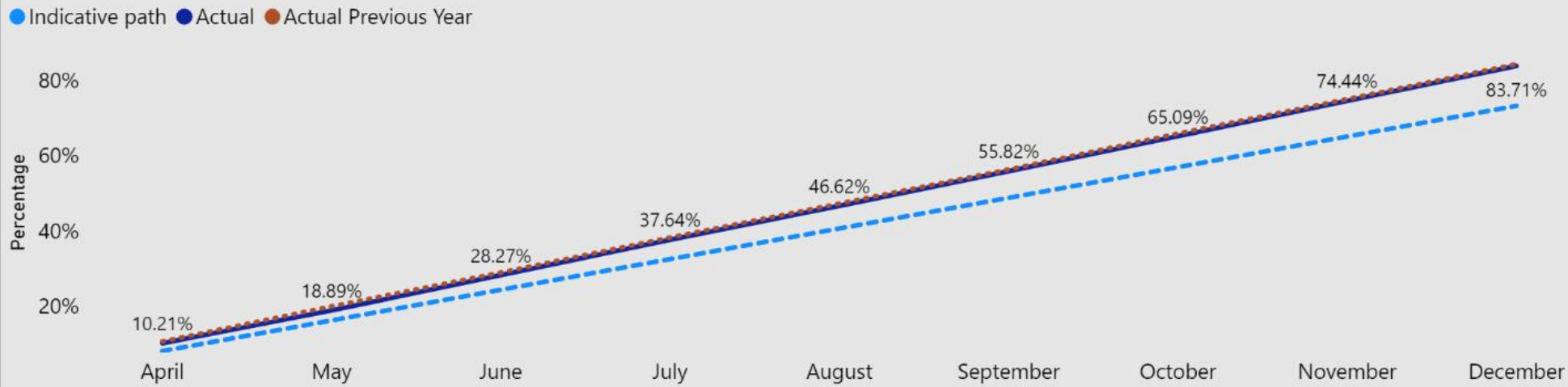
Average against Target

97.87%✓

Target: 91%

December

K1R1 Council Tax Collected

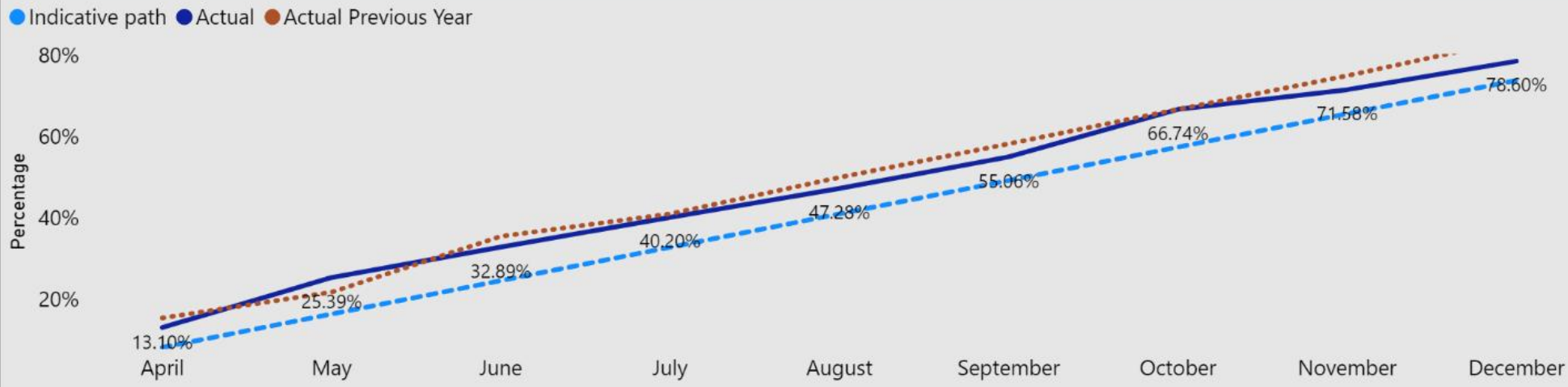


Actual against Year End Target

83.71%!

