

# GREATER LONDON AUTHORITY

## REQUEST FOR DIRECTOR DECISION – DD2133

### Title: London Borough of Culture & London Councils

#### Executive Summary:

The London Borough of Culture is an initiative through which one borough will be chosen each year as the focus for celebrations of the city's arts and culture. It is similar in concept to the European City of Culture.

Under cover of MD2045 the Mayor approved expenditure of £154,000 for the initial phase of the London Borough of Culture competition. He subsequently approved, under cover of MD2107, a further £3.413m (from 2017/18 to 2020/21) to support the competition. That included funding to London Boroughs for assistance in the development and support of their applications.

The GLA now wishes to appoint London Councils to manage and administer this process on behalf of the GLA. This decision also seeks an exemption from Part C, paragraph 9 of the Contracts and Funding Code so that London Councils can be appointed without a competitive procurement.

#### Decision:

That the Executive Director of Communities & Intelligence approves:

- Expenditure of up to £73,000 in grant funding to be made available to London Boroughs, which is to be held, managed and distributed by London Councils.
- Expenditure of £2,000 as a fee to be paid to London Councils for the administration and management of the grant funding detailed above.
- An exemption from the GLA's Contracts and Funding Code, to appoint London Councils without a competitive procurement exercise so as to carry out the activities detailed in this report.

#### 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:** Jeff Jacobs

**Position:** Executive Director – Communities & Intelligence

**Signature:**



**Date:**

9 June 2017.

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE**

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

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

- 1.1 London Borough of Culture (LBOC) is a competition that will celebrate the unique and distinctive character, people and heritage of London's 32 boroughs – a vivid tapestry of distinctive neighbourhoods that makes London one of the most culturally vibrant cities in the world - a City for all Londoners. This new award will deliver ambitious cultural programmes and throw a spotlight onto important and unusual social projects that are often under the radar, and encourage all Londoners to explore their neighbourhoods in new ways. It will be underpinned by the active engagement of local residents as co-commissioners, placing culture at the heart of communities, inspiring new talent and creativity, and drawing visitors from across the city and beyond.
- 1.2 Under cover of MD2045, expenditure of £154,000 was approved to implement the first phase of the London Borough of Culture competition which included the following:
- Fully develop The London Borough of Culture competition with an established governance structure.
  - Publically launch the competition.
  - Map a detailed four year stakeholder engagement plan and confirm a media sponsor.
  - Identify up to £1m in potential match funding for the programme.
  - Implement Bid development workshops and provide specialist advice to London Boroughs to develop and support their applications.
- 1.3 Subsequently MD2107 approved further expenditure of up to £3.413m from 2017/18 – 2020/21 to fully launch the London Borough of Culture competition and to fund activities including:
- Partnership development.
  - PR, Media and overall engagement strategy, to increase awareness of the programme and to engage Londoners.
  - Delivery of fundraising and sponsorship events to raise the profile of the competition even further and to engage potential sponsors and match funding agencies.
  - Delivery of a comprehensive media strategy including the marketing and communications expenditure related to the programme.
  - Two grant awards (2019 and 2020) of up to £1m each
  - A grant fund of £500,000 for smaller exemplary projects from other boroughs (not the winners).
- 1.4 Under cover of MD2107, approval was received to make funds available to London Boroughs for assistance in the development and support of their applications to the London Borough of Culture competition. The GLA wishes to appoint London Councils to manage and administer this process on behalf of the GLA.
- 1.5 Each London Borough who wishes to apply to this fund for support for their application will be eligible to claim up to £2,200 in a first round of grants. If any funds are remaining after a first call, a further round of support will be offered to Boroughs. Any funds remaining at the end of the competition will be repaid by London Councils to the GLA.

## **2. Objectives and expected outcomes**

2.1 The London Borough of Culture competition programme timeline is as follows:

- Letters to Borough leaders and CEOs, from the Mayor, formally notifying them of the programme were circulated in March 2017.
- Official launch of the LBOC programme will take place in June 2017 and the competition will be open to bids from London Boroughs until the end of December. This includes access to a pool of funding for London Boroughs which they can spend on contracting specialist support or consultancy to support their bid preparations .
- Bids from London Boroughs will be evaluated by and scored against weighted criteria by GLA officers, with recommendations being made to the Mayor in January 2018.
- The winners will be announced in February 2018 for London Borough of Culture 2019 and London Borough of Culture 2020, as well as exemplary small development projects in up to six additional London Boroughs.

2.2 A total of £73,000 will be made available to all 32 London Boroughs to help with bid preparation. The GLA wishes to appoint London Councils to manage and administer this fund on behalf of the GLA and requests a related exemption from Part C section 9 of the contracts and funding code to enable this. The reasoning for requesting an exemption from the code is detailed in section 4 of this report.

2.3 Additional expenditure up to £2,000 will also be payable to London Councils by way of a fee for managing and administering all aspects of the grant funding pool which will be made available to London Boroughs applying for specialist support in their applications to the London Borough of Culture competition.

