

Appendix D

Funding Agreement between Colchester Borough Council and Colchester Arts Centre

1.0 Introduction

- 1.1 Colchester's vibrant cultural scene is one of the town's unique selling points, and something that Colchester Borough Council (CBC) is keen to support and sustain. Colchester Arts Centre, firstsite and the Mercury Theatre are central to this, providing the leadership, capacity, creativity and innovative programmes of delivery to make Colchester a great place to live, learn, work and visit.
- 1.2 The Council provides core revenue grants to these organisations, because they deliver on the Council's Strategic Plan, and support delivery of the Creative Colchester Strategy which is a detailed delivery framework for promoting and enhancing the arts in the local economy. In line with the Creative Colchester strategy, the Council continues to work with regional partners to align policy and funding to help deliver key economic and social outcomes through investing in development of the arts.
- 1.3 As part of the Council's commitment to transparency, quality and performance management systems, the arts organisations that receive CBC funding must set out clear objectives and provide performance and sector data so that the service that is provided through partnership working can be measured, evaluated and improved. This document defines the performance targets and monitoring process, and confirms the funding amounts currently agreed.
- 1.4 Colchester Arts Centre is one of three arts organisations strategically-funded by CBC in 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 2018 and 31 March 2019 the Council will fund Colchester Arts Centre to the amount of £55,950. 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.

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

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- 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 2018/19 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>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>We will seek to re-introduce a number of Theatre at Breakfast Time shows – these present the same work from the Wednesday night in an early morning setting – this has already proved popular with Parents and children who might find it difficult to get out in the evenings. There's space for buggies, breakfast butties on sale and a more relaxed atmosphere in which people can move around as they need to.</p> <p>For 2018 / 19 we will also experiment with a double bill on a Friday night – dedicating a prime night of the week to our core work, emphasising our commitment and hopefully attracting the attention of new audiences. Not a typical Colchester Friday night out!</p> <p>Target: 30 performances in the funding period.</p> <p>Target: A double bill performance on a Friday night.</p> <p>Target: 3 breakfast time theatre performances.</p>	
<p>A dedicated programme of Childrens' Shows and Workshops – programmed by a dedicated booker with specialist knowledge. All show tickets kept at a low, accessible, affordable price of £5.95.</p> <p>Target: 40 Shows and 10 workshops, including a run of special Christmas shows at a low admission price.</p>	

9.4 Community and Audience Development

Target	Outputs/Report
Community Events – we commit to program a number of events focusing on the talents of the local community including: <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 	
Increase known audience attendance from 45, 712 (2017 /18) to 47,000	
Increase online audience figures This to include the Colchester Arts Centre website and our social media platforms. <ul style="list-style-type: none"> • Increase website Unique Browsers from 122,490 to 125,000 • Increase number of website page impressions from 758,340 to 760,000 • Increase number of website visits from 308,887 to 310,000 • Increase Facebook fans from 9094 to 11,000 • Increase Twitter followers from 11,600 to 12,500 	
Reinvigorated SMS text list – this has proven to be a hugely effective marketing tool in the past, highly targeted but traditionally rather costly. We will increase sign ups from 3000 to 3500.	
Membership / Friends Scheme: Research into establishing the best way forward.	

9.5. Governance and Management

Target	Outputs/Report
Arts Centre Board: Organise a 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.	
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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, BME and LGBTQA people – we will seek to address these in 2018/19, starting with the creation of a Young Peoples' Advisory Panel.	
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 forge a relationship with local disability groups to evaluate our accessibility provisions. Targets: Wheelchair users to evaluate 5 performances.	
Staff Training – to be ongoing. Targets: Disability Equality Training for Core staff. Disability Equality Training video to be produced for 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. Young People

Target	Outputs/Report
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<p>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.</p> <p>Target:</p> <ul style="list-style-type: none"> • One Rock Prom. • One On For 2019 Local Band showcase. <p>Offer support slots to visiting national and international bands to those appearing at the On showcase.</p>	
<p>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.</p>	

9.8. Older People

Target	Outputs/Report
<p>Programming – We aim to programme events of particular interest to older people.</p> <p>Target: Minimum 6 in the funding period.</p>	
<p>The Warm & Toasty Club We will continue our association with this excellent project working with older people in Colchester, hosting 2 Memory Afternoons.</p>	

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

Target
<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 10% 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>

9.10. Environmental and Economic Sustainability

Target	Outputs/Report
Farmers Markets – in partnership with En Form we will hold 11 monthly Farmers Markets during the funding period, offering a wide range of locally sourced produce. We will regularly consult with En Form to promote the markets and maximise effectiveness.	
Julie's Bicycle – we will continue our work with this organisation to establish measurement data for use in setting green targets.	
Green Team – meeting monthly to improve green credentials across the organisation.	
Waste Management – regular review of best practice: we commit to constant monitoring of cost effectiveness and green credentials.	

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

We acknowledge CBC funding support in our quarterly Events Guide, distributed across the Borough and direct mailed to approximately 20,000 mailing list subscribers.

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

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

LOCAL

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

GROWTH

Ensuring all residents benefit from the growth of the borough

We have ambitious plans with our 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 will demonstrate 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.

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11.0 Acceptance

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

On behalf of Colchester Arts Centre

Signed (Director)

Name (please print)

On behalf of Colchester Arts Centre

Signed(Chair of the Board)

Name (please print)

On behalf of Colchester Borough Council

Signed (Portfolio Holder)

Name (please print)

On behalf of Colchester Borough Council

Signed (Officer)

Name (please print)
