

Scrutiny Panel Meeting

**Moot Hall, Town Hall, High Street,
Colchester, CO1 1PJ**

Tuesday, 22 February 2022 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 attend all meetings of the Council, its Committees and Cabinet. 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>.

Most meetings take place in public. This only changes when certain issues, for instance, commercially sensitive information or details concerning an individual are considered. At this point you will be told whether there are any issues to be discussed in private, if so, you will be asked to leave the meeting.

Have Your Say!

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Access

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Facilities

Toilets with lift access, if required, are on each floor of the Town Hall. A water dispenser is available on the first floor.

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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
Tuesday, 22 February 2022 at 18:00

The Scrutiny Panel Members are:

Councillor Mark Cory	Chairman
Councillor Tina Bourne	Deputy Chairman
Councillor Nigel Chapman	
Councillor Lyn Barton	
Councillor Derek Loveland	
Councillor Lorcan Whitehead	
Councillor Dennis Willetts	
Councillor Barbara Wood	

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.

1 Welcome and Announcements

The Chairman will welcome members of the public and Councillors and remind everyone to use microphones at all times when they are speaking. The Chairman will also explain action in the event of an emergency, mobile phones switched to silent, audio-recording of the meeting. Councillors who are members of the committee will introduce themselves.

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! (Hybrid meetings)

Members of the public may make representations to the meeting. This can be made either in person at the meeting or by joining the meeting remotely and addressing the Council via Zoom. Each representation may be no longer than three minutes. Members of the public wishing to address the Council remotely may register their wish to address the meeting by e-mailing democratic.services@colchester.gov.uk 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.

There is no requirement to pre register for those attending the meeting in person.

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 Colchester Borough Council's partnership arrangements with The Mercury Theatre, Colchester Arts Centre and Firstsite

7 - 74

Review of the partnership arrangements between CBC (Colchester Borough Council) and organisations in receipt of a Strategic Arts Grant from the Council: The Mercury Theatre, Colchester Arts Centre and Firstsite.

- 11 **Portfolio Holder Briefing from Cllr Andrew Ellis [Housing and Planning]**
Portfolio Holder Briefing from Cllr Andrew Ellis [Housing and Planning] and Q&A session.

- 12 **Corporate Key Performance Indicator Targets for 2022-2023** 75 - 100
The Panel is invited to consider the Corporate Key Performance Indicator (KPI) Targets for 2022-2023.

- 13 **Colchester Borough Homes Performance Targets 2022/23** 101 - 108
This report presents the set of performance targets which Colchester Borough Homes (CBH) will be accountable to in 2022/23. This set of performance indicators was agreed with CBH as part of their Medium-Term Delivery Plan (MTDP) 2022 to 2027, which in turn forms part of the 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 the performance management of CBH.

- 14 **Work Programme 2021-22** 109 - 122
This report sets out the current Work Programme 2021-2022 for the Scrutiny Panel. This provides details of the reports that are scheduled for each meeting during the municipal year.

- 15 **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)

22 February 2022

Report of	Lucie Breadman Assistant Director, Communities	Author	Claire Taylor ☎ 282655
Title	Review of Colchester Borough Council's partnership arrangements with The Mercury Theatre, Colchester Arts Centre and Firstsite		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 Review of the partnership arrangements between CBC (Colchester Borough Council) and 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 and present to the Panel at the meeting:

Mercury Theatre:	Steve Mannix, Executive Director Tracey Childs, Executive Producer
Colchester Arts Centre:	Anthony Roberts, Director
Firstsite:	Sally Shaw, Director

The Chairs of the respective Boards of Trustees have also been invited to attend.

2. Action Required

- 2.1 The Panel is invited to review the range of activity and programming delivered by each organisation and how effectively this supports the Council's strategic priorities and provides value for money for the grant funding provided.

3. Reason for Scrutiny

- 3.1 Regular reviews of Colchester Borough Council's strategic arts and cultural partners are undertaken by the Panel at their request

4. Background Information

4.1 Introduction

Colchester's leading cultural organisations help make the Borough a vibrant place to live, learn, visit and work. Together they play a vital role in ensuring a diverse range of experiences and activities are accessible to all. They offer not only access to great entertainment and art, but also opportunities for individuals and communities to be creative and to come together in welcoming and safe spaces, supporting their health and wellbeing.

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 inward investment to maintain and improve these facilities.

The Mercury Theatre, Colchester Arts Centre and Firstsite are Arts Council England (ACE) National Portfolio Organisations and in receipt of ACE funding in the current cycle 2018-2023 (extended from 2022). The funding partnership between the Council, the organisations and ACE delivers a strong cultural asset base for Colchester, underpinning the wider creative community. In October 2021 the Council announced a new funding settlement with the organisations for four years from financial year 2023/24. This will align with the ACE funding cycle and provide the organisations with additional certainty and stability for their medium-term financial planning, supporting their recovery after the disruption of the Covid 19 pandemic.

The impact of the pandemic 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 during this period.

As key organisations and leaders in the sector the three organisations have been partners in the development of a new Cultural Strategy for Colchester, commissioned by the Council from specialist consultancy Counterculture and to be published in March 2022.

4.2 The Organisations

The Mercury Theatre

The Mercury Theatre is the most active professional producing theatre in East Anglia, engaging pre covid/redevelopment with more than 130,000 people each year through a broad and vibrant programme staged across two auditoria, and education, outreach, and mentoring programmes such as Mercury Creatives. Through Mercury Productions they reach audiences and generate 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, with audiences estimated to spend £3.8 million annually in the town centre.

The theatre is celebrating its 50th Anniversary in 2022, having reopened in autumn 2021 following an £11.8 million redevelopment of the site which saw it close to audiences there in 2019. These major works were a significant boost to the local economy with £10.6 million of the budget being spent with local firms. As a result of the project 44 new jobs have been created.

Now complete the 'Mercury Rising' project has delivered a highly impressive, state of the art facility for the organisation and audiences, and a new community hub for Colchester town centre which welcomes everyone in, whether for a performance, an activity, a coffee, or even just free WIFI. And the impact will be felt beyond the building itself, with new activity and events designed to make the most of improved public realm around the site and animate an historic area of the town centre, adjacent to the Roman Wall and Jumbo.

Colchester Arts Centre

Housed in St Mary's at the Wall church, in a normal year Colchester Arts Centre reaches over 40,000 people with a diverse programme across a wide range of contemporary performing arts and popular events. It takes a leading role in the development of live art through commissions and partnerships.

The sheer variety and number of events taking place at the venue, on almost every day of the year, make it a key asset in attracting people into the centre of Colchester. During lockdown Colchester Arts Centre was the only venue in the UK to create and distribute fresh and original digital content every single day with 'The Daily Poetry' project attracting 392,250 viewings.

Backed by the ACE Small Capital Grant scheme and supported by the Council, a £700K project to upgrade the venue has recently been completed. The works have transformed accessibility for disabled artists, improved environmental efficiency and technical infrastructure, and redecorated and restored areas of the historic Grade 2 Listed Building. As an example of the care taken to create a unique environment reflecting the building's past and present, the mosaic artist Anne Schwegmann Fielding was commissioned to incorporate artworks into the architectural design created from the old crockery and historic coinage, donated by the people who use and love the venue.

Firstsite

Housed in a landmark building designed by international architect Rafael Viñoly, Firstsite is leading contemporary visual arts organisation presenting free exhibitions of both local and internationally renowned artists, as well as events, activities and workshops. The organisation is a national leader in commissioning new art, providing innovative learning opportunities, and supporting the professional development of local and regional artists.

The venue provides an accessible space in the heart of the town centre for diverse individuals and groups to interact and engage in a variety of ways, from attending a screening or participating in an activity to relaxing in the café or even ice skating at Christmas. As a unique building and a free attraction is it an important tourism asset for Colchester.

In October 2021 the Firstsite building celebrated its 10th anniversary, just a month after being named Art Fund Museum of The Year 2021. This prestigious award recognised the excellence of the programme delivered on site; the support offered to the local community and far beyond during the covid lockdowns via the activity packs delivered to over 92,000 households and the Great Big Art Exhibition; and also its ground-breaking Holiday Fun programme and other community projects. Since 2017 through Holiday Fun Firstsite has provided over 12,000 freshly cooked meal to local children and families along with free creative activities, sport and physical exercise sessions. The Art Fund Museum of the Year award ceremony was broadcast on TV and radio via a special edition of the BBC's Front Row programme and received wide coverage across other media channels, earning an estimated £1.2 million of free publicity (source Art Fund) for Colchester as the home of Firstsite.

4.3 Partnership Delivery Arrangements

Annual Funding Agreements are agreed in close consultation with each organisation and set out the activity and targets around delivery. The Funding Agreements for the previous financial year with outcomes and the current agreements for 2021/22 are attached as Appendices. It should be noted these Funding Agreements have been amended and simplified to take into account the unprecedented situation of the pandemic, which in some degree 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 Darius Laws
Firstsite:	Cllr Martin Leatherdale

4.4 Financial Arrangements

Grants to these organisations are agreed by Cabinet and full Council. The current financial year 21/22 is year two of a three-year settlement from 20/21 – 22/23.

In each financial year over this period the Council is providing revenue grant funding of:

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

A new funding settlement starting in FY23/24 and maintaining the grants at this level for a further four financial years was agreed in 2021.

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 [Colchester Strategic Plan 2020-23](#)

Appendices

- Appendix A Funding Agreement with The Mercury Theatre 2021/22
- Appendix B Funding Agreement with The Mercury Theatre 2020/ 21
- Appendix C Funding Agreement with Colchester Arts Centre 2021/22
- Appendix D Funding Agreement with Colchester Arts Centre 2020/21
- Appendix E Funding Agreement with Firstsite 2021/22
- Appendix F Funding Agreement with Firstsite 2020/21

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

1.0 Introduction

- 1.1 Colchester's vibrant cultural sector is one of the Borough's unique selling points and something that Colchester Borough Council (CBC) aims 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 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.
- 1.5 It is acknowledged the impact of Covid 19 on cultural organisations continues into this funding period and will be reflected in the targets agreed.

2.0 Scope and Financial Arrangements

- 2.1 Between 1 April 2021 and 31 March 2022, the Council will fund the Mercury Theatre to the amount of £168,175. This is year two of a three year funding settlement agreed by Cabinet in line with 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 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 2020 -21 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.
- 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 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 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

Colchester Borough Council strategic funding for arts organisations 2021/22

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

Please note targets have been adjusted to accommodate the new building opening during the year as follows:

26th June – Front of House and Bar/Café area

29th June – Creative Engagement and Community Programme commences

20th July – Performances commence (planned as non-socially distant at the time of writing)

Target	Outputs/Report
Annual target to put on 320 performances with 80,000 people attending.	
Annual target for non-ticketed performance visitors to the café bar – 20,000	
Collate and report audience feedback about the artistic programme with a minimum of 60% approval rating.	
Collate and report press feedback about the artistic programme.	
At least 60% local audience and 40% audience supporting tourism economy.	

9.4 Community and Audience Development

Target	Outputs/Report
Annual target of 600 community and education sessions with 12,000 participants	
Maintain rate of 7% of tickets sold to disabled people and carers.	

Maintain level of accessible performances for disabled and D/deaf people – 10 performances.	
Maintain methods of seeking audience and user feedback – 65 surveyed events per year.	

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 2022/23 and 2023 - 2026 to include:</p> <ul style="list-style-type: none"> • Activity Plan • Artistic Programme • Financial Projections • Cash Flow 	
<p>Mercury Board to review and update all policy statements to include:</p> <ul style="list-style-type: none"> • Equality and Diversity Strategy and action plan • Digital Plan • Audience Development Plan • Risk Management • Health and Safety • Sustainability and Environmental Strategy 	
Annual review all equality action plans and policies.	

