

REPORT TO: POLICY AND RESOURCES COMMITTEE - 14 FEBRUARY 2005
REPORT ON: ESTABLISHMENT OF A CENTRAL WATERFRONT PARTNERSHIP
REPORT BY: DIRECTOR OF PLANNING & TRANSPORTATION
REPORT NO: 57-2005

1 PURPOSE OF REPORT

- 1.1 To report back on progress on discussions with Scottish Enterprise Tayside and the Tay Road Bridge Joint Board regarding the overall development of the Central Waterfront, and to propose the establishment of a public sector partnership to carry out this role.

2 RECOMMENDATION

Members are asked to:

- 2.1 Agree the content of the proposed Partnership Agreement at Appendix 1.
- 2.2 Agree to the establishment of a Partnership Board and Officers Steering Group as shown in Appendix 2.
- 2.3 Nominate two members of the Council to sit on the Partnership Board, and to nominate one of these two members to act as chairperson.
- 2.4 Agree that the two Council officers who will sit on the Partnership Board will be the Director of Economic Development and the Director of Planning and Transportation.
- 2.5 Note the establishment of a Project Director's post to be filled by way of a secondment of an appropriate Council member of staff.

3 FINANCIAL IMPLICATION

- 3.1 The Council has been awarded £9.3m from the Cities growth Fund over the period 2003-06 to assist in implementing the Central Waterfront Project. The Scottish Executive have recently announced that the Cities Review Fund will continue over the period 2006-08 and Dundee has been awarded a further £8.5m over these two financial years.
- 3.2 Scottish Enterprise Tayside are seeking substantial funding from Scottish Enterprise to support the Central Waterfront Project and have received preliminary approval to prepare a full financial appraisal and submission for detailed consideration.
- 3.3 One of the first duties of the new partnership will be to prepare a detailed Business Plan and Financial Appraisal for the implementation of the project. All costs associated with the project will be contained within the resources identified in the agreed Business Plan.

4 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 The Central Waterfront Masterplan seeks to maximise the opportunities for sustainable forms of transport and development and this principle will be further advanced during the detailed implementation of the project.

5 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 The Central Waterfront Masterplan was designed to ensure the maximum possible level of accessibility and opportunity for all sections of society.

6 BACKGROUND

- 6.1 At its meeting on 8 March 2004 (Report No 187-2004) the Policy & Resources Committee agreed in principle to the creation of a public sector partnership to manage the overall development of the Central Waterfront and remitted officers to enter into discussions with Scottish Enterprise Tayside and the Tay Road Bridge Joint Board.
- 6.2 Discussions with Scottish Enterprise Tayside (SET) have been very positive and on 31 March 2004 SET's Board agreed its support for SET's involvement in a new public sector partnership for the Central Waterfront Project. In the intervening period, SET officers have attended project meetings and contributed positively to preliminary work on the project's implementation.
- 6.3 Discussions with the officers of the Tay Road Bridge Joint Board (TRBJB) have been equally positive; however, following a detailed investigation of the Board's legal status under the Tay Road Bridge Order Confirmation Act 1962, it was not clear that the Bridge Board has the legal powers to enter into such a partnership agreement. On 27 September 2004 the TRBJB considered this matter in detail and agreed that it should not become a full partner in the Central Waterfront Partnership, but that the Bridge Manager and Bridge Engineer should participate in the Officers Steering Group to represent the TRBJB's operational interests. Furthermore, the TRBJB agreed to dispose of all land necessary for the project to the Partnership at District Valuer valuation.

Project Agreement

- 6.4 On the basis of the outcome of the above discussions, it is therefore recommended that the sole two parties to the Central Waterfront Partnership should be Dundee City Council and Scottish Enterprise Tayside. The basis of the working relationship between the two parties on this project will be as per the proposed Project Agreement at Appendix 1.
- 6.5 Given that the Partnership will be an Unincorporated Body without any formal status as a legal entity, each of the two partners will fully retain their autonomy as public sector organisations. However, for the purposes of delivering the Central Waterfront Project, we will be agreeing to work together and use all our reasonable endeavours to successfully implement the project.

