

Bath & North East Somerset Council

DECISION MAKER:	Cllr Terry Gazzard, Cabinet Member for Tourism, Leisure and Culture.	
DECISION DATE:	On or after 11th May 2010	PAPER NUMBER 1
TITLE:	Resourcing of Future Bath Plus to deliver the joint objectives of the Members.	EXECUTIVE FORWARD PLAN REFERENCE: E 2141
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: None		

1 THE ISSUE

- 1.1 To address the resourcing of the next phase of development of the public / business partnership that is Future Bath Plus Ltd, in order to deliver the agreed strategic objectives.

2 RECOMMENDATION

The Cabinet member is asked to agree that:

- 2.1 The Divisional Director for Tourism, Leisure and Culture will act as the Chief Executive of Future Bath Plus and report to the Chairman of the company for all items relating to the interests of the FBP Board.
- 2.2 The Council's Arts Development Team work programming, targets and delivery should be influenced by the Future Bath Plus as at the date of the decision. A further assessment of the virtue of creating a similar arrangement encompassing the Sport and Active Leisure Team and the Film Office will be made by 1st September 2010.

3 FINANCIAL IMPLICATIONS

- 3.1 The extension of the Divisional Director's responsibilities is based upon an honorarium for a 24 month period.
- 3.2 The honorarium reflects increased responsibility, also regular evening and week end working in order to fulfil the additional duties of the post.
- 3.3 All the impacts of the recommendations will be met within existing resources.
- 3.4 The Divisional Director will have no role in authorising or approving financial transfers from the Council to Future Bath Plus.

4 CORPORATE PRIORITIES

- **Building communities where people feel safe and secure**

Future Bath Plus will make a contribution by bringing to affect the Business Improvement District (BID). This can bring about increased supervision of the core City Centre area by increasing the number of CCTV Cameras, increasing the supervision of the evening economy and the retail economy in the City Centre also increasing the number of people welcoming and supervising the visitor economy of c 4 million visitors pa.

- **Improving life chances of disadvantaged teenagers and young people**

By contributing to the attraction of Bath as a retail and tourism centres – thus protecting jobs and creating new opportunities. Also attracting businesses to locate in Bath thus creating new positions. By co-ordinating the resources of other organisations to ensure our young people have the proper skills to take advantage of an expansion of the local economy. Future Bath Plus will link training opportunities with employment opportunities in the business sector.

- **Sustainable growth**

By creating programme of events and co-ordinating the marketing of the City increase the number of visitors who take advantage of the retail offer and the accommodation sector in Bath thus increasing the spend per head from the visitor and domestic economy.

- **Addressing the causes and effects of Climate Change.**

Future Bath Plus will champion the Carbon Footprint Reduction agenda within the business sector and by running seminars and education programmes for the accommodation sector.

The Company will also assist in addressing the issues of logistics and transfer of goods associated with the core business district.

- **Improving transport and the public realm.**

By championing the reduction and thus the impact of lorries (related to loading and unloading in the City Centre) during business hours a contribution could be made to the traffic flows – particularly to central areas.

5 THE REPORT

5.1 Future Bath Plus Ltd is the company structure through which the partnership between the Local Authority and the Business Sector is organised. It was established in 2008 to deliver improvements in:

- City Centre Management,
- Tourism,
- Event Management
- Cultural Development

by ensuring greater synergies exist between the many interest organisations – business, not for profit and voluntary – in the City of Bath and the surrounding area. The general intention is that, in time, Future Bath Plus will become the single umbrella organisation for joint working between the public and private sectors within Bath and North East Somerset.

5.2 The Members of the Company are presently (1) the Council and (2) the Initiative for Bath and North East Somerset (which is a part of GWE Business West). The Members have appointed Directors to provide effective Governance of the Company. The Directors are:

Colin Skellett (Chairman)
Trevor Osborne
Jonathan O'Shea
Xa Sturgis
Ian Bell
Matt Davis

Cllr Francine Haberling
Cllr Malcolm Hanney
Cllr Paul Crossley
John Everitt
Richard Hall
Mary Lynch
Simon Pullen

5.3 The Council has a controlling veto over Members decisions but holds a minority representation on the Board of the Company. The Council appoints three Councillors and the Chief Executive as Directors.

5.4 Future Bath Plus has been successful in:

- Appointing a City Centre Manager to ensure a more dynamic relationship with the retail sector.
- Developing a retail forum that has driven the promotion of the shopping offer in the City.
- Developing an Events Panel to shape & enhance those events that have the potential to support the tourism & retail economy.
- Securing financial support from the business sector to support initiatives.
- Supported the further development of Bath Tourism Plus and acted as the conduit for public funding to the Bath Festivals and other events.
- Introducing the Business Improvement District (BID) proposal for the City Centre

For the first two years the Chief Executive for the Company of Future Bath Plus has been provided by the business sector. Mohamed Sadiq's appointment has been brought to an end, due to the re-allocation of duties within Wessex Water. As an interim measure one of the Directors (Ian Bell) was appointed as Executive Director. Given the project work load it is probably more appropriate for the role to be occupied by a Council officer. It is proposed that David Lawrence, the Council's Divisional Director for Tourism, Leisure and Culture should be appointed to the post for a period of two years.

