

REPORT TO BUSINESS SERVICES COMMITTEE – 12 JANUARY 2023

ASSET TRANSFER REQUEST – FOREST PARK, STONEHAVEN

1 Executive Summary/Recommendations

- 1.1.1 As required by Section C.5.1.1 of the List of Committee Powers in the Scheme of Governance, the Committee are required to make the final determination of the Asset Transfer Request for Forest Park, Stonehaven as the decision agreed by the Kincardine and Mearns Area Committee was contrary to the recommendation of Officers.
- 1.1.2 The determination of an asset transfer application is a quasi-judicial matter, therefore, Members must have regard to the provisions of Section 7 of the Councillors Code of Conduct, in particular the duty to ensure a proper and fair hearing of the application.

1.2 The Committee is recommended to:

- 1.2.1 Consider and determine the Asset Transfer request for Forest Park, Stonehaven and instruct the Area Manager to issue a Decision Notice;**
- 1.2.2 Acknowledge the Officer recommendation and delegate authority to the Area Manager to instruct Legal and People to conclude the transfer of Forest Park, Stonehaven to Mackie Academy Rugby Football Club, subject to the condition that planning permission is granted; and**
- 1.2.3 Agree that the purchase price should be set at a nominal sum of £1 which takes into account the development costs and the health and wellbeing benefits that the Club can provide.**

2 Decision Making Route

- 2.1 A report was first presented to the Kincardine and Mearns Area Committee on 14 June 2022 (Item 19) when Councillors took a decision to defer determination until a site visit was undertaken. A site visit took place on 21 June 2022 and a further report was presented to the Kincardine and Mearns Area Committee on 23 August 2022 (Item 5) (see **Appendix 1**) where the Committee **agreed** to refuse the asset transfer from Mackie Academy Rugby Football club for ownership of Forest Park, Stonehaven for the following reasons (see **Appendix 2 – Extract of Minute of Meeting**):
- The application does not meet the criteria required as provided for in Part 5 of the Community Empowerment Scotland Act 2015, Section 82. In that the request would not promote or improve economic development, regeneration and public health would be diminished in the adjacent neighbourhood.

- The proposed asset transfer would be contrary to 83(3)(d) would induce inequality of outcome in respect of social disadvantage concerning the neighbourhood community resulting in the loss of the protected Forest Park.
- The proposed asset transfer is also contrary to section 82(4) in that equal opportunities are neither encouraged nor observed by the proposed asset transfer which would reserve equal opportunities provided by the requirement for provision of and protection of Forest Park arising from the scale of residential development at the former Mill of Forest Farm and as site specific benefit for the developed neighbourhood and the town.

2.2 As the decision of the Kincardine and Mearns Area Committee was not in accordance with the recommendation of Officers the decision was required to be referred to the Business Services Committee for determination in line with the Council's Scheme of Governance. A report was presented to the Business Services Committee on 17 November 2022 (Item 10) where Councillors deferred the determination of the Asset Transfer until a site visit could be undertaken. A site visit was organised for Friday, 6 January 2023.

3 Discussion

- 3.1 The Council was first approached in July 2020 by the Mackie Academy Rugby Football Club regarding the possibility of an Asset Transfer of Forest Park, Stonehaven. The Rugby Club had leased two pitches at a site at Redcloak, Stonehaven from separate landowners. However, they had been advised by both landowners that when their current leases came to an end they would not be renewed. In November 2019 the first of the leases terminated and they were reduced to operating from one pitch. The other lease is due to run out in 2026 and therefore they have no option but to look for an alternative site. They have explored a number of potential sites with private landowners and developers but so far have been unable to secure suitable land either because the development is no longer coming forward in the new Local Development Plan or the site would be too expensive to develop due to infrastructure requirements.
- 3.2 As any new site would require ground works to create suitable pitches and associated infrastructure time is of the essence to find a new site which could be developed. If the Rugby Club are unable to find an alternative site then there is a serious risk that they may have to fold which would have a negative impact on the hundreds of children and adults who currently play the sport.
- 3.3 The Mackie Academy Rugby Football Club have been providing rugby to the children and adults of Stonehaven and the surrounding communities for 46 years. The Club was formed in 1976 initially offering rugby at senior level. From 1984 they started teaching rugby to primary school age children and now have the second largest number of children playing club rugby in Scotland. The club hold weekly training sessions for children as young as 4 years of age through to Seniors (Mammoths – over 50's). The Club currently has 1,391

members of which 461 are active players. The Junior section is now the largest junior section in the North East of Scotland.

