

## Report to the Cabinet

Meeting to be held on Thursday, 8 March 2018

### Report of the Head of the Asset Management Service

#### Part I

Electoral Divisions affected:  
All

### Premises Use Policy

(Appendices 'A' and 'B' refer)

Contact for further information:

Mel Ormesher, Tel: (01772) 536966, Head of Service Asset Management

[mel.ormesher@lancashire.gov.uk](mailto:mel.ormesher@lancashire.gov.uk)

#### Executive Summary

The County Council has a Premises Use Policy and associated procedures to be followed when considering the use of County Council premises by external organisations.

The policy and procedures are due for review following changes to the use and retention of County Council's premises which has seen an increase in the level of co-location of services, centrally managed operational buildings, and premises costs. The policy sets out how premises can accommodate use by different types of community organisations e.g. Friends of Library groups whilst adhering to good premises management practice. The County Council continues to support the use of its premises by external organisations for educational, community and service-delivery purposes. The focus is to allow community use of buildings that complements County Council service delivery and supports the strategic objectives of the authority. The charges for sessional use/hire have been increased in line with the change to the retail price index and are included as part of the Premises Use Policy at Appendix 'A'.

This is deemed to be a Key Decision and the provisions of Standing Order No. 25 have been complied with.

#### Recommendation

The Cabinet is recommended to approve:

- (i) The updated Premises Use Policy and associated procedures, including increases to charges for sessional hire of space in County Council buildings, with implementation to take effect from 2 April 2018.
- (ii) That a review is undertaken of the existing relationships with community associations.

## Background and Advice

The Premises Use Policy was agreed in July 2012 for implementation in September 2012. An initial review of the policy was approved in late 2012 to consider concerns from existing users of sites, such as Community Associations. The Premises Use Policy and associated procedures have been used by Premises Managers since then without review.

In 2017 a review of the existing policy and procedural guidelines was carried out. This was in the context of changes to premises management arrangements for a number of operational buildings becoming a corporate function carried out by Facilities Management, a reduction in the number of Community Associations using County Council buildings, and changes to how operational premises are utilised for service delivery.

The review has retained many of the underlying principles of the existing policy where appropriate. It has considered the pricing model, including the approach to those organisations that currently use County Council buildings exclusively, or regularly, without contributing to premises running costs.

The basic principles of the revised policy are:

- That services of the County Council are able to deliver effectively from council premises and that their activities will be prioritised.
- That the County Council will not charge voluntary sector organisations for using County Council premises as long as they are delivering services that support the County Council's priorities and occur alongside and during service operating hours.
- The County Council will ensure a consistent approach is applied to organisations wishing to make use of County Council buildings and that sessional use/hire is not to the detriment of the authority's own service delivery.
- Use by partner organisations e.g. Police - the type of activity being carried out will determine the category applied which will determine the applicable charge.
- Where profit-making organisations use County Council premises it is appropriate that they are charged the market rate.
- Procurement implications are considered where an organisation is currently contracted to deliver services on behalf of the County Council or may intend to tender for services in the future.

The charging policy will be simplified to incorporate three pricing categories:

- **Free Use.** This will typically be where a County Council service delivers from one of the authority's premises, though will also include some use by partner organisations where the activity contributes to the delivery of the County Council's service objectives and occurs during service delivery operating hours, councillors for surgeries and other political purposes such as by candidates during parliamentary elections. It is recognised that some community organisations contribute greatly to the people of Lancashire and

are often carrying out work which supports the County Council's priorities. In these cases, those organisations would not be expected to pay to use County Council premises except where procurement implications arise. Further information about what could be considered within this category is outlined in the Premises Use Policy at Appendix 'A'.

- **Normal Rate.** This includes both rental and running costs but with some subsidy of the rent element by the County Council's service typically operating from the County Council premises. Where a community or voluntary organisation wishes to use a County Council building but their activities are not connected to the delivery of County Council priorities they will be asked to pay a fee which will contribute to the running costs of the buildings they use.
- **Market Rate.** This includes both rental and running costs. Private and profit-making organisations will be charged the full market rate, incorporating both rental and running costs, where they are using County Council premises on a commercial basis.

## **Consultations**

A review will be undertaken of the existing relationships with community associations.

## **Equality Impact**

An Equality Analysis is set out at Appendix 'B'. The policy ensures consistency is applied in charging user groups. It is intended to monitor the users of LCC premises to determine whether users are from the groups with protected characteristics as defined by the Equality Act 2010. The Policy also includes specific arrangements to assess the accessibility of premises to assist compliance with the Equality Act 2010's "reasonable adjustment" responsibilities which may assist in advancing equality for some user groups. Specific arrangements have been made within the Policy to consider requests from users which may be controversial in nature, these arrangements may contribute to meeting the fostering good relations/community cohesion general aim of the Public Sector Equality Duty. Specific arrangements have also been included within the Policy to meet the requirements of the Prevent Duty. Requests from all groups will be considered fairly and objectively against clear criteria which will ensure that any possible risk of unlawful discrimination is eliminated.

## **Implications:**

This item has the following implications, as indicated:

## **Risk management**

## **Financial**

It is proposed that fees and charges for sessional use/hire of County Council premises will increase to ensure that a reasonable contribution to premises costs is made by third parties and supports efforts to ensure that retained premises are

sustainable into the future. It should be noted that this may have an impact on the number of organisations that choose to use County Council premises in the delivery of their activity. Should demand be unaffected by the proposed fee increases then income received will increase by circa £45,000 based on 16/17 usage levels.

### **Reputational Risk**

When the Premises Use Policy was implemented in 2012 there were concerns expressed by some organisations already using County Council premises about the introduction of fees and charges. Community Associations are one group of organisations that use County Council premises at no charge. There are four organisations left with this relationship to authority buildings, two are subject to expressions of interest for community asset transfer (Barton Road Community Centre, Belmont Community Centre), three are located in premises used by the Children's and Families Wellbeing Service (The Grove, Burscough; Barnoldswick Young People's Centre; Stoneyholme and Daneshouse Young People's Centre) and one is subject to a feasibility study for the re-instatement of the local library service (Earby Community Centre).

### **List of Background Papers**

| Paper   | Date | Contact/Tel |
|---|------|-------------|
| None  |      |             |
| Reason for inclusion in Part II, if appropriate |      |             |
| N/A   |      |             |