

GREATER LONDON AUTHORITY

REQUEST FOR DIRECTOR DECISION – DD2272

London Borough of Culture and Liberty Festival – funding from Arts Council England

Executive summary:

In 2017, the Mayor established a London Borough of Culture (LBOC) award, inspired by the European Capital and UK City of Culture programmes. Through this award, winning boroughs celebrate their unique arts, culture and heritage. The Mayor approved expenditure of: £4.537m to launch the first competition (MD2107 and MD2287); and £4.86m for round two (MD2450).

Since 2019, Liberty (the Mayor's flagship festival for D/deaf, disabled and neurodiverse arts) has developed into a touring festival, taking art to local communities. It has been delivered in Waltham Forest (2019), Lewisham (2022) and Croydon (2023) (approved under cover of MD2850); and in partnership with Arts Council England (ACE).

The Mayor has approved expenditure of £4m for round three of LBOC; and £320,000 to embed and deliver Liberty festivals as part of LBOC title boroughs in 2025 and 2027 (MD3113). The Mayor has also delegated authority to the Executive Director of Good Growth to approve the receipt and expenditure of any future grant income (irrespective of value) for LBOC and the Liberty Festival, without the need for a further decision form (MD3113).

This decision seeks approval to receive and spend up to £1,300,008 of grant funding from ACE towards the costs of the LBOC programme, and the Liberty Festival, in 2025 and 2027.

Decision:

That the Executive Director of Good Growth:

- approves receipt and expenditure of Arts Council England grant funding of up to £1,300,008, to support the delivery of the London Borough of Culture (LBOC) programme and the Liberty Festival (see sections 1 and 2 of this decision); this includes the GLA's award of grant funding of up to:
 - £350k to each of the LBOC title boroughs: Wandsworth (2025) and Haringey (2027)
 - £100k to each of the Cultural Impact Award boroughs: Barnet, Greenwich and Merton in 2026
 - £308k contribution towards the Liberty Festival programme in 2025 and 2027.

AUTHORISING DIRECTOR

I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities. It has my approval.

Name: Philip Graham

Position: Executive Director, Good Growth

Signature:



Date:

31 October 2024

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

London Borough of Culture overview

- 1.1. The Mayor launched the London Borough of Culture (LBOC) programme in 2017. It is a key commitment in his culture strategy, Culture for all Londoners, to unite Londoners. The Mayor wants to help build stronger, more resilient and more creative communities. This can help to ensure Londoners have pride in their local areas; enhance their health, wellbeing and prospects; and support the capital's economic and social growth. Round one was approved under cover of MD2107 and MD2287; round two under MD2450; and round three under MD3113.
- 1.2. LBOC delivers ambitious cultural programmes that are underpinned by residents' active engagement. It places culture at the heart of communities – inspiring new and diverse talent, and drawing visitors from across the city and beyond. Programmes focus on young people; community and civic engagement; health and wellbeing; and jobs and skills. The programme works strategically with councils to embed culture across borough strategy and policy for the long term.
- 1.3. Since its inception, LBOC has become a successful flagship cultural programme and cornerstone of London's cultural calendar. Waltham Forest held the title in 2019; Brent in 2020; Lewisham in 2022; and Croydon in 2023. The next LBOC will be Wandsworth, in 2025 – marking the programme's move to a biennial model. This change was made to enable greater development time between rounds; and opportunities to reflect on and share learning. Smaller but more targeted strategic projects have also been supported through Cultural Impact Awards in Camden, Barking and Dagenham, Kingston, Lambeth, Lewisham, and Merton in round one; and Hammersmith and Fulham, Haringey, and Sutton in round two.
- 1.4. So far, the programme has:
 - Engaged over 3m people in person and online
 - supported over 2,357 artistic partners
 - leveraged more than £22m from over 20 programme funders
 - created 4,570 volunteers
 - worked with 315 schools
 - delivered over 24,114 employment and leadership opportunities for young people
 - supported and delivered culture programmes in 12 boroughs.

