

The Highland Council

Agenda Item	4
Report No	BSAC/05/24

Committee: Badenoch & Strathspey Area Committee

Date: 3 June 2024

Report Title: Granttown on Spey Common Good Fund – consultation on proposal to change the use of the Market Square to allow for mandatory charging for events, pitches and stalls

Report By: Executive Chief Officer – Communities and Place
Acting Executive Chief Officer – Performance and Governance

1. Purpose/Executive Summary

- 1.1 This report provides information on the outcome of the public consultation under section 104 Community Empowerment (Scotland) Act 2015 (the Act) in respect of the proposal to change the use of Granttown on Spey Market Square to allow for the introduction of mandatory charging for market pitches, events and stalls.

2. Recommendations

2.1 Members are asked to:

- i. **Note** the outcome of the consultation process undertaken as contained in the analysis at **Appendix 1**.
- ii. **Approve** the responses to the representations received within the consultation period for publication on the Council's website as contained in the table in **Appendix 2**.
- iii. **Note** the balance of the representations received together with the responsibilities for the Granttown on Spey Common Good fund in order to decide whether to *Agree* the proposal proceeds or *Should not* proceed.
- iv. Taking into account the representations received, the evidence gathered from the pilot Invitation to Pay Scheme and the level of benefit likely to be received at this stage, it is recommended that Members should:
 - **Agree** that the proposal to change the use to allow for the introduction of mandatory charging should not proceed
- v. **Note** that if Members decide to agree the proposal to allow mandatory charging, it will be necessary to seek Sheriff Court approval because The Square is considered to be inalienable.

3. Implications

- 3.1 Resource – Granttown on Spey Common Good Fund holds only a few assets with minimal income generation potential. As a recently reactivated Common Good Fund, it also has negligible cash reserves. Therefore, charging for use of the Market Square would represent the opportunity for Granttown Common Good to begin to accumulate some regular income albeit at a moderate level.
- 3.2 Legal -. The change of use contained in the proposal is to introduce mandatory charging for the use of space on The Square. This is significantly different to the historical position and even, to the current position whereby a donation is invited but an applicant can still seek use of the space for free. It is the mandatory element that has triggered the requirement to consult and the statutory requirement to consult has been complied with.

Where land is also considered to be inalienable, there is a statutory requirement to seek Court approval to the disposal. The Market Square is considered to be inalienable Common Good land and therefore, should the proposal be agreed, the requirement to seek Sheriff Court approval for the proposal must also be complied with.

- 3.3 Community (Equality, Poverty, Rural and Island) – the potential to charge for events and stalls on the Market Stall creates the opportunity for income generation which can, in turn, be considered for use for the benefit of the community. This represents a first step in creating a fund for future generations.
- 3.4 Climate Change / Carbon Clever – none.
- 3.5 Risk – none.
- 3.6 Health and Safety (risks arising from changes to plant, equipment, process, or people) – any such risks will be managed in accordance with Highland Council health and Safety policies and procedures in relation to short term lets/markets etc.
- 3.7 Gaelic – none.

4. Consultation on proposal to change the use of the Market Square to allow for mandatory charging for events, pitches and stalls

- 4.1 The Market Square has been assessed as a Common Good asset of Granttown on Spey having been gifted to the former Burgh by the Right Honourable Nina Caroline Ogilvie Grant, Countess of Seafield, on 15 June 1966.
- 4.2 Each year the Market Square is used for a number of events of varying sizes. In considering income generation for Granttown Common Good, it is accepted that it holds very few assets overall with only a minimum of which have potential for producing revenue. One of those is the Market Square. Historically, and prior to being assessed as Common Good, no charge has been made for its use.
- 4.3 The Granttown on Spey Common Good budget was discussed at the Badenoch & Strathspey Area Committee on 6 February 2023. Members agreed an interim Invitation to Pay scheme for a pilot period of 12 months from 1 April 2023. The Invitation to Pay scheme would not have represented a change of use because, although sums are suggested, it operates as a donation scheme and applicant to use The Square would retain the option not to make a payment and continue to use it free of charge.

However, Members also wished to consider mandatory charging for the use of The Square. This represents a significant change of use and, as such, triggered the requirement to consult. As a result Members agreed that the formal consultation process in respect of the proposal to change to mandatory charging should be commenced and be conducted whilst the pilot invitation to pay scheme was ongoing.

4.4 The public consultation in respect of the mandatory charging proposal commenced on 5 October 2023 and concluded on 1 December 2023. In addition the pilot period for the Invitation to Pay scheme of 12 months has been completed. An analysis of the outcome of the consultation has been prepared and can be found at **Appendix 1**. This document provides a brief summary of the themes applicable to the objecting, agreeing and mixed views.

4.5 **Summary of responses received**

A total of 23 responses were received from community groups and local residents. The responses are broken down as follows:

- 1 yes (4.35% of total responses received)
- 17 no (73.91% of total responses received)
- 1 no unless community run (4.35% of total responses received)
- 3 mixed (13.05% of total responses received)
- 1 yes but with some concerns (4.35% of total responses received)

The breakdown of the representations received indicates that nearly three quarters of those who replied to the consultation oppose the proposal.

4.6 **Appendix 1** provides the analysis and distils a summary of the themes running through the categories of responses as follows:

- The themes of concern running through the objection representations are as follows:
 - Charging will discourage people from organising events.
 - Charges may reduce numbers taking part in organised events.
 - Concern that this is charging to raise money for general Council liabilities.
 - If the number of events reduce, it will have a consequential impact on the wider Grantown business community.
 - May cause an increase in financial pressures.
 - Lack of clarity about the charging structure proposed.
 - Lack of clarity about the background to Common Good in general.
- The mixed representations raise points including:
 - Charging should only be for private or commercial events and but not for free or volunteer run events.
 - Clarity needed that charging should be per event for the organiser – make it clear a trader does not pay a pitch fee to the event organiser and a further fee to the Common Good.
 - Consider discounts for multiple bookings.
 - Concerns that the Invitation to Pay trial period will not have run for long enough to provide sufficient evidence as part of the decision making.

- Need more clarity on a realistic figure of possible funds that may be raised.
- The supporting representation could see the benefit in clarity and structure in relation to fees for event organisers especially if they remain as suggested and paperwork is kept straightforward.

Appendix 2 contains a table producing all representations received verbatim (any identifying information has been removed) and the Council's responses.

Of those opposing replies all believe that any charging will make a significant number of the current events untenable for organisers and stall holders which, in turn, would reduce footfall into Grantown as a whole to detrimental effect on the wider business community.

A few of the replies also expressed some confusion over the proposed charging structure – whether it would be per event or for each individual stall and potential risks for double charging.

5. Review of Invitation to Pay pilot scheme

- 5.1 Alongside the consultation process, the Council has been operating a pilot Invitation to Pay in respect of events seeking to use the Market Square.
- 5.2 The management of the Invitation to Pay scheme was undertaken at local Ward level by the Community Development Manager (former Ward Manager position) to process the let request via Members then issuing the permissions for use of The Square. The recommended donations for the lets are based on the figures suggested below:

Rate	Charge
Hourly	£10.00
3 Hour Block	£25.00
Daily	£50.00
Weekend	£100.00

Local Charities	50% reduction in charge
Local Schools/Nurseries	Free of Charge

- 5.3 In respect of that scheme the evidence obtained is as follows:

Since the Invitation to Scheme has been in place there has only been 7 booking.

This breaks down as follows.

- Only 6 have given a payment to the invitation to pay.
- No evidence to show there has been any groups who have decided against using Market Square.
- The fees paid are in line with the proposed costs as outlined within the Grantown on Spey Common Good, Suggested Lets Donations in the table at 5.2.
- From April 2023 to date there has been a total of £140 received.
- The Moray Farmers Market has committed to hosting its monthly markets in The Square and has agreed to donate £50 per market. The Farmers Market has not previously made any payment during the previous years of the market operating. At total of £450 should be received by the end of the year.

