

**CABINET – 8 MARCH 2011**

**CENTRE STAGE RURAL TOURING SCHEME - UPDATED PARTNERSHIP  
AGREEMENT AND EXCEPTION TO CONTRACT PROCEDURE RULES**

**REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES**

**PART A**

**Purpose of Report**

1. The purpose of this report is.
  - a) to request approval for the Director of Adults and Communities to agree the terms of an updated Partnership Agreement between the County Council and its partner local authorities in the Centre Stage Rural Touring Scheme and authority for the Director to sign the Agreement when finalised; and
  - b) to seek approval for the Director of Adults and Communities to agree and enter into a Partnership Agreement with Nottinghamshire County Council for the delivery of services in relation to the Centre Stage Rural Touring Scheme;
  - c) to seek an exception to the County Council's Contract Procedure Rules to enable Nottinghamshire County Council to provide services within the scope of the proposed Partnership Agreement.

**Recommendations**

2. It is recommended:
  - a) That the Director of Adults and Communities be authorised to agree the terms of an updated Partnership Agreement, in consultation with the County Solicitor, for the period 1 April 2011-31 March 2015 with Rutland County Council and the District and Borough Councils of Blaby, North West Leicestershire, Harborough, Charnwood, Hinckley and Bosworth and Melton for the Centre Stage Rural Touring Scheme, with the County Council continuing to take the lead role, and with authority for the Director to sign the Partnership Agreement when finalised;
  - b) That the Director of Adults and Communities be authorised to agree the terms of a Partnership Agreement, in consultation with the County Solicitor, for the period 1 April 2012–31 March 2015 with Nottinghamshire County Council for the provision of services in relation to the Centre Stage Rural Touring Scheme (subject to funding from Arts Council England East Midlands and partner authorities), with authority for the Director to sign the Agreement when finalised;

- c) That in view of the special circumstances outlined in this report, an exception to the Contract Procedure Rules be approved to enable Nottinghamshire County Council to provide services within the scope of the Partnership Agreement to administer the Centre Stage Rural Touring Scheme from 1 April 2012 until 31 March 2015 (subject to funding from Arts Council England East Midlands and partner authorities).

### **Reasons for Recommendations**

3. The existing Partnership Agreement with Rutland County Council and the participating District and Borough Councils (“Centre Stage Partnership Agreement”) previously approved by Cabinet (in 2002 and updated in 2009) sets out the commitments, responsibilities and liabilities required of the partners. This has been updated and renewed in line with the proposed new delivery arrangements with Nottinghamshire County Council.
4. In planning for the withdrawal of Artservice due to retirement, the company previously contracted to manage Centre Stage, officers have consulted with the Centre Stage Partnership and identified a Partnership Agreement with Nottinghamshire County Council as the most effective and cost efficient way to deliver the Centre Stage scheme. Nottinghamshire County Council has a proven track record in this specialist field (currently managing two similar schemes within the East Midlands), and offers cost efficiency through the sharing of local government services providing a service on a non profit making basis.
5. Within the proposed Partnership Agreement with Nottinghamshire County Council, there is an element of service provision. The Contract Procedure Rules require that where the estimated value of a contract is £100,000 or more, a formal tender process using ESPO must be followed. The previous contract holder (Artservice) retired in December 2010. Services are currently being delivered by Nottinghamshire County Council under an interim contract for the period 1 January 2011–31 March 2012 (as authorised by the Director of Adults and Communities) whilst longer term arrangements are established. An exception to the Contract Procedure Rules is sought so that Nottinghamshire County Council may continue to provide these services within the scope of a proposed Partnership Agreement from 1 April 2012-31 March 2015, subject to funding from Arts Council England East Midlands and partner authorities.