- 3.4 The Rugby Club currently employ the services of a full-time Development Officer who delivers a programme of rugby within the primaries and academies across Kincardine and Mearns, without this post, it is unlikely that rugby would have been taught in schools. Formal plans are now in place to further develop rugby in schools by jointly working with the Scottish Rugby Union, Aberdeenshire Council and the Rugby Club on an initiative to embed rugby into the school curriculum. The initiative aims to improve children's health and wellbeing and attainment in schools and beyond into employment.
- 3.5 The Club also makes use of pitches on occasion within the Mackie Academy playing fields but these too will be reduced with plans being considered for a new Dunnottar Primary and Carronhill Schools potentially being relocated to the Mackie Academy site. Discussions have taken place with Education and Live Life Aberdeenshire regarding the availability of other recreational spaces around Stonehaven such as Mineralwell Park, Baird Park or school estates. Currently all of these sites are heavily used by other sports clubs or the schools themselves. If the Rugby Club were to also use the pitches in these locations it would have an impact on the timetabling for other clubs which could result in conflicts of availability of pitches for matches and training. The pitches would also become overused and could potentially become unplayable. As a result the Rugby Club have limited access to other facilities within Stonehaven to train or play matches.
- 3.6 The land at Forest Park is located within the settlement boundary of Stonehaven and is identified specifically in the Settlement Statement for the town as P3 which is Protected land "To conserve the playing fields as amenities to the town". The Park is bounded by Forest Drive on one side, Forest View and Mill of Forest Primary School on another, and houses on the other 2 sides, although one side has additional separation of the car park and electricity sub-station (see aerial view at **Appendix 3**).
- 3.7 The Rugby Club had previously used the park for training but due to the wet ground conditions and dog fouling had relocated to the pitches at Redcloak. The Rugby Club had at that time installed floodlights which are still in situ and for which they continue to pay the electricity charges. Therefore the proposal would see them returning to their old training ground with the intention of investing money in improving the ground conditions and facilities.
- 3.8 As of September 2022 the Rugby Club have submitted an application to resume training sessions at Forest Park, 3 evenings per week weather dependent, until April 2023 due to the lack of availability of other training facilities within Stonehaven.
- 3.9 Forest Park is also currently the home of the Kinneff Tug of War Club who have trained twice a week from April to September since 2009. The Tug of War Club were previously located at the Cowie lade field and were relocated to Forest Park to make way for the construction of the allotments. The Rugby Club have

indicated that they would be happy to work with the Tug of War Club to ensure they can continue to operate from Forest Park but should that not be feasible for whatever reason then it has been confirmed that they could be accommodated within either Mineralwell or Baird Park, Stonehaven.

- 3.10 The Rugby Club are seeking the transfer of the whole of Forest Park as per the attached plan (**Appendix 4**) to create two pitches to SRU competition standard, training area, changing rooms, storage, fitness suite and clubhouse. The transfer would include the car park but exclude the Hamish Play Park which would continue to be owned and managed by Aberdeenshire Council. Although the plan submitted with the Asset Transfer request shows a red line around the entire site this indicates the land that would be transferred and is not indicative of where the fence line would sit. The plans include the erection of sports fencing around the two pitches to prevent dog fouling and rabbit holes, and the erection of new floodlights for training in the darker evenings. Access hatches would be provided in the fencing, similar to that provided at the All Weather Pitch in Mineralwell, Stonehaven, so that the community can make use of the pitches when not in use by the Rugby Club. Currently the Club trains 4 evenings a week with matches on Saturdays and occasionally Sundays. The Rugby Club have intimated that they will provide a perimeter path around the fenced area to maintain access through to the houses and primary school and provide a path for dog walkers and others. The Club will also be responsible for the ongoing maintenance of this path. The car park will remain open for public use with access to the play park maintained. The pitches and facilities can also be used by other community groups including the nearby Mill of Forest Primary who would be given access to the pitches during school hours for outdoor activities.
- 3.11 The redevelopment of the site will take a number of years to complete as works are phased and funding allows. Initial works will involve installing improved drainage and cabling for the floodlights. Fencing will be erected to protect the pitches whilst the grass establishes. Portacabins from their current site will be moved into position when the pitches are playable. The use of the portacabins are a temporary measure until sufficient funding can be secured to build a more permanent structure.
- 3.12 Officers consulted with the Planning Service at an early stage, who confirmed that planning consent would be required for the land works and construction of the structures but it would not require a Change of Use as use by the Rugby Club would still be classed as recreational. It was noted that the proposal to fence off a large part of the area would change the character and accessibility of the space and therefore community engagement and awareness was critical as well as demonstrating other community uses beyond rugby. The advice of the Planning Service was to maintain as much of the open aspect nature of the site as possible to allow for informal community use when the Rugby Club were not utilising the space. Consideration also needed to be given to the impact of the floodlights on neighbouring properties. All of these matters will require to be addressed through the planning process which is a separate process to consideration of the Asset Transfer request.