- 5.4 The evidence suggests that, whilst there is use of the area over a 12-month period, there is not a weekly request for use.

The above shows that while these events benefit the wider community, the fees received by the council are minimal and provide little return for the Common Good Fund. However, there may be scope for considering development of such use of the space within The Square with a view to increasing income generation potential.

6. Options for next steps

- 6.1 Section 104 of the Act requires that, in deciding whether to dispose or change the use of Common Good property, The Council must have regard to any representations received. Whilst “have regard” does not bind the Council to follow those opinions, careful consideration is needed given that nearly 75% of the representations are against any form of charging, mandatory or voluntary.

- 6.2 Members are asked to consider the outcome of the consultation. In doing this, Members must have regard to the representations received, the issues raised, the proposed responses and their responsibilities to Grantown on Spey Common Good fund.

- 6.3 The available options are as follows:-

- Agree the proposal to change the use to allow mandatory charging for events, pitches and stalls on The Square should proceed subject to Sheriff Court approval.
- Amend the proposal (any significant amendment would require a new consultation process).
- Decide that the proposal should not go ahead.

- 6.4 As the value associated with this proposal is less than 10% of the value of Grantown on Spey Common Good fund the governance for making this decision rests with Members at Area Committee.

- 6.4 Taking into account the representations received, the evidence gathered from the pilot Invitation to Pay Scheme and the level of benefit likely to be received at this stage, it is recommended that Members should decide that the proposal to introduce mandatory charging should not go ahead.
- 6.5 If Members are in support of the recommendation, it remains open to Members to agree that the Invitation to Pay donation scheme should continue perhaps with a review to allow for possible development of the use of the space within The Square with a view to increasing income generation potential.

Designation: Paul Nevin, Acting Executive Chief Officer Performance and Governance
Allan Gunn, Executive Chief Officer Communities and Place

Date: 15 May 2024

Author: Sara Murdoch, Common Good Fund Officer
Mark Greig, Community Development Manager, Inverness & South

Appendices: Appendix 1 – Analysis of Consultation
Appendix 2 – Representations and Responses

GRANTOWN ON SPEY COMMON GOOD

ANALYSIS OF COMMUNITY CONSULTATION ON THE PROPOSAL TO CHANGE THE USE OF GRANTOWN ON SPEY MARKET SQUARE TO ALLOW FOR THE INTRODUCTION OF MANDATORY CHARGING FOR MARKET PITCHES, EVENTS AND STALLS.

1. Number of responses received

The public consultation period ended on 1 December 2023 with a total of 23 responses having been received. Responses were received from community groups and local residents. These responses are broken down as follows:

- **1 yes** (4.35% of total responses received)
- **17 straight no** (73.91% of total responses received)
- **1 no unless community run** (4.35% of total responses received)
- **3 mixed** (13.05% of total responses received)
- **1 yes but with some concerns** (4.35% of total responses received)

2. Representations received

This analysis provides a brief summary of the themes of the comments raised. However, Appendix 2 to the Badenoch & Strathspey Area Committee report 3 June 2024 is a table containing verbatim reproductions of all of the representations received together with proposed responses to those representations. In compliance with the Council's data protection policy and the statutory guidance, identifying information has been removed/redacted.

Members must have regard to the contents of these representations when making a decision in respect of the proposal.

3. Analysis of the consultation process

Based on the simple percentage breakdown, the majority opinion of those who have commented within the consultation is to reject the proposal.

However, those percentage figures must be considered alongside the reasons and explanations contained within the representations.

The themes of concern running through the objection representations are as follows:

- Charging will discourage people from organising events.
- Charges may reduce numbers taking part in organised events.
- Concern that this is charging to raise money for general Council liabilities.
- If the number of events reduce, it will have a consequential impact on the wider Grantown business community.

- May cause an increase in financial pressures.
- Lack of clarity about the charging structure proposed.
- Lack of clarity about the background to Common Good in general.

The mixed representations raise points including:

- Charging should only be for private or commercial events and but not for free or volunteer run events.
- Clarity needed that charging should be per event for the organiser – make it clear a trader does not pay a pitch fee to the event organiser and a further fee to the Common Good.
- Consider discounts for multiple bookings.
- Concerns that the Invitation to Pay trial period will not have run for long enough to provide sufficient evidence as part of the decision making.
- Need more clarity on a realistic figure of possible funds that may be raised.

The supporting representation could see the benefit in clarity and structure in relation to fees for event organisers especially if they remain as suggested and paperwork is kept straightforward.

The report before Badenoch & Strathspey Area Committee on 3 June 2024 will also include information gathered from the pilot Invitation to Pay donation scheme that has been operating since 1 April 2023. The evidence and feedback from the outcome of that scheme should also be taken into account in any final decision making in respect of this matter.

4. Next steps

- Consider and agree responses to the above questions/issues raised. Once approved they will be included in a document for publication on the Council website and notifying to those who have responded within the consultation process.
- Members to consider the outcome following the consultation process.

5. Decision making options

Available options in the terms of recommendations to be made to full Council are as follows:-

- Decide proposal should go ahead in the terms of the consultation document.
- Consider if any amendments to the proposal may be necessary in light of the representations received – any significant amendments will trigger a fresh consultation process.
- Decide that the proposal should not go ahead.

6. Additional information

The Highland Council has a statutory obligation to seek Court consent before disposing or changing the use of Common Good property which may be “inalienable”.

In this context “inalienable” refers to Common Good property that falls into at least one of the following categories:

- The Title Deed of the property dedicates it to a public purpose, or
- The Council has dedicated it to a public purpose, or
- The property has been used for public purpose for many years (time immemorial) without interference by the Council.

In this case, the Title Deed is a gift to mark the 200th anniversary of the formation of the town of Grantown which could be construed as a dedication for a public purpose. In addition, public events have occurred in The Square for many years which could qualify as time immemorial.

As a result it is considered that The Square is inalienable Common Good property and as such, if the outcome of the consultation is to proceed with the proposed change of use, the consent of the Sheriff Court pursuant to section 75 Local Government (Scotland) Act 1973 will also be required.

Sara Murdoch
Common Good Fund Officer
16.04.2024

GRANTOWN ON SPEY COMMON GOOD**CONSULTATION ON PROPOSAL TO CHANGE THE USE OF THE MARKET SQUARE TO ALLOW FOR
MANDATORY CHARGING FOR EVENTS, PITCHES AND STALLS**

REPRESENTATIONS AND RESPONSES		
ID ref no	Representation received reproduced verbatim	Council's responses
1	<p>Hello, I'm writing to object to any changes of the usage of the square in Grantown on Spey.</p> <p>As a resident, I regularly attend the market days, which can be held because there is no charge to the vendors. If Highland Council begin to charge the vendors, most will choose to move elsewhere and we'll lose the variety we enjoy currently.</p> <p>Please take this email as a vote to stay as is, a free space without charge to vendors and events.</p>	<p>Comments have been noted and considered within the consultation process.</p>
2	<p>Hello,</p> <p>I am a resident of Nethy Bridge and I strongly disagree with the proposed change of use to Grantown Square. Having the use of this space as a common good asset facilitates any number of community-led activities and events.</p> <p>Access to such communally-held spaces is increasingly vanishing within 21st century life and the common public asset of the square should be preserved and celebrated.</p>	<p>The Square is classified as a Common Good asset and, as such, any income generated must be held, administered and managed separately to the Council general fund. Therefore, any income generated would not be used to help the Council balance its books but must be used to the benefit of the inhabitants of the former Burgh area.</p> <p>The intention of the proposal is not to make the use of the Square difficult but rather to provide the Grantown Common Good fund the opportunity to start to accumulate funds for future community benefit.</p>

