

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD2850

**Title: Liberty Festival 2021, 2022 & 2023**

### Executive Summary:

Liberty, the Mayor's flagship disability arts festival, is a showcase for the best of D/deaf, disability and neurodivergent arts in London. Through it, many new outdoor arts and performance works by D/deaf, disabled and neurodivergent artists are commissioned, and it has helped to raise the profile of this sector of the arts in London and beyond.

Since 2019, Liberty has developed into a touring festival taking art to local communities and in 2022 and 2023 will partner with the London Borough of Culture, in Lewisham and Croydon respectively, alongside a partnership with Arts Council England.

### Decision:

That the Mayor:

- 1) approves expenditure of £440,000 (£240,000 net) to develop and deliver the Liberty programme during 2021-22, 2022-23 and 2023-24; comprising £320,000 for operational services to deliver the Liberty events; £70,000 for small grant funding awards under £10,000 for a research & development programme; and £50,000 for services to ensure appropriate access provision in delivering and administering the programme
- 2) approves the receipt and use of funding from Arts Council England (£200,000) to enhance the Liberty programme in 2022-23 and 2023-24
- 3) approves, in respect of the above expenditure, a single source exemption from the GLA's Contracts and Funding Code, to contract London Borough of Lewisham for £160,000 in 2022-23, and London Borough of Croydon for £160,000 in 2023-24, to deliver the Liberty Festival in each respective year on the GLA's behalf, without a competitive procurement exercise
- 4) approves a delegation to the Assistant Director, External Relations (to be exercised without the need for a further decision form) to receive and spend sponsorship income, from suitable partners, which will be used to enhance the programme if forthcoming.

### Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

**Signature:**



**Date:**

30/9/21

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

### **Decision required – supporting report**

#### **1. Introduction and background**

- 1.1. Under the Greater London Authority Act 1999 (GLA Act) the Mayor has a statutory duty to promote the economic and social development and improve the environment in London. Events have a profound potential to bring economic and social benefits to London, as well as raise the city's profile and present a positive image to the world's media. These benefits are more prominent as we emerge from the coronavirus pandemic and support London's recovery.
- 1.2. The core events programme responds to the Mayor's manifesto pledge of "supporting religious and cultural festivals taking place as a centrepiece in the city's calendar of events". These events contribute to building strong communities and amplifying unheard Londoners' voices. They allow us to celebrate our diversity as a city and be proud of the enormous range of different communities that call London their home.
- 1.3. The Liberty Festival is an annual Mayor of London event, which celebrates the contribution of D/deaf, disabled and neurodivergent people to London's culture. The flagship event was launched in 2003 in the context of the European Year of Disabled People and is now established as a unique, high quality outdoor festival in London, commissioning and showcasing the work of D/deaf, disability and neurodivergent artists. It has played a key role in raising the profile of this sector of the arts, and in developing artists and audiences in London and beyond, as well as an inspiration for other festivals and events, including the Unlimited programme and the Paralympic Games opening ceremony in 2012.
- 1.4. Liberty has a strong focus on access and inclusion and includes the provision of services and facilities to enable the widest possible access for everyone, regardless of disability.
- 1.5. This Decision updates MD2420, which provided approval for the Liberty project, budget and receipt of sponsorship income from 2019-2021, but for which some of the programme elements have been deferred as a result of COVID-19. MD2450, relating to the London Borough of Culture Round 2 – Lewisham and Croydon, also links to this programme.

