

Cabinet – 27 September 2006

Walsall Town Centre Management Partnership Board – Approval of Constitution

Portfolio: Councillor Adrian Andrew, Regeneration and Enterprise

Service Area: Physical Regeneration

Wards: St Matthews

Key Decision: Yes

Forward Plan: Yes

Summary of report

The sustainable regeneration of Walsall town centre is a key priority for this Council and its partners. To complement the numerous physical regeneration projects planned and underway in Walsall town centre, the Council has led work over the last 12 months, working with key partners, to establish a new town centre management (TCM) initiative. This initiative will actively promote and market the town centre, influence key service delivery in the town centre, improve communication with town centre occupiers and help to attract further private sector investment.

The town centre management initiative has been driven forward by a town centre management steering group, which includes representatives of the Council, the Chamber of Commerce, the Police, retailers, shopping centre managers and small business groups (such as Walsall Small Business Alliance and the Market Traders' Association). The steering group has made progress in a number of important areas, most notably in appointing a town centre manager, developing a membership scheme and working towards a constitution which can form the basis for establishing a more formalised Partnership Board. This progress will help to deliver one of the Council's pledges for 2006-7.

This report outlines proposals for properly establishing the TCM Partnership Board with an approved constitution, and for implementing the town centre management team and the proposed membership scheme. It is expected that any best practice learned through the Walsall town centre management initiative will be used to establish similar initiatives in the district centres.

Recommendations

Cabinet is recommended to:

Approve the arrangements for establishing the TCM Partnership Board and its constitution, and to delegate any future changes to the constitution to the Executive Director for Regeneration in conjunction with the Regeneration and Enterprise Portfolio Holder, following liaison with the Town Centre Partnership Board.

Resource and legal considerations

A TCM Partnership constitution has been prepared by the Council's legal services and internal audit, in close liaison with key partners, and was approved by the steering group at its meeting on the 6th September 2006. Thereafter, the constitution was sent to potential members as they were invited to become members of the formalised Partnership Board, a role which be taken for an initial period before formal elections can be held at some point in the future. The inaugural Partnership Board meeting is planned for the afternoon of the 27th September 2006, and all Board members will be asked to approve the constitution, subject to Cabinet approval.

The draft constitution sets out how the Town Centre Management Partnership will operate, and an executive summary of the constitution is attached for information as an appendix. A copy of the draft constitution is available in the member rooms. It is proposed that a Board of 15 members will oversee the strategic direction of the Partnership, which will effectively be managed by the recently recruited town centre manager (expected to commence in post by November 2006). Board membership will comprise representatives of the following organisations or sectors/interest groups:

- Walsall Council (2 members – one officer, one Councillor)
- Walsall Chamber of Commerce
- Walsall Disability Forum
- Walsall Market Traders' Association
- Walsall Small Business Alliance
- High Street Multiple Retailers (2 members)
- Shopping Centre Managers (2 members)
- Leisure/Evening Economy Sector
- Professional Services Sector
- Transportation Sector
- Walsall Regeneration Company
- West Midlands Police

The constitution also sets out how decisions will be reached by the Partnership, the regularity of meetings, its legal status as an unincorporated association, financial arrangements and the Council's role as the Partnership's accountable body.

To operate as part of the Town Centre Management Partnership, a membership scheme and forum will be introduced which elects members to the Board, scrutinises the decisions of the Board and aids the business planning processes. As part of the membership package, members will be able to become part of a new retail radio links scheme to help tackle town centre crime, as well as benefiting from increased town centre marketing, promotional activity, special events and other benefits. Membership fees will be introduced dependent upon the rateable value of properties, with fees ranging from £200 to £5,000 per annum.

The Council has committed an annual sum of £50,000 towards town centre management, which will in effect support the employment of the town centre manager. A proportion of the LABGI settlement (£350,000) has also been approved by Cabinet in June 2006 to support town centre management. This funding will enable the initiative to be rolled out over the next two years, pending the introduction and establishment of the membership scheme and the development of Business Improvement Districts. It will be used to fund the employment of an assistant town centre manager to roll-out management into the district centres, and a business development officer to develop the membership scheme and work towards establishing Business Improvement Districts. The funding will also be used to support promotion, events and marketing initiatives, and to provide project support. It is intended that all LABGI funded posts will be 2 year posts which should be filled by the end of the calendar year.