	<p>Whilst I appreciate the need for the council to balance its books, the loss of the events (such as the annual Hogmanay night) would be a greater cost to the town than any monetary gain.</p>	
3	<p>I am writing to express my opposition to the proposal for change of use of Grantown market square for the introduction of charges.</p> <p>I have considered the consultation document and all others linked to this.</p> <p>I struggle to see any valid argument for the introduction of charges other than by dint of the recent reclassification which includes this area in the Common Good Fund.</p> <p>There is no specification as to how any revenue might be used nor the future projects referred to. There is no argument that suggests a need, nor a benefit to the community of such a levy on this particular area of ground.</p> <p>Whilst I agree with the merits of the CGF, this proposal seems to be charging for the sake of securing revenue. The proposal lacks context as to what other revenues could be raised from other initiatives and what funds are already received. It also fails to set out what unmet needs have been identified or to address the likely negative impact on the community.</p> <p>The impact on Grantown and the surrounding population would be significantly detrimental. As already noted in the minutes, the events in the square are well supported, bring huge footfall to the area and increased trade to local shops, restaurants and hotels. It would be extraordinarily foolish, particularly in the current economic crisis, to do anything that may jeopardise that.</p>	<p>Part of the management and administration of the Highland Common Good funds is to consider any income generating opportunities to allow a particular fund to accumulate revenue reserves either for use in maintaining Common Good assets or for use in future projects for the benefit of the community. It is understood that this would take time as suggested rental levels are low.</p> <p>Any plans as to future use of any funds cannot be formally confirmed unless the consultation is approved and time allowed for the revenue funds to accumulate.</p> <p>Regarding funds from other sources or funds already received – this is outwith the scope of this consultation which relates solely to Common Good assets.</p> <p>The intention of the proposal is not to make the use of the Square difficult but rather to provide the Grantown Common Good fund the opportunity to start to accumulate funds for future community benefit.</p>

	<p>It is highly likely that such events would be less attractive to stall holders and economic partners and result in such events being unsuccessful. This would have such a detrimental consequence to local businesses and would be demoralising for those volunteers who seek to provide the community with market/event opportunities.</p> <p>The post covid reality is that community and voluntary participation has diminished. For it to ever recover, we must not introduce barriers to the successful events that allow community spirit to regenerate and build confidence in the purpose and productivity of these events.</p> <p>Whilst I appreciate the need to reassess the absence of charges, I do wonder the motives for reclassification. Not everything needs to be commercialised. Sometimes you need to look at the greater good and wider impact of an asset and chose, wisely, not to monetise it.</p>	
4	<p>Hello</p> <p>I am writing to place my objection to the proposal to charge for stalls and events in Grantown Square.</p> <p>As a business owner of a B&B in Grantown, I have seen the positive socioeconomic effect of events taken place in Grantown Square year-round. This has benefitted both domestic and international travellers to enhance the towns prospect as a place for visitors (and the vital financial impact that has on rural communities such as ours).</p> <p>I have also seen the benefits for locals and their families. Having a small rural community means that holding events in the square provides a 'emotional boost' and helps enhance our community. It has also helped to raise much needed funds for community projects the council are unable to commit too (Dulaig park?)</p>	<p>The Square has been classified as a Common Good asset. As such, any income generated by Common Good assets must be held, administered and managed separately to Council general fund matters. Therefore, any funds generated cannot be used to fill Council budget gaps elsewhere.</p> <p>The intention of the proposal is not to make the use of the Square difficult but rather to provide the Grantown Common Good fund the opportunity to start to accumulate funds for future community benefit.</p> <p>Any comments on short term licensing and tourism tax are outwith the scope of this consultation.</p>

	<p>I have witnessed many small volunteer-led groups struggle with red tape, bureaucracy and the cost of organising events in the square. Add to this another additional cost and it will not encourage stall holders or organisers to continue doing any events in town.</p> <p>The Highland council struggle with funds, yet communities and the businesses within them are continually stretched financially to bridge the economic casm perpetuated by the council itself.</p> <p>STL licensing has stripped away businesses and will impact the tourism infrastructure, add to this yet another money spinning idea from the council, we can then hammer yet another nail into the coffin of our rural community.</p> <p>Oh yes, and don't forget the tourism tax...another misguided money making ponzi scheme to pour more money into a mismanaged institution of the government and it's representatives, the Highland Council.</p>	
5	<p>I strongly object to these changes.</p> <p>Grantown on Spey square open spaces should continue to be used for free and charging for use of this space is a scandalous money grab by highland council.</p> <p>This type of money grab discourages those who give up their own precious time, effort and own money for the greater good and will see the end of the fantastic of events such as Hogmanay, Thunder in the Glen etc all Of which rely heavily upon volunteers.</p>	<p>The Square has been classified as a Common Good asset. As such, any income generated by Common Good assets must be held, administered and managed separately to Council general fund matters. Therefore, any funds generated cannot be used to fill Council budget gaps elsewhere.</p> <p>The hope of the proposal was that it would allow the Grantown Common Good fund to start to accumulate revenue funds that would allow for future community benefit. It is understood that this would take time as suggested rental levels are low.</p>
6	<p>Dear Sirs,</p> <p>I object most strongly to Highland Councils proposals to charge for the use of The Square in Grantown. The Square was gifted to the people of</p>	<p>The title deed for the Square states that it is gifted to the Provost, Magistrates and Councillors of the Burgh of Grantown on Spey to</p>

	<p>Grantown and as such should remain for the people to enjoy the gift with charge.</p> <p>Over the last 50 years I have been involved with many organisations who have enjoyed the free use of the Square to raise money for their activities which have benefited the local community. Almost all of these organisations would have had second thoughts about whether or not it was financially viable to hold their event with the cost implications of a charge for doing so.</p> <p>Mainly events taking place in the square are non commercial, all profits going to the good of the community (the Farmers Market being perhaps the exception). To introduce this charge would be a disaster.</p> <p>The various clubs and organisations in small towns and villages such as ours do not need any form of charges, most are struggling to survive and an additional cost would be catastrophic.</p> <p>I urge the council to reconsider their view on this matter and leave The Square and others similar, and abandon this proposal entirely.</p>	<p>mark the two hundredth anniversary of the formation of the town. The deed contains no restrictions on specific use.</p> <p>An Invitation to Pay short term let scheme has been in operation since the Area Committee meeting on 1 April 2023. (Grantown Initiative refused to donate for Hogmanay 2023, Cairngorm Farmers Market were not aware and did not seek permission for 2023, Thunder in the Glen paid £100 only).</p> <p>During the Invitation to Pay pilots operation, there have been 7 bookings with 6 out of the 7 making a donation.</p> <p>The proposal for the mandatory charging scheme is to establish some structure about the process as well as to generate income for Grantown Common Good fund.</p>
7	<p>Good morning,</p> <p>please find below my response to this consultation:</p> <p>At a time where business in Grantown is already struggling and many are closing, Highland Council wishes to put more financial pressure on small businesses using the events in the square to bring customers to our main street, promote their businesses and help the community come together.</p> <p>To propose such a detrimental thing to the community in a financial crisis is nothing short of ludicrous. Grantown would already be falling apart without volunteers (Food table, christmas events, soup afternoons....) and we have very little evidence of HC helping our town as is, so the least HC can do is to not make things harder for us.</p>	<p>Comments have been noted and considered within the consultation process.</p> <p>For clarity, any income generated on behalf of a Common Good fund must be managed, administered and accounted for separately to Council general fund incomes. Any use of Common Good income would be in the interests of the inhabitants of the former Burgh area and would not be used to fund general Council expenses.</p>

