

# INFORMATION NOTE



## Background

1. Lowther Gardens was registered as a charitable trust in 2006, with the Council as sole trustee. A number of independent trustees have subsequently been appointed, with a total of nine presently in post. The Council remains as a trustee, and is represented at trust meetings by the chairman of the Tourism and Leisure Committee.
2. Lowther Gardens (Lytham) Management Ltd was set up in February 2011 as the operating company of Lowther Gardens Trust, to deliver the day-to-day operation of Lowther Pavilion.
3. The service level agreement with Lowther Gardens (Lytham) Management Ltd. was developed for a 5-year period commencing 1 April 2012 (Appendix 1). In the agreement, the Council has agreed to pay a reducing subsidy over the five year period as follows:

Year	Amount of Subsidy
2012/13	£71,417
2013/14	£59,167
2014/15	£50,667
2015/16	£38,667
2016/17	£31,667

4. The extract from the service level agreement below requires that the Provider will deliver the services at the times and in the manner set out in the agreement, and in accordance with the performance measures identified:

## The Services

- The maintenance and development of Lowther Pavilion as a cultural community facility, for the benefit of residents of and visitors to the Borough.
- The provision of a balanced and diverse programme of performing arts and entertainment, including dance, drama, music, musical theatre, variety and comedy; encouraging innovation through the use of new technology and the support of new writing and performing talent.
- The development of new audiences and encouragement of existing audiences to visit more frequently, building participation in the arts locally; accessible to all sectors of the community through programming, marketing and community engagement work.
- The promotion of the performing arts in Fylde, supporting and developing local amateur groups, volunteers and the wider community. The pavilion shall be available for hire by local community/amateur groups for a minimum of 120 sessions per year.
- The free use by the Council of Lowther Pavilion and its facilities for up to 10 Council meetings per year and the annual Mayor making ceremony on dates to be provided to the Provider in advance by the Council as soon as reasonably practicable.

- The Provider shall make best endeavours to make available the Pavilion for use in the event of a civil emergency as a rest centre or similar facility.
- The development of service provision may change over time to reflect the current nature of standard business practice in the entertainment industry. All development will encompass the core values as presented in the Trust's artistic policy.

### **The Performance Measures**

Quarterly meetings will be held between representatives of the Provider and the Council, where the information required by this agreement will be reviewed.

If requested to do so, the Provider will make an annual presentation to the Council's Community Focus Scrutiny Committee (or other such appropriate elected member group) at the conclusion (or as near to as possible) of each year of the operation of the Service Level Agreement summarising its performance and service during the year, including financial performance – annual outturn against the budget.

### **Quantitative**

The Services to be provided within the operating budget, provided in accordance with clause 18.

A breakdown of the number of complaints received from service users and how they have been resolved.

Number of sessions utilised by local amateur groups, volunteers and the wider community.

Number and percentage of self-promoted shows which breakeven and/or make a profit

### **Qualitative**

The Trust will provide evidence that it is meeting art council and theatre management association industry standards in relation to customer satisfaction, audience profiling and quality of opportunity both for the visitor, local population and visiting companies. Income generation to develop the service offered and development work to encourage greater community use of the facilities. The Trust and the Council will work together to develop a greater understanding of all creative activities across the Borough.

### **Governance Arrangements**

Members requested information about the governance arrangements implemented by the Trust. The Council's Head of Internal Audit undertook a review of the Trust's Governing document with regard to the following issues–

- Trustees
- Conflicts of Interest
- Procurement Arrangements

The Trust has reviewed its governance arrangements in line with the recommendations made by the Head of Internal Audit. Representatives of the Trust will be available to update members at the meeting.

### **FURTHER INFORMATION**

Darren Bell, Head of Leisure and Culture, [darren.bell@fylde.gov.uk](mailto:darren.bell@fylde.gov.uk) , 01253 658465.