### **Timetable for Decisions (including Scrutiny)**

6. Action is needed to enable the Council to continue its Partnership Agreement with the participating District and Borough Councils and Rutland County Council regarding the joint funding of Centre Stage from 1 April 2011 (the previous Agreement expires 31 March 2011).
7. Centre Stage is currently a Regularly Funded Organisation (RFO) of Arts Council England. The Arts Council has decided that RFO status will not exist after 31 March 2012. Organisations that require regular funding after that date must apply for “National Portfolio Funding”. As a result of these changes to its funding framework and to its budget reductions, Arts Council has indicated that fewer organisations will continue to be regularly funded. Following discussions with Arts Council and officers from the County Council, Nottinghamshire County Council and Lincolnshire County

Council, it has been decided that a single partnership approach bid for National Portfolio Funding would have a greater chance of being successful than three individual applications.

8. Nottinghamshire County Council has applied on behalf of all three partners for funding from 1 April 2012–31 March 2015 to provide some long-term security for rural touring provision within the three counties. The outcome of the application will be known by 31 March 2011.

### **Policy Framework and Previous Decisions**

9. The Cabinet first approved arrangements for the management of the Leicestershire Rural and Community Touring Scheme (Centre Stage) at a meeting on 22 January 2002.
10. The original management contract with Artservice, following a tendering process undertaken in 2002, ran from 2002 to 2005. It was subsequently renewed annually by the Director of Community Services under his delegated powers until 2009 when Cabinet approval was obtained to enter into a new two year contract. Following the withdrawal of Artservice, an interim contract with Nottinghamshire County Council for the period 1 January 2011–31 March 2012 was agreed by the Director of Adults and Communities under his delegated powers and in accordance with the Council's Contract Procedure Rules.
11. The element of service under the proposed Partnership Agreement with Nottinghamshire County Council is in excess of £100,000 over the three-year period and would require a formal tender process unless an exception to the Contract Procedure Rules is approved.
12. The Partnership Agreement between the County Council and the participating District and Borough Councils and Rutland County Council was first issued in 2002 and was updated with Cabinet approval in 2009, in line with a new funding agreement with Arts Council England.
13. Centre Stage supports a number of Priority Outcomes in the Leicestershire Sustainable Community Strategy.

### **Resource Implications**

14. Expenditure on the Partnership Agreement with Nottinghamshire County Council will be met from the existing Centre Stage budget in line with the County Council's Partnership Agreement with the District and Borough Councils and Rutland County Council. Nottinghamshire County Council has set out a non profit making administration fee for Centre Stage that is lower than previously paid under the contract with Artservice, enabling the Partnership to retain a comprehensive scheme allowing for planned reductions in Arts Council funding of at least 10%.
15. The funding applied for from Arts Council England would be paid directly to Nottinghamshire County Council as the delivery partner for the Centre Stage scheme and the Rural Touring Schemes of Nottinghamshire and Lincolnshire.

16. The total annual cost to Leicestershire County Council, the districts and boroughs and Rutland will be £37,670 of which the County Council's contribution will be £15,000. Under the Partnership Agreement with these partners the County Council will collect the partners' contributions and make a single annual payment to Nottinghamshire County Council. The total value of the payments to Nottinghamshire County Council in return for delivering Centre Stage will therefore be £113,010 over three years. The annual management fee of £24,000 to Nottinghamshire for delivering the scheme is included in this amount. The remainder of the budget is to be used for delivery of the programme. There are, therefore, no additional costs to the County Council.
17. Collaborative approaches to service delivery such as this offer the potential for reduced back office costs whilst protecting frontline services.
18. The Director of Corporate Resources and the County Solicitor have been consulted on the contents of this report.

### **Circulation under the Local Issues Alert Procedure**

None.

