

Notice of meeting of

Decision Session - Cabinet Member for Leisure, Culture & Social Inclusion

To: Councillor Crisp (Cabinet Member)

Date: Tuesday, 10 April 2012

Time: 4.00 pm

Venue: The Guildhall, York

A G E N D A

Notice to Members-Calling In

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by;

10.00 am on Thursday 5 April 2012 if an item is called in before a decision is taken, or

4.00pm on Thursday 12 April 2012 two days after the meeting, if an item is called in after a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **Thursday 5 April 2012 at 5.00 pm**.

1. Declarations of Interest (Pages 3 - 4)

At this point, the Cabinet Member is asked to declare any personal or prejudicial interest that she might have in the business on the agenda.

2. Minutes (Pages 5 - 6)

To approve and sign the minutes of the meeting held on **13 March 2012**.

3. Public Participation-Decision Session

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **Thursday 5 April 2012 at 5.00 pm**.

Members of the public may register to speak on :-

- an item on the agenda
- an issue within the Cabinet Member's remit;
- an item that has been published on the Information Log since the last session.

Information reports are listed at the end of the agenda.

4. York Theatre Royal Service Level Agreement (Pages 7 - 18)

This report is brought to the Cabinet Member to seek approval for a six year service level agreement to the 31st March 2018 with the York Theatre Royal for the delivery of services detailed in the service level agreement at Annex A.

5. Any other business which the Chair considers urgent under the Local Government Act 1972

Information Reports

No items have appeared on the Information Log since the last meeting.

Democracy Officer:

Name- Judith Betts

Telephone No.- 01904 551078

Email-judith.betts@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business on the agenda
- Any special arrangements
- Copies of reports

Contact details are set out above.

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About City of York Council Meetings

Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an

interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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Holding the Cabinet to Account

The majority of councillors are not appointed to the Cabinet (39 out of 47). Any 3 non-Cabinet councillors can 'call-in' an item of business from a published Cabinet (or Cabinet Member Decision Session) agenda. The Cabinet will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Cabinet meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

Cabinet Member Decision Session: Leisure, Culture and Social Inclusion

Agenda Item 1: Declarations of Interest

The Cabinet Member, Councillor Crisp, declared a personal interest as a retired member of UNISON.

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City of York Council

Committee Minutes

MEETING	DECISION SESSION - CABINET MEMBER FOR LEISURE, CULTURE & SOCIAL INCLUSION
DATE	13 MARCH 2012
PRESENT	COUNCILLOR CRISP
IN ATTENDANCE	COUNCILLOR BARTON

36. DECLARATIONS OF INTEREST

The Cabinet Member was asked to declare any personal or prejudicial interests that she might have had in the business on the agenda. None were declared.

37. MINUTES

RESOLVED: That the minutes of the Decision Session Cabinet Member for Leisure, Culture and Social Inclusion held on 14 February 2012 be signed by the Cabinet Member as a correct record.

38. PUBLIC PARTICIPATION-DECISION SESSION

It was reported that there had been no registrations to speak under the Council's Public Participation Scheme.

39. ST NICHOLAS FIELDS FUNDING AGREEMENT

The Cabinet Member considered a report that sought approval for a three year funding agreement to 31.5.2015 with the Friends of St Nicholas Fields for the management, upkeep and animation of the St Nicholas Fields Local Nature Reserve.

Officers gave an update and stated that the current funding would end on 31 March 2012. Officers stated that the new funding amount was inline with changes to other recipients of Council grants and included an 8% cut in payment per annum.

The impact of this would be delayed for six months until October 2012.

The Cabinet Member stated that the Friends of St Nicholas Fields do an exceptional job and agreed to option 1.

RESOLVED: That Option 1 be approved:

To offer the Friends of St Nicolas Fields a three year funding agreement as set out in paragraphs 5, 7 and 8 for the management of St Nicholas Fields Local Nature Reserve.

Reason: To meet the ambitions of the Council Plan to support communities managing their own green spaces.

Councillor Crisp, Cabinet Member

[The meeting started at 4.00 pm and finished at 4.06 pm].