9.6. Diversity and Access

Target	Outputs/Report
<p>Continue to encourage more diverse audiences and participants engage with the Mercury across all equality groups.</p> <p>Target: 3% of audiences</p>	
<p>Continue to ensure the Mercury recruits and attracts a diverse workforce.</p> <p>Target:</p>	

Colchester Borough Council strategic funding for arts organisations 2021/22

70% female 5% disabled 2% minority ethnic 5% lesbian and gay	
<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: 10% of users and audiences</p>	
<p>Maintain rate of 10% all tickets sold as concessions are for young people.</p>	
<p>Annual target of 600 community and education sessions with 12,000 participants</p>	
<p>Maintain Teachers Forums for Primary and Secondary Schools.</p> <p>Target: 40 members schools</p>	
<p>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>	
<p>Maintain level of 145 young people enrolled in youth drama classes.</p>	
<p>Work with older people will continue during the period through senior matinees and other specific activities.</p>	

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

Target	Outputs/Report
<p>Deliver 10 work experience placements during the year.</p>	
<p>Deliver 1 apprenticeship across all areas of the Mercury and 5 internships</p>	

Colchester Borough Council strategic funding for arts organisations 2021/22

Provide evidence and support for new and emerging regional talent and companies. Target: 60 participants	
Target and engage with 20 volunteers during the year.	
Assist CBC with other initiatives including: <ul style="list-style-type: none"> • Night-time economy • Local employment and skills • Development of creative and cultural industries • Marketing of Colchester as a visitor destination • Town Deal Programme 	

9.8 Action on Climate Change and Environmental Sustainability

Target	Outputs/Report
Review and implement new Sustainability and Environmental Policy and Action Plan.	
Collate and publish targets to reduce carbon footprint and provide evidence of improvement at regular intervals.	
Monitor the usage of green energy.	
Strengthen and grow partnership working through joint bids, cross programming and shared activity, including developing a big data approach to audience development across partners.	

9.9 How the organisation will promote the support that the Council provides during the period of the agreement

<p>The Mercury will continue to promote the support of the Council as follows:</p> <ul style="list-style-type: none"> • Partnerships - development of community, youth and educational partnerships • National and International Touring of Mercury Productions (formerly known as Made in Colchester) – ensure clear credit on all publicity and press

material promoting Colchester.

- **Regional and National Conferences and Events** – acknowledgement of support in materials and in person.
- **Brochures/Newsletters/Social Media/Website** – ensure clear funding credit and acknowledgement in partnership with Arts Council England
- **Press Conferences and Events (online and face to face)** – ensure credit on materials and in presentations.
- **Annual Civic Night** – annual event for Councillors and local VIP's to acknowledge the Council's support

9.10 How the organisation will meet the Colchester Borough Council Strategic Plan 2021-23 and other relevant local, regional or national strategies

The Mercury will proactively support the Council's Strategic Plan during the year as follows:

- Support the development and implementation of the new Cultural Strategy
- Continue to develop partnership working with the other NPO's and key arts, cultural and heritage organisations
- Work in partnership with the Colchester BID to promote the economic recovery of the town centre post Covid
- Work in partnership with the Council to promote tourism and the visitor economy
- Support the continued development of Creative Colchester
- Offer support to town-wide and specific community events (such as Castle Park, Christmas Lights Switch On)
- Continue to work in partnership with schools and other education providers (University of Essex and Colchester Institute) to provide formal and non-formal educational, learning, work experience and employment opportunities
- Work with local charities and the Job Centre to provide employment opportunities for local unemployed people
- Work in partnership with the Council to promote Climate Change and sustainability
- Work in partnership with the Council to ensure all our activities are accessible ensuring that marginalised communities and equality are at the centre of our work.
- Work in partnership with the Council to promote partnership working across the public, private and non-profit sectors.

Colchester Borough Council strategic funding for arts organisations 2021/22

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	25/5/21
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Signed (Executive Director)

Signature redacted in compliance with GDPR 2016

Name Steve Mannix

On behalf of Mercury Theatre	Date	25/5/21
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Signed (Chair of the Board)

Signature redacted in compliance with GDPR 2016

Name Kathleen Hamilton

On behalf of Colchester Borough Council	Date	
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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 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 20th 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 1st 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)
Total	£670,000

(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)

Signature redacted in compliance with GDPR 2016

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 sector is one of the Borough's unique selling points and something that Colchester Borough Council (CBC) aims 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) Colchester Arts Centre (CAC), The Mercury Theatre 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 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.
- 1.5 It is acknowledged the impact of Covid 19 on cultural organisations continues into this funding period and will be reflected in the targets agreed.

2.0 Scope and Financial Arrangements

- 2.1 Between 1 April 2021 and 31 March 2022, the Council will fund Colchester Arts Centre to the amount of £48,175. This is year two of a three year funding settlement agreed by Cabinet in line with 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 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 showing proof of eligibility, meeting the targets for performance, and collecting qualitative and quantitative performance data to provide evidence of the service standards. CAC 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 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 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 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 2020 -21 when available.
- 4.2 As a minimum 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 to evidence the organisation's turnover, audience and participation levels as well as contribution to the Council's strategic priorities.

5.0 Annual review process

- 5.1 A review meeting will take place between Colchester Borough Council and CAC 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 the Director of CAC.

- 5.2 The Portfolio Holder and the Director of CAC 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 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 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 CAC as an agent of the Council or otherwise make the Council liable to any person who may take proceedings against the Colchester Arts Centre.
- 7.3 The Council reserves the right to nominate annually a councillor to be a director on the CAC 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 CAC'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 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 Specification of performance targets

Colchester Borough Council strategic funding for arts organisations 2021/22

- 9.1 The specification of performance targets is developed collaboratively between the Council and the Colchester Arts Centre. 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 Programme

Target	Outputs/Report
<p>Colchester Arts Centre 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>Target: In 2021/22 we will present:</p> <ul style="list-style-type: none"> • One piece of international work. • One major partnership project. • Twelve jazz performances • Thirty Folk gigs • Forty Rock / Indie / Pop gigs • Forty Comedy Shows • Twenty shows specifically for children. • Five Film screenings • Ten Experimental Music Performances 	
<p>Wonderful Wednesdays – 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>	

Colchester Borough Council strategic funding for arts organisations 2021/22

<p>Target: 20 performances in the funding period.</p>	
<p>A dedicated programme of Childrens' Shows and Workshops –All show tickets kept at a low, accessible, affordable price.</p> <p>Target: 20 Shows and 5 workshops, including a run of special Christmas shows at an accessibly low admission price.</p>	

9.4 Community and Audience Development

Target	Outputs/Report
<p>Community Events – we commit to program a number of events focusing on the talents of the local community including:</p> <ul style="list-style-type: none"> • A Colchester Schools Rock prom • Sixth Form College Battle of the Bands • Variety Night in aid of Mayor's Charities • A Colchester Games Fair • Showcase events from Colchester based dance and music schools 	
<p>Achieve known audience attendance of 46,000</p>	
<p>Online audience figures This to include the Colchester Arts Centre website and our social media platforms.</p> <ul style="list-style-type: none"> • Increase website Unique Browsers to 125,000 • Increase number of website page impressions from 765,000 • Increase number of website visits from 315,000 • Increase Facebook follows to 13,000 <p>Increase Twitter followers to 13000</p>	

9.5. Governance and Management

Target	Outputs/Report
Arts Centre Board: Organise a further Board retreat.	
Senior Management Team 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.	

9.6. Diversity and Access

Target	Outputs/Report
Arts Centre Board: Appoint a “Thinker In residence” to report at Board and Senior Management level. A young person with lived experience of disability.	
Accessible Shows – we will program specific performances made accessible to people with disabilities, beyond our regular venue accessibility offer. Target: <ul style="list-style-type: none"> • Ten relaxed performances • An audio described performance • Ten BSL interpreted performances. 	
Mystery Shoppers – We will continue to work with mystery shoppers to evaluate our accessibility provisions. Targets: Wheelchair users to evaluate 3 performances. Deaf / Hearing Impaired users to evaluate 3 performances	
Staff Training – to be ongoing. Targets: Disability Equality Training for Core staff and volunteers. LGBTQA training for staff and volunteers.	
Increase Diversity of Artistic Programme – encouraging diversity to permeate all levels of the organisation, not just within the staff. Target: work with 10 artists with disabilities during the term of the funding agreement.	

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

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

9.8 Action on Climate Change and Environmental Sustainability

Target	Outputs/Report
<p>Farmers Markets – 6 Farmers Markets during the funding period, offering a wide range of locally sourced produce. Working with new partners for a revitalised feel. Reduced frequency due to covid.</p>	
<p>Julie's Bicycle – we will continue our work with this organisation to establish measurement data for use in setting green targets.</p>	
<p>Green Team – meeting monthly to improve green credentials across the organisation. Research into wider aspects of Climate Change. Empirical analysis of data to identify areas in which we can make the biggest impact.</p>	

Waste Management – regular review of best practice: we commit to constant monitoring of cost effectiveness and green credentials.	
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9.9 How the organisation will 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.

9.10 How the organisation will meet the Colchester Borough Council Strategic Plan 2021-23 and other relevant local, regional or national strategies

Colchester Arts Centre will contribute to the development of a new Cultural Strategy for the Borough of Colchester.

In addition Colchester Arts Centre is particularly well positioned to respond though the following items in the Colchester Borough Council Strategic Plan:

Respond to the Climate Emergency

Discussing wider Green issues at our regular Green team meetings. The venue has decided to go paperless (no paper invoicing, minutes or any other documents that can be otherwise digitally stored), Plastic Free (all disposable plastic removed from venue – reusable plastic cups used on bars that have a printed QR code which links to our Green Policy page on our website), involvement in initiatives such as Colchester Travel Plan Club, Cable Guys (cable recycling), and more. Recent venue refurbishments have introduced toilets that recycle waste water from hand basins, LED lighting throughout providing huge energy savings and solar panels are currently under consideration.

Conserve and enhance biodiversity

2021 sees a project in our Graveyard, documenting the flora and fauna, exploring ways to promote life and minimise our impact on the environment.
Floral Hanging baskets now in place outside the venue.

Tackle the causes of inequality and support our most vulnerable people

Reduced concessions ticket prices are available on most events. Trialling a “no one turned away for lack of funds” on some events where free entry can be obtained for those experiencing hardship. Wonderful Wednesdays performance season continues to have a pay what you can admission structure which can be anything from £15 to £0 – guilt free. Christmas family panto with low pricing so the whole family can enjoy

a Christmas treat for just £5.95 per person. Providing entertainment for those with profound and multiple learning difficulties with the engagement of trailblazing theatre group Frozen Light who make astonishing work exclusively for this demographic. Our refurbished London Routemaster Bus will take work on the road and deliver it into the heart of areas of low arts engagement to reach those most in need.

Provide opportunities for young people

We provide Work Experience placements for secondary school age students, and participate in apprenticeship schemes. Many young bands have performed at the Schools Rock Prom and Sixth Form Battle of the Bands events, some of them going on to be support band to headliners in the regular programme.

Protect, enhance and celebrate Colchester's unique heritage

We are enthusiastic participants in Heritage Open Day, with guided tours by our Director and the entire building opened up to the public. The recent venue refurbishment has retained and sought to compliment the original architectural features, and preserve the story of the building in readiness for its next chapter.

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 CAC	Date	
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Signed (Director)

Name (please print)

On behalf of CAC	Date	
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Signed (Chair of the Board)

Name (please print)

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

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>Colchester Arts Centre 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>Target: In 2019/20 we will present:</p> <ul style="list-style-type: none">• Two pieces of international work.• One major partnership project.• Twelve jazz performances• Thirty Folk gigs• Forty Rock / Indie / Pop gigs• Fifty Comedy Shows• Forty shows specifically for children.• Six World Music performances.• Five Film screenings• Ten Experimental Music Performances	<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>Wonderful Wednesdays – 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>Target: 30 performances in the funding period.</p>	<p>30 performances delivered.</p>
<p>A dedicated programme of Childrens' Shows and Workshops –All show tickets kept at a low, accessible, affordable price.</p> <p>Target: 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>Community Events – we commit to program a number of events focusing on the talents of the local community including:</p> <ul style="list-style-type: none"> • A “Made In Colchester” Art Fair featuring work from local artists • Sixth Form College Battle of the Bands • Variety Night 2019 in aid of Mayor’s Charities 	<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>Increase known audience attendance from 45, 232 (2018 /19) to 46,000</p>	<p>41,708. A quiet summer and slightly curtailed year due to covid.</p>
<p>Increase online audience figures This to include the Colchester Arts Centre website and our social media platforms.</p> <ul style="list-style-type: none"> • Increase website Unique Browsers from 123,814 to 125,000 	<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"> • Increase number of website page impressions from 759,401 to 765,000 • Increase number of website visits from 313,025 to 315,000 • Increase Facebook fans from 10,11 to 11,000 <p>Increase Twitter followers from 11,900 to 12,500</p>	
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9.5. Governance and Management

Target	Outputs/Report
Arts Centre Board: Organise a Board retreat.	Not possible due to scheduling conflicts. Deferred to 20 / 21.
Senior Management Team 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
Arts Centre Board: 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.
Accessible Shows – we will program specific performances made accessible to people with disabilities, beyond our regular venue accessibility offer. Target: <ul style="list-style-type: none"> • Ten relaxed performances • An audio described performance • Ten BSL interpreted performances. 	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.
Mystery Shoppers – We will continue to work with mystery shoppers to evaluate our accessibility provisions. Targets: Wheelchair users to evaluate 3 performances. Deaf / Hearing Impaired users to	Evaluations received and feedback circulated.

