

**BLAIRGOWRIE COMMON GOOD FUND COMMITTEE****25 February 2015****Blairgowrie Town Hall Management Agreement****Report by Executive Director (Environment)**

This report seeks approval from the Blairgowrie Common Good Fund Committee to proceed with the Management Agreement of Blairgowrie Town Hall with Blairgowrie Town Hall Association on the terms contained in this report.

**1. BACKGROUND / MAIN ISSUES**

- 1.1 Blairgowrie Town Hall is a common good property. In December 1997, Blairgowrie Town Hall Association (BTHA) entered into a three year Management Agreement with Perth & Kinross Council (PKC). The Management Agreement has been continuing from year to year since the original Management Agreement expired in December 2000.
- 1.2 The original Management Agreement included terms that are not dissimilar to the new Management Agreement set out below with the exception of the day to day management of the hall.
- 1.3 Live Active Leisure (LAL) employed a hall keeper until 2010 whose duties included cleaning, security of the hall, equipment set up and health and safety checks. Since then LAL has undertaken this service as part of a Service Level Agreement with PKC.
- 1.4 LAL have intimated to PKC that they are stopping providing this service and, as a result, an alternative solution has had to be found.
- 1.5 Discussions have taken place between Council officers and BTHA in regard to agreeing a new Management Agreement which will include BTHA taking responsibility for the day to day management of the Town Hall.
- 1.6 Education & Children Services, as the lead service, have approved the granting of a Management Agreement based on terms and conditions as set out below.

**2. PROPOSALS**

- 2.1 The following terms and conditions have been agreed with BTHA:
  - The Management Agreement is for an initial 5 year period and yearly thereafter until terminated by either party on giving one year's written notice of their intention to do so.
  - No charge will be made to BTHA for their use of the hall.
  - BTHA will be responsible for minor repairs and redecoration of the interior of the hall (including flooring and curtains) and any damage caused by users of the hall.
  - PKC will be responsible for all other repairs including all services and service checks and maintaining the structure of the hall.

- BTHA will be responsible for the day to day management of the hall, including energy management of the hall.
- BTHA will be responsible for all operational and associated costs in respect of the hall including water, electricity, rates, water charges, staff costs, etc.
- All income from lets of the hall will accrue to BTHA

### **3. BEST VALUE**

3.1 The Local Government in Scotland Act 2003 requires the Council to make the best use of public resources, including land and property, and to be open and transparent in transactions.

3.2 The Council is required to demonstrate responsiveness to the needs of communities, citizens, customers and the other stakeholders where relevant in its assessment of best value. The aspects of this duty which are relevant to the proposals in this report are as follows:

- making the best use of land and property
- being open and transparent in transactions
- ensuring sound financial controls are in place to minimise the risk of fraud and error
- assessing the full financial consequences of decisions at an appropriate level before major financial decisions are taken or commitments entered into
- demonstrating responsiveness to the needs of communities, citizens, customers and other stakeholders, where relevant

3.3 The implementation of the recommendations in this report is considered to comply with the Council's requirement to fulfil its statutory duties in respect of Best Value and meet the Council's Corporate Plan 2013-18 strategic objectives of supporting people to lead independent, healthy and active lives.

3.4 The implementation of the recommendations in this report will ensure that Blairgowrie Town Hall continues to be open to the public for their use which might not otherwise occur as PKC has no budgetary provision for this.

### **4. CONCLUSION AND RECOMMENDATION**

4.1 It is recommended that the Committee agree to the Council entering into a revised Management Agreement for Blairgowrie Town Hall with Blairgowrie Town Hall Association on the terms and conditions contained in this report.

**Author(s)**

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**Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
Jim Valentine	Executive Director (Environment)	3 February 2015

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>None</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>Yes</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>Yes</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>None</b>
Legal and Governance	<b>Yes</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>None</b>
<b>Communication</b>	
Communications Plan	<b>None</b>

### 1. Strategic Implications

#### Corporate Plan

1.1 The Council's Corporate Plan 2013-18 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate land service level and shape resources allocation. They are as follows:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

1.2 This report relates to (iii) and (v) above.

### 2. Resource Implications

#### Financial

#### Capital

2.1 There are no capital resource implications.

## Revenue

- 2.2 The granting of the Management Agreement will transfer burden of the running costs of the hall from the Council to BTHA.
- 2.3 The average annual costs of electricity and gas consumption over the period 2010 to 2014 was between £9,000 to £9,500 which will be a saving to the Council's Energy Budget.
- 2.4 The granting of the MA clarifies the ongoing maintenance liabilities of both parties to the MA.

## Asset Management (land, property, IT)

- 2.5 There are no direct asset management implications arising from this report other than those reported within the body of this report.

## **3. Assessments**

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties. The Equality Impact Assessment undertaken in relation to this report can be viewed clicking [here](#).
- 3.2 This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
  - (i) Assessed as **not relevant** for the purposes of EqIA

### Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.4 The proposals have been considered under the Act and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

### Legal and Governance

- 3.5 The Head of Legal Services and the Head of Democratic Services have been consulted in the preparation of this report

#### **4. Consultation**

##### Internal

- 4.1 The Head of Legal Services, the Head of Cultural & Community Services (Education & Children Services), the Head of Property and the Head of Finance have been consulted in the preparation of this report.

#### **2. BACKGROUND PAPERS**

- 2.1 No background papers have been relied upon in the preparation of this report.

#### **3. APPENDICES**

- 3.1 None