#### *Liberty – touring programme*

- 1.6. Since the development of Liberty in 2003, it has always worked collaboratively with partners and organisations, more so when it moved away from Trafalgar Square. In 2011 it partnered with the Southbank Centre and National Theatre; in 2012 it was staged across multiple sites over three days at the Southbank Centre, Trafalgar Square, Potter's Fields Park and City Hall during the Paralympic Games; and between 2013-2017, it took place as part of National Paralympic Day (NPD) at the Queen Elizabeth Olympic Park.
- 1.7. In 2018, Liberty started to develop as a touring programme, taking disability arts to local communities, and initially partnered with Circulate, a consortium of four London venues working together to bring outstanding outdoor arts to outer London. The establishment of the London Borough of Culture (LBoC) in 2019, brought further opportunities to bring Liberty to the heart of local communities, with the first LBoC collaboration taking place in Waltham Forest. Due to the coronavirus pandemic in 2020, Liberty was paused, with the festival now being revived as part of the Lewisham Borough of Culture in 2022, and Croydon in 2023, alongside a partnership with Arts Council England.

### *Liberty 2022 and 2023*

- 1.8. Liberty will be presented as part of Lewisham London Borough of Culture in 2022 and Croydon London Borough of Culture in 2023. The exact dates for each year's festival are yet to be determined, but Liberty in Lewisham will take place in 2022-23 and in Croydon 2023-24.
- 1.9. To facilitate delivery of the Liberty programme, it is proposed that the GLA directly contracts, without competitive tender, London Borough of Lewisham in 2022-23 for £160,000, and London Borough of Croydon in 2023-24 for £160,000 to deliver the Liberty programme in each respective year. Contracting of London Borough of Croydon is expected to take place towards the end of 2022 and will be subject to the 2023-24 budget setting process.
- 1.10. Section 10 of the Contracts and Funding Code allows for exemptions from standard procurement processes where the proposed service providers have had previous involvement in a specific current project or where the activities of the subject of the proposed contracts comprise the continuation of existing work that cannot be separated from the new project. In this case, Liberty is being delivered in partnership with the respective London Boroughs of Lewisham and Croydon as part of the London Borough of Culture events. As part of this partnership, operational elements, including the provision of infrastructure and resources cannot be separated across the programmes, including the in-house production teams, who would be providing their services as value-in-kind. Given that the London Boroughs of Lewisham and Croydon would have control of the various event venues and spaces, and they are delivering complimentary events and activity as part of their London Borough of Culture programmes (which are also Mayoral-led), contracting them to deliver Liberty ensures both programmes benefit from shared services and economies of scale, making it the most viable and cost effective option.
- 1.11. This hyperlocal and community-led approach to Liberty supports our Recovery Mission of Building Strong Communities, particularly as disabled Londoners were one of the groups most adversely impacted by the coronavirus pandemic, and the Engaging Londoners recovery foundation.

### *Arts Council England partnership*

- 1.12. As a trailblazer for disability arts, Liberty has had longstanding success at being awarded Arts Council England funding to support the programme. The current Arts Council funding of £200,000 was awarded to support Liberty's development as part of a touring programme and linked to London Borough of Culture. This was originally awarded for the 2020 Brent event, and then Lewisham in 2022, but Liberty in Brent was cancelled due to COVID-19. With approval from Arts Council England, the funding was deferred to support Liberty in Lewisham in 2022 and in Croydon in 2023.
- 1.13. The Arts Council funding was awarded on the basis of GLA match funding.

### *Liberty Advisory Group*

- 1.14. To guide and support the future planning and vision of Liberty, a Liberty Advisory Group (LAG) has been developed. This panel of nine experts from a range of backgrounds (detailed in Appendix 1), were recruited following an open call process. The LAG will meet every two months to advise on best practice for D/deaf and disabled-led commissions, engagement and communication with D/deaf and disabled audiences and communities and offer general support and guidance on the future evolution of Liberty. Their wealth of experience and expertise will help Liberty to grow talent and increase opportunities for the D/deaf and disabled-led creative community.

### *Research & development awards*

- 1.15. Disabled Londoners were one of the groups disproportionately impacted as a result of COVID-19 – including the disabled arts sector. To support the growth of the disabled-led creative community, and in the absence of the Liberty Festival in 2020 and 2021 due to the coronavirus pandemic, in 2021 we launched a funding programme for research & development projects by D/deaf, disabled and neurodivergent artists or organisations. The budget for this award programme is £70,000, funded

from the Events for London Liberty budget 2021-22; with individual grant funding available for each project between £3,000 to £10,000.