- 3.13 The Rugby Club submitted a formal Asset Transfer request (**Appendix 5**) on 1 September 2021 which was reviewed by the Kincardine and Mearns Asset Transfer Group at its meeting on 6 October 2021. A Validation letter was issued to the Rugby Club on 7 October 2021 and public notices were posted at the site and published online. A total of 372 representations were received with 167 objecting to the proposal and 205 in support. In addition a Save our Park group was formed and submitted a petition with 1165 names objecting to the proposal. It should be noted that a number of the representations were received from multiple people within the same household and a number of representations were received from family and friends who currently reside overseas. Copies of all the redacted representations were forwarded to the Rugby Club who provided a written response to the main concerns and which was posted on the Council's [website](#). It should be noted that the community engagement events did not take place until after the deadline for representations and we are unable to ascertain if this would have altered any of the comments made once they were in a more informed position. The Rugby Club have since reviewed and updated their initial [response](#) following their community engagement events.
- 3.14 As part of their community engagement the Rugby Club gave a presentation to Stonehaven & District Community Council (SDCC) at their meeting on 13 April 2021 when they asked for the Community Council's support and help in raising awareness in the community. The Community Council at this time supported their ambition to find a long term solution. Both the Rugby Club and Save our Park Group attended a subsequent SDCC public meeting on 9 November 2021 and presented their case for support accordingly and after discussion the SDCC agreed a motion that they did not support the Rugby Club taking over Forest Park and agreed a subsequent motion requesting Aberdeenshire Council seek to find a suitable alternative site.
- 3.15 A number of the representations objecting to the request highlighted the following areas of concern:
- Increase in traffic congestion and pollution
 - Insufficient car parking especially for coaches
 - High fencing impacting on nearby homes
 - Loss of open green space for wider community use
 - Increase in noise disturbance to neighbouring homes
 - Concerns on impact of floodlights on neighbouring homes
 - Impact on children with special needs whilst using Hamish Playpark
 - Environmental concerns over loss of trees and shrubs
 - Concerns for stray balls landing in gardens and on Forest Drive
 - Site not large enough or suitable for 2 x pitches and clubhouse etc.
 - Club had not done enough to find alternative land
 - Concerns over impact on house prices in Forest Park

This is not intended to be a comprehensive list of all the matters raised but an indication of some of the most frequently highlighted.

- 3.16 Many of these issues will be fully considered when assessing any future planning application. As part of the planning process further public consultation will also be required. The plans currently provided by the Rugby Club are only indicative of their proposal and are subject to change as a result of the planning process. Given that at this stage in the process it is not known if planning permission will be granted it is recommended that sale of the ground is conditional upon receipt of full planning approval for the proposed development. A conditional agreement addresses possible refusal of planning approval and removes the risk that the land is transferred for a purpose that will never be delivered.
- 3.17 Many letters of objection received were from residents concerned at the potential loss of the open green space which they stated was used by children playing outwith school hours, families flying kites, families playing outdoor games, having picnics and taking exercise. A study was undertaken by the Rugby Club to log the number of people using the park and the activities undertaken. The study was undertaken from 1 to 11 March and repeated again from 3 to 16 May 2021 during and after lockdown. The majority of users were dog walkers, walkers and joggers. The Rugby Club has attempted to accommodate ongoing activities by proposing the creation of a perimeter path for walkers, dog walkers and joggers; children and families will continue to be able to access the grass pitches through the hatch to be created in the fencing and the nearby Primary Schools will be able to use the facilities with pre-arranged access arrangements.
- 3.18 Turning to the reasons for refusal by the Kincardine and Mearns Area Committee, the following responses are provided:

- 3.18.1 *The application does not meet the criteria required as provided for in Part 5 of the Community Empowerment Scotland Act 2015, Section 82. In that the request would not promote or improve economic development, regeneration and public health would be diminished in the adjacent neighbourhood.*

The Community Empowerment legislation sets out a list of matters that must be considered in reaching a decision but there is no requirement that every project will deliver the benefits in all areas. Economic Development is not the primary motivator in most asset transfer applications as 'Community Transfer Bodies' are not for profit organisations where any surplus funds must be used to benefit the whole community and therefore provide community and social benefits rather than economic. Economic development can also be referred to as the process by which the overall health, wellbeing and academic level of the general population is improved. This can be demonstrated by the growth of the Rugby Club since it was established in 1976, allowing them to employ the services of a Development Officer who has been coaching primary school age children in schools across Kincardine and Mearns and who now have the second largest number of children playing club rugby in Scotland. The success of the club has been partly responsible for the further development of rugby being

taught in our schools and who are jointly working with Aberdeenshire Council and the Scottish Rugby Union to embed rugby into the school curriculum. This initiative aims to improve children's health and wellbeing and attainment in schools and beyond into employment.

