



## REPORT TO THE BANFF AND BUCHAN AREA COMMITTEE – 18 JUNE 2019

### APPLICATION FOR FUNDING FROM THE BANFF COMMON GOOD FUND

#### 1 Recommendations

The Committee is recommended to:

- 1.1 consider the terms of the application made for assistance from the Banff Common Good Fund (Appendix 1) and determine whether the application should be granted or refused.
- 1.2 if granting the application, determine whether the whole amount requested should be awarded or whether a lesser amount should be awarded.

#### 2 Background / Discussion

- 2.1 Aberdeenshire Council, NHS Grampian and the Aberdeenshire Health and Social Care Partnership have been working together to consider improved parking facilities in and around Chalmers Hospital and Macduff Doctor's Surgery in Banff.
- 2.2 As an immediate action, work is being carried out by Landscape Services to upgrade the informal parking areas located at Battery Green in Banff. The cost of this work has been estimated as follows:
 

Contractor costs to excavate top soil bund around car park area		
Lay weed suppressing membrane		
Transport and lay and roll 15-20 tonne of road plainings		
Sow bund with wildflower seed mix	Total	£2000
- 2.3 NHS Grampian have confirmed that they are prepared to make a contribution of £1500 to the cost of the work which leaves a balance of £500.
- 2.4 Battery Green is a common good asset. The courts have determined that common good monies can be used for the prudent management, upkeep and improvement of common good fund property, whether such property is used by the general public or held for investment purposes. This is reflected in Aberdeenshire Council's current Common Good Policy.
- 2.5 To access Common Good Funds, application has to be made for assistance for the relevant Fund. In this case Aberdeenshire Council is seeking assistance for the sum of £500 from the Banff Common Good Fund. A copy of the application is attached as Appendix 1 to this Report.
- 2.6 The application has been deemed to be competent by the Banff and Buchan Area Manager following consultation with legal and governance and finance in terms of officer power D1.4.a of Part 2B – Officer Powers set out in the Scheme of Governance.

- 2.7 The Area Manager would normally then go on to liaise with local Ward Members to determine the amount of money to be awarded in terms of Section D1.4.b of Part 2 B – Officer Powers set out in the Scheme of Governance. However, in this case, as the Council is applying for the money, in order to demonstrate that the application meets the requirements of the Common Good Fund Policy and for reasons of demonstrating transparency in the decision-making process to the community of Banff, the Area Manager has declined to exercise her delegated powers in terms of Section D1.4.b. and has, instead, referred the application to the Committee for consideration.
- 2.8 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 and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

### **3 Scheme of Governance**

- 3.1 The Area Manager having declined to use the power set out in Section D1.4.b of Part 2 B – the list of Officer Powers in the Scheme of Governance, the Committee is able to consider this matter in terms of Section B 2.1 of Part 2A – List of Committee Powers as the Committee has authority to administer Common Good Funds for the benefit of its area.

### **4 Implications and Risk**

- 4.1 An equality impact assessment has not been carried out in respect of this application. However, improvement work to the parking facilities will have a positive impact on the community as a whole, and therefore will include people with protected characteristics.
- 4.2 There are no staffing implications. If an award is made, the money can be accommodated from the Banff Common Good Fund.
- 4.3 The following Risks have been identified as relevant to this matter on a Corporate Level:
- ACORP005: Working with other organisations (e.g. supply chains, outsourcing, partnership working and commercialisation)
  - ACIO)006: reputation management

<https://www.aberdeenshire.gov.uk/media/23595/20181128-aberdeenshire-corporate-risks-update.pdf>

The following Risks have been identified as relevant to this matter on a Strategic Level Strategic Risk Register with any appropriate explanation or mitigation.

- None

<https://www.aberdeenshire.gov.uk/media/23596/20181128-directorate-risks.pdf>

4.4 Battery Green is not located within the Town Centre of Banff and so the Town Centre First Principle does not apply to this report.

**Laurence Findlay**  
**Director Education & Children's Services**

Report prepared by Fiona M. Stewart, Senior Solicitor (Democratic Services)  
Date 5<sup>th</sup> June 2019

## APPENDIX 1



## COMMON GOOD FUND – APPLICATION FOR ASSISTANCE

Aberdeenshire Council manages several common good funds. Please cross the box for the particular common good fund that your application relates to -

AREA COMMITTEE	NAME OF COMMON GOOD FUND AND AREA COVERED	PLEASE CROSS THE APPLICABLE FUND
<b>BANFF AND BUCHAN</b>	Aberchirder	<input type="checkbox"/>
	Banff	<input checked="" type="checkbox"/>
	Fraserburgh	<input type="checkbox"/>
	Macduff	<input type="checkbox"/>
	Portsoy	<input type="checkbox"/>
	Rosehearty	<input type="checkbox"/>
<b>BUCHAN</b>	Peterhead	<input type="checkbox"/>
<b>FORMARTINE</b>	Oldmeldrum	<input type="checkbox"/>
	Turriff	<input type="checkbox"/>
<b>GARIOCH</b>	Inverurie	<input type="checkbox"/>
	Kintore	<input type="checkbox"/>
<b>KINCARDINE AND MEARNS</b>	Inverbervie	<input type="checkbox"/>
	Laurencekirk	<input type="checkbox"/>
	Stonehaven	<input type="checkbox"/>
<b>MARR</b>	Ballater	<input type="checkbox"/>
	Banchory	<input type="checkbox"/>
	Huntly	<input type="checkbox"/>

