

## 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 enable them to contribute to the delivery of the Council's Strategic Plan and specifically the actions within the new [Cultural Strategy for Colchester](#); support Creative Colchester, a framework for enhancing the impact of the arts and creative industries on the local economy; and contribute to initiatives which help reduce inequalities and which support health, wellbeing and community cohesion across the Borough.
- 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.

### 2.0 Scope and Financial Arrangements

- 2.1 Between 1 April 2022 and 31 March 2023, the Council will fund Colchester Arts Centre to the amount of £48,175. This is a funding settlement agreed by Cabinet in line with budget strategy to support the core operations of the organisation, as set out in the business 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.

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- 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 2021 – 22 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.

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5.2 The Portfolio Holder and the Director of CAC may be asked to sit before the 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

9.1 The specification of performance targets is developed collaboratively between the Council and the Colchester Arts Centre. The information provided here

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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><b>Colchester Arts Centre</b> will promote, present and nurture artistic talent. Through a combination of curatorial expertise, outstanding production values and straightforward commercial nous it will act as a home for artists, a breeding ground for artistic ambition and innovation, and a platform for local, national and international talent. With its broad ranging and risk-taking performance programme the venue will seek to inspire and nurture creativity in the local community, inspiring artists already on the path and encouraging others to embrace their creativity.</p> <p><b>Target:</b> In 2022/23 we will present:</p> <ul style="list-style-type: none"> <li>• One piece of international work.</li> <li>• One major partnership project.</li> <li>• Twelve jazz performances</li> <li>• Thirty Folk gigs</li> <li>• Forty Rock / Indie / Pop gigs</li> <li>• Forty Comedy Shows</li> <li>• Twenty shows specifically for children.</li> <li>• Five Film screenings</li> <li>• Ten Experimental Music Performances</li> </ul>	<p><b>Actuals</b>    <b>Variance</b></p> <p>9                <b>-3</b></p> <p>29              <b>-1</b></p> <p>83              43</p> <p>45              5</p> <p>21              1</p> <p>12              7</p> <p>15              5</p>	
<p><b>Wonderful Wednesdays</b> – New, challenging, experimental, innovative performance work, made accessible for a regular Colchester audience with a radical pay what you can afford admission structure that makes this work, often regarded as the preserve of the arts elite, truly open to anyone. Personally curated by the Director.</p> <p><b>Target:</b> 20 performances in the funding period.</p>	<p>21 performances</p>	

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<p><b>A dedicated programme of Childrens' Shows and Workshops</b> –All show tickets kept at a low, accessible, affordable price.</p> <p><b>Target:</b> 20 Shows and 5 workshops, including a run of special Christmas shows at an accessibly low admission price.</p>	<p>21 performances            Tickets between £3 - £10            No workshops            16 christmas shows (included in the 21)            Family ticket applied where possible.</p>
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### 9.4 Community and Audience Development

Target	Outputs/Report												
<p><b>Community Events</b> – we commit to program a number of events focusing on the talents of the local community including:</p> <ul style="list-style-type: none"> <li>• A Colchester Schools Rock prom</li> <li>• Sixth Form College Battle of the Bands</li> <li>• Variety Night in aid of Mayor's Charities</li> <li>• A Colchester Games Fair Showcase events from Colchester based dance and music schools</li> </ul>	<table> <tr> <td>24/02/2023</td> <td>173 tickets</td> <td>£5 per ticket</td> </tr> <tr> <td>08/02/2023</td> <td>118 tickets</td> <td>£6 per ticket</td> </tr> <tr> <td>11/03/2023</td> <td>179 tickets</td> <td>£10 per ticket</td> </tr> <tr> <td>22/10/2022</td> <td>350 attended</td> <td>Free admission</td> </tr> </table>	24/02/2023	173 tickets	£5 per ticket	08/02/2023	118 tickets	£6 per ticket	11/03/2023	179 tickets	£10 per ticket	22/10/2022	350 attended	Free admission
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<p><b>Increase known audience attendance to 35,000</b></p>	<p>Paying attendees 40,020</p>												
<p><b>Online audience figures</b>            This to include the Colchester Arts Centre website and our social media platforms.</p> <ul style="list-style-type: none"> <li>• Increase website Unique Browsers to 150,000</li> <li>• Increase number of website page impressions from 765,000</li> <li>• Increase number of website visits to 300,000</li> <li>• Increase Facebook follows to 14,000</li> </ul> <p>Increase Twitter followers to 14000</p>	<table> <tr> <td>221,432</td> </tr> <tr> <td>784,961</td> </tr> <tr> <td>332,000</td> </tr> <tr> <td>14,411</td> </tr> </table>	221,432	784,961	332,000	14,411								
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### 9.5. Governance and Management

Target	Outputs/Report
<b>Arts Centre Board:</b> Organise a further Board retreat.	In progress
<b>Senior Management Team</b> The creation of this grouping to work closely with the Director on all aspects, particularly Business Plan creation and setting of targets. 1 meeting per month.	Met