The Rugby Club aim to maintain its current status but without new facilities will struggle to continue to provide the same number of training sessions and club matches and the worst case scenario is that they may fold altogether. The creation of improved club facilities, changing rooms etc will allow them to offer hospitality to visiting clubs and also offer their gym facilities etc to other community groups in the area. It will also offer improved pitches for the neighbourhood including the local Primary Schools.

It is appreciated that many people in the neighbourhood enjoy the open space that Forest Park currently provides but from observations most tend to walk around the perimeter path and this form of exercise will be able to continue. The development plans make provision for a path around the fenced pitches so that people can continue to use the paths for exercise or to access the primary school or houses nearby. Stonehaven has a number of open spaces to enjoy such as Dunnottar Woodland, the Bay Walk along the seafront, Mineralwell Park, Queen Elizabeth Park, coastal paths and many other green spaces.

The current ground is prone to becoming wet and muddy and water collects in the lower end of the park. It is understood that drainage channels were installed a number of years ago to try and improve conditions but further drainage works are required to address the continued collection of water at certain locations. The Rugby Club have committed to undertake the necessary works to ensure the ground conditions are improved. Improvements will also be made to the current car park with spaces being marked out into parking bays. Their current club house and gym facilities are already let to other community groups and this will continue to be the case and in time as funding allows it is hoped that more permanent facilities can be built which should allow more groups and clubs to be able to make use of the facilities. It is felt that all of these improvements will regenerate the space which is currently underused and not formally let by any other sports or community groups and will provide improved sports facilities for the town.

- 3.18.2 *The proposed asset transfer would be contrary to 83(3)(d) would induce inequality of outcome in respect of social disadvantage concerning the neighbourhood community resulting in the loss of the protected Forest Park. **NB: Please note that reference is made to item 83(3)(d) within the Community Empowerment (Scotland) Act 2015 but no such reference exists and therefore it is taken that the reference being referred to is 82(3)(d).***

It could be argued that improving the current facilities from open green space to two formal grass pitches will improve the social economic outcomes for the community and nearby homes. The pitches will provide improved facilities for new families and may encourage them to take part in sports which has been shown to improve physical and mental health and wellbeing. The Rugby Club already has a strong membership and players of whom a large majority come from the local community and for whom the proposed improvements from their current facilities will reduce any social disadvantage they currently experience compared to Rugby Club facilities elsewhere.

- 3.18.3 *The proposed asset transfer is also contrary to section 82(4) in that equal opportunities are neither encouraged nor observed by the proposed asset transfer which would reserve equal opportunities provided by the requirement for provision of and protection of Forest Park arising from the scale of residential development at the former Mill of Forest Farm and as site specific benefit for the developed neighbourhood and the town.*

The land itself was part of a large area of land owned by Aberdeenshire Council. Parcels of land have been sold off over the years for the neighbouring Mill of Forest primary school and Forest View Centre as well as a parcel of land to a housing developer who built the houses now known as Forest Park. Therefore the land was in situ before the houses were built and was not part of a package providing amenities for the new homes i.e. developer contributions. The park facilities have changed many times over the years and due to budget constraints when pieces of play equipment became damaged beyond repair they were removed with no budget to replace them. Recently the fencing which ran along the roadside had to be removed when the concrete posts became unsafe. Bollards were placed along the edge as well as planting of some small trees, shrubs and wildflowers to provide a buffer strip. Therefore the use of the park has changed many times over the years and has changed from a more formal play park to the current open green space.

- 3.19 A joint valuation was instructed by Aberdeenshire Council and the Rugby Club. This was carried out by the Valuation Office Agency and market value was estimated at £65,000. The market value assumes that use of the ground is restricted to sport and recreation and no other purpose. The Rugby Club has agreed that the site will be sold with a burden preventing an alternative more valuable use, although there can be no guarantee that such a restriction would in every circumstance be enforceable against the club. The valuation was then used to undertake the Cost Benefit Analysis attached as **Appendix 6**. The Cost Benefit Analysis shows the Asset Transfer to give a substantial surplus to the Council over the term of the lease due to the potential community benefit which it presents. Therefore following the outcome of this analysis it is recommended that the land is transferred for the amount of £1.

3.20 The Council’s Asset Disposal Policy in general has a presumption against disposal of playing fields, open spaces and amenity land on the open market, however, some assets may be subject to disposal despite not having been previously declared surplus, these being:

- Disposal of assets for community regeneration
- Transfer to the community

The Community Empowerment (Scotland) Act 2015 was designed to give community bodies the right to makes requests to Local Authorities for any land or buildings which they feel they could make better use of. Community bodies can request ownership, lease or other rights, as they wish. The Act requires the Local Authority to assess requests transparently against a specified list of criteria and to agree the request unless there are reasonable grounds for refusal. This shifts the balance of power clearly towards the community body.