**PLEASE NOTE THAT EACH COMMON GOOD FUND CAN ONLY BE USED FOR THE BENEFIT OF THE PEOPLE OF THAT AREA ONLY.**

<b>SECTION 1: TO BE COMPLETED WHERE APPLICANT IS AN INDIVIDUAL PERSON</b> (If making application on behalf of an organisation/group please go to Section 2 below)			
<b>1.1 Full Name</b>			
<b>1.2 Address</b>			
	<b>1.3 Postcode</b>		
<b>1.4 Tel No</b>			
<b>1.5 Fax</b>			
<b>1.6 E-Mail Address</b>			
<b>1.7 Background Information</b>			
Please give a summary of the role that you play within the community			
<b>1.8 Aims and Objectives of Your Work</b>			
What are the aims and objectives of your work within the community including types of services provided and target client groups?			
<b>1.9 If applicable, how many people in the town regularly use the services/facilities offered by your organisation</b>			
<b>1.10 Please indicate how many are</b>	<b>Male</b>	<b>Female</b>	<b>Disabled</b>
<b>1.11 Do you make a charge to your users</b>	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>If "yes" please give details below</b>
<b>1.12 Do you re-invest income raised back into the project? YES/NO If "Yes", please give details of how the income is re-invested below. If "No", please provide details of what happens to profit.</b>			

**Now go to Section 3 below**



<b>Aims and Objectives of Your Organisation</b>			
<b>2.12 What are the aims and objectives of your organisation, including its current role in the community, types of services provided and target client groups?</b>			
The aims and objectives of the service are to provide an efficient and professional maintenance and landscaping service to the people of Aberdeenshire. To promote and enhance areas of open space that benefit visitors and residents as well as the creation of ecologically diverse habitats . To make Aberdeenshire a pleasant interesting and welcoming place to live work and visit.			

<b>2.13 If applicable, how many people in the Town regularly use the services/facilities offered by your organisation</b>			
<b>2.14 Please indicate how many are</b>	<b>Male</b>	<b>Female</b>	<b>Disabled</b>
<b>2.15 Do you make a charge to your users</b>	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>	<b>If "yes" please give details below</b>
<b>2.16 Do you have a membership scheme</b>	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>	
<b>2.17 How many members belong to your organisation?</b>			
<b>2.18 How many Members are</b>	<b>Male</b>	<b>Female</b>	<b>Disabled</b>
<b>2.19 Please give details of your membership fees</b>			
<b>2.20 Does your organisation have a constitution</b>	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>	
<b>If "yes" please submit a copy of your constitution with your application</b>			
<b>2.21 Do you re-invest income raised back into the organisation? YES/NO If "Yes", please give details of how the income is re-invested below. If "No", please provide details of what happens to profit.</b>			
<b>No</b>			

**Now go to Section 3 below**

<b>SECTION 3: TO BE COMPLETED BY ALL APPLICANTS</b>				
<b>3.1 What will you use the money for if successful?</b>				
The money will contribute towards the creation of additional car parking on Battery Green which will benefit both residents of this area as well as visitors to the Banff medical practice.				
<b>3.2 Please detail the total cost of your proposals (quotes are required for works over £5,000)</b>				
<b>ITEM OF EXPENDITURE</b>		<b>COST</b>		
Costs to remove top soil , create bunding, install weed supressing membrane and lay an droll Road plainings flat		£1500		
Transporting material from Portsoy to site		£250		
Sow bunding with wildflower seed mix at appropriate time of year		£250		
<b>TOTAL COST</b>		<b>£2000</b>		
<b>AMOUNT REQUESTED</b>		<b>£500</b>		
<b>3.3 Have you applied for any other sources of funding</b>		YES <input type="checkbox"/>		NO <input checked="" type="checkbox"/>
<b>Organisation</b>	<b>Date of App</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Date Award Expected</b>

### **Declaration**

**I confirm that, to the best of my knowledge, all the answers given above are true and accurate. I understand that the details contained in this form will be processed by Aberdeenshire Council. I am aware that, by submitting this application, I am agreeing to the publication of the details contained in this application in any form deemed appropriate by Aberdeenshire Council. I also understand that the amount of conditions of any award granted will be made public.**

**Please sign and date EITHER Section A OR Section B below, as appropriate**



**A: Where application is made by an individual:****Signed**

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**Dated**

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**OR****B: Where Application is made on behalf of an Organisation or Group**

I confirm I am authorised to sign this declaration on behalf of (insert name of organisation below)

Aberdeenshire Councils Landscape services
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**Signed**

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**Dated**

27 <sup>th</sup> May 2019
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**SHOULD THE PURPOSE OF THIS REQUEST FOR FUNDS NOT BE CARRIED OUT, REPAYMENT OF THE FULL AMOUNT WILL BE REQUESTED.**

**Please attach the relevant enclosures.**

**Enclosures**

- Most Recent Accounts (audited where possible)**  **Constitution or membership documentation**  **Quotes (where appropriate)**

**Please submit this form to**

**The Banff and Buchan Area Manager's Office Education & Children's Services Town House  
34 Low Street  
Banff AB45 1AN**

**E-mail: [banffandbuchanamo@aberdeenshire.gov.uk](mailto:banffandbuchanamo@aberdeenshire.gov.uk)**

**Telephone: 01467 537131**