	<p>I understand financial pressures but may I suggest that HC make smarter business decisions and cut wasteful processes before money grabbing in our community.</p> <p>This change of us is not in the interest of the community or anyone else and must not happen!</p>	
7 further comment	<p>Thank you, I appreciate you taking the time and I understand the common good principle - certainly in the case of a car park but not on this.</p> <p>My question is: If there will in future be a charge on market stands using the square, small producers will no longer attend (as they have already confirmed in numbers) so essentially this will kill off our small producers showcasing locally. Guaranteed. Generating money to benefit the community by harming it financially in the first instance cannot be the goal.</p> <p>Is there a position on this?</p>	<p>Comments have been noted and considered within the consultation process.</p> <p>The intention is not to over burden this financially resulting in things like Cairngorms Farmers Market or Thunder in the Glen becoming unviable. However, the Council must also be mindful that, by allowing small businesses the opportunity to use the Square as a free to use place of business, it could be giving them an unfair advantage over businesses which are operating and funding commercial business premises on The Square.</p> <p>Any income generated from charging for use of the Square will be received into Grantown Common Good Fund which, in turn, could then potentially offer financial support to non-commercial community events being held in the Square.</p>
8	<p>To whom it may concern</p> <p>I am taking the time to write this email to object to the change of use of Grantown market square.</p> <p>I believe this will hugely impact event organisers, volunteers, small businesses and the town on a whole. In a time that is hard enough for our local traders with rising costs it will put volunteers off organising our much loved events and decrease footfall on our high street.</p>	<p>Comments have been noted and considered within the consultation process.</p>
9	<p>Good evening,</p>	<p>Comments have been noted and considered within the consultation process.</p>

	<p>As a former committee member of MotorMania, which was hosted annually in the Square in Grantown on Spey, I can only say why would you want to charge for something that is set up for the benefit or enjoyment of the community? By all means charge for private or commercial events but not for anything that is free and run by volunteers.</p>	<p>The hope of the proposal was that it would allow the Grantown Common Good fund to start to accumulate revenue funds that would allow for future community benefit. It is understood that this would take time as suggested rental levels are low.</p> <p>During the Invitation to Pay pilots operation, there have been 7 bookings with 6 out of the 7 making a donation. Comment regarding commercial events is noted.</p>
10	<p>Hello</p> <p>Whereas I appreciate the need to enhance the Common Good Fund I regrettably oppose it. Voluntary organisations are struggling, local business is struggling, people are still struggling with the aftermath of the pandemic and austerity. The life of any small town relies on local events with the opportunity to engage in social interaction. Quite frankly it would kill the town.</p> <p>Reading the National Park's master plan for the next four years concentrating on people and place this move goes against everything they aim to achieve. We need more events not less. Perhaps they would consider a grant to improve the shortfall. This is a petty and disastrous decision in every way.</p>	<p>Comments have been noted and considered within the consultation process.</p> <p>Whilst all Common Good property is legally owned by the Council, the Common Good Policy aims that, as far as possible, each area fund that has income generating assets should be responsible for its Common Good assets financially either in full or in part. There is currently an ongoing piece of work which will seek to establish a model for measuring the needs and abilities of each fund in respect of taking responsibility for the services and liabilities relevant to the fund's Common Good assets. Further information on the outcome of this piece of work will be provided as it develops.</p>
11	<p>Re: Grantown on Spey's market square - change of use</p> <ul style="list-style-type: none"> • What are your views on the proposal to introduce a mandatory charging scheme for events held on The Square, Grantown on Spey? <p><i>In short, what is the point? While the square hosts events periodically, they aren't that frequent and they're hardly 'over subscribed' when it comes to stalls, etc?</i></p>	<p>The charging scheme would be managed at area level. Any income generated is accounted for, managed and administered separately to Council general fund. Therefore, the value is directly to the Common Good and not the Council general fund.</p> <p>It is acknowledged that any income would not be massive but it would allow the fund to build incrementally over time with the potential for future use for the benefit of the community.</p>

<p><i>These events need to be supported; not have unnecessary hurdles put in front of them to make them harder to arrange, more costly for vendors (particularly smaller new local attendees).</i></p> <ul style="list-style-type: none"> • Do you have any views on the suggested rates of charging proposed? <p><i>Yes.</i></p> <p><i>1 The rates appear present a negligible value to the council, yet they will require background administration and enforcement. To the council, juice isn't worth the squeeze.</i></p> <p><i>2 To vendors and stall holders this is a material outlay. Attending any of these events is a risk, and a material business commitment (often largely time commitment, rather than cost commitment). Although the fees are small in the context of return to the council; they present another risk/hurdle to small businesses, which, I fear may leave them asking "why bother"?"</i></p> <p><i>There already material hurdles like weather risk and staffing availability to overcome.</i></p> <ul style="list-style-type: none"> • Do you have any views on potential benefits of the proposal? <p><i>So small so as to be irrelevant when compared to the downside?</i></p> <ul style="list-style-type: none"> • Do you have any issues or concerns arising from the proposal? <p><i>Stated above; this proposed policy seems to particularly penalized small local businesses, adds risk and cost to them attending events which aren't exactly money spinners much of the time anyway.</i></p> <p><i>These events bring money to the area which is much more important than a negligible tax contribution.</i></p>	
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	<ul style="list-style-type: none"> • Do you have any additional comments? <p><i>Please reconsider. Don't make life harder for small communities to thrive.</i></p> <p>3. The proposal does not go ahead.</p> <p><i>Is the correct option.</i></p>	
12	<p>I'm grateful to have received the request for responses to the Grantown Common Good Consultation from a fellow resident of Grantown.</p> <p>As a regular visitor to, and organiser of, events in The Square, Grantown (as well as a resident of the town), I'm glad to be able to give some practical and experienced input to the consultation.</p> <p>Also, having watched the recording of the Badenoch and Strathspey Area Committee of 6th February 2023, and read the agenda and papers, I'm now informed as to the history leading to this consultation, and the worrying fact that the most vocal councillor in the meeting seemed to already have made their mind up of the needed outcome. That's against guidance to councillors that they may be minded in a particular way, but not decided, prior to a meeting and decision.</p> <p>Please don't hesitate to ask me any follow-up questions as you review my response.</p> <p><u>Key questions</u></p> <ul style="list-style-type: none"> • What are your views on the proposal to introduce a mandatory charging scheme for events held on The Square, Grantown on Spey? 	<p>No decision was intended to be implied at the meeting on 6 February 2023 however, it is legitimate for differing views to be expressed during a transparent debate.</p> <p><u>Key questions</u></p> <ul style="list-style-type: none"> • What are your views on the proposal to introduce a mandatory charging scheme for events held on The Square, Grantown on Spey? <p>There is potential for this per event suggestion subject to any charging framework remaining as straight forward as possible to accommodate the varying sizes of events.</p>