3.21 In conclusion, this has not been an easy or straightforward application to determine. Aberdeenshire Council is in a difficult situation whereby a sports club are about to have their current lease terminated and no other site is readily available. The Club have looked at a number of potential sites but either these have not come forward in the latest Local Development Plan or the sites would require significant instructure investment for which they cannot realistically raise the necessary funding. Officers have undertaken discussions with other Council Services to investigate possible solutions within the Council’s own estate and these have not produced any new potential sites.

3.22 The Officers’ recommendation is that this application should be approved due to the current low usage of Forest Park and to support the continuation of an established sports club and their delivery of rugby to all ages in the community. This recommendation also fits with [Live Life Aberdeenshire’s Pitch and Outdoor Physical Activity Space Strategy](#) which has identified a need for improved pitches to cater for Rugby and Hockey to further develop. It should be noted that the recommendations contained in paragraph 1.1 relate to the Asset Transfer application and that as indicated, planning permission will be required for a number of elements proposed by the rugby club e.g. fencing, new structures etc. It is therefore considered appropriate to recommend the Asset Transfer application favourably subject to the transfer being conditional on the Rugby Club obtaining the appropriate planning consents before conclusion of the Asset Transfer. The Rugby Club have confirmed that should Aberdeenshire Council wish to support the Asset Transfer they would be agreeable to the transfer being subject to planning permission being granted.

4 Council Priorities, Implications and Risk

4.1 The following Council Priority is relevant to the report:

Pillar	Priority
Our People	Health & Wellbeing

Underpinning the Priority is the key principle of Health & Wellbeing - improving the health and wellbeing of people in our communities; and focus on improving mental health through physical and cultural activities.

- 4.2 This report helps deliver against Aberdeenshire Children’s Services Plan Priority – Children and Young People’s Mental Health and Wellbeing

This report also helps deliver on the LOIP Priority – Health & Wellbeing.

- 4.3 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	IIA attached as Appendix 7		
Children and Young People’s Rights and Wellbeing	IIA attached as Appendix 7		
Climate Change and Sustainability	IIA attached as Appendix 7		
Health and Wellbeing	IIA attached as Appendix 7		
Town Centre First		X	

- 4.4 There will be positive staffing and financial implications in removing future maintenance requirements with an annual saving to the Council of circa £10,000 incurred by Landscape Services who currently maintain the park.

- 4.5 An integrated impact assessment has been carried out as part of the development of the proposals set out above. It is included as **Appendix 7** and the following impacts have been identified:

Children’s Rights & Wellbeing

No Negative Impacts Identified.

The Rugby Club have a number of policies and procedures in place to safeguard children whilst taking part in the sport or involved in club activities.

Equalities & Fairer Scotland Duty

Only Some Negative Impacts Can Be Mitigated.

The fencing off of the pitches will limit access to the wider community. Dog walkers will not be allowed onto the pitches. Although hatches will be provided in the fencing to allow children and others to use the grass pitches when not in use by the Rugby Club it will limit access to those with mobility issues.

At present no alternative sites within Stonehaven or the surrounding area that can accommodate 2 grass pitches have been identified as suitable and

are available. If the transfer does not go ahead there is a risk that the Rugby Club will struggle to continue and those who partake in the activities of the club will be impacted. The Rugby Club employ the services of a Development Officer and may not be in a position to continue funding this post which will also impact rugby being taught in schools across Kincardine and Mearns.

Health Inequalities

Only Some Negative Impacts Can Be Mitigated.

There is strong evidence that taking part in sport and physical activity has a positive impact on mental health and wellbeing as well as health benefits from being physically active. The creation of new pitches will provide improved facilities for the community to enjoy, however, there will not be open access for all to the current green open space as the fencing will remove the open nature of the park.

Hatches will be created in the fencing to allow the public to use the pitches when not in use by the Rugby Club. This may not be suitable for all those who currently use the park. If the transfer does not proceed then there will be a loss of rugby facilities in the community which could have a negative impact on those who currently take part in the sport.

Sustainability & Climate Change

Only Some Negative Impacts Can Be Mitigated.

The loss of trees and shrubs currently situated around the park can only be partly mitigated by relocating some elsewhere. There are still a number of trees and shrubs on the other side of the road from the park which will continue to offer a natural environment for plants and wildlife nearby.

Stonehaven benefits from a number of green open spaces such as Mineralwell Park, Dunnottar Woods etc which provides a natural environment. Additional trees and shrubs were only recently introduced to Forest Park and as they are still young and not fully developed can be relocated within Stonehaven.

