



REPORT TO EXECUTIVE

PORTFOLIO AREA: ECONOMY

Date of Meeting: 1st September 2009

Public

Key Decision: Yes

Recorded in Forward Plan:

Yes

Inside Policy Framework

Title: CARLISLE TOURISM PARTNERSHIP

Report of: Head of Economy, Property & Tourism

Report reference: DS.67/09

Summary:

The Council has approved the principle of closer collaboration between the City Council, Cumbria Tourism and Hadrian's Wall Heritage Ltd., working within a private sector led Carlisle Tourism Partnership. This report sets out the practical arrangements for the operation of the Partnership.

Recommendations:

1. That the Executive approves the Collaboration Agreement and the funding arrangements for the Carlisle Tourism Partnership.
2. That the Leader of the Council nominates a Member to represent the City Council on the Carlisle Tourism Partnership Board.

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1. BACKGROUND INFORMATION AND OPTIONS

1.1 Introduction

- 1.1.1 In March 2009 the Executive approved report DS.22a/09 that set out the final outcomes from the review of the Tourism service. This report identified annual savings of £70,000 but also mapped out the way forward for the development of tourism in Carlisle in the form of a Partnership between the City Council, Cumbria Tourism and Hadrian's Wall Heritage Ltd.
- 1.1.2 The establishment of the Tourism Partnership is one of a series of initiatives that are intended to deliver outcomes from 'Growing Carlisle – an Economic Strategy for the Carlisle city region' that was approved by Council in 2008. The proposal is also in line with Cumbria and regional strategic objectives for Carlisle and is seen as a best practice approach to the development of the sector.
- 1.1.3 Tourism in Carlisle is identified in the economic strategy as one of the potential growth sectors in the local economy. Through more effective sharing of resources, the encouragement of strong leadership and engagement through the new Partnership Board, it is intended that the new arrangements will give Carlisle the best chance of growing its visitor economy.
- 1.1.4 The Executive resolved the following at the meeting on March 14th

1. That the Executive endorse the principle of the Tourism Partnership and refer the proposals to the Infrastructure Overview and Scrutiny Committee for comment.
2. That the proposed savings and the treatment of the one off costs identified in the report be agreed.

Reasons for Decision

To enable the development of an improved co-ordinated service to the Tourism Sector and to deliver specific improvements to the Tourism offer in Carlisle and North Cumbria.

- 1.1.4 Following scrutiny the Executive resolved as follows at its April meeting:

- (1) That the comments of the Infrastructure Overview and Scrutiny Committee and their support for the Tourism Partnership proposals be welcomed.
- (2) That it be noted that the City Council as a major funder for the Tourism Partnership would have a key role in developing the Tourism Partnership Action Plan and that Action Plan would be developed via the normal democratic processes which would include an opportunity for scrutiny.
- (3) That it be noted that there would be Member involvement in the Tourism Partnership.

Reasons for Decision

To enable the development of an improved co-ordinated service to the tourism sector and to deliver specific improvements to the Tourism Office in Carlisle and North Cumbria.

1.1.5 This report is about the practical operation of the Tourism Partnership. There are three strands where the Executive will need to be satisfied that the Council's interests and resources are safeguarded. These are:

- The arrangements for joint working by the funding partners under a collaborative agreement.
- The City Council's financial contribution to the Tourism Partnership.
- The appointment of the Partnership Board and liaison arrangements involving the Partnership

1.2 The Collaboration Agreement

1.2.1 A copy of the Collaboration Agreement is attached as Annex 1 of the report. The Partnership is not a constituted body and will operate as an informal partnership and the draft agreement reflects this 'light touch' approach.

1.2.2 The key points from the agreement are:

- It identifies the Founding Members of the Partnership as the City Council, Cumbria Tourism and Hadrian's Wall Heritage Ltd.
- It describes a Partnership Board of 12 people comprising; representatives from each of the Founding Members and from Cumbria CC., with eight other members including nominations from the Carlisle Conference Group, Culture

Cumbria and the tourism sector. One of these eight non–public sector representatives will be nominated by the Founding Members to chair the Board.

- It establishes the Carlisle Tourism Partnership team, describes the role of the Partnership Director, the requirement to develop and deliver the Board's action plan for Tourism in Carlisle and the need to develop a management support group to support the Director drawing on the expertise of the Founding Partners.

