

ANGUSalive

NOTE of MEETING of the Board of Directors of ANGUSalive held via MS Teams at 10:00 on Friday 16 December 2022

Name		Title	Initial
Present:			
Kenneth	Fraser	Independent Director - Chairperson	KF
Derek	Waugh	Independent Director - Vice	DW
Lynne	Devine	Council Director	LD
Kenny	Braes	Council Director	KB
Alan	Rae	Independent Director	AR
Serena	Cowdy	Council Director	SC
Tam	Ferry	Independent Director	TF
Kenny	Christie	Independent Director	KC
Robbie	Francis	Company Secretary	RF
Kirsty	Hunter	Chief Executive	KH
Iain	Stevens	Senior Manager Business Management and Development	IS
Colin	Knight	Senior Manager Sport and Leisure	CK
Kevin	Lumsden	Angus Council Finance Manager	KL
Jessica	Curran	Angus Council Finance Team Leader	JC
Gordon	Cargill	Angus Council Governance & Change Service Leader	GC
Graham	Thom	Board & Executive Assistant	GT
Apologies:			
Ronnie	Proctor	Council Director	RP

Item No	Note
1.	<p>Welcome & Apologies</p> <p>KF welcomed everyone to the meeting, noted apologies, thanked attendees for joining via Teams at short notice in response to the adverse weather conditions and highlighted DW would chair the remainder of the meeting.</p> <p>Apologies: Ronnie Proctor</p>
2.	<p>Declarations of Interest</p> <p>Directors were asked to consider whether they had any declarations of interest in relation to any item on the agenda for the meeting.</p> <p>No declarations were made.</p>
3.	<p>Minutes of Full Board Meeting on Friday 23 September 2022</p> <p>Directors were asked to consider whether the minute of the previous Board meeting provided an accurate representation of the meeting.</p> <p>KB proposed the minute was accurate and LD seconded.</p> <p>Matters arising <i>Café Leases</i></p> <p>IS noted he has consulted with Thorntons Law and Angus Council Legal via colleagues in Property to confirm terms of the current lease for the restaurant venue at Monikie Country Park, both advised there is unusually no break clause in the contract. They also advised there is no exclusivity clause in the contract so alternative food and beverage offerings could be operated within the park. Provision from mobile units brought in or from a new structure developed onsite are therefore possibilities for future consideration – normal permissions would need to be secured.</p> <p>IS confirmed he is working towards a solution and will meet in early 2023 with Angus Council colleagues who may be able to assist with a short-term solution.</p> <p>ACTION: IS to provide verbal update on progress at Board meeting on 17 February 2023</p>

NHS Payments

KH confirmed the NHS will be invoiced the agreed rental charge for the period our venues need to remain closed to complete any remedial works, required following their use as vaccination centres, prior to reopening for community use. Angus Council will also invoice for the cost of the remedial works and utilities during this time.

At present NHS Tayside has only vacated Reid Hall, Forfar. Our current understanding is that both Montrose Town Hall and Arbroath Community Centre are required by NHS Tayside to the end of the current agreement in place between NHS Tayside, Angus Council and ANGUSalive. The next invoice will therefore cover up to 10 February 2023 for Reid Hall and the full period up to 31 March 2023 for Montrose Town Hall and Arbroath Community Centre.

KH highlighted the Reid Hall is anticipated to reopen for community use from 11 February 2023 as remedial works are now scheduled to complete by 10 February 2023. She added that we are delighted to have a provisional booking from Tayside Symphony Orchestra on that Saturday as this will provide a wonderful celebratory performance to mark the occasion. She noted this date for diaries early next year and confirmed formal invites will be sent to Directors once arrangements are finalised. The details of external guests to be invited was discussed and agreed by Directors.

Investment Programme

IS highlighted works have been completed in Brechin Community Campus, Montrose Sports Centre and Arbroath Sports Centre as part of the redevelopment works. He noted the next site will be Carnoustie Sports Centre but escalating costs for property works, due to high inflation, mean the project will need to be scaled back before work commences in early 2023. Saltire Sports Centre and Forfar Community Campus will also be redeveloped next year. At redeveloped sites bACTIVE memberships are up from January 2022 to December 2022 by 29% - BCC, 27% - MSC, 31% - ASC and these venues are outperforming those still to be completed. Attendances are also up since the fitness suite reopening date compared to the same period last year by, 37% - BCC, 28% - MSC 28%, 44% - ASC.

Social Value

KH noted this has still to be confirmed and will carry forward to a future meeting.

Coaches Review

This action is covered within the agenda for today's meeting.

