

Perth Common Good Fund Committee**26 February 2014****SOUTH INCH PAVILION FRANCHISE AGREEMENT****Report by Depute Director (Environment)****PURPOSE OF REPORT**

This report seeks the approval of the Perth Common Good Fund Committee to advertise for and accept a franchise for the former bowling pavilion on the South Inch for use as a cafe, following the successful completion of the improvement works to the former boating pond, and play area of the South Inch.

1. BACKGROUND/ MAIN ISSUES

- 1.1 As part of the Council's on-going commitment to ensure its major parks and open spaces are meeting user needs and are a source of community and civic pride, phase 2 of the upgrade to the South Inch recreational facilities was completed in September 2013. This saw the opening of a very popular 'state of the art' destination play area, closely linked to the phase 1 refurbishment of the former boating pond. The former bowling pavilion is immediately adjacent to both improvements and has been vacant since late 2012, when the South Inch Bowling Club decided not to take on the management and maintenance of the South Inch bowling greens.
- 1.2 The pavilion is part of a larger complex of buildings which includes the changing facilities for the sports pitches, public toilets and a refreshment kiosk. A plan of the building's location and its layout can be seen in Appendices 1 and 2.
- 1.3 The changing facilities are still in use and are managed by the Council. The public toilets were recently refurbished in order to provide facilities for park users, particularly families using the play area. The refreshment kiosk is currently not in use.
- 1.4 As reported to the Environment Committee on 30 January 2013; South Inch Park Upgrade, Phase 2 (Report No. 13/32) the Council is currently in the process of looking at options for the best way to develop the buildings. This is to provide complementary facilities for the park as a phase 3 project over the medium to long term.
- 1.5 In the short term there may be the opportunity to utilise the former bowling pavilion to provide refreshments, toilets (potentially as part of a comfort scheme partnership) and other related facilities to enhance the visitor experience to the park. This type of facility has already been successfully provided as part of the major refurbishment and upgrade of MacRosty Park in Crieff. Interest in developing similar facilities at the South Inch has already been expressed since the recent opening of the new play area.

2. PROPOSALS

- 2.1 It is proposed to advertise the former bowling pavilion on the South Inch for development as a refreshment outlet including public toilet provision at the earliest possible opportunity. This would be subject to an acceptable condition survey. Planning permission for a change of use will also be required. The operator would be expected to provide their own specific catering equipment and other fixtures and fittings as required. The terms of the franchise would be formally set out in an agreement between the Council and franchisee.
- 2.2 To improve the chances of a franchise being taken, it would be offered initially for a period of two years and advertised in time to get an operator in place for summer 2014 or earlier if possible.
- 2.3 Should the condition survey find that the pavilion is in an unacceptable condition or the offer of a franchise is not successful, the building would remain closed until longer term proposals had been explored.

3. CONCLUSION AND RECOMMENDATIONS

- 3.1 It is recommended that a franchise agreement for a two year period be advertised as soon as possible, with a view to an operator starting in the summer of 2014 or earlier if possible.
- 3.2 It is also recommended that progress is made with seeking planning consent and implementing any minor building modifications associated with the condition survey.
- 3.3 The medium to long term future of the entire South inch building complex will also be progressed over the two year period of the franchise.
- 3.4 It is recommended that the Committee agree to:
- the former South Inch bowling pavilion being advertised for a franchisee to develop and run it as a cafe including the potential for public toilets, for a period of 2 years;
 - implement the franchise agreement should suitable operators be identified through the established procurement and selection process;
 - Request the Depute Director (Environment) to report back on progress in 6 months time.

Author(s)

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Approved

Name	Designation	Date
Barbara Renton	Depute Director	11 February 2014

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

The undernoted table should be completed for all reports. Where the answer is 'yes', the relevant section(s) should also be completed

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

1. Strategic Implications

Community Plan / Single Outcome Agreement

1.1 The proposals contribute to priorities (iii) and (v) in relation to the delivery of the Perth and Kinross Community Plan / Single Outcome Agreement:

- (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
- (v) Creating a safe and sustainable place for future generations

Corporate Plan

1.2 The proposals contribute to priorities (iii) and (v) in relation to the delivery of the Council's Corporate Plan Priorities:

- (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.

2. Resource Implications

Financial

- 2.1 There may be relatively small resource implications arising directly from this report, subject to an assessment of the building and any accommodation works to allow its use to be changed. This will be funded from Community Greenspace budgets. Income associated with the franchisee would go to the Council's general fund. The Head of Finance has been consulted, and has indicated agreement with the proposals.

Workforce

- 2.2 The proposals in this report have no workforce implications for the Council.

Asset Management (land, property, IT)

- 2.3 The proposals in this report are likely to have direct land and property implications and will be discussed with Estates and Property at the relevant time.

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.
- 3.2 The function, policy, procedure or strategy presented in this report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- Assessed as **not relevant**.

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.
- The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

Sustainability

- 3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.
- 3.5 The proposals have been assessed in terms of the requirements to manage the Council's assets in a sustainable long term way. The pavilion will continue to be maintained either as a viable facility or in a wind and watertight condition until a suitable future use is found.

Legal and Governance

- 3.6 The proposals will require a formal agreement for the franchise over a 2 year period.

Risk

- 3.7 There is a risk to the Council arising from this proposal. There may be additional complaints by members of the public if the facilities are not provided and the building is left vacant.

4. Consultation

Internal

- 4.1 The Heads of Legal Services, Democratic Services, Planning and Regeneration, Property and Finance have been consulted in the preparation of this report.

External

- 4.2 There has been no direct external consultation on this report.

5. Communication

- 5.1 The franchise will be advertised through the local press and Council's own media.

2. BACKGROUND PAPERS

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above Report;

- Report to the Environment Committee on 30 January 2013 entitled Perth, South Inch Park Upgrade, Phase 2 (Report No: 13/32)

3. APPENDICES

Appendix 1 – Plan of buildings location and layout
Appendix 2 – Proposed Franchise area