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evaluate 3 performances	
Staff Training – to be ongoing. Targets: Disability Equality Training for Core staff and volunteers. LGBTQA training for staff and volunteers. Refugee Awareness training for staff and volunteers.	Completed.
Increase Diversity of Artistic Programme – encouraging diversity to permeate all levels of the organisation, not just within the staff. Target: 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
Schools Rock Prom / On For ... – These are dedicated events for young local bands, giving emerging talent the experience of performing in a fully professional venue. Target: <ul style="list-style-type: none"> One Rock Prom. One On For 2020 Local Band showcase. 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.
A Kids Summer Festival with Arts Award Accreditation 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

Programming – We aim to programme events of particular interest to older people. Target: 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.
The Warm & Toasty Club 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. https://youtu.be/sgXgqt6alic https://youtu.be/t3MM52yVDi0

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

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

Waste Management – regular review of best practice: we commit to constant monitoring of cost effectiveness and green credentials.

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.

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)

On behalf of Colchester Borough Council

Signed (Officer)

Name (please print)

**Funding Agreement between Colchester Borough Council and
Firstsite**

1.0 Introduction

- 1.1 Colchester's vibrant cultural sector is one of the Borough's unique selling points and something that Colchester Borough Council (CBC) aims 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) Firstsite, The Mercury Theatre and Colchester Arts Centre 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 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.
- 1.5 It is acknowledged the impact of Covid 19 on cultural organisations continues into this funding period and will be reflected in the targets agreed.

2.0 Scope and Financial Arrangements

- 2.1 Between 1 April 2021 and 31 March 2022, the Council will fund Firstsite to the amount of £97K. This is year two of a three year funding settlement agreed by Cabinet in line with 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.

Colchester Borough Council strategic funding for arts organisations 2021/22

- 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.
- 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, the organisation 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 2020 -21 when available.
- 4.2 As a minimum throughout the term of the agreement, the organisation 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 to evidence the organisation's turnover, audience and participation levels as well as contribution to the Council's strategic priorities.

5.0 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 Director 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 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 the Firstsite as an agent of the Council or otherwise make the Council liable to any person who may take proceedings against the organisation.
- 7.3 The Council reserves the right to nominate annually a councillor to 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 the organisation
 - iii. Petitioning the court for the appointment of an administrator
 - iv. Having a receiver appointed over all or any part of the organisation's assets
 - v. Being the subject of a petition or resolution for the organisation'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.
- 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 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 Artistic Programme

Target	Outputs/Report
Deliver an outstanding programme of exhibitions and events celebrating the 10 th anniversary of our award winning building. Programme to include world-class artists as well as artists from the region and working locally. Support for emerging artists and promotion of regional cultural quality is critical to drive tourism to the area.	

9.4 Children and Young People

Target	Outputs/Report
<p>Deliver a full capacity Holiday Fun programme in both Harwich and Colchester in every school holiday throughout the financial year. (COVID / Lockdowns permitting)</p> <p>Liaise with one major partner school to re-design schools engagement programme post-COVID and establish new schools visits targets</p> <p>Co-curate one Arts Council Collection Exhibition with Children & Young People exploring their experiences of C-19</p> <p>Support the Colchester LCEP (Local Cultural Education Partnership)</p>	

9.5 Communities and Audience Development

Target	Outputs/Report
Deliver a programme of at least x4 major public events led by specific community	

<p>groups.</p> <p>Host at least x4 Community Leader meetings to support activities and create new programme opportunities</p> <p>Re-establish physical footfall to our building to 2019/20 levels of (136,000 which was ahead of the target of 135,000 despite the last three weeks being lost to the first Covid lockdown) by March 2022</p> <p>Maintain online audience of 47,000 subscribers</p> <p>Offer volunteering opportunities across different departments</p> <p>Introduce newly refreshed Membership Scheme to create value for money opportunities for local residents and target audiences such as families from low-socio economic contexts</p>	
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9.6 Governance and Management

Target	Outputs/Report
<p>Host a minimum of x4 Board meetings and x1 Strategy Away Day</p> <p>Appoint x3 new Trustees with diverse life experience</p> <p>Meet with CBC officers on a quarterly basis to review progress against agreement</p> <p>Produce a new 5 year 2021-26 Business Plan in line with CBC Strategic Plan</p>	

9.7 Diversity and Access

Target	Outputs/Report
<p>Update recruitment processes to broaden diversity of applications and appointments</p> <p>Review diversity of audience post-covid and draft new audience development plan in line with new 2021/26 Business Plan</p>	

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

Target	Outputs/Report
<p>Contribute directly to the development of the Colchester Cultural Strategy</p> <p>Contribute directly to the development of the Creative Colchester Board</p> <p>Work collaboratively with the BID to help the regeneration of the town centre</p> <p>Create x2 new roles at Firstsite that are appointed from people living locally</p> <p>Ensure an increased number of short-term and temporary contracts for people living locally, especially those from low socio-economic backgrounds</p> <p>Participate in the Government's Kickstart Scheme providing opportunities to 16-24 year olds at risk of long term unemployment.</p> <p>Work collaboratively with the three other NPOs on at least x2 joint projects that either or both deliver new investment to Colchester and create new employment opportunities – especially for young people seeking first-time jobs or apprenticeships in Culture</p>	

9.9 Action on Climate Change and Environmental Sustainability

Target	Outputs/Report
<p>Complete lighting system replacement project</p> <p>Establish Sustainability Strategy as part of 2021-26 Business Plan</p> <p>Research and appoint new provider of sustainable power to Firstsite</p> <p>Research and implement x1 carbon off-set project to make a significant reduction carbon consumption</p>	

Establish a sustainability working group made of Board and Executive team members	
Work collaboratively with the Arts Centre to learn from their progressive research and development in this area	

9.10 How the organisation will promote the support that the Council provides during the period of the agreement

<p>Firstsite will:</p> <p>Include Colchester Borough Council logo and wording where space permits to outline support for our activities on all promotional materials both in print and online.</p> <p>Feature CBC prominently in the building to acknowledge support alongside other major stakeholders</p> <p>Include Colchester Borough Council in our standard 'boiler plate' on all press releases throughout the year, especially those relating to the 10th anniversary celebrations.</p> <p>Invite senior Councillors to speak at the launch of major exhibitions and events</p> <p>Pro-actively articulate the support of CBC in any major publication or report produced and circulated relating to Firstsite activities.</p> <p>Promote Colchester Borough Council's support at all public engagements where the Director is speaking on the behalf of the organisation</p>
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9.11 How the organisation will meet the Colchester Borough Council Strategic Plan 2021-23 and other relevant local, regional or national strategies

<p>Tackling Climate Change and leading sustainability See 9.9</p> <p>Creating Safe, Healthy and Happy Communities</p> <p>Firstsite contributes by designing and delivering cultural programmes that proactively reach out to various sectors of our community who are under-served or overlooked.</p> <p>We engage people directly in our programmes and offer alternative care options, which engage people in new and informal ways. Our iconic building is at the heart of the town centre and we welcome thousands of people to create a community hub.</p> <p>Our diverse audiences overlap and a by-product of our audience engagement strategies is a significant increase in social co-hesion and wellbeing.</p> <p>Our activities during the COVID-19 pandemic have been recognised in the Queen's Birthday Honours and also have enable Firstsite to be shortlisted for the Art Fund Museum of the year.</p>

Growing a fair economy so everyone benefits

Firstsite generates many employment opportunities from casual to permanent roles and including apprenticeships. Openings are directed towards as diverse a pool of applicants as possible.

The majority of our artistic and cultural offer is for free enabling many families to enjoy a whole day out at the centre of town. We also offer free activities throughout school holiday periods. These are directed towards families from low socio economic backgrounds in particular.

Firstsite generates millions of pounds of investment into Colchester. In 2020 alone it achieved income of £1m to enable the recovery from the pandemic.

Celebrating our Heritage and culture

Firstsite is one of the four large scale National Portfolio Organisations in Colchester enjoying high-level support from Arts Council England. This status is maximised fully to ensure Colchester and the East Anglian region can access the worlds best visual art and culture all day every day and for free.

Our artistic programme celebrates both our ancient cultural past symbolised by our original roman mosaic, alongside, the very best in art and culture from present day Colchester, East Anglia and internationally.

We partner on significant external projects such as co-commissioning the statue of Millicent Fawcett for Parliament Square with the Mayor of London. Equally our world class digital projects connect with families and artists around the globe including our award winning 'Art is Where the Home Is' Activity packs which have connected with over 500,000 children and families around the world.

Firstsite is one of three Arts Council Collection National Partners, meaning the residents of Colchester and Essex have direct access to the Arts Council's prestigious collections through our co-curation 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	Date	
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Signed (Executive Director)

Name (please print)

On behalf of Firstsite	Date	
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Colchester Borough Council strategic funding for arts organisations 2021/22

Signed (Chair of the Board)

Name (please print)

On behalf of Colchester Borough Council
--

Date

--

Signed (Portfolio Holder)

Name (please print)

On behalf of Colchester Borough Council
--

Date

--

Signed (Officer)

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	In progress – 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	Complete – applications due for submission March 2021 and May 2021
Apply for All forms of emergency support to maintain Firstsite's viability during lockdown	Complete - £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	In progress – 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	Partially complete . 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	Not complete due to pandemic
Appoint one new member of the team from a BAME background	Complete – Finance Director appointed.
Increase diversity of our audiences from protected characteristic groups overall by 1%	Mixed results here , 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	Not complete due to pandemic
Engage x5 young artists and curators in first-hand exhibition making experience over the course of the year	Complete – although outcome delayed to 2021/22
Attract 25% of volunteers with age range below 25 years	Not complete 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	Complete – 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	Not complete
Attract 10% audiences 60+	Not complete
Deliver one event in collaboration with Will Quince MP to support the work of elderly people	Not complete

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 – HR Manager appointed mid pandemic.
Continue to support volunteers into paid employment at Firstsite	Not complete.

Environmental and Economic Sustainability

Target	Outputs/Report
Complete capital application to ACE for	Partially Complete – 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	Not complete – 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	Not complete . 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	Not complete . 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.

On behalf of Firstsite	Date	
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Signed (Director)

Name (please print)

Signed (Portfolio Holder)

Name (please print)

On behalf of Colchester Borough Council	Date	
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Signed (Officer)

Name (please print)

22 February 2022

Report of	Assistant Director - Corporate and Improvement Services	Author	Gary Reid ☎ 07874984922
Title	Corporate Key Performance Indicator Targets for 2022-2023		
Wards affected	All		

1. Executive Summary

- 1.1 The Panel is invited to consider the Corporate Key Performance Indicator (KPI) Targets for 2022-2023.

2. Action Required

- 2.1 To scrutinise the Corporate KPI Targets for 2022-2023 as proposed in the report.

3. Reason for Scrutiny

- 3.1 To consider KPI targets for 2022-2023 as a key element of the Council's performance monitoring.

4. Background Information

- 4.1 The overall position for April – December 2021 can be found at Appendix A.
- 4.2 It is proposed that several KPI targets remain unchanged. It is also proposed that several KPI targets are changed from their current target to make them more appropriate and stretch performance:

KPI	Description	Current Target	Proposed Target	Supporting Narrative
K1B1(a)	Time to process housing benefit new claims and changes.	5 days	No Change	The processing team work hard to maintain excellent days to process stats, it is however recognised that room should be given to extend processing times should resources require or if efficiencies can be made.
K1B1(b)	Time to process Local Council Tax Support (LCTS) new claims and changes.	6 days	No Change	
K1H1	Additional homes provided.	920 homes	No Change	The proposed target is set in the adopted Local Plan. Delivery has been lowering in the last 2 years due to Covid and a number of large sites completing. New sites have recently been approved and commenced on site and are expected to generate an uplift in delivery of new homes.