- 1.16. The arts projects to be funded would be suitable for outdoor, indoor spaces or site specific, with the aim to present them at Liberty in 2022, as part of Lewisham's London Borough of Culture programme.
- 1.17. The research & development funding awards were promoted through an open call process. The evaluation, shortlist and award of the applications is conducted by a diverse panel including Liberty Advisory Group members, members of the GLA's staff Disability Network and officers from the GLA's events and culture teams.

#### Access

- 1.18. To ensure that exemplary access provision is provided in both our engagement with the community and Liberty Advisory Group, and delivery of the Liberty event, an access budget of £50,000 has been ringfenced from the programme budget between 2021-24. This will cover requirements such as British Sign Language, palantypist, audio description, easy read translation and other Access requirements as required. This budget also covers consultancy services in the development of the Research & Development Award programme, which will be commissioned in accordance with the GLA's Contracts and Funding Code.

## 2. Objectives and expected outcomes

- 2.1. Through the Liberty events we actively promote wider mayoral priorities directly to key community groups or audiences, and to captive audiences. This is evaluated through the attendance at events and market research at the event on recall, and through digital traffic and click through rates on the GLA website.
- 2.2. The specific objectives of Liberty are:
  - to present Liberty Festival as a key event in the Mayor of London's events programme showcasing the best of D/deaf, disability and neurodivergent arts in London
  - to support the creation of new work by D/deaf, disabled and neurodivergent artists
  - to present Liberty Festival as a model of good practice regarding access and disability equality
  - to actively engage with the D/deaf and disability arts community sector in London
  - to pursue new partnerships and collaborations, including with outer boroughs, in new settings, and as part of mainstream events and cultural programmes or initiatives, to widen the scope and extend the reach of Liberty Festival and promoting work by D/deaf, disabled and neurodivergent artists.
- 2.3. The additional benefits, whilst difficult to measure, are:
  - empowering disabled Londoners and engaging them in the work of the Mayor of London
  - increased skills through volunteering and development opportunities through the research & development programme
  - education and increased awareness of the D/deaf, disabled and neurodivergent arts sector and wider community, supporting positive social benefits
  - develop and improve GLA staff understanding of Access provision, both at events and in communicating and engaging with people with disabilities, which can be shared across other events and programmes

- increased positive global image and reputation of London
- positive profile for London, encouraging economic investment and tourism
- increased sense of community through volunteering opportunities and social interaction at events
- encouraging a sense of pride in Londoners for the city they live
- enjoyment and satisfaction to support the well-being of Londoners and improving their health and wellbeing and quality of life – particularly where Londoners' disposable income is limited and free events offer access to arts and entertainment which they may otherwise not be able to experience.

### **3. Equality comments**

- 3.1. Under section 149 of the Equality Act 2010, the Mayor and GLA are subject to the public sector equality duty and must have due regard to the need to:
  - eliminate unlawful discrimination, harassment and victimisation
  - advance equality of opportunity between people who share a relevant protected characteristic and those who do not
  - foster good relations between people who share a relevant protected characteristic and those who do not.
- 3.2. The “protected characteristics” are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation and marriage/ civil partnership status. The duty involves having appropriate regard to these matters as they apply in the circumstances, including having regard to the need to: remove or minimise any disadvantage suffered by those who share or is connected to a protected characteristic; take steps to meet the different needs of such people; encourage them to participate in public life or in any other activity where their participation is disproportionately low. This can involve treating people with a protected characteristic more favourably than those without one.
- 3.3. Liberty is planned to be inclusive and aimed at all Londoners, culturally and socially, achieved through the programme content, the broad and targeted approach to marketing channels, and enhanced access facilities at the event, thereby further removing barriers to disabled people participating in the event. As a high-quality outdoor festival, Liberty invites different communities to come together to enjoy the arts on offer, thereby supporting social integration and the fostering of good relations between people with disabilities and other protected characteristics and those who do not.
- 3.4. As a showcase of disabled-led arts, as well as specifically targeting disabled audiences, Liberty takes steps to meet the differing needs of disabled people specifically, thereby encouraging disabled people to participate, where participation in public events is disproportionately low.
- 3.5. In addition, Liberty engages directly with specific D/deaf, disabled and neurodivergent community stakeholders via the Liberty Advisory Group, a diverse group of experts in disability arts and the disabled community, as well as wider D/deaf, disabled and neurodivergent networks via the GLA's Communities and Social Policy (CSP) teams, ensuring the needs of the disabled community are understood and met at Liberty.