December

K1R2 Business Rated (NNDR) Collected



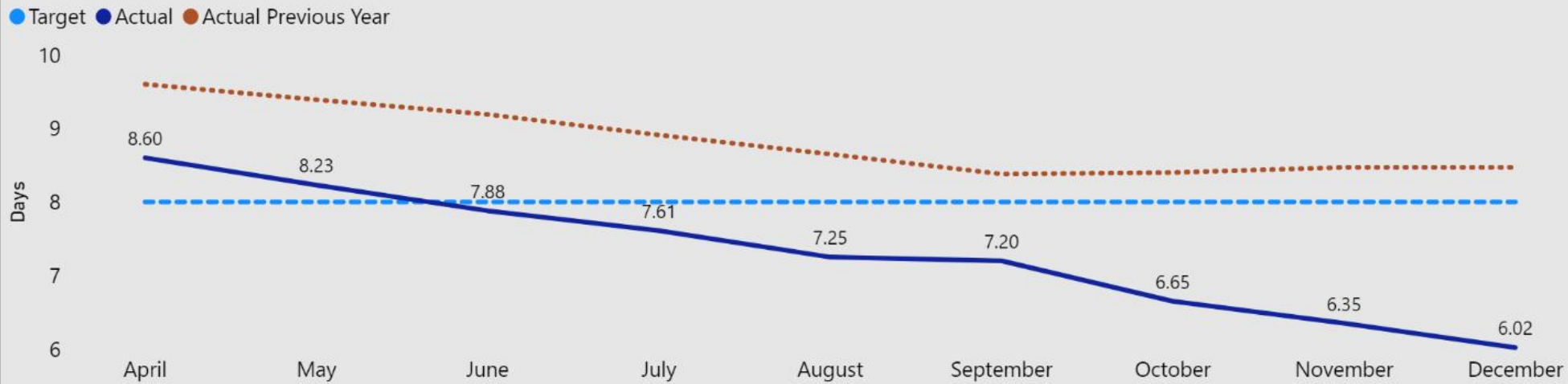
Actual against Year End Target

78.60%!

December



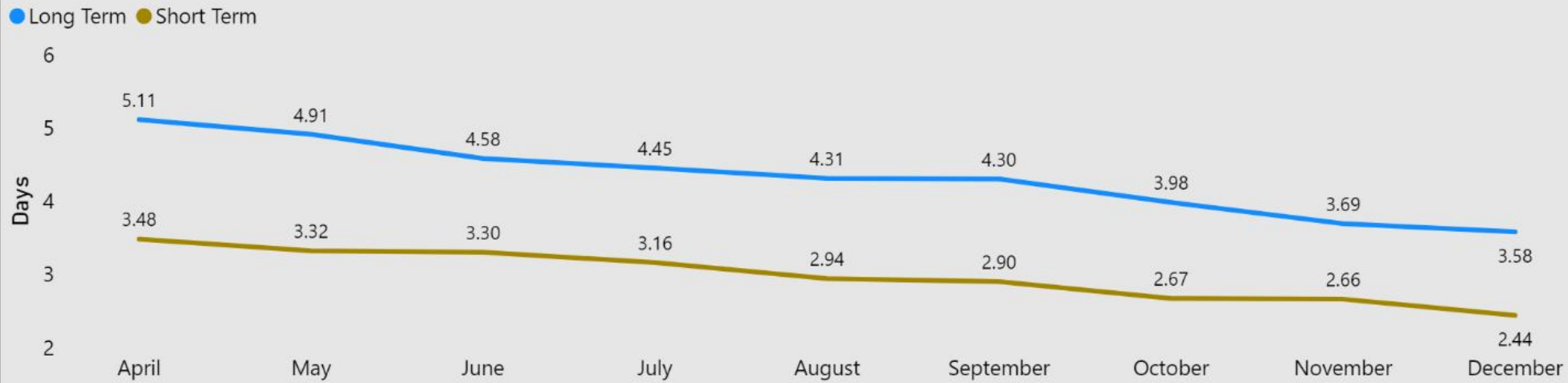
### K1R3 Sickness Rates (Rolling Figures)