Citizen impact

The development of the town centre management initiative, and the appointment of a TCM, will have a positive impact on the operation and attractiveness of Walsall town centre which should be recognised by the citizens of Walsall. The improved management, marketing and promotional activity will complement the proposed development activity and will lead to an increase in town centre footfall and the range of shops and services available.

Community safety

There are no specific community safety implications arising from this report, though the introduction of a new and improved retail radio link scheme with improved links to the town centre CCTV control room will help to reduce town centre crime.

Environmental impact

The establishment of the town centre management initiative will support Walsall town centre as the most important retail centre for the Borough, aiding the regeneration of the town centre as the economic driver for the Borough. When particular schemes or promotional activities are delivered in the town centre, these are also likely to show an improvement in the environment. Similar impacts will be felt elsewhere when the scheme is rolled out to the district centres.

Performance and risk management issues

The town centre manager will produce an annual business plan and report which will establish and monitor performance targets associated with, for example income and membership levels, work towards the establishment of Business Improvement Districts, and targets for marketing and promotional events. This will be managed within the Council's performance framework.

The establishment of the town centre management initiative for Walsall town centre is included on the Council's project register and is being managed accordingly. The main current risks relate to the recruitment of the town centre manager and the team, and the formal establishment of the Partnership board. However, as outlined above, it is expected that all these items should be delivered by the end of the calendar year.

Equality implications

Improvements to the operation and safety of Walsall town centre will have a positive impact on the public's perception of the town centre, both locally and on a regional or national scale. One of the results of this should be that all residents and visitors feel equally comfortable and able to visit the town centre.

Consultation

The development of the Walsall town centre management initiative has been in full partnership with the Chamber of the Commerce, West Midlands Police, retailers, shopping centre managers and other town centre interests through the steering group. The input of partners has been particularly important in drafting proposals for the membership scheme and fee bands, and in planning for the delivery of the retail radio links scheme. Once the membership scheme is established and the membership forum is meeting regularly, the forum will be the most important body for consulting on the activities of the town centre management Partnership.

Vision 2008

The town centre management initiative will contribute towards the delivery of the Council's vision for the Borough, addressing the strategic priorities of encouraging everyone to feel proud of Walsall, of ensuring a clean and green Borough, of ensuring people are safe and secure, and of strengthening the local economy. Specifically, one of the pledges in the 2006-7 Corporate Plan is that "we will establish a Town Centre Management scheme in Walsall town centre", and progress highlighted in this report will help to deliver this pledge.

Background papers

Draft Constitution for the Walsall Town Centre Management Partnership (August 2006).

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Signed:



Signed:

Executive Director:
Tim Johnson

Date: 11 September 2006

Portfolio Holder:
Councillor Adrian Andrew

Date: 18 September 2006

Appendix: Executive Summary of Town Centre Management Constitution

Introduction

The Walsall Town Centre Management (TCM) Partnership constitution has been drafted by the TCM Steering Group in close liaison with the Council's legal services team. The constitution's purpose is to set out the objectives of the TCM Partnership, the Partnership's structure and its legal status, the role of the Council as the accountable body, the Partnership's membership arrangements, how decisions will be made and the Partnership's operation, financial matters and urgency/dissolution procedures.

Objectives

The objectives of the partnership are:

- To champion the role, development and regeneration of Walsall town centre;
- To co-ordinate the management and promotion of the town centre;
- To strengthen partnerships between the Council, the police, local businesses and other local agencies;
- To lead on the development of a Business Improvement District for Walsall town centre;
- To introduce a new retail radio scheme to Walsall town centre, and other safe and secure concepts, so that the town centre can achieve a "Safer Business Award";
- To oversee the introduction and development of a town centre management membership scheme, and the delivery of the town centre management business plan.