**Decision Session - Cabinet Member for
Leisure, Culture and Social Inclusion**

10th April 2012

Report of the Assistant Director (Communities and Culture)

York Theatre Royal Service Level Agreement

Summary

1. This report is brought to the Cabinet Member to seek approval for a six year service level agreement to the 31st March 2018 with the York Theatre Royal for the delivery of services detailed in the service level agreement at Annex A.

Background

2. In accordance with best practice recommended by the Department of Culture, Media and Sport (DCMS) we have previously negotiated 3 year partnership funding agreements with our significant cultural organisations in York. We are proposing to increase this to a six year agreement to allow the Theatre to plan a major expansion of its work and to undertake a capital project developing the De Grey Complex and theatre buildings in partnership with the York Conservation Trust. We have built in a formal review of the agreement at the mid way point in March 2015.
3. In the three years covered by the last Service Level Agreement the Theatre focused on the development of its young people's provision, the establishment of a national production and touring reputation and the diversification of its income streams to provide greater financial stability. It has been very successful in achieving all three aims and is now seeking to consolidate this work and develop the creative economy of the city through its investment in partnerships with other cultural organisations, The University of York St John, local businesses and the voluntary sector.

Funding

4. Budget Council in February this year set the funding level for the York Theatre Royal at a standstill level for 2012/13 with a 10% reduction from 2013/14 onwards. This will then give the Theatre:
 - funding in the first year of this agreement to remain at £304k
 - funding from 2013/14 to 2016/17 to be set at a level of £273k
5. It is now proposed to give the Theatre a six year agreement from 1.4.2012 to 31.3.2018 (bringing it in line with the York Museums Trust funding agreement). In return for the funding York Theatre Royal will provide the Services outlined in the proposed service level agreement. The conditions set in the funding level agreement build on those contained in the preceding agreements. Where new priorities have been added we have negotiated these with the Theatre management. In summary these are to:
 - Provide a range of activities to engage older people in outreach activities connected with the Theatre.
 - Develop The Studio programme, promoting new and culturally diverse work: Using the space to provide opportunities for local voluntary arts organisations and to develop the creative infrastructure of the city.
 - Develop the De Grey Complex, along with the Theatre, as a creative production hub for the city.
6. These new conditions reflect the expressed concerns of the Cabinet Member and the Learning and Culture Overview and Scrutiny Panel. In support of these requirements there are a series of grant conditions which are provided in Annex A.

Consultation

7. The Chief Executive and Board of Trustees of the Theatre have been briefed on the process and fully involved in agreeing the new priorities and the new funding conditions.

Options

8. The options available to the Cabinet Member are:
 - Option 1: Agree to the proposals set out in Paragraphs 4 to 6.
 - Option 2: To offer a different level of funding to that proposed in Paragraph 4.

Option 3: Suggest further and/or alternative requirements to those set out in Paragraph 6 and Annex A.

Analysis

9. Option 1 is recommended because this continues to provide support for the Theatre which is a vital component of our Cultural and economic city. Option 2 is not recommended as this may create greater financial uncertainty for the organisation and would also be out of line with others offers being made to the cultural sector. Option 3 is possible but would need further discussion with the organisation to check their capacity and ability to provide more or different services.

Council Plan

10. The actions set out in the report contribute to the following corporate priorities as set out in the Council Plan 2011-15:
 - Building stronger communities - by encouraging and involving residents and users in the cultural life of the city. And, by supporting the voluntary sector and creating volunteering opportunities.
 - Creating Economic Growth – by supporting the growth and development of a creative production hub at the Theatre and the De Grey Complex.

Implications

11. **Financial** – The funding level was set by Budget Council in February this year. It will provide financial stability for the Theatre over the next five year period.
12. **Legal and Property** - Where specific projects have property implications e.g. repairs, lease or lettings Legal and Property Services will be involved in any arrangements.
13. **Equalities** – An equality impact assessment was undertaken prior to drawing up the agreement. The context for this is the requirement of the York Theatre Royal to deliver on the public sector duty, as outlined in the Equalities Act 2010, on behalf of the Council.
14. There are no Human Resources, Crime and Disorder, or Information Technology implications arising from this report.