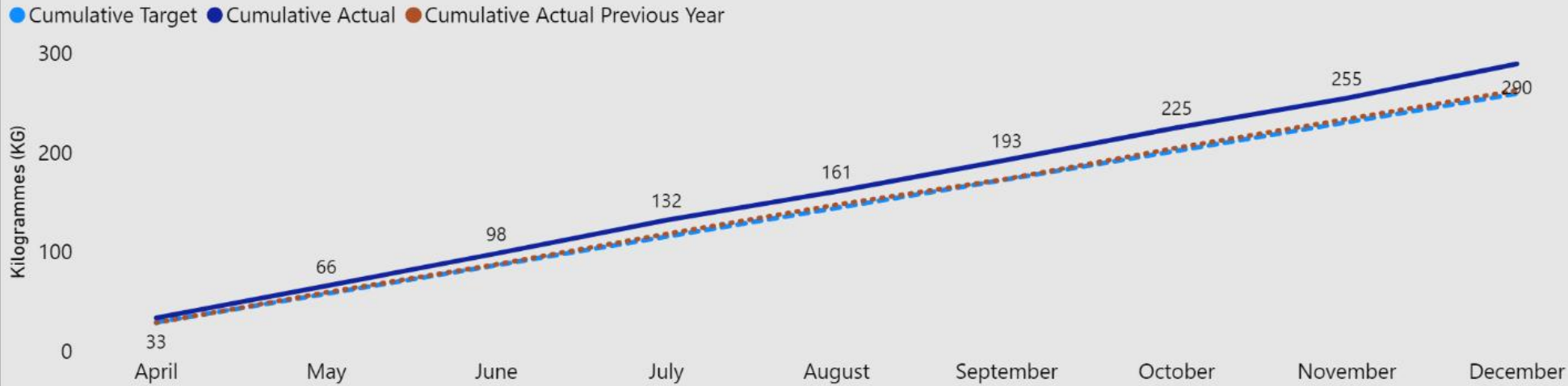
### Actual against Target

6.02✓  
Target: 8  
December

### K1R3 Long Term and Short Term Sickness Rates (Rolling Figures)



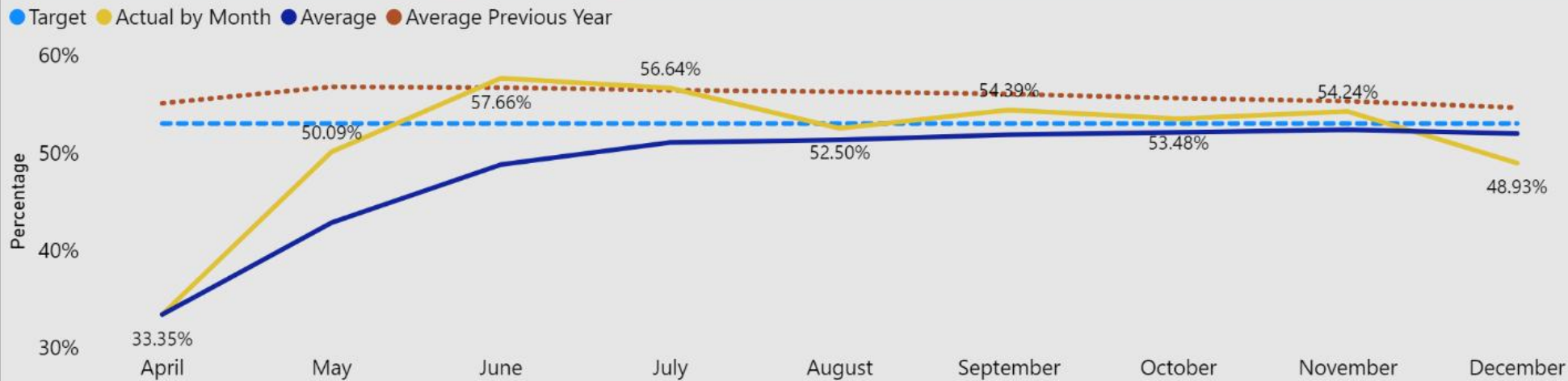
### K1W1 Residual Household Waste per Household