K1H2	Affordable homes delivered (gross).	380 homes Delivered over three years (2020-2023)	No Change	We propose to keep the current 3-year target which was previously agreed. Current delivery is not on target but several large sites which are expected to deliver 30% affordable housing have recently commenced.
K1H3	Monitoring the number of households in temporary accommodation per 1,000 households	New KPI replacing current Homelessness KPI	Less than 2.9 households per 1,000 (0.0029%)	This a new indicator which shows the number of households in all temporary accommodation per 1,000 households in the Borough. This number fluctuates due to the demand for the service and work done to prevent and relieve homelessness which in turn may avoid or increase the need for use of temporary accommodation.
K1H4	Rent Collected	98%	No Change	We propose to keep the current target for 2022-2023; current performance is just outside of target. We anticipate improvement in the final quarter of the year, as in previous years, meeting this year's target will be challenging. Keeping the target at the current level will be a stretch and a challenge, current cost of living increases are likely to affect our ability to collect rent at previous levels. The target is subject to agreement by CBC and CBH via the Medium-Term Delivery Plan, to be approved at the Principal Liaison Meeting in February 2022, CBH Board, PFH for Housing and reviewed by Scrutiny Panel on 15 March 2022.
K1H5	Average time to re-let council homes	25 days	28 days	Current performance is not achieving target and we continue to experience erratic supplies of core materials for repairs and reduced human resources through sickness and general labour shortages which is impacting performance. The target is subject to agreement by CBC and CBH via the Medium-Term Delivery Plan, to be approved at the Principal Liaison Meeting in February 2022, CBH Board, PFH for Housing and reviewed by Scrutiny Panel on 15 March 2022.
K1P1(a)	Processing of Major planning applications	85%	No Change	Whilst the team have achieved high levels of performance across the board it is not proposed to change the targets for 2022-2023. The number of planning applications received in the past year has increased by about 26% so maintaining the same performance levels will be a challenge.
K1P1(b)	Processing of Minor planning applications	91%	No Change	
K1P1(c)	Processing of Other planning applications	91%	No Change	
K1R1	Council Tax Collected	96.5%	97.5%	It is proposed that the target is increased to pre-covid level based on

				an assumption that the impacts of covid will continue to reduce. Council Tax collection has remained strong during 2021 22 despite concerns over the impact of furlough ending, however consideration must be given to the potential worsening of covid cases and economic impact during the winter months.
K1R2	Business Rates (NNDR) collected	90%	95%	It is proposed that the target is increased but should remain below the pre-covid level. Several businesses are still experiencing financial difficulties, and the reduction in relief available to business will impact on some businesses ability to pay. The discretionary covid relief has been delayed and is unlikely to be implemented until 22/23, this should however help to improve collection.
K1R3	Sickness rate in working days	7 days	No Change	The proposal is to keep the current target of 7 days. Sickness absence has increased this year in operational areas and in services where staff are unable to work from home due to COVID. It would be a retrograde step to increase the target above 7 days but as the pandemic continues and COVID cases fluctuate we do not believe a target below 7 days is achievable. A new Sickness Policy which will improve the way long and short-term sickness is managed will be launched in January 2022 and this should improve our performance against target.
K1W1	Residual household waste per household	346kg	No Change	It is proposed that the existing target is retained in order that it encourages ambition in the team for a target that has not been achieved in the past couple of years, due to the significant impact that the pandemic and other factors that have had on the service. Measuring performance against this consistent target will help the Service understand the impact of changes on performance.
K1W2	Household waste reused, recycled and composted	53%	55%	To continue to meet the Council's objectives and support the changes proposed by Government through the Environment Bill, it is proposed that the current target of 53% be increased to 55%. Performance has been difficult to achieve as an impact of the pandemic on services, but it is hoped that current measures and management will see good improvements being made on this performance.

K1W3	Percentage of collections made	99.94%	No Change	It is proposed that the existing target is retained in order that it encourages ambition in the team for a target that has not been achieved in the past couple of years, due to the significant impact that the pandemic and other factors that have had on the service. Measuring performance against this consistent target will help the Service understand the impact of changes on performance.
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4.3 **CBH KPI Targets.** The following KPI Targets will be determined and agreed by Portfolio Holder for Housing and Communities and detailed in the Colchester Borough Homes new Medium Term Delivery Plan, to be approved at the Principal Liaison Meeting in February 2022, CBH Board, PFH for Housing and reviewed by Scrutiny Panel on 15 March 2022.

- KI H3 - Monitoring the number of households in temporary accommodation per 1,000 households
- KI H4 - Rent Collected
- KI H5 - Average time to re-let council homes

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 2022-2023.

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 2021.](#)

Background Papers

Not applicable.

Corporate
Key Performance Indicators
Covering April - December 2021
also
Proposed Targets for 2022-2023

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	→



Cumulative Average against Target	Supporting Narrative	Proposed Target 2022-2023
<div>2✓</div> <div>Target: 5 December</div>	<div>Proposed Target: No change. The processing team work hard to maintain excellent days to process stats, it is however recognised that room should be given to extend processing times should resources require or if efficiencies can be made.</div>	<div>5</div>



Cumulative Average against Target

2✓

Target: 6
December

Supporting Narrative

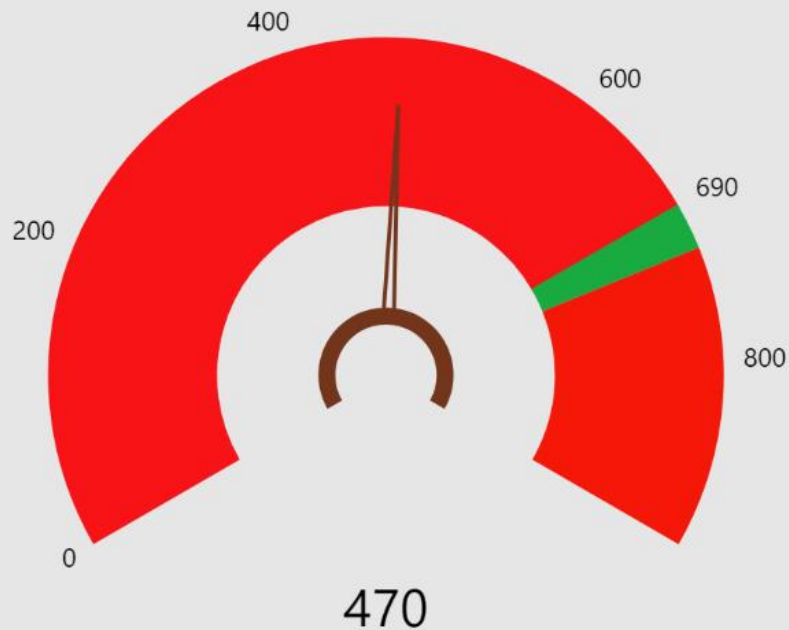
Proposed Target: No change. The processing team work hard to maintain excellent days to process stats, it is however recognised that room should be given to extend processing times should resources require or if efficiencies can be made.

Proposed Target 2022-2023

6



K1H1 Additional Homes Provided



Actual towards Target

470!

Indicative Target: 690
December

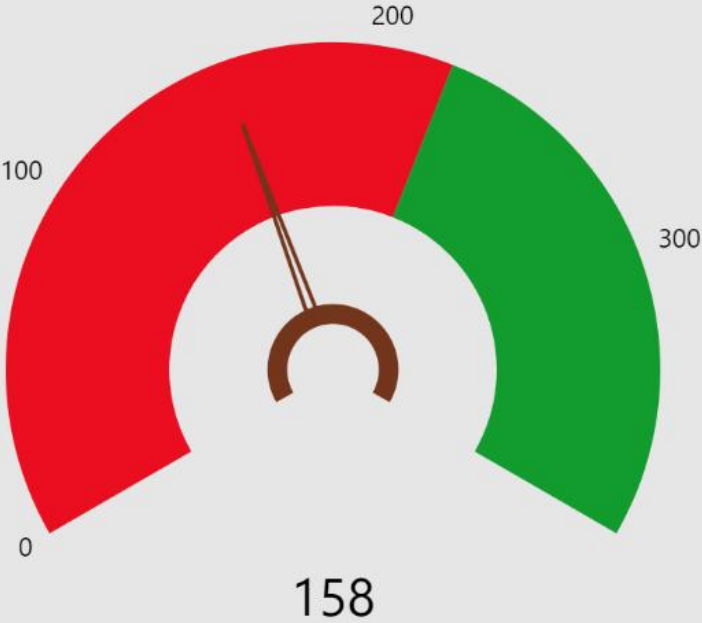
Supporting Narrative

The proposed target is set in the adopted Local Plan. Delivery has been lower in the last 2 years due to Covid and a number of large sites completing. New sites have recently been approved and commenced on site and are expected to generate an uplift in delivery of new homes.

Proposed Target 202-2023

920

K1H2 Affordable Homes Delivered over Three Years



Actual against Year Two Target

158!

Indicative Target: 224
December

Supporting Narrative

Affordable housing delivery is slightly behind at the half way stage of the strategic target of 380 homes in the period of 2020-2023. Global health pandemic caused uncertainty in the market and with a short supply of materials resulted in onsite delivery being delayed. 25 Affordable Homes were delivered in Q2 of 2021/22 which was an increase of 9 homes from the previous quarter. Delivery is expected to continue to grow over the remaining quarters as more larger sites commence which will deliver a percentage of affordable housing.

Proposed Target
2020-2023

380

K1H3 Homelessness Duty Owed - number of full duty acceptances

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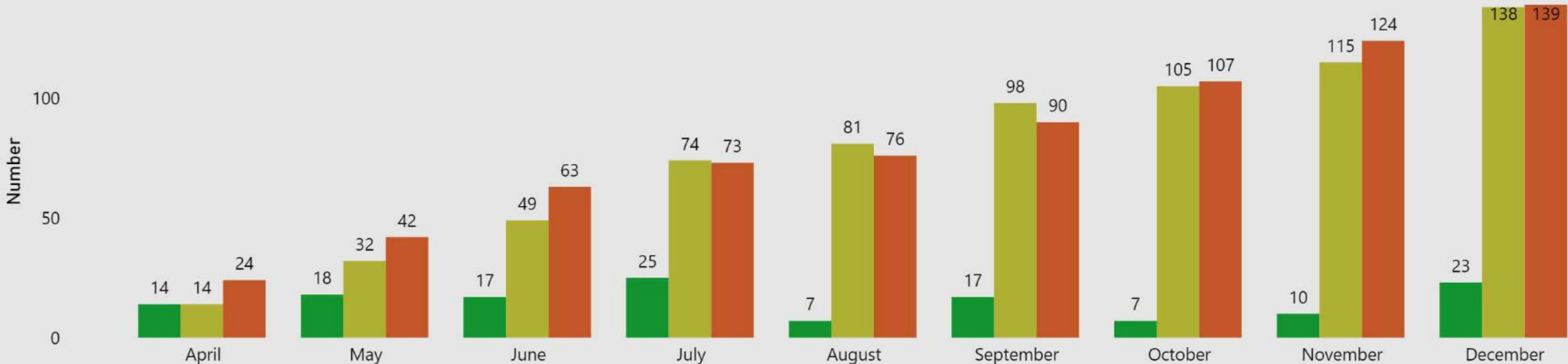
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K1H3 Full Homelessness Duty Owed

● Actual for Month

● Cumulative Figure

● Previous Year Cumulative



Number of full duty acceptances

Number of preventions

Number where Relief Duty provided

Proposed Target 2022-2023

New KPI replacing current Homelessness KPI: Monitoring the number of households in temporary accommodation per 1,000 households. Proposed Target: Less than 2.9 households per 1,000 (0.0029%). This a new indicator which shows the number of households in all temporary accommodation per 1,000 households in the Borough. This number fluctuates due to the demand for the service and work done to prevent and relieve homelessness which in turn may avoid or increase the need for use of temporary accommodation.