### **Officer to Contact**

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## **PART B**

### **Background**

19. Centre Stage is a Rural and Community Touring scheme that works with volunteer promoters in communities to present high quality professional arts performances to rural audiences in venues such as village halls across Leicestershire (and Rutland). In 2009/10 there were 136 shows involving groups of volunteers and a total audience of 8,500 across 61 communities in Leicestershire.
20. This scheme was created in 2002 through a partnership of all Leicestershire local authorities and Rutland County Council. The County Council has led the management of the scheme and related contract since the very beginning.
21. Following the withdrawal of Oadby and Wigston Borough Council in 2005, six Leicestershire Districts/Boroughs remain within the Partnership. Discussions are ongoing with all the Partnership partners in respect of their long-term commitment to Centre Stage.
22. The Partnership Agreement provides a framework within which the scheme is run. This agreement sets out the legal responsibilities of the partners in respect of the scheme, their liabilities and responsibilities and governance arrangements and includes the following:
  - that the County Council will act as the lead authority with indemnities from the partners to contribute in shares proportionate to their annual contribution to any liabilities that may arise therefore providing protection for the County Council;
  - provision for partners to withdraw from the Partnership but not without having to continue to contribute to any commitments the County Council may have for that and the following year if required;
  - a steering group to provide management and supervision of the scheme through representatives of the partners;
  - a funding schedule setting out the contributions for the years covered by the Agreement.
23. Since 2002, the number of shows presented annually by Centre Stage has increased from 60 in its first year to 136 in 2009/10. The high quality of professional product has been maintained.
24. The latest Annual Report for Centre Stage summarises and illustrates the range and quality of work presented by the scheme and includes a number of quotations from promoters and audiences that show their appreciation of the offer. This report is available at:  
  
[http://cis/community\\_services/environment\\_heritage\\_services/arts/documents/centre\\_stage/centre\\_stage\\_annual\\_report\\_2009\\_10.pdf](http://cis/community_services/environment_heritage_services/arts/documents/centre_stage/centre_stage_annual_report_2009_10.pdf)
25. Artservice was awarded the first management contract in 2002 and managed the delivery of Centre Stage until the company ceased in December 2010. Their

expertise has helped to create a scheme that is acknowledged by funders, promoters and audiences for its excellence in respect of the range and quality of programming.

26. Artservice previously also managed the rural touring schemes for Nottinghamshire and Lincolnshire. They withdrew from these schemes in 2008, at which time Nottinghamshire County Council commenced in-house delivery of both schemes.
27. The County Council received notification of Artservice's intention to withdraw from Centre Stage in January 2010 and explored a range of options for the future delivery of Centre Stage in consultation with the Centre Stage Partnership and funding partners. Nottinghamshire County Council expressed an interest in the delivery of Centre Stage alongside the schemes for Lincolnshire and Nottinghamshire and this approach was preferred by our partners since:
  - it offered value for money/cost efficiency through the sharing of services with other local authorities (for example, an annual non profit making management fee of £24,000 compared with the £30,000 annual management fee previously paid to Artservice);
  - there was a proven track record of successful delivery of rural touring across two counties since Nottinghamshire County Council took over the administration of the Nottinghamshire and Lincolnshire rural touring schemes in 2008;
  - there was minimal disruption to Centre Stage service because of the similarity in delivery model (originally developed by Artservice in all three counties);
  - it presented greater likelihood of obtaining Arts Council funding for 2012 onwards in the face of a reduced portfolio of regularly funded organisations following the Comprehensive Spending Review;
  - improved delivery systems developed by Nottinghamshire County Council (including a web-based framework for programming, monitoring, evaluation, promoter liaison and financial management) were already in place and represented efficiency savings both in terms of ongoing cost and initial set-up costs;
  - the opportunity to work in partnership with another local authority presents exciting opportunities for joint working and development of future projects, and synergies in methodology and management.
28. Section 1 of the Local Authorities (Goods & Services) Act 1970 provides the statutory basis for the provision of the services by Nottinghamshire County Council.
29. Rural touring provision is a specialist field, with only two other providers within the East Midlands: Live & Local (which provides rural touring schemes for Derbyshire, Warwickshire, and Staffordshire) and Northants Touring Arts (a subsidiary of New Perspectives Theatre company) in Northamptonshire. Both providers operate different delivery models to that used by Artservice and adopted and improved by Nottinghamshire County Council.
30. In the face of a changing funding environment at Arts Council England interim arrangements have been made with Nottinghamshire County Council for the delivery of Centre Stage on a contract basis between 1 January 2011– 31 March 2012 pending confirmation of Arts Council funding and the development of long term plans for Centre Stage.