5.5 Additionally the increasing role of FBP in the Cultural and Tourism sectors has placed greater pressure upon the limited staff resource. It is recognised that there is some overlap between the activities of Future Bath Plus and the operations of the Council's Tourism, Leisure and Culture Division of the Customer Services Department. The overlap could be removed by merging services & activities. This measure will also allow for the most effective deployment of management resources.

5.6 It is proposed that the teams charged with promoting:

- Arts Development.
- Sport and Active Leisure.
- Film Activities in the City.

will be managed through the 'joint appointment' and be 'substantially influenced' in their work programming and prioritisation of activities by the Board of Future Bath Plus.

5.7 This will be characterised by:

- Ensuring that (where it is appropriate) the unit service plans deliver the strategic objectives of Future Bath Plus.
- That activities are monitored. Progress (against predetermined targets) is reported to the Board.
- That future plans are discussed with the Board in order to ascertain the Director's views, and agree outcomes.
- Recognition that a proportion of the work of these units is focussed upon the communities outside of Bath.

5.8 As a consequence a minimum of 21 hours of the Divisional Directors time will be spent working as Chief Executive of Future Bath Plus. This will be considered as additional responsibilities beyond the role with the Council.

5.9 As post of Chief Executive of Future Bath Plus reports directly to the Board of the Company and receives direction and performance management from the Chairman of the Company Colin Skellett.

5.9 As Divisional Director of Tourism, Leisure and Culture – David Lawrence will spend an appropriate amount of time concerned with developing, monitoring and reporting upon the activities of the Heritage & Libraries Business Units and performing the role of client officer for:

- Bath Tourism Plus Ltd
- Bath Festivals Ltd
- the external leisure contracts.

5.10 None of these arrangements will transfer the employment arrangements of any of the staff involved. David Lawrence will exercise the usual supervision, performance monitoring and personal appraisal of the Council's staff within the Arts Development, Sport and Active Leisure, Film Office within the performance and competency frameworks developed by the Council.

5.11 The arrangements will be in place for a limited period of 24 months – after which the arrangements will be reviewed in line with the 'strategic direction' and 'resources plans' of B&NES Council and Future Bath Plus.

5.13 The Council's solicitor has been consulted. As there is no transfer of staff employment intended there are no issues of principle that need to be considered. The decision could reasonably be for a single member to make.

5.14 The Council may use its promotion of economic, social and environmental well-being powers under Section 2 Local Government Act 2000 to provide staff for a secondment.

5.15 The Council's powers under Section 111 of the Local Government Act 1972, which enable it to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of their functions, provides for the secondment of an officer to a joint committee.

6 RISK MANAGEMENT

6.1 The report author and Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

7.1 There are no obvious equalities issues that arise. The Council is merely giving the business sector an enhanced role in advising on the delivery of programmes that are in part sponsored or supported by them.

8 RATIONALE

8.1 The Council is in partnership with GWE Business West as the two 'Members' of Future Bath Plus Ltd.

8.2 Since the companies formation the Chief Executives position has been held by an individual seconded from the business sector. The Council is now to support the role of CEO of the company for a further two years by creating a similar arrangement. The situation will be reviewed at the end of the period given the financial circumstances at the time.

8.3 There are additional opportunities to strengthen the relationship of joint services & businesses support for festivals and events by increasing the influence the Board has over the Arts Development Team and other services.

8.4 The Council's powers under Section 111 of the Local Government Act 1972, enable it to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of their functions. It has been held that this power provides for the secondment of an officer to a joint committee or board.

9 OTHER OPTIONS CONSIDERED

9.1 The Council has considered degrees of transfer of influence to the Board of Future Bath Plus. The level of influence described in this paper seems the most appropriate.

10 CONSULTATION

10.1 Board of Future Bath Plus, Overview & Scrutiny Panel Chair; Staff; Section 151 Finance Officer; Chief Executive; Monitoring Officer.

10.2 Consultation will be by virtue of the opportunity to comment on drafts of this paper other than the staff and Unions who have been contacted directly.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Customer Focus; Sustainability; Human Resources, Young People; Human Rights; Impact on Staff; Other Legal Considerations

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Council Solicitor) and Section 151 Officer (Strategic Director - Support Services), Strategic Director Customer Services, Head of Human Resources, have had the opportunity to input to this report and have cleared it for publication.

Contact person	Glen Chipp, Strategic Director Customer Services glen_chipp@Bathnes.gov.uk 01225 394453
Background papers	Flow diagramme ensuring proper levels of hygiene and probity in all transactions and monitoring issues.
Please contact the report author if you need to access this report in an alternative format	