Partnership Board

- 6.6 In order to provide the appropriate high level of guidance and decision making for such a major project, it is proposed that the project partnership be managed by a Board who will oversee the business of the project. Each of the two partner organisations will be entitled to nominate up to four representatives onto this Board made up of a maximum of two 'members' and two 'officers'. In addition, it is anticipated that other officers will attend meetings in an observer/advisor capacity such as the Depute Chief Executive (Financial Services). All meetings of the Partnership Board will be chaired by a representative of Dundee City Council and the Board will elect a chairperson at their first meeting.
- 6.7 The ethos of the partnership should be that all decisions should be reached by way of a consensus approach; however, if this cannot be achieved then the Chief Executive's of DCC and SET will meet to seek a resolution to any disagreement.
- 6.8 In the initial stages of the project it is envisaged that the Board would meet on a quarterly basis, however, this is a matter on which the Board themselves would decide depending on the level of business subject to there being at least one meeting each financial year.

Project Management

- 6.9 An Officers' Steering Group should be established to oversee the detailed management of the project, this group will consist of senior officers from each partner organisation plus the Tay Road Bridge Joint Board. It is proposed that a Project Director be seconded from the City Council to lead the Project Team which will consist of the core staff and consultancy resources required to deliver the project; the Project Director will report to the Partnership Board via the Officers Steering Group. A separate report on this secondment is to be made to the Personnel Committee which will identify a suitable member of staff.
- 6.10 It is also proposed that the Board should establish an Advisory Group to provide feedback on the project and help communicate its aims and objectives to the wider community within the city.

7 CONSULTATIONS

- 7.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Assistant Chief Executive (Community Planning) have been consulted and are in agreement with the contents of this report.

8 BACKGROUND PAPERS

None.

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Director of Planning & Transportation

MPG/MS
Dundee City Council

3 February 2005

APPENDIX 1**Proposed Central Waterfront Partnership Agreement**

- 1 Name of Partnership - The name of the partnership shall be the Dundee Waterfront Partnership.
- 2 Status of the Partnership - The partnership will be an Unincorporated Body without any legal status as a legal entity.
- 3 Membership - The members of the partnership shall be;
 - Dundee City Council (DCC)
 - Scottish Enterprise Tayside (SET)
- 4 Purpose of the Partnership - The purpose of the partnership will be to implement the development of Dundee's Central Waterfront by bringing together our combined skills, assets and resources to ensure that the project Masterplan is realised to the benefit of the citizens of Dundee and its surrounding area.
- 5 Commitment by the Partners - The partners will work together in a cooperative manner and use all reasonable endeavours to successfully implement the project.
- 6 Partnership Board - Each partner organisation will be entitled to nominate up to four representatives (two 'members' and two 'officers') onto the Partnership Board who will oversee the business of the project. A minimum of two representatives from each partner organisation shall be required to be in attendance in order for a Board meeting to be quorate.
- 7 Decision Making - The ethos of the partnership will be that all decisions should be made by consensus. If a consensus agreement cannot be reached then the Chief Executives of DCC and SET will meet to seek to resolve the issue..
- 8 Chairperson - All meetings of the Partnership Board will be chaired by a representative of Dundee City Council.
- 9 Frequency of Meetings - In the initial stages of the Project the Partnership Board will meet on a quarterly basis. Thereafter, the Board can consider reducing the frequency of their meetings as considered appropriate, subject to there being at least one Board meeting per financial year.
- 10 Staff Resources - An Officers Steering Group, consisting of senior officers from each partner organisation and the Tay Road Bridge Joint Board, will report to the Partnership Board and will oversee the detailed work of the Project. The Project Team will consist of the core staff resources required to deliver the project. Any necessary additional staff resources will be procured or seconded as necessary from time to time.
- 11 Project Funding - One of the first tasks of the Partnership will be to prepare and agree a detailed Business Plan which specifies how the project will be funded without recourse to the partners general funds.
- 12 Existing Property Assets - Each of the partner organisations will retain their existing property assets under their own ownership and the partnership will not therefore own

any property and all necessary Bridge Board land will be conveyed to DCC. For the purposes of cooperation, coordination and best value, however, the partner organisations agree to 'pool' the value of their non-operational land within the project area until the completion of the project. At the completion of the project, the final value of the pooled land assets, less the cost of associated infrastructure costs, will be distributed back to the partners on the basis of the proportion of land (calculated by area) each contributed to the pool. The partnership Board will be under a joint obligation to ensure this final net value is not less than zero.

- 13 Completion of the Project - Following the completion of all the required infrastructure works, the completion of all of the sites identified for development, and the distribution of the final pooled land assets, the Partnership shall be dissolved.