Liberty overview

- 1.5. Liberty was launched in 2003 (in the context of the European Year of Disabled People) as one of the Mayor's flagship programmes. It is now established as a unique, high-quality festival, commissioning and showcasing the work of D/deaf, disabled and neurodiverse artists. It has played a key role in raising the sector's profile, and in developing artists and audiences in London and beyond. It has also served as an inspiration for other festivals and events, including the Unlimited programme and the Paralympic Games opening ceremony in 2012.
- 1.6. In 2018, Liberty became a touring programme, taking D/deaf, disabled and neurodiverse arts to local communities. With the establishment of LBOC in 2019, there were more opportunities to bring Liberty to the heart of local communities. The first collaboration between Liberty and LBOC was in Waltham

Forest in 2019. Liberty was paused in 2020, due to the pandemic; it resumed as part of Lewisham 2022, and Croydon 2023 (approved under cover of MD2850).

LBOC round three and Liberty 2024-27

- 1.7. The Mayor approved the expenditure of up to £4m, within the Culture, Creative Industries and 24 Hour London unit budget from 2023-24 to 2027-28, to deliver a third round of the LBOC programme. He also approved up to £320,000, from the Events for London budget, to embed and deliver the Liberty programme as part of LBOC. Both of these approvals were under cover of MD3113.
- 1.8. In May 2023, after round three of a robust application process, the Mayor announced the successful boroughs, via the following:
 - LBOC awards of up to £1.35m to each of Wandsworth (in 2025) and Haringey (in 2027)
 - Liberty Festival to be held in Wandsworth (2025) and Haringey (2027)
 - three Cultural Impact Awards of up to £200,000 to each of Barnet, Greenwich and Merton.

Arts Council England funding

- 1.9. Since the launch of LBOC in 2017, Arts Council England (ACE) has been a key strategic partner and core funder for the programme, with over £1m invested across the four title boroughs (Waltham Forest, Brent, Lewisham and Croydon) to date. This comprises grants awarded directly to title boroughs; and smaller project grants to culture and community organisations for related LBOC activity.
- 1.10. As a trailblazer for disability arts, the GLA has also previously raised funding for Liberty from ACE. In 2020, £200,000 was awarded to support Liberty's development as part of a touring programme linked to LBOC. This funding was allocated to Liberty 2022 in Lewisham, and Liberty 2023 in Croydon.
- 1.11. For round three, ACE has invited the GLA to apply for funding; and to streamline and consolidate the funding request into one large application. Should this be successful, the GLA will be the accountable body. The benefits of this approach, compared to separate borough applications, are as follows:
 - Increased investment in the programme (£1.3m across round three, compared to £1m in total across rounds one and two combined). The uplift represents an additional £200k per title borough; an additional £100k for Liberty; and £100k for each Cultural Impact Award borough.
 - Funding secured for four years within one application, reducing the risk of future budget cuts or a change in priorities that would otherwise impact Haringey 2027.
 - Support from ACE for Cultural Impact Awards for the first time, with a significant offer to match GLA's £200k award to each borough.
 - Consolidates the funding request into one application rather than several. This allows Wandsworth 2025 more time for programme development, and removes the need for a separate application for Liberty.
 - Funds form part of one funding agreement between ACE and the GLA (acting as accountable body), which it will then grant to each of the five boroughs, with streamlined milestones, reporting and opportunities to better align evaluation goals
- 1.12. This decision requests approval (should the GLA's application be successful) to receive and spend ACE grant of up to £1,300,008 to support the LBOC programme. The table below sets out the proposed expenditure:

Grant to LBOC title award boroughs: Wandsworth 2025	£350,000
Grant to LBOC title award boroughs: Haringey 2027	£350,000
Grant to Cultural Impact Awards: Barnet	£100,000
Grant to Cultural Impact Awards: Greenwich	£100,000
Grant to Cultural Impact Awards: Merton	£100,000
Grant towards Liberty programme	£300,008
Total	£1,300,008

1.13. The provision of grant funding will be carried out in accordance with the GLA Contracts and Funding Code.

2. Objectives and expected outcomes

2.1. Investment in LBOC and Liberty will contribute to the objectives and expected outcomes outlined in MD3113. It will help to achieve the following:

- two LBOCs (Wandsworth 2025 and Haringey 2027) each delivering ambitious creative and community-led programmes for up to a year, using arts, culture and heritage activities to transform people's lives
- Liberty as a core component of LBOC, showcasing the best of D/deaf, disabled and neurodiverse arts in London
- active engagement with, and creation of, new work by the D/deaf, disabled and neurodiverse arts sector in new settings, and as part of mainstream events and cultural programmes
- promotion of Liberty as a model of good practice regarding access and disability equality
- three Cultural Impact Awards in Barnet, Greenwich and Merton – these awards will deliver a range of high-quality creative interventions across the city that celebrate culture and communities, and encourage participation and positive change
- development of an evaluation framework for the award over the four-year programme
- sharing lessons learned from developing and delivering LBOC and Liberty.