4.6 No Risks have been identified as relevant to this matter on a Corporate Level.

The following Risks have been identified as relevant to this matter on a Strategic Level:

BSSR006 - Support Community Asset Transfer - [Business Services Directorate Risk Register \(aberdeenshire.gov.uk\)](#).

ISSR008 – Placemaking – supporting communities to help themselves, enabling wealth building that supports local economic opportunities. [Infrastructure Services Directorate Risks \(aberdeenshire.gov.uk\)](#).

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 and are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 5.2 Section C.5.1.1 of the List of Committee Powers in Part 2A of the Scheme of Governance requires the Business Services Committee to determine the acquisition, sale or lease of land or property not on the Council's Housing account where an Area Committee has made a decision in relation to a Community Asset Transfer that is contrary to Officer's recommendation or does not accord with Council policy.

Alan Wood
Director of Environment and Infrastructure Services

Report prepared by Bruce Stewart, Area Manager Kincardine and Mearns and Diane Henderson, Area Project Officer
Date: 29 November 2022

List of Appendices:

- Appendix 1 – Report to Kincardine & Mearns Area Committee on 23 August 2022
- Appendix 2 – Minute Extract of Kincardine & Mearns Area Committee on 23 August 2022
- Appendix 3 – Aerial view of Forest Park and surrounding area
- Appendix 4 – Site Plan
- Appendix 5 - Asset Transfer application & supporting documents
- Appendix 6 – Summary of Cost Benefit Analysis
- Appendix 7 – Integrated Impact Assessment

REPORT TO KINCARDINE AND MEARNS AREA COMMITTEE – 23 AUGUST 2022

ASSET TRANSFER REQUEST – FOREST PARK, STONEHAVEN

1 Executive Summary/Recommendations

1.1 As required by Section B.9.2.6 of the List of Committee Powers in the Scheme of Governance, the Area Committee are required to determine the granting of the transfer of an asset to a community group and the terms and conditions of that transfer. This report seeks the approval of the Kincardine and Mearns Area Committee to transfer Forest Park, Stonehaven to the Mackie Academy Rugby Football Club.

1.2 The determination of an asset transfer application is a quasi-judicial matter, therefore, Members must have regard to the provisions of Section 7 of the Councillors Code of Conduct, in particular the duty to ensure a proper and fair hearing of the application.

1.3 The Committee is recommended to:

1.3.1 Consider the Asset Transfer application attached to this report;

1.3.2 Approve the Asset Transfer request from Mackie Academy Rugby Football Club for ownership of Forest Park, Stonehaven and instruct the Area Manager to issue a Decision Notice;

1.3.3 Delegate authority to the Area Manager to instruct Legal and People to conclude the transfer of Forest Park, Stonehaven to Mackie Academy Rugby Football Club, subject to the condition that planning permission is granted; and

1.3.4 Agree that the purchase price should be set at a nominal sum of £1 which takes into account the development costs and the health and wellbeing benefits that the Club can provide.

2 Decision Making Route

2.1 A report was presented to the Kincardine and Mearns Area Committee on 14 June 2022 when Councillors took a decision to defer determination until a site visit was undertaken. A site visit took place on 21 June 2022 and the report being presented today remains unchanged from the information previously presented. The only additional information to make Councillors aware of is that the report from the examination of the Local Development Plan has now been received and is currently being considered by the Council. Should the Council agree to the findings this will become the settled view of the Council for the next 5 years, which will not provide any new opportunities for the Rugby Club in terms of sites becoming available which could provide land for new pitches.

- 2.2 Requests for Asset Transfers from community bodies are governed by the provisions of the [Community Empowerment \(Scotland\) Act 2015](#). Community bodies can request ownership, lease or other rights, as they wish. The Act requires local authorities to assess requests transparently against a specified list of criteria and to agree the request unless there are reasonable grounds for refusal.
- 2.3 The Committee must therefore determine the application presented based on the statutory criteria as set out below and in line with [Aberdeenshire Council's Asset Transfer Policy](#):
- The reasons for the request
 - Any other information provided in support of the request
 - Whether agreeing to the request would be likely to promote or improve
 - Economic development
 - Regeneration
 - Public health
 - Social wellbeing
 - Environmental wellbeing
 - Whether agreeing to the request would be likely to reduce socio-economic inequalities
 - Any other benefits that might arise if the request were agreed to,
 - How the request relates to the relevant authority's duties under Equalities legislation
 - Any obligations that may prevent, restrict or otherwise affect the authority's ability to agree to the request.

