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## **GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL**

**DATE: MONDAY 26 OCTOBER 2009**  
**TIME: 2.00 PM**  
**PLACE: COUNCIL HOUSE, NEXT TO THE CIVIC CENTRE**

### **Committee Members–**

Councillor Viney, Chair  
Councillor Coker, Vice Chair  
Councillors Ball, King, Martin Leaves, Mrs Nelder, Reynolds, Roberts and Wheeler

### **Substitutes–:**

Any Member other than a Member of the Cabinet may act as a substitute member provided that they do not have a personal and prejudicial interest in the matter under review.

***Members are invited to attend the above meeting to consider the items of business overleaf.***

***Members and Officers are requested to sign the attendance list at the meeting.***

**BARRY KEEL**  
**CHIEF EXECUTIVE**

## **GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL**

### **PART 1 (PUBLIC PANEL)**

#### **1. APOLOGIES**

To receive apologies for non-attendance by panel members.

#### **2. DECLARATIONS OF INTEREST**

Members will be asked to make any declarations of interest in respect of items on this agenda.

#### **3. MINUTES**

**(Pages 1 - 4)**

To confirm the minutes of the last meeting held on 28 September 2009.

#### **4. CHAIR'S URGENT BUSINESS**

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

#### **5. BID VETO**

**(Pages 5 - 6)**

The Panel will be provided with a report on the Business Improvement District (BID) Power to VETO.

#### **6. EASTERN CORRIDOR BRIEFING**

The Panel will be provided with an update on the Eastern Corridor.

#### **7. CARBON REDUCTION COMMITMENT**

The Panel will be provided with a presentation on the Carbon Reduction Commitment.

#### **8. HOE FORESHORE MANAGEMENT**

The Panel will be provided with an update on How Foreshore Management.

#### **9. APPOINTMENT OF CO-OPTED REPRESENTATIVES**

The Panel will consider the appointment of a co-opted representative.

**10. APPOINTMENT OF SUBSTITUTE MEMBER TO THE  
OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

**(Pages 7 - 8)**

The Panel will be asked to note the arrangements for the appointment of a substitute member to a meeting of the Overview and Scrutiny Management Board.

**11. EXEMPT BUSINESS**

To consider passing a resolution under Section 100A (4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

**PART II (PRIVATE PANEL)**

**MEMBERS OF THE PUBLIC TO NOTE**

that under the law, the panel is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

Nil.

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## Growth and Prosperity Overview and Scrutiny Panel

**Monday 28 September, 2009**

**PRESENT:**

Councillor Viney, in the Chair.  
Councillor Coker, Vice-Chair.  
Councillors Ball, Martin Leaves, Mrs. Nelder, Roberts and Wheeler.

Apology for absence: Councillor Reynolds.

The meeting started at 2.00 pm and finished at 4.50 pm.

*Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.*

**12. DECLARATIONS OF INTEREST**

The following declarations of interest were made in accordance with the Code of Conduct in relation to items under discussion at this meeting –

<b>Name</b>	<b>Minute No. and Subject</b>	<b>Reason</b>	<b>Interest</b>
Councillor Coker	18. Worklessness: The Contribution and Role of Plymouth City Council.	He had previously worked with a representative from Jobcentre plus.	Personal

**13. MINUTES**

Resolved that the minutes of the meeting held on 20 July be confirmed as a correct record.

In response to questions raised it was reported that –

- (i) with reference to minute 9 (v) regarding the Eastern Corridor, Councillor Wigens be asked to attend in order to finalise the issue of access to minutes of the Eastern Corridor Major Project Board meetings;
- (ii) with reference to minute 9 (vii) regarding Fly tipping, the figures for Darlington and North East Lincolnshire Local Authorities fly tipping costs and statistics would be submitted to Councillors if they had not done been done so already.

**14. CHAIR'S URGENT BUSINESS**

The panel was advised that the Overview and Scrutiny Management Board would receive quarterly scrutiny reports at its 4 November meeting. As not all panels were meeting in October, it would be necessary to consider delegating approval of the scrutiny reports to the Lead Officer, in consultation with the Chair and Vice Chair, prior to their submission to the Management Board.