2.2. The expected outcomes (prepared through the evaluation framework, delivered by external evaluators The Audience Agency) are:

- a diverse representation of artists, creatives and organisations will deliver the programme
- cultural activities and events will take place in a diversity of places and spaces
- a diversity of people will have a cultural or creative experience
- events and activities will be accessible
- engagement with activities and events will increase community-level, and individual, health and wellbeing
- perceptions of place across the borough or its neighbourhoods will improve
- the cultural identity of the borough or its neighbourhoods will improve

- life chances will improve through newly acquired or developed skills
 - employability or career development prospects will improve
 - the cultural sector's capacity will increase
 - the cultural sector will grow through collaborations and partnerships
 - major events will boost the local economy
 - environmentally sustainable practices will be adopted.
- 2.3. Boroughs will set their own output targets. Evaluation reports from Waltham Forest 2019, Brent 2020, Lewisham 2022 and Croydon 2023 have been made available to Wandsworth and Haringey, to share learning as they develop their plans.

3. Equality comments

- 3.1. Under section 149 of the Equality Act 2010, as a public authority, the Mayor of London must have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation; and to advance equality of opportunity, and foster good relations, between people who have a 'protected characteristic' as defined in the Equality Act 2010 and those who do not.
- 3.2. LBOC has local communities and London residents at its heart. It aims to increase Londoners' engagement with culture and shine a light on the rich and varied stories of London's diverse communities. Led by local people, the programme has been effective in reaching the communities the Mayor is elected to serve. Over 3m people have so far attended events through LBOC, in person and online. The balance of real-life and online events helps to mitigate digital exclusion, which disproportionately affects people from marginalised communities.
- 3.3. As outlined in the expected outcomes (2.2), targets will be set to ensure robust engagement of people from diverse backgrounds and with protected characteristics. For example, the percentage of D/deaf, disabled & ND artists across the LBOC Title Award will match or exceed the local population (14 per cent in Wandsworth and 16 per cent in Haringey). Liberty plans to be inclusive and aimed at all Londoners, culturally and socially. Liberty invites different communities to come together to enjoy the arts on offer; it thereby supports social integration, and fosters good relations, between people who have disabilities and other protected characteristics and those who do not.
- 3.4. As a showcase of D/deaf, disabled and neurodiverse arts, as well as specifically targeting disabled audiences, Liberty takes steps to meet the differing needs of disabled people specifically. In this way, it encourages disabled people to participate, where participation in public events is disproportionately low.
- 3.5. Liberty also engages directly with specific D/deaf, disabled and neurodiverse community stakeholders via the Liberty Advisory Group (a diverse group of experts in disability arts and the disabled community), and wider D/deaf, disabled and neurodivergent networks via the GLA's Communities and Social Policy teams. This ensures the disabled community's needs are understood and met at Liberty.

4. Other considerations

Links to Mayoral strategies and policies

- 4.1. The programmes and policies outlined in this decision also link to the following Mayoral strategies:

- London's culture strategy, Culture for all Londoners. This outlines a vision to ensure all Londoners can engage with and contribute to the capital's rich cultural offering on their doorsteps. LBOC is the flagship programme within the Love London chapter of this strategy.
- Inclusive London, the Mayor's EDI Strategy. This work ensures there are opportunities for all Londoners to engage in the programme, regardless of age, social class, disability, race, religion, sex, gender identity, sexual orientation or marital status
- The Mayor's Health Inequalities Strategy and Health in All Policies approach. This work creates opportunities for Londoners to feel comfortable talking about mental health – reducing stigma, and empowering people to improve their own and their community's health and wellbeing.
- The Mayor's Social Integration Strategy. This work enables people to have more opportunities, through culture, to connect with each other positively and meaningfully; and supports Londoners to play an active part in their communities and the decisions that affect them.
- The Mayor's Vision for London as a 24-Hour city. This work diversifies London's night-time cultural offer; and makes it safer, more welcoming and more accessible for a wider range of people.