#### 4. Other considerations

##### *Key risks and issues*

- 4.1. The key risks and issues along with mitigations, identified with the programme are outlined in the table below:

	<b>Risk description</b>	<b>Mitigation / Risk response</b>
1	Event may be cancelled due to force majeure (e.g. COVID-19 – other pandemic, extreme weather, riots, industrial action etc).	External issues monitored via project planning and risk assessment.
2	Additional sponsorship cannot be guaranteed, that may impact the event content.	The core budget, and already secured Arts Council funding, covers the ability to deliver the event, which can also help leverage other income. Additional income will provide further enhancements to the event.
3	Late amendments to the event due to external factors could have an impact on budget and cause overspend (e.g. increased stewards in reaction to protestors/higher than expected crowds etc.).	Work closely with local authority partners to monitor and ensure tight project management and budgetary control, with readjustment to budget lines to manage increases in particular areas (with other cuts/reductions made in other budget lines where possible).
4	Reputational risk to the Mayor of the event failing.	There is a robust project working group and partnerships for the event, so early indications of potential event failure can be identified.
5	Disabled community not supporting the event and the reputational risk to the Mayor associated with this.	Engagement is made with the D/deaf, disabled and neurodivergent community in the form of the Liberty Advisory Group, who can feed into the appropriateness and creative content of the event. The Events team works with Culture and CSP teams, and monitors issues directed via the GLA's Public Liaison Unit, to ensure this is addressed.
6	Access facilities at the event are not of an appropriately high standard to meet the needs fully of all D/deaf, disabled or neurodivergent artists and audience.	Close working with the local authority partners and Liberty Advisory Group to ensure the planning approach and delivery of access facilities is robust.

##### *Mayoral strategies and priorities*

- 4.2. This programme directly links to:

- **Manifesto commitment:** supporting religious and cultural festivals taking place as a centrepiece in the city's calendar of events.
- **Manifesto commitment:** empowering disabled Londoners and engaging and considering their needs on our work.
- **City for all Londoners:** making London a fairer and more tolerant city open and accessible to all, and one in which we can all live and prosper free from prejudice. Enabling all Londoners to benefit from the city's fantastic arts and culture.

- All of Us - Strategy for Social Integration: using sport, volunteering, arts and culture as powerful tools for social integration; establishing London's reputation as a welcoming city, with opportunities to feel a strong connection and positive sense of belonging to the city in which they are living.
- Culture strategy: the Mayor will continue to fund festivals and events with an emphasis on more community involvement, increasing quality, raising profile and increasing volunteering.
- Inclusive London - the Mayor's equality, diversity and inclusion strategy: celebrate London's rich diversity and bring communities together through a series of high profile, accessible and inclusive events and campaigns.
- Recovery mission - Engaging Londoners: ensure Londoners are informed and equipped to participate in the capital's recovery including through mass public engagement, research and community and cultural engagement designed to include those most affected by the pandemic; develop engagement activity that enables Londoners to connect and come together around celebrations and commemorations, and opportunities to share in cultural activities and feel united in London life noting the uncertainty caused by the current context; and continue to support cultural activities which help Londoners to engage with the cultural and community life of their city.
- Recovery mission - Building Strong Communities: focus on hyperlocal, community-led activities, and co-production with a priority on working with and through Londoners most affected by the pandemic.
- Recovery mission - High Streets for All: develop the capacity of local authorities and town centres partnerships to work with community groups and the private sector to plan for, safeguard and directly deliver a diverse, resilient and thriving mix of high street and town centre activity within easy reach of all Londoners; promoting existing community and cultural spaces; promote cultural engagement.
- Recovery mission - Helping Londoners into Good Work: support Londoners into good jobs with a focus on sectors key to London's recovery.

