

REPORT TO INFRASTRUCTURE SERVICES COMMITTEE – 20 JANUARY 2022

NORTH EAST SCOTLAND FISHERIES LOCAL ACTION GROUP PARTNERSHIP REVIEW

Executive Summary/Recommendations

1.1 This Report consults Committee on the findings of the latest two-year review of the North East Scotland Fisheries Local Action Group (NESFLAG). The findings are namely that the Council continues to remain a member of the partnership for a further two years and that continued participation does not represent a significant risk to the Council.

1.2 The Committee is recommended to:

1.2.1 Consider and endorse the partnership review of the North East Scotland Fisheries Local Action Group;

1.2.2 Agree that the Council will participate in the partnership for a further two years;

2 Decision-Making Route

2.1 Under the Council's Partnership Working Policy, a partnership assessment and a risk assessment must be undertaken every two years for every non-statutory partnership of which the Council is a member. This includes the North East Scotland Fisheries Local Action Group (NESFLAG), which the Council has participated in since 2015.

2.2 The partnership was established by Aberdeenshire Council with the purpose of implementing Local Development Strategies using funding from the European Maritime and Fisheries Fund (EMFF). The partnership comprises representatives of stakeholder organisations from the private, community and public sectors.

2.3 Whilst no further EMFF project approvals will be made, the programme will continue to fund existing projects until 2023. As per the framework for the use of Crown Estate funding agreed by Committee on 11 March 2021 ([Item 12](#)), NESFLAG presently supports the delivery of the Aberdeenshire Coastal Communities Challenge Fund. This involves processing and evaluating grant applications before making recommendations to the Council on project approvals.

3 Discussion

3.1 The primary driver for the partnership was originally the administration of external funding to deliver Local Development Strategies. Now that EMFF funding and the Local Development Strategies have been concluded, the role of

the partnership now focuses on delivering the Aberdeenshire Coastal Communities Challenge Fund.

- 3.2 The Marine Fund Scotland (MFS) was introduced to replace the EMFF, operating in 2021/22. This fund did not include a Community-Led Local Development element. It is anticipated that a longer-term fund will be launched, although at the present time it is unknown whether or not this will have a role for Fisheries Local Action Groups such as NESFLAG. Once the details of this fund are made available, it would be prudent for the partnership to review its constitution and membership. The partnership's remit to support delivery of Crown Estate grants is likely to continue until at least 2024.

4 Council Priorities, Implications and Risk

- 4.1 The remit of the Local Action Groups and associated funding programmes is relevant to all Council Priorities:

Pillar	Priority
Our People	<ul style="list-style-type: none"> • Education • Health & Wellbeing
Our Environment	<ul style="list-style-type: none"> • Infrastructure • Resilient Communities
Our Economy	<ul style="list-style-type: none"> • Economy & Enterprise • Estate Modernisation

- 4.2 The table below shows whether risks and implications apply if the recommendations are agreed.

Subject	Yes	No	N/A
Financial	X		
Staffing	X		
Equalities and Fairer Duty Scotland			X
Children and Young People's Rights and Wellbeing			X
Health and Wellbeing			X
Town Centre First			X

- 4.3 The staffing implications are that resources from the Economic Development Service would need to be made available to support the work of the partnership.
- 4.4 The screening section as part of Stage One of the Integrated Impact Assessment process has not identified the requirement for any further detailed assessments to be undertaken. This is because the proposal relates to

whether or not the Council continues to participate in a partnership which would not have a direct impact on Children's rights and wellbeing; Equalities and Fairer Scotland Duty; Health Inequalities; Sustainability and Climate Change; or Town Centres First. Separate assessments were carried out on Crown Estate grant funding delivered through the partnership when a specific framework was agreed by ISC on 11 March 2021. The recommendation to the Council is to maintain membership of the partnership - i.e., the status quo. If the Council chooses to withdraw from the partnership, it may cease to operate. This in itself would not have a direct impact on any of the assessment areas, with the Council's framework for the use of Crown Estate funding providing for this eventuality whereby assessments of grant applications would be undertaken within the Council itself.

- 4.5 The following Risk has been identified as relevant to this matter on a [Corporate Level](#):
- ACORP005 Working with other organisations (e.g., supply chains, outsourcing and partnership working)

5 Scheme of Governance

- 5.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this Report and their comments are incorporated within the Report. They are satisfied that the Report complies with the [Scheme of Governance](#) and relevant legislation.
- 5.2 The Committee is able to consider this item in terms of Section F1.1b of the List of Committee Powers in [Part 2A of the Scheme of Governance](#) as this relates to policy issues and resource matters relating to Economic Development.

