

# CABINET

## Provision of additional funding to Dukes Theatre to prepare for Arts Council bidding rounds

**2<sup>nd</sup> September 2014**

### Report of Chief Officer (Regeneration and Planning)

<b>PURPOSE OF REPORT</b>						
To obtain authority to make approved funding available to the Dukes Theatre.						
<b>Key Decision</b>	<input type="checkbox"/>	<b>Non-Key Decision</b>	<input type="checkbox"/>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;"><b>Referral from Cabinet Member</b></td> <td style="width: 20px; text-align: center; padding: 5px;"><b>X</b></td> </tr> </table>	<b>Referral from Cabinet Member</b>	<b>X</b>
<b>Referral from Cabinet Member</b>	<b>X</b>					
<b>Date of notice of forthcoming key decision</b>	N/A					
<b>This report is public</b>						

#### RECOMMENDATION OF COUNCILLOR JANICE HANSON

- (1) That the agreed funding be provided to the Dukes Theatre on the basis of the conditions highlighted in paragraphs 2.3 and 2.4 of the report.**

#### **1.0 Introduction**

- 1.1 On 24 June 2014 Cabinet agreed to make £12,000 available to the Dukes Theatre to assist them in commissioning specialist architecture work to prepare a bid for capital grant funding to Arts Council England. As Cabinet were informed, a considerable part of the background work to prepare for this commission has already been undertaken with the council having already paid for business planning work and the Dukes having funded an initial phase of the architecture commission.
- 1.2 Outstanding work is needed to complete the architecture commission and to cover the specialist business advice needed to preparing a detailed bid to Arts Council England. The work already undertaken clarifies the direction of travel the Dukes should take to develop its business offer and cater for new demands for the live streaming of remote performances (i.e. from West End shows). It also outlines in master planning terms the scope for development and improvement of the Dukes buildings and adjoining space within the Canal Corridor North site.
- 1.3 It is clear from the work done that the costs of implementing all the facilities in the master plan (circa £16m) would be unaffordable in one single phase.

Further work is required therefore to establish how the project could be split into manageable and fundable phases, and to prepare the first phase of such a project for submission to the Arts Council. How the Dukes might prepare subsequent phases in the future is not part of any current commitment from the City Council.

## **2.0 Commissioning the work.**

- 2.1 The Cabinet resolution whilst agreeing to make the funding available to cover the outstanding work needed to submit a bid to the Arts Council, does not instruct how this should be achieved. Where the original commissions were required to cover the lack of business planning by the Dukes, the council commissioned them direct as the council is the regeneration lead for the main project and owners of the theatre. This meant that the council could set the brief for the work and be reported to direct on the potential for the building to be developed.
- 2.2 This time the main principles for the architecture commission have been established and the further work within that scope needs to evaluate how to deliver the proposals within the capability of the Dukes own operation. Officers believe that this phase of the work need not be directly commissioned by the City Council so long as there are conditions attached to the grant to link its expenditure to carrying out this work and nothing else
- 2.3 The conditions attached to the grant would specify that the starting point for the work is the master plan produced by Levitt Bernstein identifying the potential to improve and expand the Dukes only. The grant should not be used to undertake work to facilitate Ludus as there is no obligation within the Development brief to do so. The Grant should be used to identify realistic phasing for the master plan, and to work up a first phase capable of being supported by a capital bid to the Arts Council. The grant can also be used to cover the outstanding work to be produced by Bonnar Keenlyside to prepare that bid for submission.
- 2.4 Given the fact that the City Council is providing the funding for this work, and retains ownership of the building it should also be a requirement that it receives a copy of the completed work, and is able to agree the nature of the submission to the Arts Council when a bid is ready to be made. It will also be important to make it clear that planning for the implementation of future phases of the expansion plan should not assume financial contributions from either the City Council or the County Council during the continuing period of austerity, nor should the award of this grant be taken as having any bearing on the Council's landlord/tenant relationship with the Dukes (for example, there is no implied agreement to any proposed building works, or their implications regarding any lease). Payment of the grant would be made upon the submission of invoices for work carried out.

## **3.0 Details of consultation**

- 3.1 None

#### 4.0 Options and Options Analysis (including risk assessment)

	<b>Option 1:</b> That the City Council attaches conditions to the grant awarded to the Dukes	<b>Option 2:</b> That the City Council awards the grant to the Dukes without conditions to spend as they see fit.
Advantages	The City Council can ensure the scope of the work is specified but leave influence over delivery to the Dukes	None
Disadvantages	This would require some officer time to manage and monitor the process, e.g. grant eligibility, output evidence, etc	That the funds could be spent without delivering the project they were allocated for, or the project brief becomes wider.
Risks	That the Dukes introduce influencing factors in delivery that are outside the scope of the commission	That request for further funding are submitted

#### 5.0 Officer Preferred Option

5.1 The officer preferred option is option 1

#### RELATIONSHIP TO POLICY FRAMEWORK

The development of the district's arts offer is highlighted as a key economic development objective in the Council's Cultural Heritage Strategy. This form of economic development activity aligns with the Corporate priority for economic growth in the Corporate Plan.

#### CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)

No impacts on the above

#### LEGAL IMPLICATIONS

Developmental options for the Dukes might have implications which relate to the Council's Development agreement with British Land.

#### FINANCIAL IMPLICATIONS

There are no additional financial implications arising from the options as presented, i.e. the grant will be funded from the Performance Reward Grant Reserve as agreed at the May Cabinet meeting and re-affirmed at the June meeting.

It is re-iterated that the officer preferred option enables the Council to retain an element of control over how the grant is used by the Dukes and that it is spent for its intended purpose.

Any implications arising from the management and monitoring requirements by the Council are expected to be minimal and can be met from within existing staff resources.

#### **OTHER RESOURCE IMPLICATIONS**

**Human Resources:**

None

**Information Services:**

None

**Property:**

The Dukes Theatre is owned by the City Council so any expansion or improvement of the building would have a direct impact on the council's property portfolio and its lease with the Dukes, but these are matters to be considered at a later date, and as set out in this report this would be made clear in the terms attached to any grant, or in any communications associated with the grant, of Option 1 is approved.

**Open Spaces:**

None

#### **SECTION 151 OFFICER'S COMMENTS**

The s151 Officer has been consulted and has no further comments.

#### **MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

#### **BACKGROUND PAPERS**

NONE

**Contact Officer:** Andrew Dobson  
**Telephone:** 01524 582303  
**E-mail:** adobson@lancaster.gov.uk  
**Ref:**