AGENDA ITEM NO 15
REPORT NO 588/11

ANGUS COUNCIL
CORPORATE SERVICES COMMITTEE – 01 SEPTEMBER 2011

THE ALFRED DUNHILL LINKS CHAMPIONSHIP 2011, CARNoustIE, DD7 7JE
LEASE OF LAND
REPORT BY THE DIRECTOR OF CORPORATE SERVICES

ABSTRACT: This report advises the Committee of the outcome of negotiations for the lease of land to be used during the Alfred Dunhill Links Championship to be held in Carnoustie in September/October 2011.

1. RECOMMENDATION

It is recommended that the Committee approve the lease of land to IMG UK Ltd on the provisional terms and conditions contained in this report and such other conditions as deemed necessary by the Head of Property and the Head of Law and Administration to protect the Council’s interests.

2. BACKGROUND

The Alfred Dunhill Links Championship is an annual event held over three courses including the Championship Course in Carnoustie. The event takes place from 29 September to 02 October 2011.

Public parking for the event is usually located on the practice area which is controlled by the Carnoustie Links Management Committee. Due to the recent inclement weather and flooding of the practice area, Angus Council have received a request to lease the area of land adjacent to the Black Slab car park as shown on Appendix 1.

3. CURRENT POSITION

Agreement has now been reached on the main terms and conditions for the lease of the area adjacent to the Black Slab car park, Carnoustie

Parties: Landlord Angus Council
Tenant I.M.G. UK Ltd

Property: Grassed area adjacent to Black Slab car park. The area will be used for public car parking from 29 September to 02 October 2011.

Conditions:

a. The tenant will be responsible for all repairs and maintenance of the site and will be responsible for the reinstatement to the same condition as it was prior to the commencement of the lease and to the satisfaction of Angus Council. The tenant will also be responsible for the collection of all rubbish and litter.

b. It will be the responsibility of the tenant to obtain, comply with and indemnify Angus Council in respect of all necessary consents, permissions, licences and approvals required.

c. The tenant will indemnify the Council against all damage, loss and injury of every description which may occur to or affect the Council or its property or which may arise from or through the exercise of the rights by any authorised person including any persons invited by the tenants or the non-observance of any of the proposed agreement however expressed or implied.
d. It will be the responsibility of the tenant to pay all Local Authority rates, water, electricity and commercial waste costs relating to the period of the lease.

e. The tenants will be responsible for providing public liability insurance to the agreed level.

f. No alterations to the subjects will be carried out without the prior written consent of the landlord and will be carried out to the satisfaction of the Council’s Head of Property.

g. The tenant accepts the whole subjects are in good repair and are fit and satisfactory in all respects for the use to be made of them. No warranty therein is given or implied in this respect.

4. PROPOSALS

   It is proposed that Angus Council make no charge for the use of the above areas, this being part of the Council’s contribution to the event as per previous agreements for the Open Championships in 1999 and 2007 and the Senior Open Championship in 2010 and the British Women’s Open Championship in 2011.

   The tenant will not charge for public car parking in the area.

5. RISK

   This report does not require any specific risk issues to be addressed.

6. FINANCIAL IMPLICATIONS

   There are no financial implications as a result of this report.

7. HUMAN RIGHTS IMPLICATIONS

   There are no Human Rights Act implications specific to this report.

   Any implications, as a consequence of discharging recommendations detailed in this report, will be managed in accordance with the standing procedures and processes established by the Property Division.

8. EQUALITIES IMPLICATIONS

   The issues contained within this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

9. CONSULTATION

   The Chief Executive, Director of Neighbourhood Services, Head of Finance and Head of Law and Administration has been consulted in the preparation of this report.

10. CONCLUSION

    The successful outcome of the RICOH British Women’s Golf Championship in Carnoustie in 2011 requires the use of land in Council ownership. Provisional agreement has now been reached for the lease of these sites.

Appendix 1   Plan showing grassed area adjacent to Black Slab car park.
Note: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing the above report.

Property/JP/NCM/SM
Appendix 1 - Black Slab car park and surrounding grassed area.