Impact assessments and consultations

- 4.2. The LBOC programme was developed in consultation with the Strategic Partners Board, and continues to be reviewed in close contact with this group. The board is made up of representatives from strategic and funding partners, including ACE, Paul Hamlyn Foundation, the National Lottery Heritage Fund, the Linbury Trust, Historic England, London Councils and Libraries Connected.
- 4.3. Extensive engagement and consultation with communities, during the application and programme development, ensure the programme reflects residents' needs. Title award boroughs will undertake robust evaluation, and their findings will feed into the commissioning of future rounds.
- 4.4. LBOC forms part of the Mayor's Culture Strategy, which was subject to a 12-week consultation with stakeholders and the public.
- 4.5. Liberty Festival is supported by the Liberty Advisory Group, a dedicated group of experts and prominent figures in the D/deaf, disabled and neurodiverse arts and community sector. The group will advise on the content, format and direction of the event. Other organisations from the wider sector – such as Attitude is Everything, Artsline and Shape – will also be engaged on the plans for Liberty as they develop.

Risks

- 4.6. The key risks and mitigating actions are outlined below.

Risk	Mitigating action	RAG rating
Artistic quality/readiness to deliver	Overseeing officers have substantial experience of delivering high-quality, large-scale programmes. Previous rounds have proven highly successful, and have received extensive positive media coverage. Specialist artistic advisers, Sud Basu and Louise Jeffreys, have been matched with boroughs to ensure programmes are developed in line with ambition.	Green

Financial mismanagement	Officers adhere to internal financial management and procurement processes as set out in the Contracts and Funding Code, and in financial regulations. Payment is only made on achievement of milestones.	Green
Disabled community not supporting Liberty, and the associated reputational risk to the Mayor	Engagement with the D/deaf, disabled and neurodiverse community via the Liberty Advisory Group, who can feed into the appropriateness and creative content of the event. Officers monitor issues directed via the GLA's Public Liaison Unit, to ensure this is addressed.	Green
Access facilities at the events are not of an appropriately high standard to fully meet the needs of all D/deaf, disabled or neurodiverse artists and audience members	Close working with the local authority partners and the Liberty Advisory Group to ensure the planning approach and delivery of access facilities are robust. Dedicated budget to cover a British Sign Language translation; a palantypist; audio description; an easy-read translation; and other access requirements as required.	Green
Insufficient resource and capacity to meet the ACE grant-reporting requirements	The consolidation of funds, through one agreement with each borough, will enable a streamlined approach with clear milestones, robust reporting and opportunities to better align evaluation goals. Team resource is in place to manage the reporting back to ACE; this approach will be jointly agreed at the outset.	Green

Conflicts of interest

- 4.7. Members of the Strategic Partners Board and the Liberty Advisory Group declare conflicts of interest in accordance with the GLA's policy and guidance for registering and declaring interests.
- 4.8. There are no conflicts of interest to note for any of the officers involved in the drafting or clearance of this decision form. Justine Simons OBE, Deputy Mayor for Culture and the Creative Industries, sits on the ACE, London Area Board. However, she will declare this interest to them; and will not be involved in the grant-making decision for this application.

Subsidy Control Act

- 4.9. The proposals for which approval is sought concern the award of grant funding to London boroughs, acting as accountable bodies for the funding. This will be granted as a contribution to their costs of LBOC, Cultural Impact and Liberty projects and activity.
- 4.10. GLA officers have analysed the proposals against the Statutory Guidance for the UK subsidy control regime.¹ They have assessed that the subsidy control regime is non-applicable in these circumstances because the proposed financial assistance does not constitute a subsidy.
- 4.11. Specifically, each of the proposed grant awards to satisfy Limb B of the four-limbed test set out in the Subsidy Control Act 2022. This is because none of the borough recipients will be acting in the capacity of an "enterprise", as they are not and will not be engaged in economic activity to offer goods or services on a market.

¹ BEIS, [Statutory Guidance for the United Kingdom Subsidy Control Regime](#), November 2022

4.12. Furthermore, all grant recipients were selected following an open and competitive grant application process. GLA officers are therefore content that the proposed awards are not distortive of any market, and represent value for money.

5. Financial comments

5.1. Approval is requested for receipt and expenditure of ACE grant income of up to £1,300,008. This is to support the LBOC programme and Liberty Festival in delivering activities set out in sections 1 and 2 of this decision.