3 Discussion

- 3.1 The Council was first approached in July 2020 by the Mackie Academy Rugby Football Club regarding the possibility of an Asset Transfer of Forest Park, Stonehaven. The meeting was to discuss the principle of the proposal and explain what would be involved in submitting an Asset Transfer application. The Rugby Club explained that until recently they had leased two pitches at Redcloak from separate landowners, one of which had just been terminated. The other lease was due to run out in 2026 and therefore they had no option but to look for an alternative site. They had explored a number of potential sites with private landowners and developers but had so far not been able to secure suitable land. As any new site would probably require ground works to create suitable pitches and associated infrastructure then time was of the essence to find a new site which could be developed. If the Rugby Club are unable to find an alternative site then there is a serious risk that they may have to fold which would have a negative impact on the hundreds of children and adults who currently play the sport. There would also be a potential loss of rugby being coached and developed across the Kincardine and Mearns area.
- 3.2 The Mackie Academy Rugby Football Club are a registered charity SC051025 and as such are eligible to apply under the Community Empowerment (Scotland) Act 2015 for an Asset Transfer. They have been providing rugby to

the children and adults of Stonehaven and the surrounding communities for 46 years. The Club was formed in 1976 initially offering rugby at senior level. From 1984 they started teaching rugby to primary school age children and now have the second largest number of children playing club rugby in Scotland. The club hold weekly training sessions for children as young as 4 years of age through to Seniors (Mammoths – over 50's). The Junior section is now the largest junior section in the North East of Scotland.

- 3.3 An Expression of Interest application was received in August 2020. Following a meeting of the Kincardine and Mearns Asset Transfer Steering Group on 11 September 2020, the Rugby Club were advised that the Steering Group were supportive of their request, in principle, but ultimately the transfer could only take place if Planning Permission was granted. It was recommended that the Rugby Club commence discussions with the Planning Service as soon as possible and that community engagement should take place including consultation with the Community Council. They were advised that it was important for them to demonstrate the community benefit of their proposal and that the community on the whole were supportive of their plans. At this stage the Council undertook a title search to ensure there were no impediments to a transfer taking place.
- 3.4 Forest Park is located within the settlement boundary of Stonehaven and is identified specifically in the Settlement Statement for the town as P3 which is Protected land "To conserve the playing fields as amenities to the town". The Rugby Club had previously used the park for training but due to the wet ground conditions and dog fouling had relocated to pitches at Redcloak. The Rugby Club had at that time installed floodlights for which they continue to pay the electricity charges. Therefore they were looking to return to their old training ground with the intention of investing money in improving the ground conditions and facilities. To be able to raise the necessary capital for the works they would require to own the land.
- 3.5 Forest Park is also currently the home of the Kinneff Tug of War Club who have trained twice a week from April to September since 2009. The Tug of War Club were previously located at the Cowie lade field and were relocated to Forest Park to make way for the construction of the allotments. The Tug of War Club have confirmed that they would be willing to consider an alternative site at Mineralwell or Baird Park.
- 3.6 The Rugby Club are seeking the transfer of the whole of Forest Park as per the attached plan to create two pitches to SRU competition standard, training area, changing rooms, storage, fitness suite and clubhouse. The transfer would include the car park but exclude the Hamish Play Park which would continue to be managed by Aberdeenshire Council. The plans include the erection of sports fencing around the two pitches to prevent dog fouling and rabbit holes, and the erection of floodlights for training in the evenings. Access hatches are to be provided in the fencing, similar to that provided at the All Weather Pitch in Mineralwell, so that people can use the pitches when not in use by the Rugby Club. Currently the Club trains 4 evenings a week with matches on Saturdays and occasionally Sundays. The Rugby Club have intimated that they will

provide a perimeter path around the fenced area to maintain access through to the houses and primary school and provide a path for dog walkers and others. The Club will also be responsible for the ongoing maintenance of this path. The car park will remain open for public use with access to the play park maintained. The pitches can also be used by other community groups including Mill of Forest Primary who would be given access to the pitches during school hours for outdoor activities.