1.3 Budget Arrangements

- 1.3.1 It is proposed that the City Council's operational base budget for tourism promotion, marketing etc., should be made available as an annual grant to Cumbria Tourism from the beginning of the next financial year 2010/11, to be spent against the objectives of the Carlisle Tourism Partnership Action Plan. This would include budgets related to the Conference Desk. The grant for 2010/11 is estimated to be £95,600.
- 1.3.2 In the interim, up to the end of this financial year 09/10, the budgets would remain under City Council control, with expenditure being committed project by project in the normal way but mainly spent as part of joint initiatives with partners, including Carlisle Renaissance.
- 1.3.3 The City Council's share of the Partnership's operational funding would take the form of an annual grant from the City Council to Cumbria Tourism which would become part of a Cumbria Tourism budget ring-fenced for the development of Tourism in Carlisle. Any other City Council funding for Tourism [e.g. from LABGI] would be channelled in the same way.
- 1.3.4 The Tourism Partnership will develop an Action Plan that will be subject to annual scrutiny by the City Council. The payment of the grant will be conditional on the acceptance of the Action Plan and being satisfied that the Partnership's work plan is aligned with the wider policies and objectives of the Council.
- 1.3.5 For the time-being budgets for Visitor Information [Old Town Hall and Brampton TICs] will remain under direct Council control. The Visitor Information Officer will also become part of the Carlisle Tourism Partnership team and will take management direction from the Tourism Partnership Director alongside the Conference Officer and the Tourism Marketing Officer.

1.4 The Appointment Of The Partnership Board

- 1.4.1 The make up of the Board is set out in section 4 of the Collaboration Agreement. Recruitment to the Board will follow a call for expressions of interest and the selection of appointees will be undertaken by a Panel representing the Founding Members. The chair of the Partnership Board will be nominated by the unanimous agreement of the Founding Members, but will be drawn from the private sector Board membership. It is proposed that the City Council will lead this process.
- 1.4.1 The operation of the Tourism Partnership will only be effective if there are strong joint working arrangements with related groups and organisations. The creation of a management support group is included within the Collaboration Agreement and it is this group that will manage joint working arrangements. It is important that it is recognised that most public bodies support the visitor economy to a greater or lesser degree and part of the role of the Partnership will be to ensure that there is alignment and co-ordination where needed.

2. CONSULTATION

2.1 Consultation to Date.

Cumbria Tourism and Hadrian's Wall Heritage Ltd., on-going

2.2 Consultation proposed.

With Tourism Sector, Carlisle Conference Group and individual tourism businesses – on-going

3. RECOMMENDATIONS

- 3.1 That the Executive approves the Collaboration Agreement and the funding arrangements for the Carlisle Tourism Partnership.

4. REASONS FOR RECOMMENDATIONS

- 4.1 To improve the arrangements for the development of the Tourism sector in Carlisle in partnership with other agencies.

5. **IMPLICATIONS**

- **Staffing/Resources** –

Job descriptions of the staff who will work in the Partnership Tourism Team are being reviewed and the revisions submitted to the Staffing Forum.

- **Financial** – The sum of £95,600 included in item 1.3 (Budget arrangements) is an indicative budget figure for the financial year 2010/11 and refers to non-employee costs related to Tourism and Conference desk activities. A recurring £75,000 efficiency saving has been incorporated into the Council's budgets for 2009/10 onwards to cover the Tourism and Conference desk activities of which £60,000 has been identified.

Item 1.3.3 requires the £95,600 to be made available by means of an annual grant payment from the City Council. This sum currently includes a budget income requirement from both tourism sales and conference desk activities therefore any formal arrangement for the allocation of under or over achievement of income should be clearly incorporated in a formal partnership agreement to safeguard the Council's position. Similarly, control mechanisms for the profiling and release of budgets, the monitoring of expenditure and the processing and payment of invoices by the respective parties needs to be confirmed.

The Carlisle Tourism Partnership Collaboration Agreement does not constitute a legal form of partnership, but is nonetheless subject to the conditions of the Council Partnership policy which, states that:

- True partnerships have defined goals to achieve and funding attached.
- There are clear terms of reference, and roles and responsibilities are clearly defined.
- Aims, objectives and risks are shared with all parties and clear goals are agreed with robust measures in place with outputs being routinely shared.
- Outcomes are identified and the benefits measured.
- All partnerships should have exit/succession strategies.
- A full and continuous Risk Assessment is established and monitored.

The Council Partnership policy specifically identifies that a significant partnership (An agreement where Council input resources are £65,000 or greater) is one

which has a direct effect on achieving the priorities, aims and strategies contained within the Corporate Plan and such agreements must be referred to Legal Services to ensure that all of the above issues are addressed.

- **Legal** – The Founding Members have previously agreed that the Carlisle Tourism Partnership was not to be the subject of a legally binding agreement as reflected in paragraph 1.2.1 of this Report. Accordingly, the proposed agreement is termed as ‘light touch’ touch and has been drafted accordingly.