<p>The proposal to introduce a mandatory charging scheme for events held on The Square, Grantown-on-Spey, is flawed, and potentially directly detrimental to the town's wellbeing and its economy.</p> <p>Based on the principle in the current application process and 'charges', which is per "pitch" or per "stall", (not per event), roughly 90% of all events held in The Square in 2023 will be immediately unviable, thus diminishing the visitor footfall to Grantown by minimum 3,000, and potentially up to 9,000 a year. The effect on the local economy will be material and detrimental.</p> <p>Finally, the Common Good Fund will not benefit from mandatory charges. The receipts to the fund will be minimal next year if these charges are introduced, and the town ends up having less events and attractions for visitors. No-one will win.</p> <p>If the process is changed and the charge is per event instead, then the total will be £500 from commercial events, and £100 from local / charitable, which I imagine won't even cover the cost of administrating the process.</p> <ul style="list-style-type: none"> • Do you have any views on the suggested rates of charging proposed? <p>The rates are almost completely lacking cognisance of the current market rates for stalls, both commercial and charitable. The proposed charges will make almost all - circa 90% - of events held in The Square in 2023 unviable. See the attached spreadsheet for a well-informed assessment of why. In summary, the margin left for either a commercial operation or a charitable endeavours, will be tiny compared to the effort and costs expended.</p> <p>The spreadsheet attached shows a summary of known events in The Square in 2023. I've assumed that</p>	<p>During the Invitation to Pay pilots operation, there have been 7 bookings with 6 out of the 7 making a donation.</p> <ul style="list-style-type: none"> • Do you have any views on the suggested rates of charging proposed? <p>A copy of the referred to spreadsheet is attached at the end of this document.</p> <p>Following on from the conclusion of the consultation process, discussions have taken place with the Farmers Market organisers who have now agreed to pay £50 per market held.</p>
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	<p>(a) as per the documentation from this year, the change is per pitch or stall, not per event;</p> <p>(b) no commercial operation would see viability at less than a £500 daily margin to cover personnel and other costs;</p> <p>(c) there are always other costs that would make the margin disappear, so perhaps even £500 is generous, and it should be £1,000;</p> <p>(d) all commercial events include time and people beforehand and after, and thus the margin needs to be higher than some might think;</p> <p>(e) local / charitable organisations depend on many hours of volunteers, and also other costs, and this has to found / raised elsewhere.</p> <p>•</p> <p>Do you have any views on potential benefits of the proposal?</p> <p>There is a principle of community benefit that has a small amount of potential, but only if led by a local group, with specific and particular understanding of local needs. That includes how The Square should be used. And based on that experience, very helpful direction can be given to the Highland Council as to their responsibilities for upkeep of The Square.</p> <p>The benefit though is almost negligible regards charging, as the Highland Council is already responsible for the upkeep of The Square under its statutory obligations.</p> <p>•</p> <p>Do you have any issues or concerns arising from the proposal?</p> <p>Many, as listed above. An additional concern is that upon gifting The Square to the 'burgh', it is highly likely that the Countess of Seafield did not envisage charging for its use becoming a way to make money for the Highland Council to cover the costs of its statutory duties. I</p>	<p>• Do you have any views on potential benefits of the proposal?</p> <p>Whilst the Council as owner is responsible for the upkeep for the Square, there is an expectation that, where possible, Common Good funds will seek to generate income to undertake maintenance in respect of assets assessed as Common Good. Any surplus funds can then be accumulated towards benefitting the community. Notwithstanding this, it is acknowledged that any income generated will be small and will take time to accumulate.</p> <p>• Do you have any issues or concerns arising from the proposal?</p> <p>The Countess of Seafield gifted the Square to the Burgh Council to mark the two hundredth anniversary of the</p>
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	<p>acknowledge that this has not been explicitly called out in a paper or in a meeting. But this seems to me to be inevitable.</p> <p>If anyone should have responsibility for the The Square, it should be the Grantown Community Council, through delegated powers, and with associated funding. As the community council is not currently constituted, perhaps the Grantown Initiative might be given the opportunity.</p> <ul style="list-style-type: none"> • <p>Do you have any additional comments?</p> <ul style="list-style-type: none"> - Re-examine the nature and details of the proposal, in particular recognising how the proposed charges are out of touch with economic reality. Allow this to inform a careful re-assessment of the whole proposal, potentially bringing this consultation to an early end, and a restart - with better framing and options - next year. - Consider alternatives such as placing the asset (The Square) via a tenancy with another group: potentially the community council, the Grantown Initiative, or a local commercial operation. i.e. those that can manage it locally, relying on the Highland Council to meet its ongoing statutory obligations, and allowing for some improvements to The Square and town to be decided locally and covered by the Common Good Fund. 	<p>formation of the town. The deed contains no restrictions on specific use or method of use. Her intention could also have been that the Council would use the Square to help the town to continue to prosper which would indicate charging as a possibility. However, in the absence of any specific information to clarify, any speculation as to what may or may not have been in mind at the time of gifting is beyond the scope of this consultation.</p> <p>A Community Council is not part of the local authority and therefore, cannot received delegated powers in the way suggested. Ultimately only the Council has the decision making responsibility in respect of the property it owns which is managed and administered in accordance with the Council governance. The same position would apply to the Grantown Initiative.</p> <ul style="list-style-type: none"> • Do you have any additional comments? This comment is noted. If it was to be let as suggested, it would be reasonable for the Common Good to expect to receive an income by way of rental payment. In addition, most modern leases pass some responsibility for maintenance on to the tenants.
13	<p>Dear sir or madam, Please find below my response to you consultation proposal to charge for the use of the Square in Grantown.</p> <p><u>Key questions</u></p> <ul style="list-style-type: none"> • What are your views on the proposal to introduce a mandatory charging scheme for events held on The Square, Grantown on Spey? <p>I feel that that this is the wrong thing to do. The majority of events are community led and an additional charge is likely to mean they do not</p>	<p><u>Key questions</u></p> <ul style="list-style-type: none"> • What are your views on the proposal to introduce a mandatory charging scheme for events held on The Square, Grantown on Spey? These comments have been noted within the consultation. Commercial activity could be defined as anything that generates income via sales of goods &

<p>happen. The square is a key community asset and so charging for its use could damage this active part of the community life.</p> <p>There is an argument for charging purely commercial activity. This might include the farmers market. However the definition of what is a community vs commercial event should be carefully considered with a precautionary approach take in any ambiguous case favouring non payment.</p> <ul style="list-style-type: none"> • Do you have any views on the suggested rates of charging proposed? <p>Clearly there should be none for community use, and this should be more than just the school activities. Commercial event should be charged a propionate charge relative to the use.</p> <ul style="list-style-type: none"> • Do you have any views on potential benefits of the proposal? <p>You consultation document is poorly written with no definite commitment to contributing funds to the common good fund, also there is no clarity on whether the fund generated would be rung fenced for use in Grantown</p> <p>.</p> <ul style="list-style-type: none"> • Do you have any issues or concerns arising from the proposal? <p>I am genuinely concerned that this proposal will deter small and community events which are important to the culture of the village.</p> <ul style="list-style-type: none"> • Do you have any additional comments? <p>the vagueness of the benefits and charge create uncertainty over the proposal. We do not know for example what the final charge might be after the first year. If this is a nominal charge for just the first year what will it be afterwards and who will decide.</p>	<p>produce or ticket sales/entry fees. However, some discretion should be applied and each application will be considered individually.</p> <ul style="list-style-type: none"> • Do you have any views on the suggested rates of charging proposed? Community use should not necessarily mean there should be no charge. A number of community events across Highlands charge for entry or involvement as a way of fundraising. • Do you have any views on potential benefits of the proposal? Any income generated by Common Good assets is income of the Common Good fund and must be received by that fund in full. There is no statutory requirement that states that income generated by a particular Common Good fund can only be spent in that area. However, in spending any income generated, Members must have regard to the interests of the residents of the former burgh area. An example of this would be investment in something outwith Grantown that has direct benefit to the former burgh of Grantown (it is stressed that this is an explanatory example only). In practice Highland Council Common Good funds restrict any spend to items directly within the particular fund area. • Do you have any issues or concerns arising from the proposal? Comments are noted and have been taken into consideration.
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		<ul style="list-style-type: none"> • Do you have any additional comments? Additional information from the Invitation to Pay scheme will be available at the Committee meeting that considers this proposal. Any suggestions on charging structures were welcomed within the consultation process. The proposal for the mandatory charging scheme is to try to establish some structure about the process as well as to generate income for Grantown Common Good fund.
14	<p>I am writing to register my thoughts on the Highland Councils proposal to change the use of the square to generate income for a common good asset.</p> <p>Firstly I'd like to state that this is possibly the least effective way to garner public opinion on this, and I can only think that this is a deliberate move on the Highland Council's part to ensure that registering any opinion is labour intensive and inaccessible. It seems incredibly imprudent to only allow written feedback on this - it excludes many folk from making their voice heard which may well be a discriminatory practice. A much better way would have been to establish a survey with accessible functions or at the very least a google doc.</p> <p>I do not agree with the Highland councils plans on turning Grantown Square into an income generating common asset. It will, without doubt, price small businesses out of trading, market organisers away from using the space and ultimately it is charitable and community events that are picking up hefty price tags to run events (that create no income) in their own town. It seems like another exercise by the Highland Council to generate income for the Highland Council. This is off the back of recent introductions like the traffic management costs now incurred by community events. How does the Highland Council propose that they will manage this sort of asset? Will a new member of staff be employed -</p>	<p>Method of consultation – the statutory guidance states that all representations should be required to be made in writing, either by email or letter. It is accepted that some local authorities use survey hubs or google documents which qualify as written representations. However, reliance on electronic means only restricts access by members of the community without access to computers or not adept at such methods. Email and letter is the current favoured method adopted by the Council and has worked well in past consultations.</p> <p>Any income generated from Common Good assets must be accounted for, managed and administered separately to Council general fund income. Any Common Good income may be used for the benefit of the residents of the former Burgh area and cannot be diverted to expenditure attributable to Council general fund liabilities.</p> <p>The management of the Common Good is undertaken at Area level and is currently part of the Ward Managers duties at no cost to Grantown Common Good.</p>