K1H3 Homelessness Duty Owed - number of preventions

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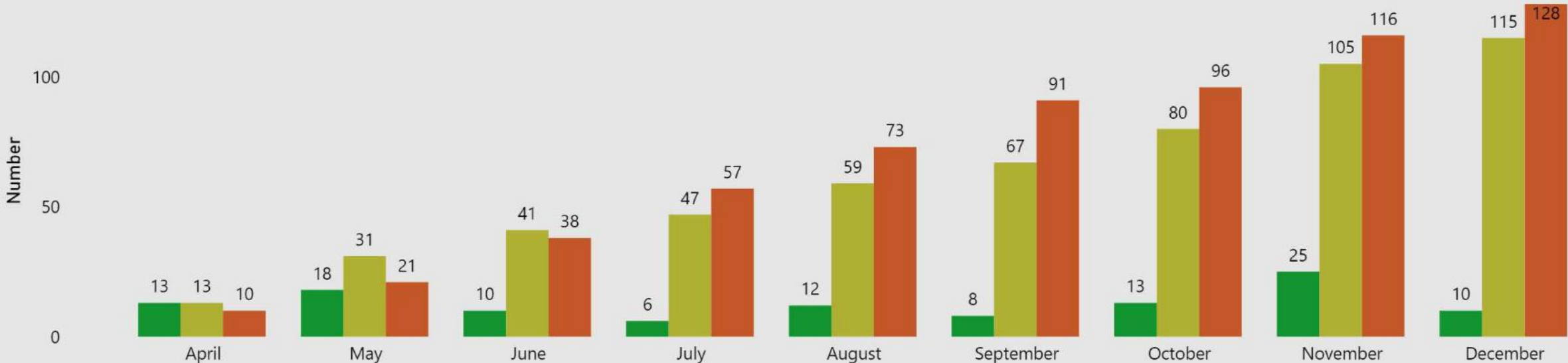
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K1H3 Full Homelessness Duty Owed

● Actual for Month

● Cumulative Figure

● Previous Year Cumulative



Number of full duty acceptances

Number of preventions

Number where Relief Duty provided

Proposed Target 2022-2023

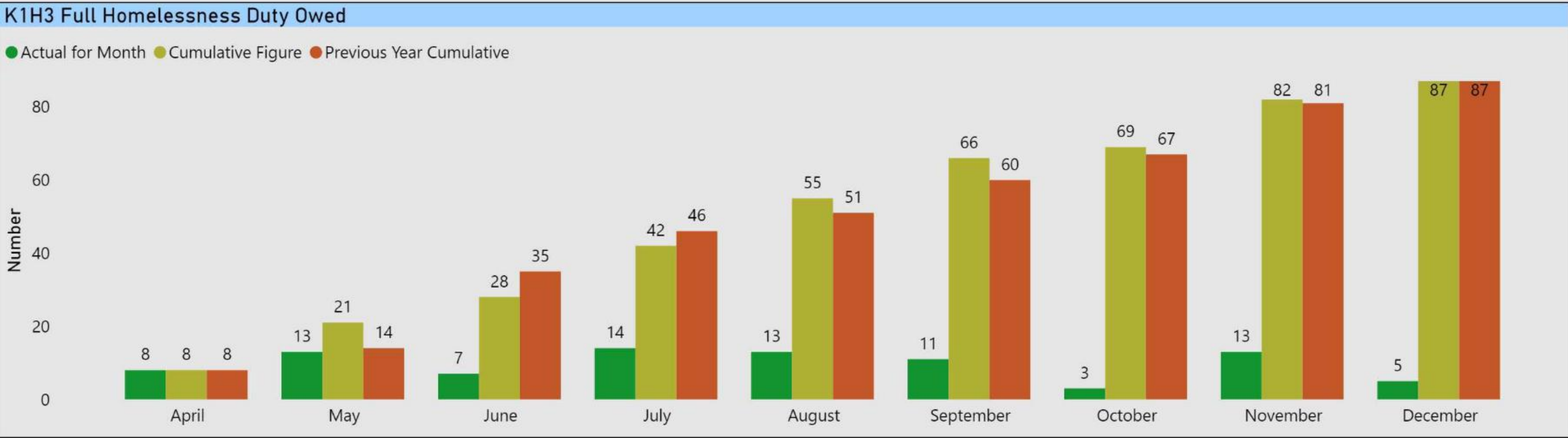
New KPI replacing current Homelessness KPI: Monitoring the number of households in temporary accommodation per 1,000 households. Proposed Target: Less than 2.9 households per 1,000 (0.0029%). This a new indicator which shows the number of households in all temporary accommodation per 1,000 households in the Borough. This number fluctuates due to the demand for the service and work done to prevent and relieve homelessness which in turn may avoid or increase the need for use of temporary accommodation.

K1H3 Homelessness Duty Owed - number where Relief Duty provided

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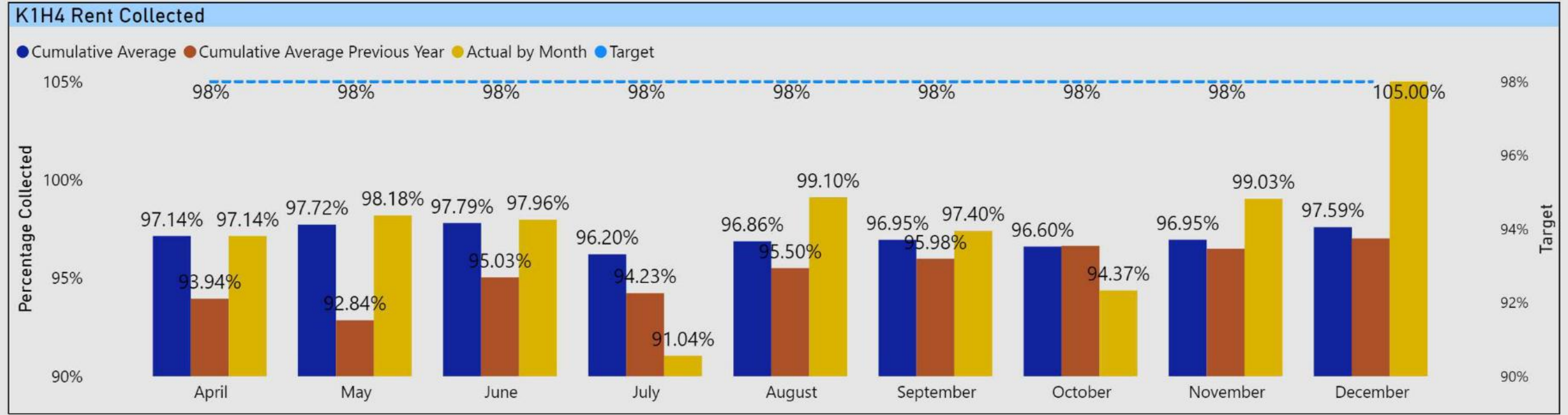


- Number of full duty acceptances
- Number of preventions
- Number where Relief Duty provided

Proposed Target 2022-2023

New KPI replacing current Homelessness KPI: Monitoring the number of households in temporary accommodation per 1,000 households. Proposed Target: Less than 2.9 households per 1,000 (0.0029%). This a new indicator which shows the number of households in all temporary accommodation per 1,000 households in the Borough. This number fluctuates due to the demand for the service and work done to prevent and relieve homelessness which in turn may avoid or increase the need for use of temporary accommodation.

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Cumulative against Target

97.59%!

Target: 98%

December

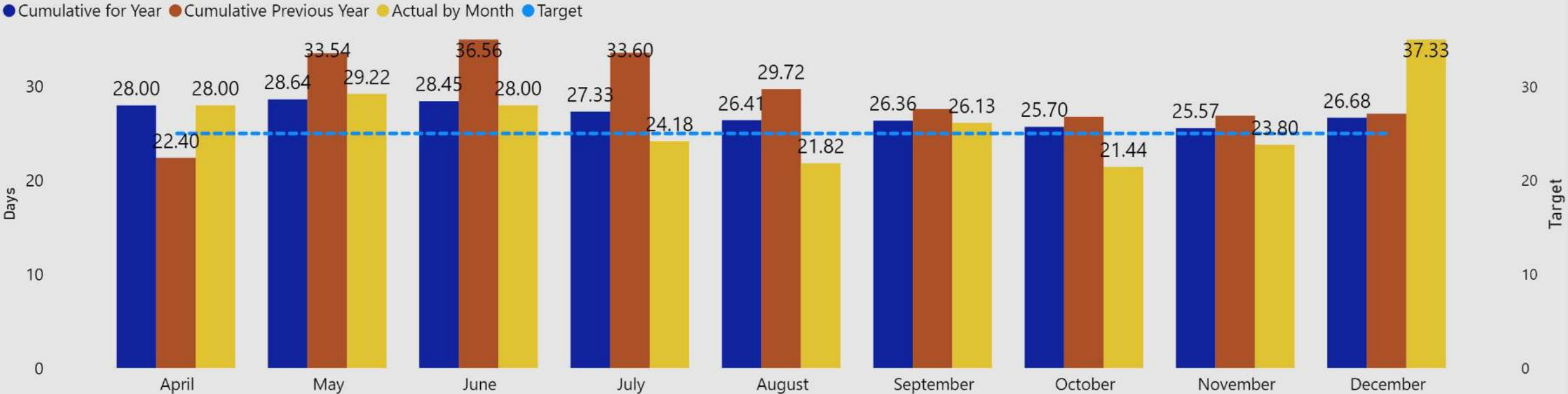
Supporting Narrative

We propose to keep the current target for 2022/23; current performance is not achieving target and whilst we anticipate improvement in the final two quarters of the year, as in previous years, meeting this year’s target will be challenging. Keeping the target at the current level will be a stretch and a challenge due to the increase in the number of tenants receiving benefit through Universal Credit where delays in payments impact on arrears, in addition cost of living increases are likely to affect our ability to collect rent at previous levels. The target is subject to agreement by CBC and CBH via the Medium Term Delivery Plan, to be approved at the Principal Liaison Meeting in February 2022, CBH Board, PFH for Housing and ratified by Scrutiny Panel on 15 March 2022.

Proposed Target 2022-2023

98%

K1H5 Average time to re-let Council Homes



Cumulative against Target

26.68!

Target: 25
December

Supporting Narrative

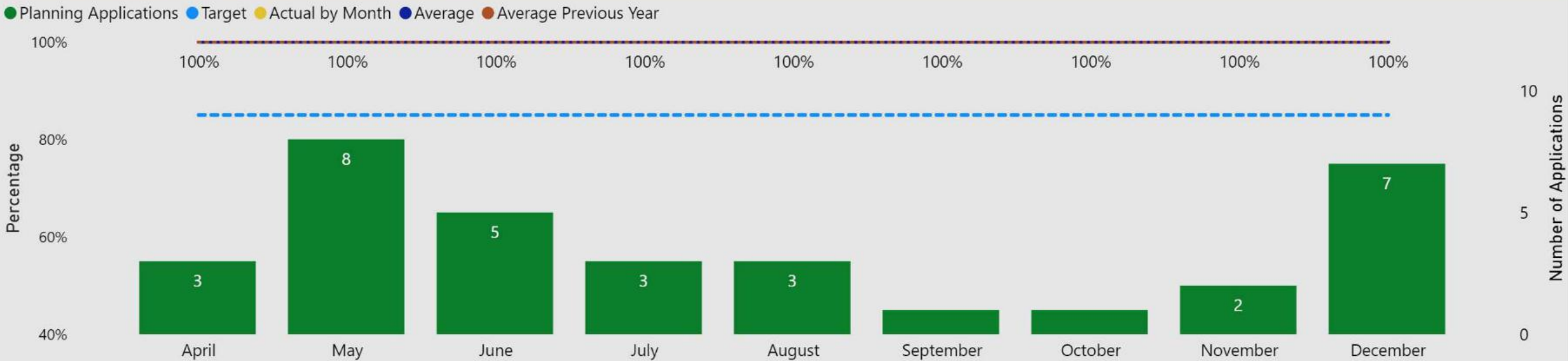
We propose to keep the current target for 2022/23; current performance is not achieving target and we continue to experience erratic supplies of core materials for repairs and reduced human resources through sickness and general labour shortages which is impacting performance. The latest HouseMark benchmarking data indicates an increase in the National average void re let times of 80% to 48.21 days, through the CBH in-house labour team the aim is to retain the current target of 25 days (subject to impact of the pandemic). The target is subject to agreement by CBC and CBH via the Medium Term Delivery Plan, to be approved at the Principal Liaison Meeting in February 2022, CBH Board, PFH for Housing and ratified by Scrutiny Panel on 15 March 2022.