### 9.6. Diversity and Access

Target	Outputs/Report
<b>Arts Centre Board:</b> Increase BAME representation.	Met
<b>Accessible Shows</b> – we will program specific performances made accessible to people with disabilities, beyond our regular venue accessibility offer. <b>Target:</b> <ul style="list-style-type: none"> <li>• Ten relaxed performances</li> <li>• An audio described performance</li> <li>• Ten BSL interpreted performances.</li> </ul>	12 6 6
<b>Staff Training</b> – to be ongoing. <b>Targets:</b> Disability Equality Training for Core staff and volunteers. LGBTQIA++ training for staff and volunteers.	Met
<b>Increase Diversity of Artistic Programme</b> – encouraging diversity to permeate all levels of the organisation, not just within the staff. <b>Target:</b> work with 5 artists with disabilities, 5 LGBTQIA++ artists and 5 BAME artists.	Met
Additional Guest curation by our Thinker In residence Vijay Patel.	Met

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

Target	Outputs/Report
<ul style="list-style-type: none"> <li>• Update commercial sponsorship brochure and online.</li> </ul>	In progress

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<ul style="list-style-type: none"> <li>CAC Representative to attend 4 Business networking events per year.</li> </ul>	Met (One Colchester Strategic Board)
<p><b>Volunteers</b> – Volunteering, whilst hugely aiding the operation of the arts centre, also provides a valuable opportunity for work experience and skills development.</p> <p><b>Target:</b> Increase volunteer numbers by 5% for future-proofing</p>	Met - Increased pool of volunteers
<p><b>Work Experience</b> – we will provide work experience to secondary school aged students and those seeking internships to cement their skills and experience.</p>	In progress

### 9.8 Action on Climate Change and Environmental Sustainability

Target	Outputs/Report
<b>Julie's Bicycle</b> – we will continue our work with this organisation to establish measurement data for use in setting green targets.	Met
<b>Green Team</b> – meeting monthly to improve green credentials across the organisation. Research into wider aspects of Climate Change. Empirical analysis of data to identify areas in which we can make the biggest impact.	Met
<b>Waste and Energy Management</b> – regular review of best practice: we commit to constant monitoring of cost effectiveness and green credentials.	Met (Green Team)
<b>Car sharing</b> pilot scheme.	Met
<b>Mapping the ecology of our neighbouring graveyard</b> and planning associated public events.	Met (Mapping) <a href="https://www.mary-mary-quite-contrary.com">https://www.mary-mary-quite-contrary.com</a> Public events – Not met at this time

### 9.9 Health and Wellbeing of Colchester's communities and residents

Target	Outputs/Report
<b>Meditation Workshops</b> open to the public.	Not met at this time
<b>Doom Yoga</b> – combining art and wellbeing! Yoga performed to	Not met at this time

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entrancing (and very loud) doom / drone music!	
<b>Use of space for “reflection time”</b> – a chance to be in the space alone.	Not met at this time

### 9.10 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.

**MET**

### 9.11 How the organisation will contribute specifically to achieving the actions within the Colchester Cultural Strategy, and wider objectives within the Colchester Borough Council Strategic Plan and other relevant local, regional or national strategies

#### **Colchester Cultural Strategy**

We can contribute in these specific areas...

#### **Build on existing sectoral and cross sector partnership working and collaboration**

Membership of Creative Colchester and LCEP

Co-produced events with Firstsite in aid of the Mayors Charities.

MET

#### **Collaborate on a shared diversity and inclusion training programme across cultural organisations**

Colchester Arts Centre would be delighted to invite other NPOs and organisations in the town to share in our disability and equality training sessions.

INVITATIONS ISSUED

#### **Make the most of the public realm and create opportunity for art and heritage outside of cultural venues and museum**

We will make use of nearby public space with our Graveyard Ecology project and events. We will also seek to bring art to less engaged local communities with our Art Bus (a converted London Routemaster Bus).

NOT MET AT THIS TIME

#### **Seek to improve the availability and accessibility of ancillary music industry infrastructure (e.g., record and equipment stores), studios (rehearsal, recording) and venues**



We already make the space available to up and coming bands for use in video recordings, sound recording and rehearsal. This is available to them at a reduced cost rate. We will increase the number of “grass roots” events for local bands. We continue to champion the inclusion of local bands as support acts for the established touring acts and make it a condition of booking where possible.

MET

### **Colchester Borough Council Strategic Plan**

Colchester Arts Centre contributes to 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.

ALL MET (Green Team)

#### **Conserve and enhance biodiversity**

2022/23 sees continued projects 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.

IN PROGRESS

#### **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 at an affordable price. Providing entertainment for those with profound and multiple learning difficulties with the engagement of trailblazing theatre group Frozen Light and others, 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.

MET

#### **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.

NOT MET AT THIS TIME

**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.

MET