Risk Management

15. Failure to continue support the Theatre could result in the ceasing of the production and presentation facilities in York. A recent independent Economic Impact Assessment was undertaken at the Theatre and it concluded that the Theatre visitors contribute over £3.6m to the local economy annually.
16. The performance of the Theatre is subject to regular monitoring with twice-yearly reports on the SLA to Culture and Education Scrutiny Panel. The Council also has 3 Councillors on the Theatre Board of Trustees and the lead officer attends board meetings in a no voting role.

Recommendation

17. The Cabinet Member is asked to approve Option 1, to offer the York Theatre Royal a six year service level agreement as set out in Paragraphs 4 to 6 for the provision of services as detailed in Annex A.

Reason: To meet the ambitions of the Council Plan to promote a city of world class culture.

Contact Details

Author:	Chief Officer Responsible for the report:		
Gill Cooper Head of Arts Heritage and Culture Tel No. 01904 554671	Charlie Croft Assistant Director (Communities and Culture) Tel No. 01904 553371		
	Report Approved	✓	Date 26.3.2012
Specialist Implications Officer(s): N/A			
Wards Affected:			All ✓
For further information please contact the author of the report			

Background Papers:

Annex A Proposed Service Level Agreement CYC / York Theatre
Royal 2012 / 2017.

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Annex A



SERVICE LEVEL AGREEMENT 2012/2018

This is a six year service level agreement (SLA) is between The City of York Council and York Citizens' Theatre Trust Ltd. It will commence on receipt of documentation signed and approved by both parties and will cover the period from the 1st April 2012 to the 31st March 2018.

PARTNERSHIP OUTLINE

Aims

1. To maintain and develop York Theatre Royal as a local, regional and national theatre provider, creating productions of quality, daring, delight and accomplishment for the citizens of York and the region, and for visitors to the city.
2. To continue to develop local and nationally significant programmes of work with partnerships across the UK and internationally, that contribute to making York a vital and vibrant city and extending our reputation for world class culture.
3. To encourage creative expression and engagement with the community, through a diverse programme of work, both on and off stage, that offers a cultural mix of entertainment, innovation, participation and enjoyment.
4. To create opportunities for all ages to learn, develop skills and use the entire theatre building and organisation as a resource. To offer the building, and the Theatre staffs' knowledge, skills and experience as a resource to local people, schools, universities and colleges and to create opportunities for the creative activity of the community.
5. To continue to develop the Youth Theatre, and links with educational institutions, and to create opportunities for skills development and learning at all ages.
6. To develop work and activities that promotes the enjoyment of Theatre with older people and diverse communities.

7. To continue to develop the infrastructure of York Theatre Royal to ensure the building is fully accessible and to raise the quality of the facilities provided for all audiences and visitors.
8. To contribute to York's economy by attracting visitors to the city, play an active role in the City of Festivals Initiative, and to strengthen the evening economy of the city.
9. To work collaboratively to support the "Cultural Quarter" initiative.
10. To work in active partnership with business, education, community and arts organisations, and local authority service providers to extend both the range and reach of the Theatre's work.

PARTNERSHIP DELIVERY 2012/2018

In order to achieve the aims listed above The Theatre Royal will:

- Provide a year round programme of work which shall include in-house productions, including a pantomime, youth theatre productions, touring drama productions, and hires to local amateur companies.
- Provide sign language interpreted and audio described performances, and touch tours.
- Provide a regular Youth Theatre for at least 250 young people annually.
- Provide educational activities related to each main house production, including special matinees, talks, teachers' packs, workshops and visits to schools.
- Provide a range of activities to engage older people in activities connected with the Theatre.
- Develop The Studio programme promoting new and culturally diverse work: using the space to provide opportunities for local voluntary arts organisations and to develop the creative infrastructure of the city.
- Provide student placements and careers advice to support the development of a strong local creative sector.
- Develop the De Grey Complex, along with the Theatre, as a creative production hub for the city.
- Work with key stakeholders on the Cultural Quarter developments as well as other developments as appropriate.

- Ensure that all publicity material, brochures and print acknowledge the support of the Council.
- Continue to address Arts Council and CYC objectives relating to diversity and inclusion programmes.