#### *Consultations and impact assessment*

- 4.3. The Liberty Festival will be delivered in partnership with the London Borough of Culture and supported by a dedicated Liberty Advisory Group of experts and prominent figures in the D/deaf, disabled and neurodivergent arts and community sector, who 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.
- 4.4. The Research & Development award applications will undergo a robust assessment process with members of the Liberty Advisory Group and GLA Staff Disability Network taking part in the evaluation.
- 4.5. The operational impact assessment of Liberty Festival will be through a multi-agency planning process including Metropolitan Police Service, Transport for London, London Ambulance Service, London Fire Brigade and other key stakeholders alongside the local authority. This is an essential part of the Premise Licence process. Key agencies will be consulted as part of this multi-agency process.

## **5. Financial comments**

- 5.1. Mayoral approval is sought for GLA budget expenditure of £440,000 to develop and deliver Liberty Festival between 2021-2023, of which £200,000 will be funded by the Arts Council England, therefore a net expenditure of £240,000 over the three years by the GLA. Mayoral approval is also sought for the following:

- the receipt and use of funding from Arts Council England (£200,000) to be used to enhance the Liberty programme in 2022-23 and 2023-24
- a single source exemption from the GLA's Contracts and Funding Code, to contract London Borough of Lewisham for £160,000 in 2022-23, and London Borough of Croydon for £160,000 in 2023-24, to deliver the Liberty Festival in each respective year on the GLA's behalf, without a competitive procurement exercise
- £70,000 spent on small grant funding awards under £10,000 for a Research & Development programme
- £50,000 spent on services to ensure appropriate access provision in delivering and administering the programme
- approval of the delegation to the Assistant Director, External Relations (to be exercised without the need for a further decision form) to receive and spend sponsorship income, from suitable partners, which will be used to enhance the programme if forthcoming.

5.2. Profile and details of expenditure and income is summarised in the table below. It should be noted that Arts Council income of £100,000 had been received in 2020-21 as explained in paragraph 1.13 above therefore this income has and will be treated as income in advance till 2022-23.

<b>Expenditure</b>	<b>£ 2021-22</b>	<b>£ 2022-23</b>	<b>£ 2023-24</b>	<b>£ Total</b>
Grant funding R&D awards between £3-£10k	70,000			70,000
Contracting Lewisham Council – Liberty		160,000		160,000
Funding Croydon Council - Liberty			160,000	160,000
Access provision	10,000	20,000	20,000	50,000
<b>TOTAL</b>	<b>80,000</b>	<b>180,000</b>	<b>180,000</b>	<b>440,000</b>
<b>Income</b>				
Arts Council England		100,000	100,000	200,000
<b>Net GLA</b>	<b>80,000</b>	<b>80,000</b>	<b>80,000</b>	<b>240,000</b>

5.3. 2021-22 expenditure of £80,000 will be funded from the Liberty's 2021-22 budget held within the Major Events team that is part of Strategy and Communications directorate.

5.4. Contract and commitments to fund Lewisham will begin soon, therefore this will form part of 2022-23 budget setting. Croydon Council funding is planned to be towards the end of 2022 therefore funding for this will be subject to 2023-24 budget setting process and cannot be guaranteed. There will be no commitment to spend on Croydon until the funding is considered as part of the 2023-24 budget setting process.