In terms of the Council’s ability to enter into the partnership, the Local Government Act 2000 (Section 2) provides that the Council has the power to do anything which it considers likely to achieve the promotion or improvement of the economic, social or environmental well-being of its area. The power may be used in relation or for the benefit of the whole or any part of the community or all or any persons present or resident in the Council’s area.

The Council is able to incur expenditure in using the said power but in doing so the Council must have regard to its Community Strategy.

- **Corporate** –
The establishment of the Partnership is in line with the Council’s corporate objectives and strategies.
- **Risk Management** –
To be monitored by the lead City Council officer responsible for engaging with the Tourism Partnership via the Management Support Group.
- **Equality and Disability** –
No implications
- **Environmental** –
No implications
- **Crime and Disorder** –
No implications
- **Impact on Customers** –
Better engagement with and support to tourism sector businesses, improved public awareness of the potential for tourism in Carlisle, better promotion of the City.

CARLISLE TOURISM PARTNERSHIP COLLABORATION AGREEMENT

1. Between

- 1.1 The Council of the City of Carlisle, of Civic Centre, Carlisle CA3 8QG ("City");
- 1.2 Cumbria Tourism of Windermere Road, Staveley, Kendal LA8 9PL ("CT");
- 1.3 Hadrian's Wall Heritage Ltd of East Peterel Field, Dipton Mill Road, Hexham, Northumberland NE46 2JT ("HWH");

Each is referred to as a Founding Member or collectively as the Founding Members.

2. Background

- 2.1 The Founding Members have agreed to collaborate to support the growth and development of tourism in the areas of urban and rural Carlisle.
- 2.2 This agreement sets out the relationship between the Founding Members to ensure the efficient and effective delivery of an agreed plan of action ("the Action Plan") in furtherance of their corporate objectives.
- 2.3 The financial contribution of each Founding Member shall be set out in the Action Plan and nothing in this Agreement shall require any Founding Member to make any further financial contribution.

3. The term of the Agreement

- 3.1 The agreement will start on the date it is signed by all parties and will continue until such time as the Founding Members agree to terminate the agreement.
- 3.2 A Founding Member shall not give less than 6 months' written notice to the other Founding Members to resign from the Collaboration Agreement. Any such resigning Founding Member shall be bound to fulfil its previously agreed commitments as set out in the Action Plan during the course of the notice period.
- 3.3 Resigning Founding Members shall complete the delivery of individual legally committed activities where this extends beyond the notice period.

4. The Carlisle Tourism Partnership Board

4.1 The Founding Members shall establish a Carlisle Tourism Partnership Board ("the Partnership Board") to comprise of twelve members:

4.1.1 one City representative;

4.1.2 one CT representative ;

4.1.3 one HWH representative ;

4.1.4 in addition to the Founding Members, one Cumbria County Council representative who shall be an elected member shall be invited to serve on the Partnership;

4.1.5 eight private sector / independent members, one of whom may be nominated by the Carlisle Conference Group and one by Culture Cumbria.;

4.1.6 one private sector member will be nominated and appointed as the Chair of the Partnership Board by the unanimous agreement of the Founding Members. The Chair may be removed at any time by the unanimous agreement of the Founding Members.

4.1.7 Each Founding Member and the County Council may nominate a senior official as an observer to attend each Partnership Board meeting who may engage in the Board's discussions but not be permitted to vote on any issue.

4.2 The Partnership Board is an informal collaborative partnership and shall:

4.2.1 meet at least once per quarter or at such other frequency as the Founding Members consider necessary;

4.2.2 prepare and draft a strategy together with an estimate of the required budget to deliver the said strategy to support the growth and development of tourism in urban and rural Carlisle and submit it in the form of an Action Plan to the Founding Members for approval;

- 4.2.3 deliver the approved Action Plan within the parameters of the budget available;
 - 4.2.4 direct and prioritise the work of the Carlisle Tourism Team including the Partnership Director;
 - 4.2.5 monitor the performance of the Carlisle Tourism Team and its progress towards the delivery of the Action Plan and advise on actions needed to improve performance;
 - 4.2.6 undertake an annual review of the Action Plan and if requested by any member of the Board submit the revised Action Plan to the Founding Members for approval and scrutiny.
- 4.3 The Partnership Board shall have no authority to bind any Founding Member or other body to any contract, cost, obligation or liability
 - 4.4 A representative from each Founding Member must be present in order for a Partnership Board meeting to be quorate and able to transact business. Resolutions of the Board shall be by majority vote and in the case of equality of votes the Chair shall have the casting vote.
 - 4.5 Partnership Board members nominated by the Founding Members or from public sector organisations will adopt the code of conduct in operation within their respective organisations at the current time. Private sector members will adopt the City's current code of conduct.
 - 4.6 Partnership Board meetings shall not be public meetings. Minutes of meetings will be issued in draft and agreed at the subsequent meeting at which point they will be made publicly available.
 - 4.7 The Chair will receive an appropriate remuneration, the level of which shall be determined by the unanimous agreement of the Founding Members. All other Partnership Board members shall receive appropriate out of pocket expenses. Payments to Partnership Board members will be the responsibility of CT.