Alan Wood, Director of Environment & Infrastructure Services

Report prepared by Martin Brebner, Team Manager – Economic Strategy & Policy
24 November 2021

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Appendix 1 – Partnership Assessment

Appendix 2 – Risk Assessment

APPENDIX 1 – PARTNERSHIP ASSESSMENT

Areas for consideration	Assessment	Comment/Proposed Action
Is the partnership a statutory partnership?	No	
If yes, please state the legislation in the comment box. (Please continue to go through the assessment for best practice purposes, rather than to assess whether there should be participation in the partnership).		
The partnership has set outcomes or objectives to be achieved	Partly	To deliver Local Development Strategies for Aberdeenshire and Angus - this work has now been completed with any work on a new strategy on hold pending confirmation of future funding availability from Marine Scotland. The partnership's focus is presently to support the delivery of the Council's framework for Crown Estate funding.
The partnership's aims and any commitment of budget fit with the council's strategic plan and priorities (http://www.aberdeenshire.gov.uk/council-and-democracy/council-plan)	Yes	
If yes or partly, please specify which priorities in the comment box		The partnership supports the following objectives: • Education • Health & Wellbeing • Infrastructure • Resilient Communities • Economy & Enterprise • Estate Modernisation

<p>The partnership follows the Account Commission's Code on Following the Public Pound / financial regulations and agrees appropriate arrangements for allocating start-up and running costs (http://www.audit-scotland.gov.uk/uploads/docs/report/2004/nr_040311_following_public_pound.pdf)</p>	<p>Yes ▾</p>	
<p>The partnership makes links to the CPP's Local Outcomes Improvement Plan priorities where relevant (http://www.ouraberdeenshire.org.uk/our-priorities/local-outcomes-improvement-plan/)</p>	<p>Yes ▾</p>	<p>Connected and cohesive communities</p>
<p>All other appropriate bodies have been invited to participate in this partnership</p>	<p>Yes ▾</p>	<p>The Local Action Group partnership involves partners from the community, private and public sectors</p>
<p>The partnership ensures equality of opportunity for all and complies with statutory duties (equalities, socio-economic, town centres first principle) as required</p>	<p>Yes ▾</p>	
<p>The partnership has a document such as an agreement, remit or memorandum of association to define its role, powers and how it carries out its business</p>	<p>Yes ▾</p>	<p>Constitution</p>
<p>The partnership makes a formal annual report that includes annual accounts and performance to its members and other bodies if necessary</p>	<p>Partly ▾</p>	<p>There is an annual report containing financial and performance information, but this does not include annual accounts which are part of Aberdeenshire Council's accounts.</p>
<p>Appropriate status and voting rights are accorded to the council in the partnership</p>	<p>Yes ▾</p>	
<p>Members of the partnership's top-level decision-making group can be recalled by their nominating bodies</p>	<p>Yes ▾</p>	
<p>The risks faced by the partnership are shared between partners</p>	<p>No ▾</p>	<p>Aberdeenshire Council acts as Lead Partner</p>

<p>Routine sharing of personal data will take place within the partnership</p>	<p>Partly ▾</p>	<p>Information is primarily shared through a Scottish Government system (European Maritime and Fisheries Fund grants). Privacy notices are in place.</p>
<p>If yes or partly, please consider if a Data Privacy Impact Assessment, an Information Sharing Agreement or a Privacy Notice is required. All guidance and templates can be found at this link https://aberdeenshire.sharepoint.com/sites/Arcadia/services/Pages/Business%20Services/ICT/Information%20Management%20and%20Record%20Management/Data%20Protection/Data%20Protection.aspx</p>	<p style="background-color: #cccccc;"></p>	
<p>The partnership has a complaints process or agrees to adopt the complaints process of a member organisation</p>	<p>Yes ▾</p>	
<p>Meetings of the partnership's top-level decision-making group are open to the public</p>	<p>No ▾</p>	<p>Minutes are publicly available, but meetings are closed as they discuss confidential information such as grant applications.</p>
<p>The public is entitled to see reports considered by the partnership's top-level decision-making group</p>	<p>Yes ▾</p>	
<p>Minutes of the partnership's meetings are made publicly available</p>	<p>Yes ▾</p>	
<p>The partnership's top-level decision-making group has a quorum for meetings</p>	<p>Yes ▾</p>	
<p>Members of the partnership's top-level decision-making group are appointed for a limited period of time</p>	<p>Yes ▾</p>	