	<p>if so where will the money come from to pay this person? Presumably from the rental of the square - which leaves how much money to be redistributed into Grantown? In recent years the towns voluntary organisations has funded a complete overhaul of one of the towns play parks, another organisation has completely funded the reopening and maintenance of the public toilets in town. If the Highland Council already refuse to invest in Grantown then I don't see how it is the responsibility of small events and businesses to pay money to be in Grantown. I know that the towns community council already raised objections to this proposal which probably suggests that as a town we don't need this to happen.</p> <p>As a committee member who helps to organise one of the towns events I have seen first hand how these arbitrary and ill thought out decisions by the council are impacting the town. We will continue to lose these events if steps aren't taken to preserve them. That seems like a much better way of investing in Grantown.</p> <p>As a local business owner I see events as bringing people int town to invest. If there are more barriers to events taking pace those events will go elsewhere. I see no benefit to these charges simply because I see no coherent business strategy.</p> <p>There is little evidence that common asset funds are used well. We need to know what costs will be incurred. We need an iron clad guarantee that charitable voluntary events won't have to pay in the future. It seems prudent for the Highland Council to to stop moving forward with this proposal and start making steps to preserve the town, its events and its businesses instead of making it harder on everyone to function.</p>	<p>It is acknowledged that any income would not be massive but it would allow the fund to build incrementally over time with the potential for future use for the benefit of the community.</p> <p>The Highland Common Good funds vary in size and are all subject to strict scrutiny. Budgets need to be set and they must operate within those budgets. The operating funds are reported quarterly to Area Committee meetings with financial monitoring reports which are available on the Council evidence and provide plenty of evidence of good management and use.</p> <p>However, there are some funds, like Grantown, where Common Good property has now been identified following investigation but there is no pot of Common Good cash. The only way the Common Good fund can build and revenue reserves for future use is to consider strategically the property assets it has for income generation. This is what has resulted in the proposal being consulted upon for The Square.</p> <p>The current proposal is for local charities to pay a reduced charge of 50% but your request that these should continue as free has been noted.</p>
15	Dear Sirs	As the Invitation to Pay scheme has only been promoted softly to date, it is not thought to be responsible for any reduction of

	<p>I object to the proposed scheme to introduce mandatory charging in the square in Grantown on Spey. I suspect if it goes ahead it will devastate the town.</p> <p>As a shop owner in the town I have witnessed the decline in footfall over the last year. Introducing these fees will put an end to events that use the space in the square. Already fees charged for using the actual high street for events has seen the decline of events using that space!!</p> <p>Introducing the 20 mile an hour in our towns is a complete waste of time if it is not going to be monitored. As I have said I am situated on the High Street with my business. If you were having this monitored and charged a fee for each vehicle which is breaking the law by going over the 20 mile an hour speed limit you would be very wealthy indeed!!</p> <p>We need your help to increase footfall in our town, not to discourage it, which I feel that if this mandatory charge is introduced, it certainly will discourage events and therefore footfall.</p>	<p>events although it is possible some costs associated with road closures may have had an impact.</p> <p>The 20 mph is outwith the scope of this consultation however it became legally enforceable on 13 March 2023.</p>
16	<p>Dear Highland Council</p> <p>I wish to raise an objection to the proposed change of use in Grantown on Spey's Market square. The high street in Grantown is already on its knees with multiple empty premises and I feel that the proposed change which would enable mandatory charging to pitches, stalls and events would only serve to threaten an end to such stalls and events, which would be a huge loss to our community.</p>	<p>Comments have been noted and considered within the consultation process.</p>

	Please rethink this.	
17	<p>Dear Sara Murdoch</p> <p>CONSULTATION ABOUT GRANTOWN ON SPEY COMMON GOOD CHANGES</p> <p>I refer to the Consultation document on a proposal to change the use of Grantown market square to allow mandatory charging for stalls and events.</p> <p>I understand that each year a number of events are held at The Square, Grantown on Spey which, historically, the Highland Council has supported by allowing them to take place free of charge on The Square. Therefore the Council is now consulting on a proposal to change the use of The Square to allow for the introduction of <i>mandatory charging</i> for these events.</p> <p>We live behind the Grant Arms Hotel, adjacent to the Square and are content with the way matters are currently managed for the Grantown Market, Christmas stalls, and special events such as Harley Davidson rally, Motor Mania and the Hogmanay Street Party, etc. The following are my comments on the consultation.</p> <p>Answers to key questions</p> <p>1</p> <p><i>What are your views on the proposal to introduce a mandatory charging scheme for events held on The Square, Grantown on Spey?</i> I feel it would be inappropriate to introduce a charging scheme for events in the Square.</p> <p>2</p>	<p>Responses to question answered:</p> <ol style="list-style-type: none"> 1. Comments have been noted and considered within the consultation process. 2. Comments have been noted and considered within the consultation process. 3. Although The Square is owned by Highland Council, any charge levied would be on behalf of Grantown on Spey

	<p><i>Do you have any views on the suggested rates of charging proposed?</i> No, because I do not support the introduction of charges.</p> <p>3</p> <p><i>Do you have any views on potential benefits of the proposal?</i> I do not think any financial benefit would outweigh the deterrent potential of the charging proposals. I am concerned about who would be responsible for charging, particularly if this was the Highland Council.</p> <p>4</p> <p><i>Do you have any issues or concerns arising from the proposal?</i> Yes. I think it will be a deterrent to the use of the Square which is often by voluntary groups. I am unclear who would operate the charging scheme and would be concerned if this was the Highland Council. We do not now seem to have a Community Council</p> <p>5</p> <p><i>Do you have any additional comments?</i> I am concerned that this proposal should be put forward when the status quo has operated perfectly satisfactorily. The Council will take all representations into account in reaching a decision.</p> <p>With regard to the outcome, the possible decisions are:</p> <p>1.</p> <p><i>The proposal goes ahead.</i> I would not support this.</p>	<p>Common Good fund and, as such, must be accounted for, managed and administered separately from Council general fund income.</p> <p>4. As 3 above.</p> <p>Opinion on possible outcome is noted.</p>
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	<p>2. <i>The proposal is amended with any significant amendment triggering a fresh consultation process. No charging.</i></p> <p>3. <i>The proposal does not go ahead. Yes please.</i></p>	
18	<p>Good morning</p> <p>I email to object to the above subject</p> <p>How very sad that Grantown on Spey market square which was assessed as a common good asset of the town having been gifted to the former Burgh is now being targeted as an area where charges may be imposed</p> <p>Is the buzz, attraction and marketability of the town about to be destroyed ?</p> <p>I am not happy about this proposal</p> <p>Our town like many throughout the Highland Region and indeed Scotland are struggling with the economic climate and ability to attract tourists and trade</p> <p>To impose charges on those who have stalls , pitches and events would be detrimental</p> <p>We should be encouraging the above not dissuading them !</p> <p>The proposal should be rejected on the grounds of common sense otherwise our town will most certainly suffer</p>	<p>The title deed for the Square states that it is gifted to the Provost, Magistrates and Councillors of the Burgh of Grantown on Spey to mark the two hundredth anniversary of the formation of the town. The deed contains no restrictions on specific use.</p> <p>The intention of the proposal is not to make the use of the Square difficult but rather to provide the Grantown Common Good fund the opportunity to start to accumulate funds for future community benefit.</p>