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Proposed Target
2022-2023

25

K1P1 Processing of Planning Applications - Majors



Average against Target

100%✓

Target: 85%
December

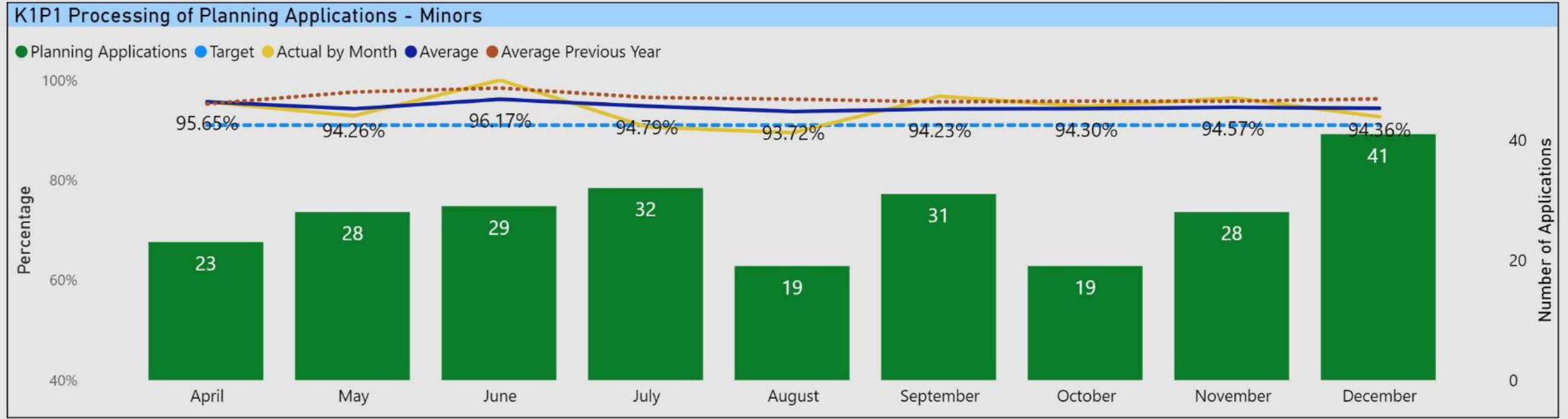
Supporting Narrative

Whilst the team have achieved high levels of performance across the board it is not proposed to change the targets for 2022/23. The number of planning applications received in the past year has increased by about 26% so maintaining the same performance levels will be a challenge.

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Proposed Target
2022-2023

85%



Average against Target

94.36%✓

Target: 91%

December

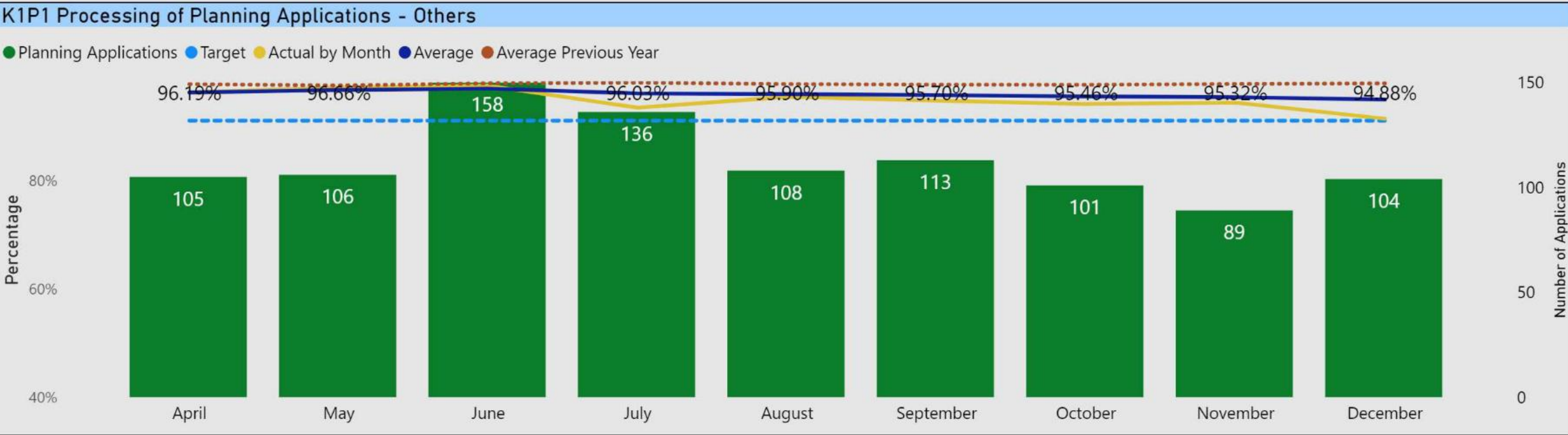
Supporting Narrative

Whilst the team have achieved high levels of performance across the board it is not proposed to change the targets for 2022/23. The number of planning applications received in the past year has increased by about 26% so maintaining the same performance levels will be a challenge.

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Proposed Target 2021-2022

91%



Average against Target

94.88%

Target: 91%

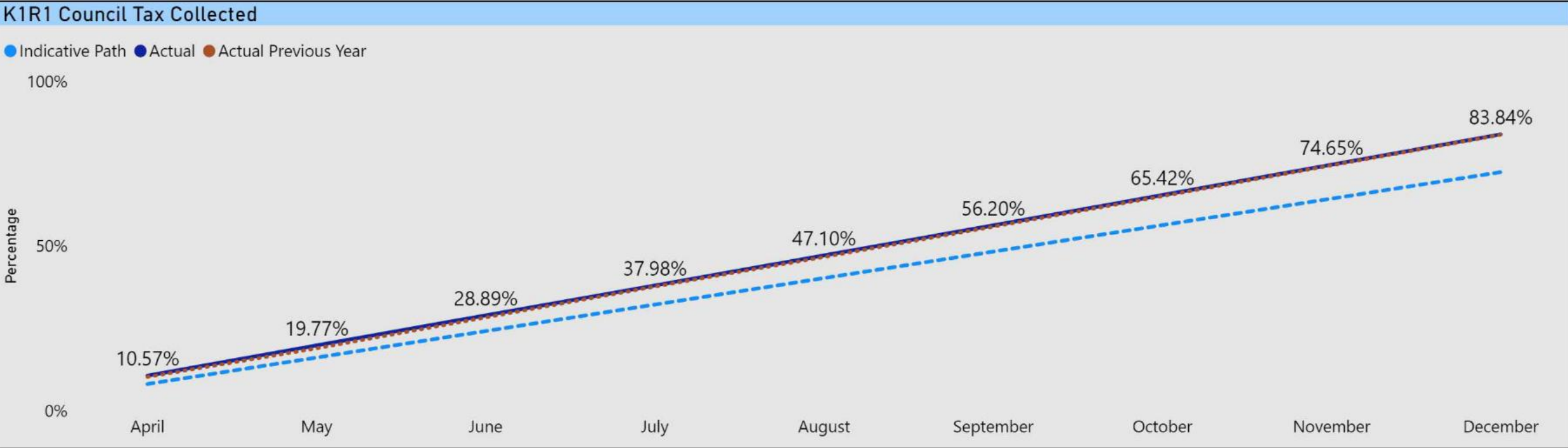
December

Supporting Narrative

Whilst the team have achieved high levels of performance across the board it is not proposed to change the targets for 2022/23. The number of planning applications received in the past year has increased by about 26% so maintaining the same performance levels will be a challenge.

Proposed Target 2022-2023

91%



Actual against Year End Target

83.84%✓

Indicative Path: 72.38%

December

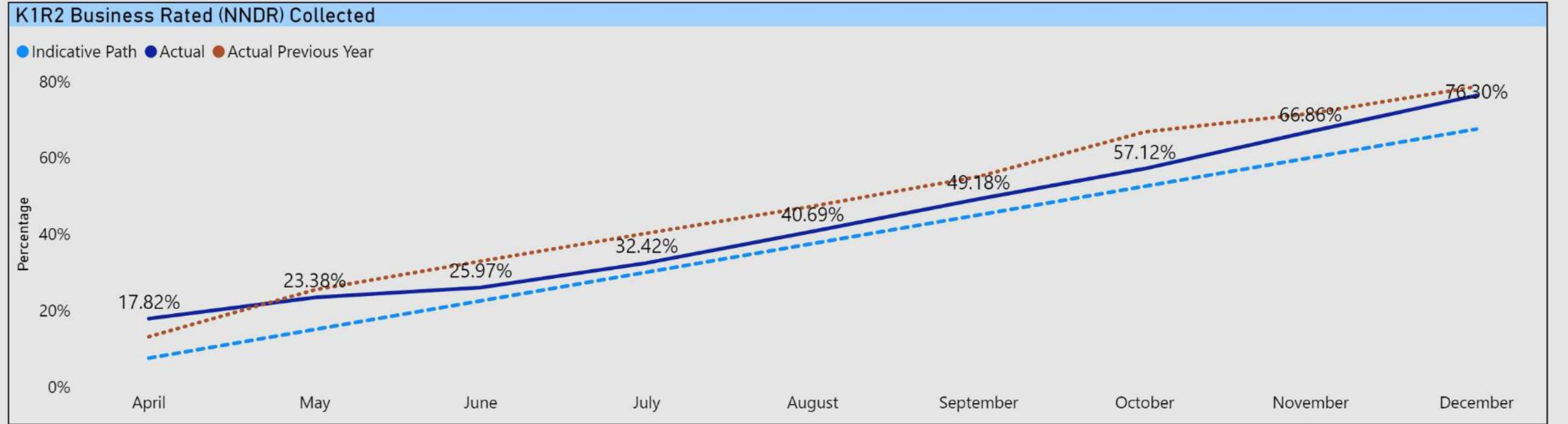
Supporting Narrative

It is proposed that the target current target of 96.5% is increased to pre-covid level based on an assumption that the impacts of covid will continue to reduce. Council Tax collection has remained strong during 2021 22 despite concerns over the impact of furlough ending, however consideration must be given to the potential worsening of covid cases and economic impact during the winter months.

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Proposed Target 2022-2023

97.50%



Actual against Year End Target

76.30%✓

Indicative Path: 67.50%

December

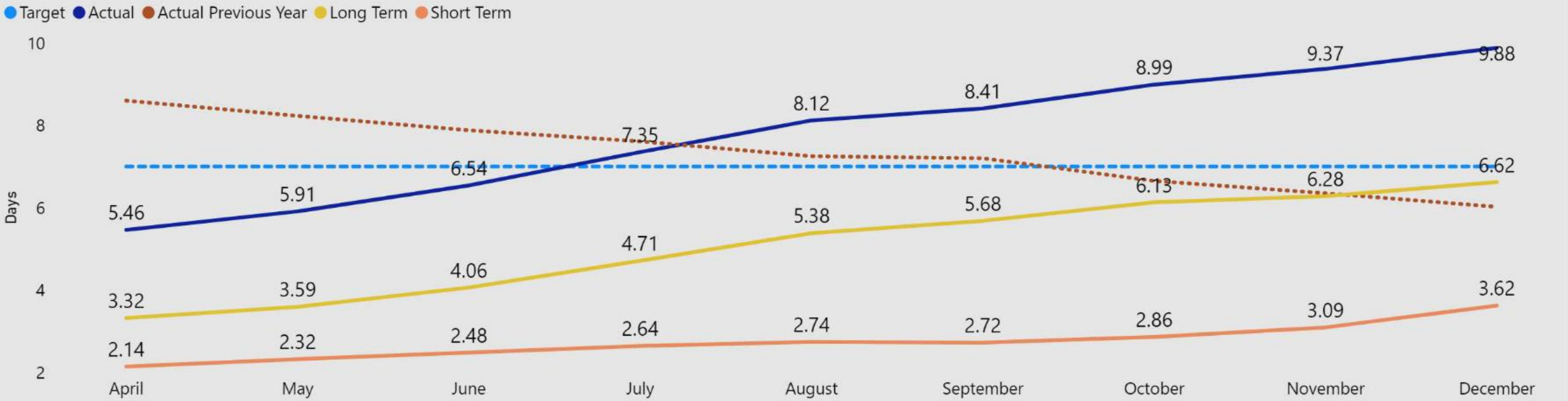
Supporting Narrative

It is proposed that the current target of 90% is increased but should remain below the pre-covid level. A number of businesses are still experiencing financial difficulties, and the reduction in relief available to business will impact on some businesses ability to pay. The discretionary covid relief has been delayed and is unlikely to be implemented until 22/23, this should however help to improve collection.

Proposed Target 2022-2023

95%

K1R3 Sickness Rates (Rolling Figures)



Actual against Target

9.88!

Target: 7
December

Supporting Narrative

The proposal is to keep the current target of 7 days. Sickness absence has increased this year in operational areas and in services where staff are unable to work from home due to COVID. It would be a retrograde step to increase the target above 7 days but as the pandemic continues and COVID cases fluctuate we do not believe a target below 7 days is achievable. A new Sickness Policy which will improve the way long and short-term sickness is managed will be launched in January 2022 and this should improve our performance against target.