31. Officers have worked closely with colleagues in Nottinghamshire to develop joint delivery arrangements for the interim year (2011-2012) together with some financial investment (specifically to build Centre Stage into the existing web framework for rural touring used by Nottinghamshire County Council).
32. There has been support for volunteer promoters and community venues through the transition process. The existing support framework for Centre Stage volunteers has been developed in partnership with Nottinghamshire County Council which has taken an active role in providing this support under the interim arrangements.
33. The support of the Centre Stage partners is vital to enable the programme of events to take place in our rural communities. The Partnership Agreement is designed to ensure that the commitment of the partners to the delivery of Centre Stage will continue for the agreed period.
34. Although section 1 of the Local Authorities (Goods and Services) Act 1970 provides the statutory basis for the provision of the services the Council's Contract Procedure Rules require a formal tender process for all contracts with a value over £100,000. An exception from the Rules is therefore required for the service element under the Partnership Agreement to enable the Centre Stage Partnership to benefit from the non profit making service provided by Nottinghamshire County Council.

### **Consultations**

35. The outcome of the consultations (outlined below) indicates that a Partnership Agreement with Nottinghamshire County Council will best meet the needs of all our stakeholders. The proposals will enable us to increase our chances of securing future funding in a difficult financial climate.
36. The Centre Stage partners have been kept informed throughout the process. The decision to pursue the Partnership Agreement route was taken at a meeting of the partners in early August 2010. Five of the seven partners were represented. The other two partners were sent the meeting papers and notified by email of the meeting outcome.
37. These plans have been discussed with Arts Council England East Midlands, volunteer promoters and representatives of community venues. Corporate procurement, corporate resources and legal teams have been involved throughout the process.
38. Volunteer promoters and community venues have been informed. (A meeting for promoters to learn about and discuss the plans for Centre Stage was held in January 2011).
39. Regular meetings between officers and colleagues from Nottinghamshire County Council and Lincolnshire County Council identified how best shared services can provide cost efficiency, ensure continued quality and level of services, secure future funding and meet the needs of communities.

## **Background Papers**

- Report to Cabinet: 22 January 2002 - 'Leicestershire Rural and Community Touring Scheme';
- Report to Cabinet: 10 March 2009 - 'Centre Stage Rural Touring Scheme'
- Centre Stage annual report 2009-10:

[http://cis/community\\_services/environment\\_heritage\\_services/arts/documents/centre\\_stage/centre\\_stage\\_annual\\_report\\_2009\\_10.pdf](http://cis/community_services/environment_heritage_services/arts/documents/centre_stage/centre_stage_annual_report_2009_10.pdf)

## **Relevant Impact Assessments**

### Equal Opportunities Implications

42. Centre Stage supports the equalities agenda in a number of ways, eg:

- the scheme has an Equalities Action Plan, which incorporates race equality, disability equality and gender equality in line with Arts Council England funding conditions;
- the season brochure includes information about access for people with disabilities to every Centre Stage venue;
- 15% of the programme reflects other world cultures (eg world music and dance from Sudan, Cuba, Brazil, Canada, Europe and the USA in 2009/10);
- there is a free ticket initiative for Looked After Children (children in care). An Equalities Impact Assessment and Improvement Plan will be drawn up for the programme from 2012.

### Environmental implications

43. Nottinghamshire County Council has developed a web-based framework for the administration, delivery, monitoring and financial management of Centre Stage, including increased use of strategies such as e-marketing. This will reduce the environmental impact of Centre Stage, which has previously relied heavily on paper-based administration and marketing.
44. Audience data for Centre Stage shows that 67% of audience members travel less than five miles and 47% less than one mile to attend performances. 32% travel on foot. Centre Stage helps to reduce the environmental impact of rural residents' travel to access leisure or cultural opportunities.

### Partnership working and associated issues

45. This report seeks delegated authority for the Director of Adults and Communities to enter into a partnership arrangement with Nottinghamshire County Council for the delivery of the Centre Stage scheme. The report also seeks authority for the Director of Adults and Communities to enter into an updated Partnership Agreement with the Districts and Boroughs of Blaby, Charnwood, Harborough, Hinckley and Bosworth, Melton and North West Leicestershire, and Rutland County Council, in respect of Centre Stage. Partnership is at the heart of Centre Stage and contributes to its success and sustainability.