5.2. The phasing of the proposed income and expenditure is shown below:

Income	2024-25	2025-26	2026-27	2027-28	2028-29	Total
ACE	-£262,500	-£376,000	-£263,500	-£318,500	-£87,500	-£1,308,000
Expenditure						
Grant to LBOC title award boroughs: Wandsworth 2025	£262,500		£87,500			£350,000
Grant towards Liberty programme		£151,000	£76,000	£81,000		£308,000
Grant to Cultural Impact Awards: Barnet		£75,000		£25,000		£100,000
Grant to Cultural Impact Awards: Greenwich		£75,000		£25,000		£100,000
Grant to Cultural Impact Awards: Merton		£75,000		£25,000		£100,000
Grant to LBOC title award boroughs: Haringey 2027			£100,000	£162,500	£87,500	£350,000
Total expenditure	£262,500	£376,000	£263,500	£318,500	£87,500	£1,308,000

5.3. Any changes to this proposal will be subject to further approval via the Authority's decision-making process.

5.4. All relevant budget adjustments will be made.

6. Legal comments

6.1. The foregoing sections of this report indicate that:

- the decisions requested of the Executive Director may be considered to facilitate the GLA's delivery of its culture strategy; and concern the exercise of the GLA's general powers, falling within the GLA's statutory powers and duties, exercisable by the Mayor, to do anything facilitative of, or conducive or incidental to, the promotion of economic development and wealth creation, social development in and tourism to, in and through Greater London
- in formulating the proposals in respect of which a decision is sought, officers have complied with the GLA's related statutory duties to:
 - pay due regard to the principle that there should be equality of opportunity for all people
 - consider how the proposals will promote the improvement of health of persons, health inequalities between persons and to contribute towards the achievement of sustainable development in the United Kingdom

- consult with appropriate bodies.
- 6.2. In taking the decisions requested, the Executive Director must have due regard to the Public Sector Equality Duty; namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010; and to advance equality of opportunity, and foster good relations, between persons who share a relevant protected characteristic (race, disability, sex, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Executive Director should have particular regard to section 3 (above) of this report.
- 6.3. Officers have indicated that the expenditure proposed will amount to the provision of grant funding and not payment for services. They must, therefore, ensure that:
- the funding is distributed fairly, transparently, in accordance with the GLA's equalities and in manner that affords value for money in accordance with the Contracts and Funding Code
 - appropriate funding documentation is put in place between, and executed by, the GLA and recipients of such funding before any commitment to fund is made.
- 6.4. In any event, the GLA should not place any reliance upon the ACE or any other third party funding until a legally binding commitment to provide the same is in place from such funders; and the GLA is satisfied that it can comply with the conditions applicable to its award.
- 6.5. The Subsidy Control Act 2022 requires that grant funding be assessed in relation to its four-limbed test. Officers have made this assessment at paragraphs 4.9 to 4.12 (inclusive) and have concluded that the additional funding proposed does not amount to a subsidy.
- 6.6. Any function exercisable by the Mayor on behalf of the Authority may also be exercised by such officer as the Mayor may specify. To this end, the Mayor has made the requested delegation to the Executive Director of Good Growth.

7. Planned delivery approach and next steps

- 7.1. The project will be delivered according to the following timetable:

Activity	Timeline
Letter of grant acceptance/ACE funding agreement in place	November 2024
Funding agreements in place with boroughs	November 2024-February 2025
Wandsworth LBOC and Liberty Festival delivered	2025
Cultural Impact Award projects delivered in Barnet, Greenwich and Merton	2026
Haringey LBOC and Liberty Festival delivered	2027
Final evaluation	Spring 2028

Appendices and supporting papers:

None.

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will be published either within one working day after it has been approved or on the defer date.

Part 1 – Deferral

Is the publication of Part 1 of this approval to be deferred? YES

If YES, for what reason: Funding agreements between ACE and GLA (November 2024), and then between GLA and the five boroughs (November 2024 to February 2025), will need to be drawn up and signed before this decision is published.

Until what date: 1 March 2025

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under the FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form? NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer:

Coral Flood has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Philip Graham has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Mayoral Delivery Board

A summary of this decision was reviewed by the Mayoral Delivery Board on 28 October 2024.

✓

CHIEF FINANCE OFFICER:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:



Date:

31 October 2024