Proposed Target
2022-2023

7



Actual against Target

286.55!

Indicative Path to date: 259.50
December

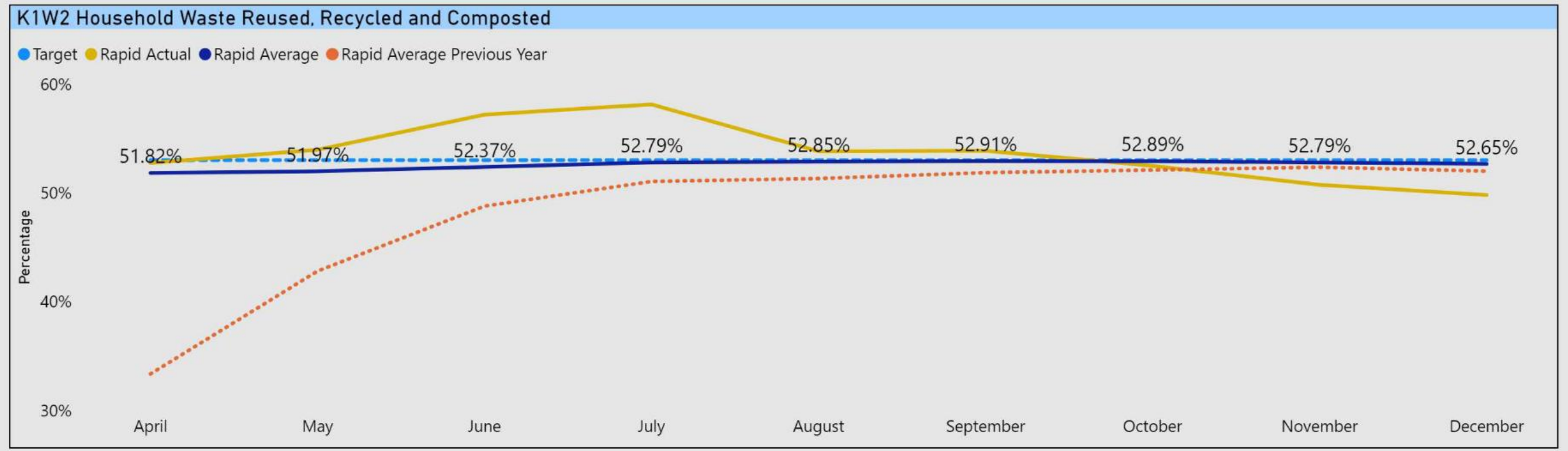
Supporting Narrative

It is proposed that the existing target is retained in order that it encourages ambition in the team for a target that has not been achieved in the past couple of years, due to the significant impact that the pandemic and other factors that have had on the service. Measuring performance against this consistent target will help the Service understand the impact of changes on performance.

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Proposed Target
2022-2023

346



Average against Target

52.65%!

Target: 53%

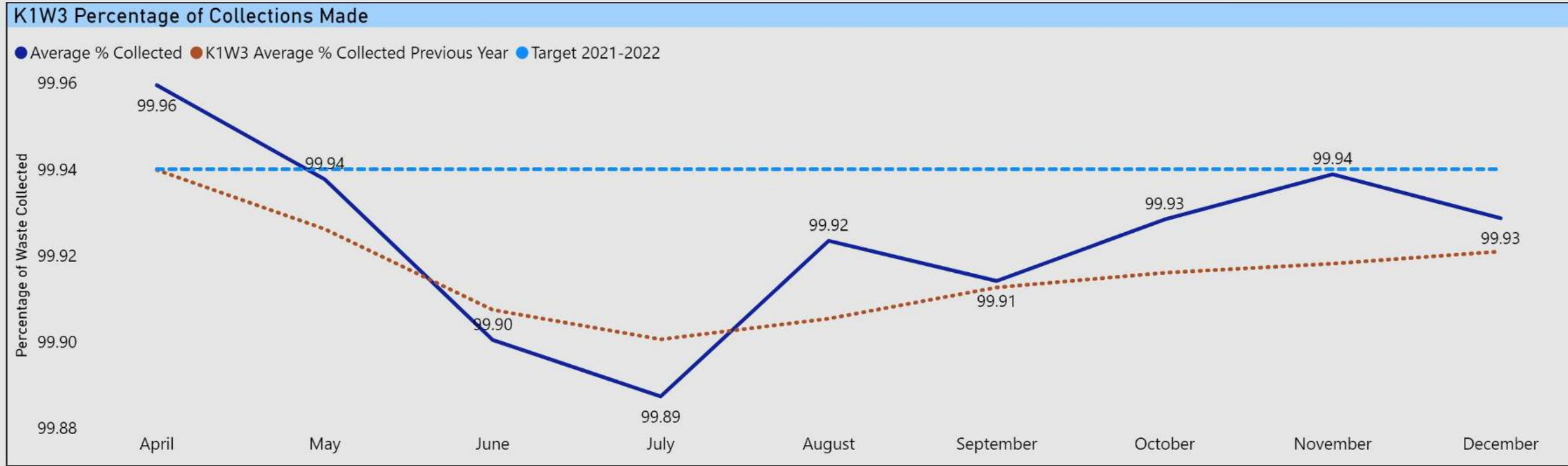
December

Supporting Narrative

In order to continue to meet the Council’s objectives and support the changes proposed by Government through the Environment Bill, it is proposed that the current target of 53% be increased to 55%. Performance has been difficult to achieve as an impact of the pandemic on services, but it is hoped that current measures and management will see good improvements being made on this performance.

Proposed Target 2022-2023

55%



Average against Target

99.93!

Target: 99.94%
December

Supporting Narrative

It is proposed that the existing target is retained in order that it encourages ambition in the team for a target that has not been achieved in the past couple of years, due to the significant impact that the pandemic and other factors that have had on the service. Measuring performance against this consistent target will help the Service understand the impact of changes on performance.

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Proposed Target
2022-2023

99.94

22 February 2022

Report of	Assistant Director Place and Client Services	Author	Geoff Beales ☎ 506514
Title	Colchester Borough Homes Performance Targets 2022/23		
Wards affected	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 2022/23. This set of performance indicators was agreed with CBH as part of their Medium-Term Delivery Plan (MTDP) 2022 to 2027, which in turn forms part of the 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 the 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 2022/23 have been amended to reflect the challenges faced during the lifetime of the Plan and incorporate changes to targets that reflect government policy changes and direction from the Regulator for Social Housing.

2. Action Required

- 2.1 The Scrutiny Panel is asked to note the draft performance targets for 2022/23, given as Appendix A.
- 2.2 The Scrutiny Panel is also invited to make any recommendations to the Portfolio Holder for Housing and Planning on CBH performance management arrangements for 2022/23 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 management 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.

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 Agreement ends in 2023 and a 5 year extension was agreed by Cabinet in 2020, extending the Agreement 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 2022-27 was developed jointly by 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, 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, 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.
- 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 2022/23 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.

4.7 Covid 19 has had an impact on performance in 2021/22. 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 and supply chain issues.

4.8 There are three changes to the performance indicators for the new MTDP 2022-27.

- Homeless Indicator – It is proposed to have a new indicator on homelessness. CBC and CBH continue to explore homeless prevention initiatives to prevent people from becoming homeless and work to encourage private sector landlords to accommodate homeless applicants. The grant funding for the Housing Options service from the Department for Levelling Up, Housing and Communities leads us to focus on the prevention and relief of homelessness. Key priorities are to reduce the number of households living in temporary accommodation, and the period of time spent in temporary accommodation by continuing to focus on improving our access to alternative accommodation and move-on accommodation. To do this it is proposed to use a national indicator that measures the number in temporary accommodation per thousand of the population, this number can then be used to benchmark against other local authorities, as well as monitoring the demand for the service.
- Gas servicing target – this target has been removed. To continue to ensure CBC meets all of the regulatory and legislative obligations, including the new ones arising from the Social Housing White Paper, a separate suite of indicators is to be provided to monitor all aspects of compliance. This information and a report highlighting any issues will be shared with the PFH and Cabinet members. The compliance indicators include: Gas Safety, Legionella, Asbestos, Lifts, Electrical Safety, Fire Risk, Safeguarding and Data Protection. The Scrutiny Panel will also have the opportunity to review this when CBH attend the Panel for their annual review during the year.
- Sustainable homes - the Council's new Asset Management Strategy 2022-26 sets a target of 100% of stock with an Energy Performance Certificate (EPC) rating of Band C by 2030. This new target will show that we are delivering on the aim of environmental improvements, improving the energy efficiency of our stock and meeting the Government target. It should be noted that delivery is planned on dealing with the worst performing assets first and this is reflected in the profile of the target.

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 to 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 Council's 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 2022-27 will be distributed and placed on the CBH website.

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.

Appendix A – Colchester Borough Homes Medium Term Delivery Plan Performance Targets 2022-27.

KPI	Notes						
Satisfaction with latest repair - % Satisfaction at the point of service to ensure customers are satisfied with the service they have received, whether the repairs are carried out by our in-house team or by a subcontractor.	Customer feedback collected via the Survey of Tenants and Residents (STAR) and complaints tells us that satisfaction with repairs is a key driver for overall satisfaction with services, both for our tenants and across the sector in general.						
	As the sector moves towards a mandatory, benchmarked approach it is worth considering replacing transactional satisfaction with a perception measure of overall satisfaction with the landlord, which is a well-established metric in the sector and appears in the draft measures in the Social Housing White Paper. Further consideration will be given to this as the regulatory requirements are confirmed.						
		2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	Target	92	90	90.5	91	91.5	92
	Result	86.3 (Q3 YTD)					
Repairs completed on time - % Percentage of repairs which are completed within agreed timeframes: 20 working days for routine repairs, 24 hours for emergency repairs and 5 working days for urgent repairs.	We continue to operate in a challenging environment due to supply issues with materials and labour both in-house and for contractors. These issues are sector-wide and are expected to last well into 2022.						
		2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	Target	97.75	97.75	97.75	97.75	97.75	97.75
	Result	97.5 (Q3)					

Households in temporary accommodation per 1,000 households of the population (based on the latest available government estimates) Number of residents in temporary accommodation per thousand of the population.	<table><tr><th></th><th>2021/22</th><th>2022/23</th><th>2023/24</th><th>2024/25</th><th>2025/26</th><th>2026/27</th></tr><tr><td>Target</td><td>New</td><td>2.9</td><td>2.9</td><td>2.9</td><td>2.9</td><td>2.9</td></tr><tr><td>Households in temporary accommodation</td><td>2.55 (Q3)</td><td></td><td></td><td></td><td></td><td></td></tr></table>		2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Target	New	2.9	2.9	2.9	2.9	2.9	Households in temporary accommodation	2.55 (Q3)										
	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27																					
Target	New	2.9	2.9	2.9	2.9	2.9																					
Households in temporary accommodation	2.55 (Q3)																										
	This new measure gives contextual information on current pressures as well as costs within the homelessness service. We expect a period of rising demand for housing options and homelessness services; increased interest rates, increases in energy bills and reductions in benefits will impact on the residents of Colchester and increase the number of people threatened with homelessness. There is a shortage of suitable, affordable, family accommodation available, for both temporary accommodation and more permanent solutions either in the private sector or social housing.																										
Capital program elements completed on time % Progress against the capital programme delivery schedule agreed at the start of each year.	Continuing difficulty due to rising prices within the construction industry and failed procurement exercises (which are linked to rising prices). CBC and CBH have explored opportunities to extend existing contractual arrangements during the pandemic. A number of these contracts will come to an end during 2022/23 and new procurement exercises will need to be completed.																										
	<table><tr><th></th><th>2021/22</th><th>2022/23</th><th>2023/24</th><th>2024/25</th><th>2025/26</th><th>2026/27</th></tr><tr><td>Target</td><td>85</td><td>80</td><td>85</td><td>90</td><td>95</td><td>96</td></tr><tr><td>Result</td><td>45.7 (Q3)</td><td></td><td></td><td></td><td></td><td></td></tr></table>		2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	Target	85	80	85	90	95	96	Result	45.7 (Q3)										
	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27																					
Target	85	80	85	90	95	96																					
Result	45.7 (Q3)																										
Rent collection - % Rent collected from current tenants as a percentage of the rent	The outlook remains challenging, with cost-of-living pressures contributing to difficulties in paying rent. Court delays continue to impact on arrears management.																										

collectable plus any arrears at the start of the year.		2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	Target	98	98	98	98	98	98
	Result	97.6 (Q3)					
Average days to re-let general needs properties Number of days taken to re-let vacant general needs homes, including any days spent in capital works. (Excludes Sheltered housing and properties where Major works are required)	We continue to operate in a challenging environment due to supply issues with materials and labour both in-house and contractor. These issues are sector-wide and are expected to last well into 2022.						
		2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	Target	25	28	25	25	25	25
	Result	26.7 (Q3)					
Properties with an EPC rating of Band C or above - % Percentage of Council-owned housing stock with an Energy Performance Certificate rating of Band C or above.	To reflect the Council's focus on the energy efficiency of properties, we will monitor the percentage of properties with an EPC of C or above. The ultimate target is to have all properties at an EPC Band C or above by 2030. Delivery of the works will be on a worst first approach. Therefore, progress towards the 100% target is expected to be slower in the initial years and to accelerate as 2030 approaches, due to the way the programmes of work will be profiled.						
		2021/22	2022/23	2023/24	2024/25	2025/26	2026/27
	Target	New	85.5	86.5	87.5	89	90.5
	Result	84.6					

22 February 2022

Report of	Assistant Director – Corporate and Improvement Services	Author	Owen Howell ☎ 282518
Title	Work Programme 2021-22		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report sets out the current Work Programme 2021-2022 for the Scrutiny Panel. This provides details of the reports that are scheduled for each meeting during the municipal year.