<p>There are agreed arrangements for dissolving the partnership</p>	<p>No</p>	<p>The partnership is time bound and was due to come to an end by March 2021 with its lifespan governed by the availability of external funding. Further information on a replacement for the European Maritime and Fisheries Fund is awaited, including whether or not there will be a role for Fisheries Local Action Groups in the programme. The Council's framework for the use of Crown Estate funding is to be reviewed by March 2024.</p>
<p>There are clear arrangements for the council to exit the partnership</p>	<p>Yes</p>	
<p>There is a procedure for ensuring members who declare conflicts of interest take no part in decision</p>	<p>Yes</p>	
<p>The partnership recognises the obligations placed on Elected Members due to the Code of Conduct and has a procedure for ensuring members who declare conflicts of interest take no part in decision.</p>	<p>No</p>	<p>Elected Members do not participate in the partnership</p>
<p>Cost / Benefit Analysis</p>	<p>Response</p>	
<p>Please detail the staffing and financial implications of running the partnership, including those on other council services and partners</p>	<p>As Lead Partner, Aberdeenshire Council employs staff on behalf of the partnership. Additional support is required from Finance and Internal Audit to support and monitor the work of the partnership. Grants to projects funded through the European Maritime and Fisheries Fund are made by Marine Scotland. Grants to projects funded through the Crown Estate monies are administered and paid by the Council.</p>	
<p>Please state the source of any funding received by the partnership</p>	<p>Scottish Government</p>	

Please describe the benefits of council participating in the partnership	The Council is able to secure additional resources and fund projects in Aberdeenshire which support its strategic objectives.
The partnership is sustainable and is the best way of achieving its aims and outcomes	<input data-bbox="1032 225 1196 268" type="text" value="Yes"/> <input data-bbox="1151 225 1196 268" type="button" value="▼"/>

APPENDIX 2 - RISK ASSESSMENT

Partnership Name:	Completed by:	Date:
North East Scotland Fisheries Local Action Group	Martin Brebner	24/11//2021

All partnerships must be recorded in the Register of Partnerships on Arcadia

This table assesses whether your partnership should be recorded as a **significant** partnership requiring a Risk Register (from the Risk Management Team). Please enter the score in the last column for the statement which most closely represents your partnership.

Impact No.	Description	Minor (Score 1)	Important (Score 2)	Significant (Score 3)	Major (Score 4)	Score
1	The Council contributes to the partnership by direct funding and/or indirectly through staff resources, work done etc.)	< £10K per annum	£10K to < £50 k per annum	£50K to < £100k per annum	> £100k per annum	2
2	The partnership's success is critical to the achievement of one or more of the Council's Strategic Priorities.	Not directly linked to a strategic priority (this needs to be flagged up to the policy committee in this case)	Linked to a strategic priority	Significant contributor to success of a strategic priority	Essential to the achievement of a strategic priority	2
3	Failure of the partnership would have an impact on the Council's reputation.	Threat of adverse comment in local press or the equivalent that Corporate Communications consider to be of material concern to the Council.	Actual adverse comment in local press or the equivalent that Corporate Communications consider to be of material concern to the Council.	Individual press reports in national media that Corporate Communications consider being of material concern to the Council.	Concerted, widespread or recurrent critical coverage of the Council or for a specific event in the media	1
4	The extent to which partnership expenditure is controlled by the Council.	The Council has full control over expenditure decisions.	The Council has veto on expenditure decisions.	The Council is a party to expenditure decisions.	The Council has no control over expenditure.	2

5	The partnership takes decisions on behalf of, or which are binding on the Council.	The Partnership does not take decisions on behalf of the Council	The Partnership does not take decisions on behalf of the Council but representatives with decision-making authority attend the partnership and consider and influence its recommendations.	The Partnership does not take decisions on behalf of the Council but representatives with decision-making authority attend the partnership and agree to be bound by its decisions.	The partnership has decision-making responsibilities directly delegated to it from the Council.	3
6	The Council has set up the partnership in order to receive additional funding and/or meet Statutory or Regulatory requirement.	Not required by law or to receive funding.	Indirect or limited links to successful achievement of funding.	Direct links to successful achievement of funding.	The Council is required to participate in this partnership by law or to receive specific funding.	4

Total Score

Maximum Possible Score

Impact %

Evaluation

14
24
58.33%

Not Significant