Transformation Project Update

KH confirmed this information had been shared and the joint report had been tabled at the Angus Council meeting held on 03 November 2022.

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	<p><i>Consolidation of the Scottish Local Government Living Wage</i> LT (HR & Business Support Service Leader) was to confirm the Pay Award uplift ANGUSalive receives from Angus Council will include any increase incurred as a result of consolidation of the Scottish Local Government Living Wage into a revised pay & grading structure for Angus Council and to ANGUSalive as an associated employer.</p> <p>ACTION: GC to pick this up and confirm the position since no update received in advance of the meeting.</p> <p><i>Legend Contract</i> IS provided an overview and reminded Directors terms had been negotiated with Legend prior to the paper taken to Board on Friday 23 September 2022. He confirmed he liaised with Angus Council's Procurement team to agree an interim extension and KH has signed off this contract for a two-year period. IS added further negotiation had secured the current price to be held for one year but due to inflation and increased costs associated with delivering the service, this may not be possible for the second year of the contract. KH noted this arrangement provides stability for the next two years and will allow us to go through a tender process to award a contract for future years.</p> <p><i>Homeworking Policy</i> KH noted this has still to be confirmed and will carry forward.</p>
4.	<p>2023 Board Meeting Schedule & Board Positions</p> <p><i>Meeting Schedule</i> KH noted two changes to meeting dates from the original proposal. The Finance & Audit Sub-Committee has been moved from 16 June to 09 June 2023 and Full Board has been moved from 30 June to 23 June 2023 to bring them in line with meeting timings from previous years. DW advised he has issue with availability on 23 June. All agreed to take this offline for discussion with the Chairperson and following discussion invites to be sent for the schedule in 2023. KH advised these would replace placeholders currently send for Q1 to hold time in diaires.</p> <p>KH confirmed the Strategic Development Sessions have also been revised to run from 12:00-16:00 same as 2022.</p> <p><i>Board Positions</i> DW resigned from his position of the CLT Trading Sub-Committee due to conflict with his role as Vice-Chair. TF volunteered and was approved as the new Director on the CLT Trading Sub-Committee.</p> <p>ACTION: GT to issue invites to Directors and other attendees for all meetings.</p>

<p>5.</p>	<p>Chief Executive's Report</p> <p><i>Proposed Changes to Opening Hours</i> KH provided an update to Directors regarding formal notification received from Unison to advise Information Advisors, who are members, are being balloted about taking industrial action over proposed amendments to opening hours in Libraries. Ballot papers were dispatched to members on 30 November and responses are required by 21 December 2022. If members vote in support strike action, trade unions are required to notify an employer at least seven days prior to any industrial action taking place.</p> <p>The formal consultation period for employees in Libraries and Museums, Galleries & Archives regarding changes to opening hours has ended and Team Leaders are currently reviewing the feedback provided. We will meet with employees and trade unions in early January 2023 to provide the review manager response to consultation feedback themes and to confirm next steps.</p> <p><i>Senior Leadership Team Recruitment</i> KH noted the Museums, Galleries & Archives Team Leader post has been advertised for recruitment since the temporary arrangement currently in place comes to an end on 31 March 2023.</p> <p>ACTION: KH to update on the recruitment process for a Museums, Galleries & Archives Team Leader.</p> <p><i>Facility Redevelopment</i> KH highlighted she and key members of our team are meeting the Angus Council Scrutiny & Audit Convenor, an Arbroath Councillor and the Client at Arbroath Sports Centre this afternoon during a Live Well class to demonstrate how the refurbished fitness suites are accessible and beneficial for a wide range of users.</p>
<p>6.</p>	<p>24_22 Finance Update</p> <p>JC provided a high-level overview and noted the developments on the pay award uplift which had been confirmed at the full Angus Council meeting on 15 December 2022, after the Finance Update was issued to Directors.</p> <p><i>Revenue Position</i> JC provided information on the net expenditure budgeted position and advised the projected outturn is a net income position based on current forecasts for income and expenditure. Details are available in appendix 1 of the report.</p>