	I like many am totally against this proposal	
19	<p>Hello Sara</p> <p>I am the treasurer trustee of the Community Centre at Grantown.</p> <p>We discussed this proposal at our recent board meeting but did not come to a common mind.</p> <p>From my perspective and in principle, I would not have an issue if a modest charge is made to hold events on the Square, though I need to be persuaded that the funds will be be ringfenced for projects to enhance the facilities of the town.</p> <p>My concern (the board's also) is how can we be guaranteed that this will be the case and not diluted by administrative cost - and who will decide what are the priorities?</p> <p>Also why is it limited to use of the square, why not levy a charge on council land covered by industrial estates and the like to add to the coffers?</p> <p>The board's response will be reserved until we are advised on these concerns.</p>	<p>The Square has been classified as a Common Good asset. As such, any income generated by Common Good assets must be held, administered and managed separately to Council general fund matters.</p> <p>Decisions in relation to Common Good funds must accord with Council governance policies. Most decisions will be managed at local level by Ward Manager in consultation with local Members or by local Members at Area Committee. In the event of a decision involving an asset with exceeds 10% of the total area fund value, a decision is referred to full Council.</p> <p>Only Common Good assets are managed under Common Good processes. There are no industrial estates within Grantown Common Good fund. Charges levied on other Council land fall to other services to decide and administer.</p>
20	<p>Consultation response on Grantown On Spey Common Good Fund</p> <p>My answers to the questions asked in this consultation are written in blue below the key question asked</p> <ul style="list-style-type: none"> • What are your views on the proposal to introduce a mandatory charging scheme for events held on The Square, Grantown on Spey? <ul style="list-style-type: none"> – I believe that Highland Council should not introduce a mandatory pricing scheme for use of The Square in Grantown. My reasons are: 	<p>Responses to the representations raised are as follows:</p> <ul style="list-style-type: none"> • What are your views on the proposal to introduce a mandatory charging scheme for events held on The Square, Grantown on Spey <ul style="list-style-type: none"> ➤ The voluntary scheme is still ongoing. Members wished to open this consultation alongside the pilot scheme. Details as to sums raised will be included in the report to Area Committee to help inform the decision making. ➤ The Common Good Policy is published on the Council website and can be accessed from this

	<ul style="list-style-type: none"> – lack of transparency on money raised - e.g. no information provided in the consultation on what money was raised during the voluntary scheme – lack of transparency on how any money raised would be held, protected and spent – I believe the right to decide on charges for the use of Common Good land should be decided by the local Community Council NOT Highland Council. • Do you have any views on the suggested rates of charging proposed? <ul style="list-style-type: none"> – If Highland Council disagrees with me and imposes charges which it then administers, then Highland Council should revert to providing basic event insurance to persons or organisations using the Common Good land – Any charges should be decided by the local Community Council and NOT Highland Council • Do you have any views on potential benefits of the proposal? <ul style="list-style-type: none"> – There are potential benefits to the local community, but only if the local Community Council administers any charging scheme • Do you have any issues or concerns arising from the proposal? <ul style="list-style-type: none"> – Yes, there is considerable lack of transparency from Highland Council on the use of the Common Good Fund. The List of property stated to be Common Good states for the Grantown on Spey Common Good Fund that, “Financial information about this fund is contained within the Annual Accounts and Area Committee monitoring reports which are available on the Highland Council website”. After multiple searches on the Highland Council website using various search words, I was unable to find any financial document on this Common Good Fund. This is a clear case of lack of transparency. – There are no clear procedures that I can find covering how decisions are reach on how any monies in the Common Good Fund are spent. 	<p>link Policies Common Good Funds The Highland Council It explains how the Common Good is held and administered.</p> <ul style="list-style-type: none"> ➤ Common Good property is owned by the Council although it must be accounted for and administered separately to general fund property. There are certain situations where Community Councils are statutory consultees such as when proposing to dispose of or change the use of an asset but the decision making and governance remains the responsibility of the Council by legislation. • Do you have any views on the suggested rates of charging proposed? <ul style="list-style-type: none"> ➤ Public liability insurance rests with the event organiser and they must demonstrate adequate cover for the event to be given permission to go ahead regardless of whether the event is commercial or non-commercial. ➤ This consultation is the opportunity for the community to make comments on the proposed charges but the final decision rests with the Council either at Area Committee or full Council. • Do you have any views on potential benefits of the proposal? <ul style="list-style-type: none"> ➤ See previous response regarding responsibility resting with the Council by legislation. • Do you have any issues or concerns arising from the proposal?
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<ul style="list-style-type: none"> • Do you have any additional comments? <ul style="list-style-type: none"> – Highland Council gives the strong impression that it has already made up its mind on what it will do with the Grantown Common Good land of The Square. The Council is only carrying out this consultation because it has to by law. – We need to see the results of this consultation – numbers of ‘votes’ under each key question heading and preferably all comments published. However, the opportunity to publish all the consultation comments in full has probably been missed, as there should have been a form to ask consultees their permission to publish names and content. – I appreciate that Highland Council is likely to dismiss my requests that Common Good land and funds should be administered by the local Community Council. Because Grantown and Vicinity Community Council is currently disbanded. There are two ways around this problem, which I’m sure Highland Council will totally ignore. Firstly, if and when the Community Council re-forms, the Common Good land and funds could be transferred to the Community Council. Secondly, whilst the Community Council is in abeyance, the Grantown Initiative could manage the Common Good land and funds – I further appreciate that Highland Council might not want to transfer title on land and property to the Community Council. However, it would be a simple task to legally draft a document which gives the Community Council freedom, with the exception of disposal of land and property assets, to use the Common Good land and property for the benefit of the local community, whilst Highland Council holds the title to these lands and property. <p>I hope my views will be fully considered and taken into account with all the other responses to this consultation. I request that receipt of this response is acknowledged to me by email.</p>	<ul style="list-style-type: none"> ➤ The outcome of the consultation leading to the publication of the assert register for Grantown Common Good fund came before Badenoch & Strathspey Area Committee on 15 February 2022. This report provides necessary information about the reporting and administration process. It is available on the Council website and can be accessed from this link Badenoch and Strathspey Area Committee The Highland Council ➤ See above for link to Common Good Policy <ul style="list-style-type: none"> • Do you have any additional comments? <ul style="list-style-type: none"> ➤ The consultation will inform the decision making. The Members will have due regard to the representations made within the consultation process in making a decision. ➤ These are the verbatim representations produced in full having redacted personal information in accordance with the Council data protection policy. Whilst support and opposition can be analysed, not all representations have addressed each key question explicitly. The Council is required by the statutory guidance to the Community Empowerment Act 2015 to publish all representations and the Council’s responses on its website. ➤ Please see previous responses regarding the management responsibility and decision making resting with the Council. As the Council owns the Common Good property, it must be accountable through its governance structure for all decision making. As a Community Council or community body is not part of the Council it cannot form part
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		<p>of this governance responsibility. The are processes available for Asset Transfer or Participation Requests but these are outwith the scope of this consultation.</p> <p>➤ This suggestion would not be supported by the governance policy. This consultation is the current process by which Community Councils and community bodies/members can be involved.</p>												
21	<p>Here are the responses to the questions below from the board of Grantown Initiative</p> <p><u>Key questions</u></p> <p>1. What are your views on the proposal to introduce a mandatory charging scheme for events held on The Square, Grantown on Spey?</p> <p>A mandatory charge will provide a regular framework, so groups will know exactly where they stand on all outgoing costs for events. Will be fine as long as quoted rates don't rise over next few years.</p> <p>2. Do you have any views on the suggested rates of charging proposed?</p> <table><tr><td>Rate</td><td>Charge</td></tr><tr><td>Hourly</td><td>£10.00</td></tr><tr><td>3 Hour Block</td><td>£25.00</td></tr><tr><td>Daily</td><td>£50.00</td></tr><tr><td>Weekend</td><td>£100.00</td></tr><tr><td>Local Charities</td><td>50% reduction in charge</td></tr></table> <p>These rates are reasonable if the local charity reduction is applied. Often our events make no profit at all, so there are virtually no margins left to take additional charging from – however we now know that we will have to add this into our costs sheet. As above, will be ok as long as rates stay at these levels.</p> <p>3. Do you have any views on potential benefits of the proposal?</p> <p>Clarity for the organisation in cost of putting on events</p>	Rate	Charge	Hourly	£10.00	3 Hour Block	£25.00	Daily	£50.00	Weekend	£100.00	Local Charities	50% reduction in charge	<p>Your comments have been noted and considered within the consultation process.</p>
Rate	Charge													
Hourly	£10.00													
3 Hour Block	£25.00													
Daily	£50.00													
Weekend	£100.00													
Local Charities	50% reduction in charge													