The structure of the Partnership

The Partnership will be made up of the Partnership Board, the Council as accountable body, the town centre management team, the Chamber of Commerce (who will act in a role of fee collection agent) and the membership forum (the collective body of all membership scheme members). From a legal perspective, the Partnership will be an unincorporated association. Membership of the Partnership Board will be drawn from the following organisations or sectors:

- Walsall Council (2 members – one officer, one Councillor)
- Walsall Chamber of Commerce
- Walsall Disability Forum
- Walsall Market Traders' Association
- Walsall Small Business Alliance
- High Street Multiple Retailers (2 members)
- Shopping Centre Managers (2 members)
- Leisure/Evening Economy Sector
- Professional Services Sector
- Transportation Sector
- Walsall Regeneration Company
- West Midlands Police

Initially, interested parties will be invited to become Board members until the Partnership is established. At some point in the future, formal elections will be held which elect representatives from each of these sectors.

The role of the Council

The Council's role in the partnership, as well as providing 2 Board members, will be in the following areas:

- Providing administrative and secretarial support to the Partnership through the employment of the town centre management team.
- Servicing the Partnership Board and other appropriate meetings of the Partnership.
- Acting as the accountable body in terms of making payments for the Partnership and in entering into any contractual agreements on its behalf.
- Providing advice and guidance to the Partnership (including legal advice).
- Assisting in the communication of the Partnership's objectives and decisions.
- Auditing the Partnership's funds and supporting other town centre activities (eg Street Pride).

As a demonstration of partnership working, and to take advantage of the Chamber of Commerce's unique role within the business community, the TCM Steering Group agreed that the Chamber will act as the collecting agent for TCM membership fees. Arrangements for the transferral of these funds to the appropriate Council budgets have been agreed.

The Partnership's membership arrangements

Membership of the TCM Partnership will be open to any business, including licensed premises, retail outlets, professional services and other service providers, located within the town centre. A map defining the town centre has been drafted, which is broadly similar in definition to the Walsall Town Centre Inset Map of the UDP. Initial applications for membership of the Partnership will be considered by the town centre manager and ratified by the Partnership Board. All members of the Partnership will become members of the membership forum, and will pay a banded membership fee based upon the rateable value of their premises.

The Partnership's decision making and operation

The Partnership Board will meet at least bi-monthly and will provide the leadership and direction for the Partnership. It will approve and review the Partnership's policy and strategic framework, its annual budget and any grants or applications for additional funding, monitor performance, set priorities, recommend changes to the constitution and promote the work of the Partnership. It will also take the lead role in the Partnership's annual general meeting. The 15 member Partnership Board will require a quorum of 5 to reach decisions and will elect a Chair and Vice-Chair.

The membership forum will aim to meet at least 3 times per year, and will receive updates on the Partnership's activities and information on other town centre regeneration initiatives. It will also have a role in the ratification of the Partnership's budget and business plan. The Chair and Vice-Chair of the Partnership Board will also lead the forum meetings.

The annual general meeting will ratify member representation to the Board, particularly those where a number of representatives may wish to put themselves forward for consideration, and receive any financial reports. A quorum of at least 15 Partnership members is required for the annual general meeting to reach any decision.

Financial matters

As a demonstration of partnership working, and to take advantage of the Chamber of Commerce's unique role within the business community, the Chamber will act as the collection agent for membership fees. Arrangements for the transferral of these funds to the appropriate Council budgets have been agreed. The Council, in its role of accountable body, will take the ultimate responsibility for the financial activity of the Partnership, and day-to-day financial responsibility will be managed by the town centre manager. The Partnership Board will approve an annual budget forecasting income and expenditure which will be ratified by the membership forum.

Urgency/dissolution procedures

The town centre manager will have the authority to dispense with the normal requirements of the constitution, in consultation with the Chair or Vice-Chair of the Partnership Board, in situations of genuine emergency. Such urgent actions will be reported to the next meeting of the Partnership Board.

Dissolution or cessation of the Partnership may be only be resolved by a majority of the members of the Partnership Board. In such circumstances, a dissolution plan will have to be agreed, including the completion of accounts, the identification of any surplus or deficit and the identification of any outstanding assets or contracts.

RC 1/9/06