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	<p><i>Capital Position</i></p> <p>JC provided an overview of the capital position detailing projected expenditure, monies to be funded from insurance receipts and the R&R Fund, and monies to be funded from Angus Council capital plan. Detailed information is available in appendix 2 of the paper.</p> <p><i>Going Concern</i></p> <p>JC confirmed ANGUSalive continues to be a going concern and continues to trade legally based on cashflow forecasts, this has been assessed over the period to 31 March 2024. The 12-month period to 30 September 2023 has also been reviewed by the external auditor as part of the 2021/22 annual accounts audit process.</p> <p><i>Other Areas</i></p> <p>JC provided an update on other financial aspects including projected R&R Fund balance at 31 March 2023, outstanding debtors at 31 October 2022, and the VAT return made for quarter 2 of 2022/23 along with the likely level of irrecoverable VAT which is anticipated to be within budget.</p> <p>LD asked about the process in place for recovering monies owed by debtors. IS confirmed there are operations in the background which are automated until they are overdue at which point a manual process of recovery takes over.</p> <p>KF asked if the pay award uplift is being honoured by Angus Council in the management fee for 2022/23 as it has been in future years. JC confirmed the management fee was to be adjusted to include the pay award uplift. KL added the details had been confirmed at Angus Council meeting on 15 December 2022 and provided a summary for Directors. He also noted the pay award uplift to the management fee will carry forward into future years but cautioned this may be offset by further savings requirements for 2023/24.</p> <p>KF noted the budget modelling assumptions for future years have been updated to reflect assumed pay award of 4% in 2023/34, 2% in 2024/25 and 2% in 2025/26 used by Angus Council in their Medium Term Budget Strategy.</p> <p>The Board noted the content of this report.</p>
7.	<p>Coaches Review</p> <p>CK provided an update on the progress of the Coaches Review. He noted through the extensive work done in partnership with Thornton’s Employment Law Team, Angus Council HR and Angus Council Payroll it has been identified that ‘worker’ status is the most appropriate way to engage Group Fitness Instructors for classes.</p>

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	<p>CK provided an overview to explain how the new engagement arrangement will operate and noted if Board approve this proposal, a meeting will be arranged for January 2023 to inform Group Fitness Instructors of the changes.</p> <p>Decision: Directors unanimously approved the proposals and confirmed their agreement to move forward with this method of engagement for Group Fitness Instructors.</p> <p>KC joined the meeting KF left the meeting</p>
8.	<p>25_22 Macmillan Angus Libraries Project</p> <p>IS provided an overview of the proposals set out in the report. This project would build on the existing partnership with Macmillan and allow ANGUSalive to provide additional support to those with a cancer diagnosis by developing a space within Forfar Library for this express purpose.</p> <p>KH provided some background on the partnership with Macmillan noting they have been a supportive partner in the current work we do with then in both Sport Centres and Libraries.</p> <p>LD asked if there had been any engagement with professionally qualified volunteers who might be able to assist with this work. KH confirmed there had already been conversations with Maggie's Centre in Dundee who will use the new space at Forfar Library to deliver some of their services, like wig fittings, more locally for Angus residents. This model is already working successfully in other local authority areas, and we would look to draw on the lessons learned by these projects.</p> <p>DW asked the Board if they approve the Macmillan Angus Libraries Project grant offer of £188,620 and agree to delegate authority to IS to complete the online grant acceptance before 19 December 2022.</p> <p>Decision: The Board unanimously approved the proposals and confirmed their agreement to this project.</p>
9.	<p>26_22 Q2 Risk Register</p> <p>IS provided an overview of the latest Risk meeting noting there was one new risk relating to projects and investments. He added 8 out of the 13 identified risks remain in the red which is an increase from the last report.</p> <p>KH noted pre-agenda with the Chairperson and Vice Chairperson had identified a changing risk around the going concern issue and a new risk associated to the increased cost of utilities which need to be reflected in the risk register. Both risks have been flagged to the risk group for review and inclusion in the register at their next meeting.</p>

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	<p>There was discussion about the various versions of the risk register which had been shared and it was agreed this would be streamlined for better clarity.</p> <p>The Board noted the content of the report.</p> <p>Action: IS and GT to agree how to streamline risk register publication and share the updated version with Directors via Board Intelligence.</p>
<p>10.</p>	<p>26_22 Business Plan</p> <p>KH highlighted this report had also been shared with Angus Council colleagues ahead of a ANGUSalive Business Plan & 5 Year Savings Workshop held on 12 December 2022. At that session Council officers confirmed their agreement for specific proposals required to deliver management fee savings to be included in the business plan.</p> <p>KH advised the ANGUSalive Business Plan will form an annex, along with our 2023/24 charges review, to the Angus Council report to their Special Budget meeting in early March 2023 which confirms our management fee.</p> <p>The Board noted the content of the report.</p>
<p>11.</p>	<p>AOCB</p> <p>None</p>
<p>12.</p>	<p>Date of next meeting</p> <p>Full Board - Friday 17 February 2023</p>