2.4 Consultations have already taken place with London Councils with the fee due to London Councils for provision of the administration, management and distribution of the grant funding having been agreed.

2.5 The Culture & Creative Industries Unit at the GLA will ensure that an appropriate agreement is put in place between London Councils and the London Boroughs who are successful in their application for funding to support their applications to the competition to ensure the funding is used for its intended purpose. GLA officers will also ensure that monitoring and evaluation is put in place as part of the agreements to enable the GLA to evaluate the effectiveness of the support being provided; currently this is still being scoped but will form a mandatory requirement as part of the funding being provided.

## **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' of the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not.

3.2 The London Borough of Culture competition will be open to all London Boroughs to apply for and to receive grant funding if their application proves to be successful. The evaluation of all applications will be fair and transparent and scored and evaluated to the same criteria, giving all applicants an equal opportunity to access the grant funding outlined in the main body of this report.

3.3 The development fund will be available to all London Boroughs for support with their bid writing and application to the competition. This funding will be distributed fairly and openly by London Councils to all those who wish to apply for this fund.

#### **4. Other considerations**

4.1 With the value of the proposed activity, GLA officers acknowledge that Part C, Section 9 of the Contracts and Funding Code requires a formal and suitable tender process is undertaken. However Part C, Section 10 of the Contracts and Funding Code provides that an exemption from Section 9 may be approved upon certain grounds.

4.2 GLA officers are seeking an exemption from Part C, Section 10 of the Contracts and Funding Code to appoint London Councils to manage and administer the £73,000 for the activities set out in section 1.4 of this report. Officers are of the view that London Councils are in a unique position to be able to deliver this service due to the following:

- London Councils is the cross-party organisation which represents London's 32 Boroughs and the City of London. It is the only strategic organisation of its kind and is best placed to administer this on the GLA's behalf, as a conduit between the GLA and the London Boroughs.
- London Councils works in partnership with the GLA culture and creative industries team on the London Culture Forum. This role will be an extension of the existing relationship, GLA officers are of the view that due to the longstanding and close relationships that London Councils have with London Boroughs that they are unique in their ability to provide this service in keeping with the requirements of the programme. No other organisation maintains such close working relationships with every London Council. GLA officers are also of the view that the fee required for this work also represents good value for money. For the GLA to appoint a different supplier could result in significant additional expenditure, additional resources being expended and potentially negatively impact on the expected outcome of the grant funding due to supplier failure in being able to effectively manage and distribute the grant funding without the necessary relationships with boroughs being in place.

#### **5. Financial comments**

5.1 Approval is being sought for expenditure of £75,000 to support borough applicants competing to become the London Borough of Culture.

5.2 A pool of £73,000 will be made available where London Boroughs can bid for funds to access support for developing their applications. The remaining £2,000 will be used to appoint London Councils to manage and administer these funds accordingly on behalf of the GLA.

5.3 This expenditure will be met from the Culture and Creative Industries 2017-18 Budget.

#### **6. Legal comments**

6.1 Sections 1- 3 of this report indicate that:

The decisions requested of the Mayor concern the exercise of the GLA's general powers, falling within the GLA's statutory powers to do such things considered to further or which are facilitative of, conducive or incidental to the promotion of economic development and wealth creation, social development or the promotion of the improvement of the environment in Greater London; and 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; and
- Consult with appropriate bodies.

6.2 In taking the decisions requested, 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 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.

6.3 Part C, Section 9 of the Contracts and Funding Code ("Code") requires the GLA to seek a call-off from a suitable framework, where possible, or if not, under a formal tender process which will be managed by TfL in respect of the supplies/services. However, the Executive Director may approve an exemption from this requirement under Part C, Section 10 of the Code upon certain specified grounds. Officers have indicated at paragraph four of this report that the relevant ground applies. On this basis the Executive Director may approve the proposed exemption if satisfied with the content of this report.

6.4 Officers must ensure that an appropriate contract is put in place between and executed by the GLA and the London Councils before the commencement of the services.

## 7. Planned delivery approach and next steps

Activity	Timeline
Procurement of contract	Upon DD approval
Delivery Start Date	July 2017
Delivery End Date	December 2017
Project Closure	January 2018

**Appendices and supporting papers: None**

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) 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 approval or on the defer date.

**Part 1 Deferral:**

**Is the publication of Part 1 of this approval to be deferred? NO**

If YES, for what reason:

Until what date: (a date is required if deferring)

**Part 2 Confidentiality:** Only the facts or advice considered to be exempt from disclosure under the FOI Act should be 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:**

Dominic Trembath has drafted this report in accordance with GLA procedures and confirms that:

✓

**Assistant Director/Head of Service:**

Jackie McNerney has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

**Financial and Legal advice:**

The Finance and Legal teams have commented on this proposal, and this decision reflects their comments.

✓

**Corporate Investment Board:**

The Corporate Investment Board reviewed this proposal on 5 June 2017.

✓

**EXECUTIVE DIRECTOR, RESOURCES:**

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

Signature

Date

08.06.17

TOM MIDDLETON ON BEHALF OF MARTIN CLARKE