#### Actual against Target

289.55!  
Target: 259.50  
December

### K1W2 Household Waste Reused, Recycled and Composted



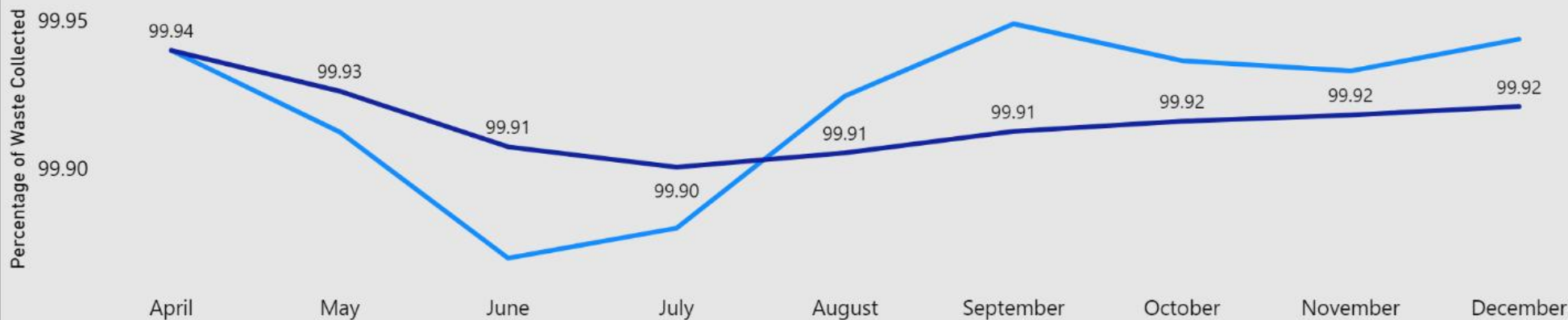
#### Average against Target

51.97%!  
Target: 53%  
December



## K1W3 Percentage of Collections Made

● K1W3 Actual % Collected 2020-2021 ● K1W3 Average % Collected



## Average against Target

99.92✓

Target: 99.94%  
December



### KPI Homelessness Duty Owed

The Council's duties in respect of homelessness changed considerably with the enactment of the Homelessness Reduction Act 2018. To reflect these new duties, the homelessness performance indicator for CBH was redefined in 2020/21. The indicator expressed in its current format as a percentage figure is complicated and difficult to understand.

For 2021/22, it is proposed homelessness will be measured by reporting on 3 key metrics:

- the number of full duty acceptances,
- the number of applications where homelessness was prevented; and
- the number of applications where homelessness was relieved.

These figures, presented over a period of time, will highlight trends and overall demand for the service, and provide a measure of how successful the service has been in preventing or relieving homelessness. Reporting in this way will also allow comparisons to be made with other local authorities and with the regional average. (Prevention is described as providing people with ways and means to address their housing and other needs to avoid homelessness. Whereas relief is action taken to resolve homelessness)