2. Action Required

- 2.1 The Panel is asked to consider and approve the contents of the Work Programme for 2021-2022.

3. Background Information

- 3.1 The Panel's work programme evolves as the Municipal Year progresses and items of business are commenced and concluded. At each meeting the opportunity is taken for the work programme to be reviewed and, if necessary, amended according to current circumstances. The draft work programme for 2021-22 is appended to this report. This contains the items which are reviewed each year by the Panel.
- 3.2 The Forward Plan of Key Decisions is included as part of the work programme for the Scrutiny Panel, and this is included an **Appendix A**.

4. Standard References

- 4.1 There are no particular references to publicity or consultation considerations, or financial, equality, diversity, human rights, community safety, health and safety, environmental and sustainability or risk management implications.

5. Strategic Plan References

- 4.1 Scrutiny and challenge is integral to the delivery of the Strategic Plan 2020-2023 priorities and direction for the Borough as set out under the strategic themes of:
- [Tackling the climate challenge and leading sustainability](#)
 - [Creating safe, healthy and active communities](#)
 - [Delivering homes for people who need them](#)
 - [Growing a fair economy so everyone benefits](#)
 - [Celebrating our heritage and culture](#)

- 4.2 The Council recognises that effective local government relies on establishing and maintaining the public's confidence, and that setting high standards of self-governance provides a clear and demonstrable lead. Effective governance underpins the implementation and application of all aspects of the Council's work.

Appendices

Appendix A – Scrutiny Panel Work Programme, 2021-22

Appendix B – Forward Plan of Key Decisions: 1 March – 30 June 2022

Work Programme for 2021/22

Scrutiny Panel meeting – 8 June 2021
Scrutiny Panel Chairman's briefing – 3 June 2021
1. Work Programme 2021-22
Scrutiny Panel meeting – 20 July 2021
Scrutiny Panel Chairman's briefing – 15 July 2021
1. Year End 2020/21 Performance Report and Strategic Plan Action Plan 2018-21 2. Budget Strategy and Transformation Programme 3. Annual Scrutiny Report 4. Work Programme 2021-22
Scrutiny Panel meeting - 17 August 2021
Scrutiny Panel Chairman's briefing – 12 August 2021
1. Town Deal 2. Work Programme 2021-22
Scrutiny Panel (Crime and Disorder Committee) - 14 September 2021
Scrutiny Panel Chairman's briefing – 9 September 2021
1. Safer Colchester Partnership (Crime and Disorder Committee) 2. Work Programme 2021-22
Scrutiny Panel – 12 October 2021
Scrutiny Panel Chairman's Briefing – 7 October 2021
1. Portfolio Holder Briefing [Apologies given by Cllr Crow] 2. Review of Colchester Borough Homes: 2020-21 Performance 3. Local Council Tax Support – Year 2022/23 4. Budget Strategy for 2022-23 5. Work Programme 2021-22
Scrutiny Panel meeting - 9 November 2021
Scrutiny Panel Chairman's briefing – 4 November 2021
1. Portfolio Holder Briefing from Cllr Dundas [Strategy and Leader of the Council] 2. Work Programme 2021-22
Scrutiny Panel meeting - 14 December 2021
Scrutiny Panel Chairman's briefing – 9 December 2021
1. Portfolio Holder Briefing from Cllr Lissimore [Resources and Deputy Leader] 2. Half Year 2021-22 Performance Report & Strategic Plan Action Plan progress 3. Budget Strategy for 2022-23 4. Work Programme 2021-22

Scrutiny Panel meeting - 25 January 2022
Scrutiny Panel Chairman's briefing – 20 January 2022
<ol style="list-style-type: none"> 1. Portfolio Holder Briefing from Cllr Oxford [Communities] 2. 2022-23 Revenue Budget, Capital Programme, Medium Term Financial Forecast and Treasury Management Investment Strategy 3. Housing Revenue Accounts Estimate and Housing Investment Programme 4. Recommendation from Panel sub-group on Youth Zones 5. Work Programme 2021-22
Scrutiny Panel - 15 February 2022
Scrutiny Panel Chairman's briefing – 10 February 2022
<ol style="list-style-type: none"> 1. Portfolio Holder Briefing from Cllr Laws [Economy, Business and Heritage] 2. Business cases of Town Deal projects 3. Work Programme 2021-22
Scrutiny Panel - 22 February 2022
Scrutiny Panel Chairman's briefing – 17 February 2022
<ol style="list-style-type: none"> 1. Portfolio Holder Briefing from Cllr Ellis [Housing and Planning] 2. Reports from Arts Organisations (Mercury, The Arts Centre, FirstSite) 3. Corporate Key Performance Indicator Targets for 2022-23 4. Colchester Borough Homes: Key Performance Indicator Targets for 2022-23
Scrutiny Panel meeting– 15 March 2022
Scrutiny Panel Chairman's briefing – 10 March 2022
<ol style="list-style-type: none"> 1. Portfolio Holder Briefing from Cllr Crow [Environment and Sustainability] 2. One Colchester Partnership/Safer Colchester Partnership [TBC]

COLCHESTER BOROUGH COUNCIL

FORWARD PLAN OF KEY DECISIONS 1 March 2022 – 30 June 2022

During the period from 1 March 2022 – 30 June 2022* Colchester Borough Council intends to take 'Key Decisions' on the issues set out in the following pages. Key Decisions relate to those executive decisions which are likely to either:

- result in the Council spending or saving money in excess of £500,000; or
- have a significant impact on communities living or working in an area comprising two or more wards within the Borough of Colchester.

This Forward Plan should be seen as an outline of the proposed decisions and it will be updated on a monthly basis. Any questions on specific issues included on the Plan should be addressed to the contact name specified in the Plan. General queries about the Plan itself should be made to Democratic Services (01206) 507832 or email democratic.services@colchester.gov.uk

The Council invites members of the public to attend any of the meetings at which these decisions will be discussed and the documents listed on the Plan and any other documents relevant to each decision which may be submitted to the decision taker can be viewed free of charge although there will be a postage and photocopying charge for any copies made. *All decisions will be available for inspection on the Council's website, www.colchester.gov.uk*

If you wish to request details of documents regarding the 'Key Decisions' outlined in this Plan please contact the individual officer identified.

If you wish to make comments or representations regarding the 'Key Decisions' outlined in this Plan please submit them, in writing, to the Contact Officer highlighted two working days before the date of the decision (as indicated in the brackets in the date of decision column). This will enable your views to be considered by the decision taker.

Contact details for the Council's various service departments are incorporated at the end of this plan.

If you need help with reading or understanding this document please telephone (01206) 282222 or textphone users dial 18001 followed by the full number that you wish to call and we will try to provide a reading service, translation or other formats you may need.

*The Forward Plan also shows decisions which fall before the period covered by the Plan but which have not been taken at the time of the publication of the Plan.

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
Approval of Award of Contract for Replacement Windows and Doors	Yes	February 2022	Portfolio Holder for Housing and Planning, Councillor Ellis Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Ernie Gray Client Asset Manager 01206 282506 ernie.gray@colchester.gov.uk
Cultural Strategy	No	9 March 2022	Cabinet (Cllrs Dundas, Crow, Ellis, Laws, Lissimore and B. Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Claire Taylor Visitor and Cultural Services Manager 07506 754279 claire.taylor@colchester.gov.uk

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
Grounds Maintenance contract delivery model	No	9 March 2022	Cabinet (Cllrs Dundas, Crow, Ellis, Laws, Lissimore and B. Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report and business case	Rory Doyle Assistant Director, Environment 01206 507885 rory.doyle@colchester.gov.uk
Request for delegated authority for the award of Housing Revenue Account contracts for the 2022/23 Housing Investment Programme financial year.	No	9 March 2022	Cabinet (Cllrs Dundas, Crow, Ellis, Laws, Lissimore and B. Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Geoff Beales Client Services Manager 01206 516504 Geoff.beales@colchester.gov.uk

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
Town Deal Business Cases	Yes	9 March 2022	Cabinet (Cllrs Dundas, Crow, Ellis, Laws, Lissimore and B. Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Matt Sterling Strategic Economic Growth Manager matthew.sterling@colchester.gov.uk
Award of Contract for Asbestos Surveying	Yes	9 March 2022	Cabinet (Cllrs Dundas, Crow, Ellis, Laws, Lissimore and B. Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report, including appendix showing tender evaluation	Ernie Gray Client Asset Manager 01206 282506 ernie.gray@colchester.gov.uk

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Award of Contract - Stairlifts	Yes	9 March 2022	Cabinet (Cllrs Dundas, Crow, Ellis, Laws, Lissimore and B. Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Geoff Beales Client Services Manager 01206 516504 Geoff.beales@colchester.gov.uk
West End Sports Ground, Eudo Road The report will request that Cabinet considers the future use of The West End Sports Ground at Eudo Road. It will present an option to lease part of the site as a sports facility which could then secure external investment to improve the site and provide additional income to cover costs of running the facility.	No	9 March 2022	Cabinet (Cllrs Dundas, Crow, Ellis, Laws, Lissimore and B. Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report including a plan of site showing an area that could be leased.	Richard Block Assistant Director, Corporate and Improvement Services 01206 506825 richard.block@colchester.gov.uk

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Council Company Business Plans	Yes	9 March 2022	Cabinet (Cllrs Dundas, Crow, Ellis, Laws, Lissimore and B. Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report, draft CCHL Business Plan, draft not for publication subsidiary business plans	Andrew Tyrrell, Client and Business Manager 01206 282390 andrew.tyrrell@colchester.gov.uk
New Homes Bonus Allocations 2022/23	No	9 March 2022	Cabinet (Cllrs Dundas, Crow, Ellis, Laws, Lissimore and B. Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Paul Cook Head of Finance 01206 505861 paul.cookx@colchester.gov.uk

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Approval to complete the purchase of land/property at 'The Centre' Greenstead from Notting Hill Genesis, using funding received via the Estates Regeneration Fund	No	March 2022	Portfolio Holder for Resources, Councillor Sue Lissimore Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Daniel Barton Greenstead and Youth (Town Deal) Projects Manager 01206 282912: Daniel.Barton@colchester.gov.uk
Award of Contract for Replacement Telephony System	No	April 2022	Portfolio Holder for Resources, Cllr Lissimore, and the Assistant Director for Corporate and Improvement Services, under delegated authority from Cabinet. Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Kieran Johnston Strategic ICT Manager 07983 164744 Kieran.johnston@colchester.gov.uk

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Award of contract for Renewal of Microsoft Licensing agreement	No	April 2022	Portfolio Holder for Resources, Cllr Lissimore, and the Assistant Director for Corporate and Improvement Services, under delegated authority from Cabinet. Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Kieran Johnston Strategic ICT Manager 07983 164744 Kieran.johnston@colchester.gov.uk
Levelling Up Fund	No	8 June 2022	Cabinet (Cllrs Dundas, Crow, Ellis, Laws, Lissimore and B. Oxford) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Matthew Brown Economic Development Projects Manager 01206 507348 matthew.brown@colchester.gov.uk

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