Resolved that the quarterly report is agreed in consultation with the Chair and Vice Chair of the panel.

(In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above items for urgent consideration because of the need for a Member decision).

**15. HOE FORESHORE SITE VISIT UPDATE**

The Panel was provided with an update on 17 August 2009 Hoe Foreshore site visit. The Panel was informed that –

- (i) the Task and Finish Group were shown areas on the Hoe that had been identified for repair;
- (ii) West Hoe was not included as part of the original risk assessment or site visit as this area was under different management;
- (iii) the diving boards were locked up however a health and safety check was due to take place;
- (iv) a further site visit be arranged for the end of October 2009;

Resolved that –

- (1) more information be provided to the committee at its next business meeting;
- (2) the Panel would not sign off the risk assessment until the current planned work was completed;
- (3) the management responsibility for the whole Foreshore, including West Pier, be clarified and included in the scope of the Task and Finish Group's responsibility.

16. **APPOINTMENT OF SUBSTITUTE MEMBER TO THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

The panel was advised of the need to appoint a substitute member to attend meetings of the Overview and Scrutiny Management Board, as per the Management Board's terms of reference. The rationale behind this was to ensure that each scrutiny panel was represented at every meeting of the Management Board. The substitute member must have received the required finance training and be from the same political party as the member for whom they were substituting.

Resolved that Councillor Ball and Councillor Martin Leaves be nominated as substitutes for the Overview and Scrutiny Management Board.

17. **APPOINTMENT OF CO-OPTED REPRESENTATIVES**

The panel will give further consideration of appropriateness at next meeting.

Resolved that this item be referred to the next business meeting for further consideration.

18. **WORKLESSNESS: THE CONTRIBUTION AND ROLE OF PLYMOUTH CITY COUNCIL**

Several representatives from different organisations namely, Jobcentre Plus, Working Links, Plymouth Employment & Skills Board, Plymouth City Council and Devonport Regeneration Community Partnership provided the Panel with presentations upon the issue of worklessness in Plymouth.

The Panel were informed that –

- (i) there were several explanations for worklessness in Plymouth including high competition for jobs, low skills, health problems and ex offenders;
- (ii) there were several strategic bodies offering support to those out of work, including Jobcentre Plus, Learning and Skills Council, National Offender Management Services and Plymouth Local Strategic Partnership;
- (iii) Plymouth was above the regional and national average skills development and attainment at 16, however was below expected attainment at 19;

- (iv) Plymouth had historically low levels of innovation and enterprise;
- (v) a joined up approach was needed in order for issues of worklessness to be tackled more efficiently;
- (vi) skills and development were vital factors;
- (vii) It was important to raise the profile of worklessness in Plymouth with Central Government support agencies;
- (viii) Plymouth City Council was to take a greater lead in supporting those affected by worklessness.

Resolved that –

- (1) the 23 November 09 meeting be attended by officers of the Council and those affected by worklessness;
- (2) external partners be invited back to the Growth and Prosperity Panel for a final meeting on Worklessness in January 2010.

(Councillor Coker declared a personal interest in respect of the above item)

## 19. TRACKING RESOLUTIONS

The Business Manager for Development and Regeneration updated the panel on outstanding resolutions.

Resolved that –

- (i) under minute 55b, two red risks from the Audit Committee, that the Panel recommend to the Management Board that the Parks/Playgrounds Risk Assessment be transferred to the Customers and Communities OSP Panel for further consideration as it was now in their new terms of reference;
- (ii) under minute 9, Destination Southwest, the Panel agreed to raise the issue of Destination Southwest funding and representation with the Director of Development and Regeneration and Assistant Director Economic Development at the next meeting (should they be able to attend). The Panel would then consider whether they wished to invite the Director of Destination Southwest to a future meeting.

## 20. WORK PROGRAMME

The Panel considered their work programme for 2009/2010.

Resolved that -

- (1) a further meeting be arranged in Jan 2010 for the sole consideration of worklessness;
- (2) the final two dates for the Skateboarding By-law Task and Finish Group be rearranged due to Councillor attendance;
- (3) the Citybus Shareholding Ltd Task and Finish Group meetings are to take place 1 October 2009 and 2 November 2009.