In order to achieve the aims listed above the City of York Council will:

- Provide grant support, as detailed below, payable on the 1st of April annually.
- Ensure the building is kept in good working repair in terms of the council’s obligations as set out in the lease.
- Provide support and advice, through the person of the Lead Officer in the first instance.
- Ensure that the Theatre is involved in cultural and community development projects and activities.
- Facilitate effective working relationships with all council departments and ensure access to potential partnership and stakeholder groups.
- Seek ways to continue to strengthen the role of the Theatre in civic and cultural life of the city.
- Provide 3 representatives to serve on the Board of Trustees.
- Provide a senior officer of the Council (the lead officer) to attend Board meetings to advise and support the Company in a non-voting capacity.
- Provide a reasonable level of information, advice and support to the organisation in connection with this agreement. The organisation should contact the lead officer in the first instance to discuss what support may be available.

OPERATION OF PROGRAMME

Weeks in Operation	52	Target total audience*	160,000
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*This figure recognises that the Theatre is at maximum weekly operation and that the target audience number is consistent with providing a diverse and artistically vibrant programme.

REPORTING, MONITORING AND EVALUATION

The Theatre will provide information to the lead officer in the following areas:

Annually

Health and Safety Policy (including list of currently certified first aiders)

Child Protection Policy

Equalities Action Plan

Insurance Certificate

Audited accounts

Annual operational review report. (This will include a post code analysis of the audience figures targeting agreed priority areas).

Bi Annually

Report to Cabinet Member and performance report to Culture and Education Scrutiny Panel.

Quarterly

Main house, studio and workshop attendance figures broken down by production

An analysis of financial actual figures against budget

Copy of any promotional materials

The Lead Officer and the senior management of the Theatre will meet at least four times each year to monitor and review the agreement.

PARTNERSHIP REQUIREMENTS

The Theatre will undertake to:

1. Operate the Theatre in accordance with the recognised industry safety and public service standards, and, where relevant, a quality assurance programme.
2. Operate an effective access and equalities policies, which will ensure the requirement on the public sector to promote the Theatre to all sections of the community as defined in the Equalities Act 2010
3. Ensure that the funds allocated are used specifically for the provision of the agreed services and by the named organisation only.

4. Maintain appropriate insurance to cover public liability and employment liability.
5. Notify the lead officer, or their representative, if unable to sustain the services as specified and return such part of any unspent support, allocated pro rata, as the City of York Council may determine.
6. Make provision for the inspection of the accounts by Council officers at any reasonable time, if requested, within 14 days.
7. Consult with the lead officer, or their representative, over any changes to charging policies.
8. Consult with the lead officer, or their representative, over staffing matters and recruitment of senior staff.
9. Keep and supply a copy of all minutes of all Trustee meetings to the lead officer, or their representative, and ensure that the lead officer, or their representative, are invited in advance to Trustee meetings of the Theatre.
10. Abide by all requirements of current child protection legislation.

In the event of the Theatre committing a serious breach of its obligations under this agreement, the Council will be entitled to terminate this agreement by notice and reclaim on a pro rata basis such sum as represents all funding from the date of the breach. Any subsequent entitlement to funding will cease immediately.

The terms of the agreement may be varied or the agreement terminated by mutual consent of the Organisation and the Council.

The Council's financial contribution in each financial year is subject to the budget-setting process, and funding will be in accordance with financial regulations.

The City Council's financial contribution for 2012/2013 will be £ 304,000

The City Council will reduce its financial contribution for 2013/14 to £273,000

The City Council will maintain the annual contribution for the period 2014/18 at the level of £273,000 subject to the review of the Theatre's performance under this service level agreement.

GENERAL CONDITIONS

1. The agreement will last for 6 years and end on 31st March 2018 subject to a formal review in March 2015.
2. The level of funding and the specific service content will be renegotiated each year. The intention is for the City of York Council to maintain funding value at the level set in 2013/14 but not to decrease it.
3. This agreement can be terminated by the Theatre by giving 3 months notice prior to each annual monitoring review.

SIGNED ON BEHALF OF YORK CITIZENS' THEATRE TRUST

	PRINT NAME	
CHAIR		
CHIEF EXECUTIVE		
DATE		

SIGNED ON BEHALF OF THE CITY OF YORK COUNCIL

	PRINT NAME	
LEAD OFFICER		
ASSISTANT DIRECTOR		
DATE		