## 6. Legal comments

6.1. The foregoing sections of this report indicate that the decisions requested of the Mayor fall within the statutory powers of the Authority to promote and/or to do anything which is facilitative of or conducive or incidental to the improvement of the environment within Greater London and in formulating the proposals in respect of which a decision is sought officers have complied with the Authority's related statutory duties to:

- (a) pay due regard to the principle that there should be equality of opportunity for all people;



(b) 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; and

(c) consult with appropriate bodies.

6.2. In taking the decisions requested of him, the Mayor 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 between persons who share a relevant protected characteristic (race, disability, gender, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Mayor should have particular regard to section 3 (above) of this report.

#### *Grant funding*

6.3. The second decision requests approval for the Authority to receive and use funding from Arts Council England. The officers are reminded to ensure that the Authority comply with the terms, upon which the funding has been granted.

6.4. The third decision seeks approval for a programme of grants; each under £10,000. In the awarding of the grants, the officers must ensure that they comply with section 12 of the Authority's Contracts and Funding Code (the "Code"). Furthermore, the officers must ensure that appropriate funding agreements be put in place between the Authority and the various recipients, before any part of the grants be paid.

#### *Exemption*

6.5. The procurements of services from the London Borough Lewisham ("LB Lewisham") and the London Borough of Croydon ("LB Croydon") are each valued at £160,000. Section 9 of the Authority's Contracts and Funding Code (the "Code") requires that the Authority undertake a formal tender process or make a call off from an accessible framework for procurements with a value over £150,000. However, section 10 of the Code also provides that an exemption from this requirement may be justified on the basis that the proposed service provider has had previous involvement in a specific current project or the activities the subject of the contract amount to the continuation of existing work that cannot be separated from the new project. The officers have set out at paragraph 1.10 above the reasons why the procurements of LB Lewisham and LB Croydon fall within the said exemption. Accordingly, the Mayor may approve the exemption, if he be so minded.

#### *Further procurements*

6.6. Where the officers intend to procure services, supplies or works in furtherance of the Liberty programme, the officers must comply with the requirements of the Code and liaise with Transport for London's commercial team in order to ensure that an appropriate agreement be put in place between the GLA and the relevant contractors.

#### *Delegation*

6.7. Any function exercisable by the Mayor on behalf of the Authority may also be exercised by a member of the Authority's staff albeit subject to any conditions, which the Mayor sees fit to impose. To this end, the Mayor may make the requested delegation to Assistant Director, External Relations, if he so chooses.

## 7. Planned delivery approach and next steps

Activity	Timeline
Recruitment and formation of the Liberty Advisory Group	Jan-May 2021
Open call and selection of Liberty Research & Development Awards	Apr-Sep 2021
Contracting London Borough of Culture Lewisham to deliver Liberty 2022	Sep-Oct 2021
Research and development programme	Oct 2021-Jan 2022
Delivery of Liberty 2022	Summer 2022
Evaluation of Liberty 2022	Sep 2022
Contracting London Borough of Culture Croydon to deliver Liberty 2023	Sep-Oct 2022
Delivery of Liberty 2023	Summer 2023
Evaluation of Liberty 2023	Autumn 2023
Programme final review and future proposals	Winter 2023-24

### Appendices and supporting papers:

Appendix 1 - Liberty Advisory Group members

**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 either be published 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? NO**

**Part 2 – Sensitive information**

Only the facts or advice that would be exempt from disclosure under 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:**

Kim Hobbs has drafted this report in accordance with GLA procedures and confirms the following:

✓

**Sponsoring Director:**

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

✓

**Mayoral Adviser:**

Sarah Brown has been consulted about the proposal and agrees the recommendations.

✓

**Advice:**

The Finance and Legal teams have commented on this proposal.

✓

**Corporate Investment Board**

This decision was agreed by the Corporate Investment Board on 6 September 2021.

**EXECUTIVE DIRECTOR, RESOURCES:**

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

**Signature**

**Date**

*D. Gane*

27/09/2021

**CHIEF OF STAFF:**

I am satisfied that this is an appropriate request to be submitted to the Mayor

**Signature**

**Date**

*D. Bellamy*

27/09/2021