	<p>4. Do you have any issues or concerns arising from the proposal? Need to keep the paperwork (if any) really simple, as is already hugely (almost prohibitively) burdensome when putting on events with often hundreds of pages for licenses etc needing to be completed for every event. Volunteers are getting hard to find who will do this, so if this charge / paperwork can be wrapped up in the licensing papers, that would be helpful.</p> <p>5. Do you have any additional comments?</p> <p>Best wishes Chair, Grantown Initiative</p>	
22	<p>Dear Council Members,</p> <p>Common Good Consultation The Square Grantown</p> <p>I write as the owner of Maray Farmers Market Ltd who has noting been made aware of this proposed change.</p> <p>I have been holding the Cairngorms Farmers Market at The Square in Grantown.</p> <p>I am not against there being a charge but I ask you to drawn caution when fixing the fees.</p> <p>I would like clarification that for myself having a number of markets thought the year of varying sizes of stalls attending that the proposed charge would be for me the daily charge of £50 for the whole Market. We do not take up all the area but do vary in size.</p> <p>We are a collection of small businesses and many just starting up. Any increase on that fee would price out the viability of the market. I would also think that any increase on your proposed charges would lead to vast reduction on events ...</p>	<p>Your comments have been noted and considered within the consultation process.</p>

	<p>Can i ask, would there be any discount for multiple bookings for regular users like myself?</p> <p>I have held markets in various town, Aberdeen, Peterhead, Kingussie and Elgin without a charge for holding the market as they see it as a positive thing that draws people to the town and that filters though to the benefit of local businesses .</p> <p>I look forward to hearing the outcome of your consultation.</p>	
23	<p>Dear sir/madam,</p> <p>With regard to the proposed charges for use of The Square, Grantown – on – Spey, to raise funds for their Common Good Fund. I would like to make three observations.</p> <p>1. There is no clear explanation to either the Councillors or the General Public in the proposal of how these charges are to apply to Event Organisers. From my discussions with Lewis Hannah, it is understood any charges for Event Organisers will be an agreement between the Event Organiser and the Ward Manager. It has been explained to me, no business or organisation will be charged twice i.e. A trader will not have to pay both the overarching Event Organiser and the Common Good Fund charge. Therefore, I do not believe we can make an informed decision on the consultation without this key piece of information. The majority of events which take place in The Square, are under the umbrella of an Event Organiser and as such, it is misleading to quote suggested charges for stallholders in the proposal, when this situation of an individual stall-holder setting up in The Square, will rarely occur.</p> <p>2. My second observation is the trial period for donating funds will not have run for a full year before this consultation returns to the table in</p>	<p>1. These comments will be noted. Councillors can debate and amend the proposal as part of the decision making process at Area Committee considering yours and others' views.</p> <p>2. Members decided at Area Committee to run this consultation alongside the voluntary Invitation to Pay scheme. Whilst the outcome of the consultation could have been reported to the Area Committee meeting in February, it was considered sensible to delay the report until the meeting due on 3 June 2024 to ensure that the Invitation to Pay Scheme had at least a full year in operation.</p> <p>3. No decision was intended to be implied at the meeting on 6 February 2023 however, it is legitimate for differing views to be expressed during a transparent debate.</p> <p>Members are very aware of the limited income generation potential for Grantown Common Good Fund from their knowledge of the asset register consultation and publication as well as their wider knowledge of the area.</p>

	<p>front of our Counsellors for decision. Furthermore, it has been established not all Event Organisers have been made aware of the voluntary charge, and indeed, the most significant event organiser – The Cairngorms Farmers’ Market organiser, was not aware, until recently of the voluntary charge. An assessment of how successful this voluntary charge could be in this trial period is not accurate since the Event Organiser who organises nine out of 15 of the total events has not had the opportunity to voluntarily contribute.</p> <p>3. My third observation is that of the reaction to the proposal of our Highland Counsellors during the meeting of 06 February 2023. It is clear from the recording, that both Councillor Cockburn and Councillor Lobban wish to make this charge mandatory even before considering any result of any (preferably accurate and timely), voluntary donation period.</p> <p>From the video recording, where statements are made by these councillors that charges should be applied and will be introduced, I ask for impartiality until all facts are gathered in. Counsellors should not be ready to sanction mandatory charges before any trial period is complete.</p> <p>I do feel however, our Counsellors, like ourselves, do not have the full picture of the realistic funds which can be raised, simply due to the omission of the practicalities of donations from Event Organisers, as outlined in part 1 above and the lack of awareness of the voluntary donation as outlined in point 2.</p> <p>My background to preparing this response is as a member of the community who has been involved in participating in events in The Square every year since 2000, less Covid years.</p>	
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Spreadsheet referred to in representation 12

Event	Month	Duration	Number of stalls	Common Good 'Fee'	Common Good TOTAL	Event Fee	Event Total	MARGIN	NOTES	SUMMARY
Cairngorms Farmers Market	April	1 day	20	50.00	1,000.00	40.00	800.00	-200.00	Commercial	NOT viable
Cairngorms Farmers Market	May	1 day	20	50.00	1,000.00	40.00	800.00	-200.00	Commercial	NOT viable
Cairngorms Farmers Market	June	1 day	20	50.00	1,000.00	40.00	800.00	-200.00	Commercial	NOT viable
Cairngorms Farmers Market	August	1 day	20	50.00	1,000.00	40.00	800.00	-200.00	Commercial	NOT viable
Cairngorms Farmers Market	August	1 day	20	50.00	1,000.00	40.00	800.00	-200.00	Commercial	NOT viable
Cairngorms Farmers Market	September	1 day	20	50.00	1,000.00	40.00	800.00	-200.00	Commercial	NOT viable
Cairngorms Farmers Market	October	1 day	20	50.00	1,000.00	40.00	800.00	-200.00	Commercial	NOT viable
Cairngorms Farmers Market	November	1 day	20	50.00	1,000.00	40.00	800.00	-200.00	Commercial	NOT viable
Cairngorms Farmers Market	November	1 day	20	50.00	1,000.00	40.00	800.00	-200.00	Commercial	NOT viable
Greentown Show	September	1 day	20	25.00	500.00	25.00	500.00	0.00	Local. And might be viable if the local org is okay with it.	POSSIBLY viable
Grantown Does Christmas	December	1 day	55	50.00	2,750.00	55.00	3,025.00	275.00	Commercial, and many days work. DELTA is not anywhere near enough.	NOT viable
Thunder in the Glens	August	1 day	22	25.00	550.00	30.00	660.00	110.00	Local, and only covers costs through massive voluntary work, and entrepreneurial spirit	NOT viable
Hogmanay	December	1 day	5	25.00	125.00	0.00	0.00	-125.00	Local, and donations only. Already runs at a loss.	NOT viable
Torchlight Procession	December	1 hour	2	5.00	10.00	0.00	0.00	-10.00	Negligible impact, but unreasonable.	Viable
12,935.00										