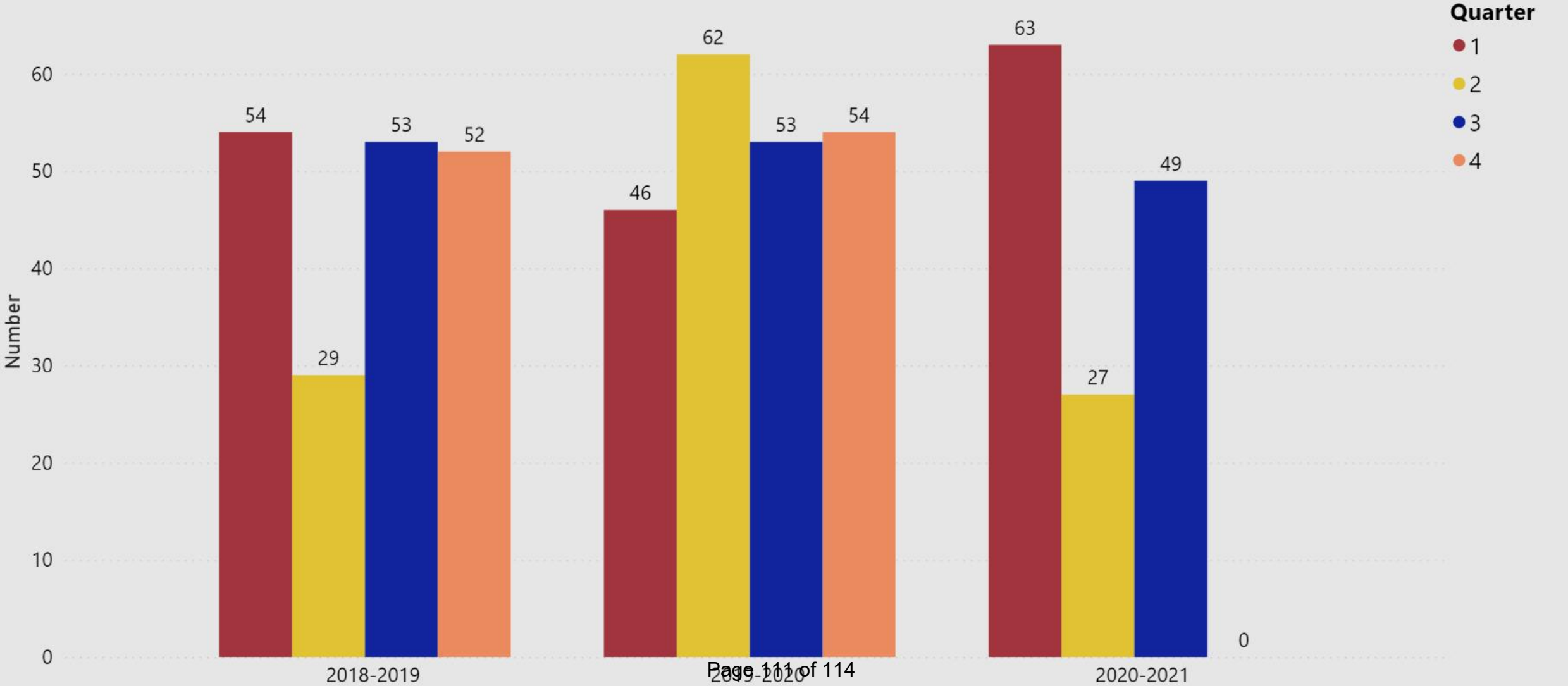


# KPI K1H3 Homelessness Duty Owed

Number of full duty acceptances

Number of preventions

Number where Relief Duty provided



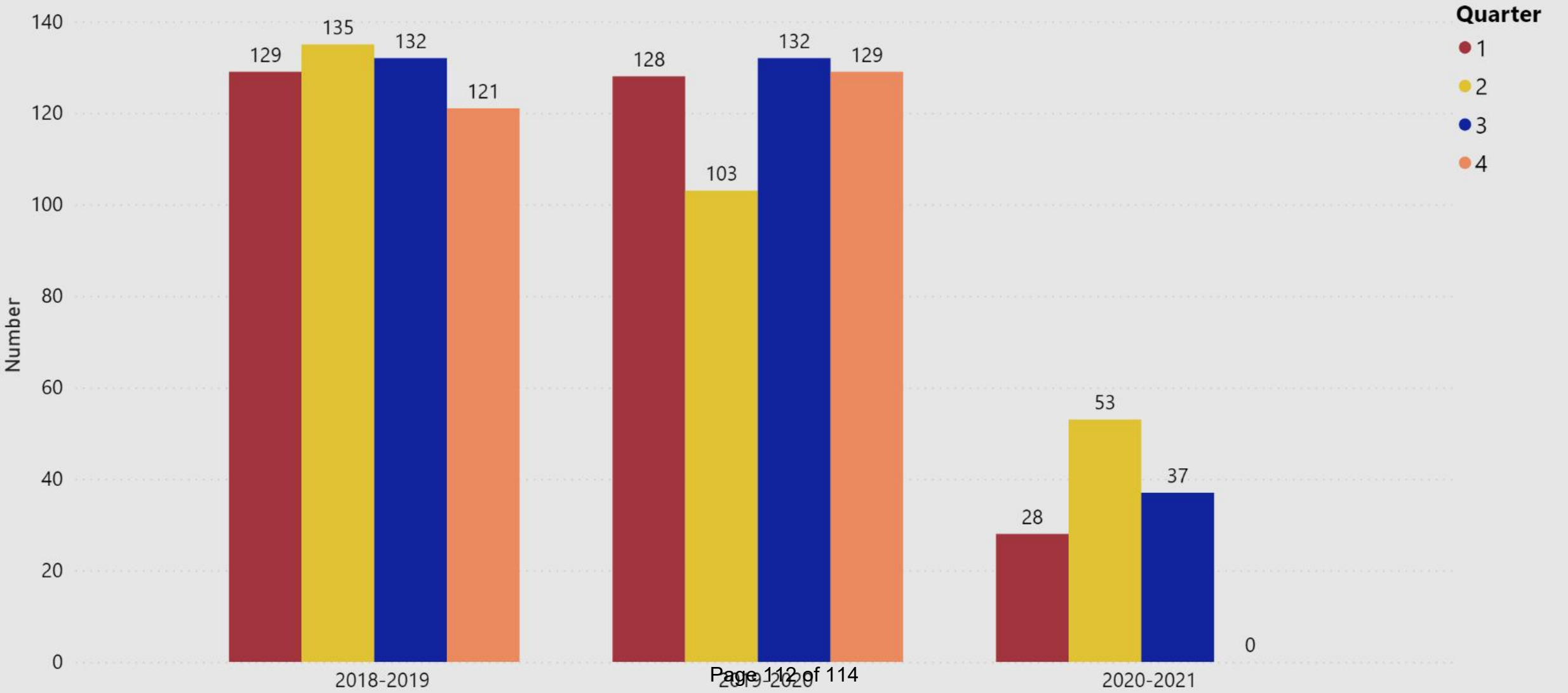


# KPI K1H3 Homelessness Duty Owed

Number of full duty acceptances

Number of preventions

Number where Relief Duty provided





# KPI K1H3 Homelessness Duty Owed

Number of full duty acceptances

Number of preventions

Number where Relief Duty provided