## 21. EXEMPT BUSINESS

There were no items of exempt business.

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**CITY OF PLYMOUTH**

**Subject:** Business Improvement District (BID) Power to VETO.

**Committee:** Growth and Prosperity Overview and Scrutiny Panel

**Date:** 26 October 2009

**Author:** Patrick Knight, Business Improvement District Manager  
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**Contact:** 01752 304472

**Part:** I

Plymouth City Centre Company Ltd established a Business Improvement District for Plymouth City Centre in April 2005 and the BID Business Plan 2005-10 has been successfully implemented with £11m total expenditure: indeed the Plymouth BID has won 13 national awards and is widely recognised as being one of the best in the UK.

BIDs must be renewed every 5 years through a democratic ballot of all eligible businesses located with the BID boundary. The City Centre Company has consulted widely with its members and stakeholders over the last 2 years to produce a new BID Business Plan (for 2010-15) with £10m total projected expenditure: which is currently being balloted on by all eligible City Centre businesses. Assuming a majority of businesses vote 'Yes' in the ballot (both by number and rateable value), the BID will be renewed and if so the Council has already agreed to continue to support the BID. The result of the BID ballot is due to be publically announced by 21/22 October 2009.

The legislative framework for BIDs includes a provision permitting a local authority to veto BID proposals where; (a) they conflict to any material extent with any corporate policy of the Council, or (b) have a significantly disproportionate effect upon any person or class of persons.

In exercising the veto an authority is to have regard to specific matters including: the amount of support for the BID shown in ballot; the nature and extent of the corporate conflict (if any); the distribution of the effect of the BID Levy; the degree to which there has been previous involvement of persons, including the Council, in the preparation of the BID and the costs incurred in canvassing opinions.

With Plymouth BID being effectively a partnership between the Council and the business/retail sector in the shape of the City Centre Company it is

considered important that a degree of independence is maintained when the time comes for the Council, as a whole, to consider whether the power of veto is applicable and should be used in these circumstances. Hence the involvement of the Growth and Prosperity Overview and Scrutiny Panel. The Growth and Prosperity Overview and Scrutiny Panel is invited to view the BID Business Plan 2010-15 at: [www.plymouthcitycentre.co.uk/BID](http://www.plymouthcitycentre.co.uk/BID) and come to a formal recommendation in relation to the Council's power of veto over the Plymouth BID.

Appointing a substitute member for a meeting of the Overview and Scrutiny Management Board

Extract: terms of reference, Overview and Scrutiny Management Board

“One substitute member may be nominated from each Panel provided they have received the required training.”

The rationale behind the above is to ensure that each scrutiny panel is represented at every meeting of the Management Board.

1. If a chair of Scrutiny Panel will be absent from a Management Board meeting, they should ask a member of their own Scrutiny Panel to attend on their behalf and the chair should brief that substitute member.
2. If a non-chair member of the Management Board will be absent from a meeting, they may ask a member from any Scrutiny Panel to attend on their behalf.

Note:

- The substitute member must have received the required training. The required training currently identified by the Management Board is finance training (currently being organised).
- The substitute must always be from the same political party as the member whom they are substituting.

The above briefing note was added to each Panel agenda, for the purposes of explaining how the process of substitution would work. However, the following members have been nominated:

<b>Panel</b>	<b>Nominated</b>
Customers & Communities	Cllr Mrs Stephens Labour to nominate
Children and Young People	Cllr Mrs Stephens Cllr Bowie
Health and Adult Social Care	Cllr Stark
Growth & Prosperity	Cllr Ball (Cllr Michael Leaves if Cllr Ball unavailable)
Support Services	Cllr Stark

Clearly, the same person cannot substitute for two people, for example, if Cllr Mrs Watkins and Cllr James are both absent from the Management Board, only Cllr Stark can substitute. A similar situation would arise is Cllr Mrs Stephens and the Chairs of Customers & Communities/Children and Young People.

**Recommendation**

Each Panel nominates 1 x Conservative and 1 x Labour (none of the substitutes should be the same member)

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