5 Carlisle Tourism Team

- 5.1 CT will employ the Carlisle Tourism Partnership Director (“Partnership Director”) to, subject to 4.2.4, oversee the delivery of the Action Plan.
- 5.2 At their sole discretion, each Founding Member will employ/designate staff as appropriate to support the delivery of the Action Plan. The structure and scope of the team will be set out in the Action Plan for agreement by the Founding Members.
- 5.3 The Carlisle Tourism Partnership Director will, for the duration of the agreement, or until the relevant Founding Member serves notice to withdraw from the Carlisle Tourism Partnership, be authorised by the relevant Founding Member to direct the day to day Carlisle Tourism Partnership related tasks of such Founding Member’s staff designated or employed pursuant to paragraph 5.2 and whose identities and roles have been notified to the Partnership Director in writing by the said Founding Member. For the avoidance of doubt the Partnership Director will not have any responsibility or authority to instruct, advise, direct or take any managerial steps or decisions flowing from the relevant staff members’ contract of employment including, but not exclusively, disciplinary action, appraisals, promotions, salaries, health & safety etc. Further, should it be deemed necessary any Founding Member may by written notice withdraw any of its staff member’s designation under paragraph 5.2 with immediate effect.
- 5.4 The Founding Members will establish a Management Support Group (“MSG”) comprising officers representing each Founding Member and Cumbria County Council to support the Tourism Partnership Director. Other senior representatives may be co-opted as required.
- 5.5 The MSG will be chaired by the Partnership Director and shall to the extent that it is able to, ensure that projects included in the Action Plan are developed and delivered. It shall have no authority to bind any Founding Member to any contract, cost, obligation or liability.
- 5.6 The Carlisle Tourism Team will establish a network for engaging and communicating with the wider tourism sector, inviting individuals and

organisations to become voluntary members of the Carlisle Tourism Partnership.

6. Funding

- 6.1 Each Founding Member will determine its financial contribution to the Carlisle Tourism Partnership as part of its own annual budgetary procedure.
- 6.2 Each Founding Member's financial contribution will be paid to Cumbria Tourism in the form of a grant subject to a legal agreement to the effect that the grant is to fund the delivery of the approved Action Plan and that any unexpended funds at the end of the relevant financial year shall be returned to the relevant Founding Member.
- 6.3 Cumbria Tourism agrees that the other Founding Members may have access to the relevant financial records of Cumbria Tourism for audit and reporting purposes. Such records will be made available within a reasonable time period and be kept in accordance with good accounting procedures.

7. Confidentiality

- 7.1 Each Founding Member undertakes with the others that it will not at any time divulge to any person any confidential information concerning the business, accounts, finance, and contractual arrangements of the other Founding Members or the project or any other dealings, transactions or affairs relating to the project or use any such information for its own purposes (except as contemplated in this Collaboration Agreement) and each Founding Member shall use its reasonable endeavours to prevent the publication or disclosure of any such confidential information.
- 7.2 The provisions of Paragraph 7.1 shall not apply to any confidential information used divulged or communicated:
 - 7.2.1 on the unanimous instruction of the Board;
 - 7.2.2 to officers, employees and advisers of the Founding Members; or pursuant to a legal requirement.

- 7.3 The Founding Members agree to abide by the Data Protection Act 1998 and the Freedom of Information Act 2000. Freedom of Information requests will be dealt with in accordance with City procedures.

8. Liability of Members

- 8.1 Each employing Founding Member will fund their own costs, liabilities and expenses arising from the dismissal or the redundancy of the Carlisle Tourism Partnership Director or other member(s) of the Carlisle Tourism Team.

9. Disputes & Differences

- 9.1 Each Founding Member agrees to use all reasonable endeavours to resolve and disputes by consultation with the other Founding Members or Members concerned.

10. Legal Status

- 10.1 Nothing in this Agreement shall constitute a legal form of partnership between the Founding Members and no Founding Member shall have any rights or liabilities in relation to any other Founding Member in connection with the subject matter of this Agreement.

Signed on behalf of
THE COUNCIL OF THE CITY OF
CARLISLE

Authorised Signatory

In the presence of

Signed on behalf of
CUNBRIA TOURISM

Authorised Signatory of

In the presence of

Signed on behalf of
HADRIANDS WALL HERITAGE

Authorised Signatory of

In the presence of