- 3.7 The redevelopment of the site will take a number of years to complete as works are phased and funding allows. Initial works will involve installing improved drainage and cabling for the floodlights. Fencing will be erected to protect the pitches whilst the grass establishes. Portacabins from their current site will be moved into position when the pitches are playable. The use of the portacabins are a temporary measure until sufficient funding can be secured to build a more permanent structure.
- 3.8 Officers consulted with the Planning Service who confirmed that planning consent would be required for the land works and construction of the structures but it would not require a Change of Use as use by the Rugby Club would still be classed as recreational use. It was noted that the proposal to fence off a large part of the area would change the character and accessibility of the space and therefore community engagement and awareness was critical as well as demonstrating other community uses beyond rugby. The advice of the Planning Service was to maintain as much of the open aspect nature of the site as possible to allow for informal community use when the Rugby Club were not utilising the space. Consideration also needed to be given to the impact of the floodlights on neighbouring properties.
- 3.9 Officers have discussed with the Rugby Club the requirement for fencing around both pitches and sought a compromise whereby only the pitch closest to the road was fully fenced off and the other pitch was left open for general use. The Rugby Club have intimated that their preference is to fully fence the entire area in order to protect their investment and prevent the dog fouling on the sports pitch which has been a constant issue for them. They have also advised that they will engage the services of a Sports fencing specialist as part of the planning process to recommend the best solution for the area of ground. Aberdeenshire Council acknowledges that dog fouling has been an ongoing issue for many play parks and sports pitches which generates many complaints from residents and users.
- 3.10 As part of their community engagement the Rugby Club gave a presentation to Stonehaven & District Community Council (SDCC) at their meeting on 13 April 2021 when they asked for the Community Council's support and help in raising awareness in the community. The Community Council at this time supported their ambition to find a long term solution. On 9 November 2021, both the Rugby Club and Save our Park Groups attended the SDCC public meeting and presented their case for support accordingly, and after discussion the SDCC agreed a motion that they did not support the rugby club taking over Forest Park and agreed a subsequent motion requesting Aberdeenshire Council seek to find a suitable alternative site. An update was provided at the SDCC meeting

on 14 December 2021 by local Ward Councillors stating that the Area Manager had attended meetings with both groups, and a motion was raised that reflected that the Community Council were keen that both groups were catered for and agreed to write to both groups.

- 3.11 Following a number of meetings with Officers from Aberdeenshire Council the Rugby Club submitted a formal Asset Transfer request (**Appendix 1**) on 1 September 2021 which was reviewed by the Kincardine and Mearns Asset Transfer Group at its meeting on 6 October 2021. A Validation letter was issued to the Rugby Club on 7 October 2021 notifying them that the Council now had 6 months in which to determine their application and we would aim to reach a decision by 7 April 2022. They were also advised that the Council would require the outcome of the community engagement exercise, which they indicated they were ready to undertake, this information is used to undertake the Cost Benefit Analysis. Unfortunately, the first of the community engagement events did not take place until 19 February 2022, followed by events on 6 and 20 March 2022 which meant it was not possible to present a report to Area Committee in advance of the 7 April 2022 deadline. The Rugby Club agreed to an extension until the next available committee date.
- 3.12 Once an application is validated the local authority are required to put up notices at the site and publish the information online. The public then have at least 20 working days in which to make representation. A total of 372 representations were received with 167 objecting to the proposal and 205 in support. In addition a Save our Park group was formed and submitted a petition with 1165 names objecting to the proposal. It should be noted that a number of the representations were received from multiple people within the same household and a number of representations were received from family and friends who currently reside overseas. Copies of all the redacted representations were forwarded to the Rugby Club who then had 20 working days in which to provide comments. All of the redacted representations and the response from the Rugby Club are available to view on the Council's [website](#). It should be noted that the community engagement events did not take place until after the deadline for representations and we are unable to ascertain if this would have altered any of the comments made once they were in a more informed position. The Rugby Club have since reviewed and updated their initial [response](#) following the community engagement events.
- 3.13 A number of the representations objecting to the request highlighted the following areas of concern:
- Increase in traffic congestion and pollution
 - Insufficient car parking especially for coaches
 - High fencing impacting on nearby homes
 - Loss of open green space for wider community use
 - Increase in noise disturbance to neighbouring homes
 - Concerns on impact of floodlights on neighbouring homes
 - Impact on children with special needs whilst using Hamish Playpark
 - Environmental concerns over loss of trees and shrubs
 - Concerns for stray balls landing in gardens and on Forest Drive
 - Site not large enough or suitable for 2 x pitches and clubhouse etc.

- Club had not done enough to find alternative land
- Concerns over impact on house prices in Forest Park

This is not intended to be a comprehensive list of all the matters raised but an indication of some of the most frequently highlighted.

Many of these issues will be fully considered when assessing any future planning application. As part of the planning process further public consultation will be required. The plans currently provided by the Rugby Club are only indicative of their proposal and are subject to change as a result of the planning process. Given that at this stage in the process it is not known if planning permission will be granted it is recommended that sale of the ground is conditional upon receipt of full planning approval for the proposed development. A conditional agreement addresses possible refusal of planning approval and removes the risk that the land is transferred for a purpose that will never be delivered.

There have also been a number of suggestions that the Rugby Club should look to other recreational spaces around Stonehaven such as Mineralwell and Baird Park. Currently both of these sites are heavily used by other sports clubs. If the Rugby Club were to also use the pitches in these locations it would have an impact on the timetabling for other clubs which could result in conflicts of availability of pitches for matches and training. The pitches would become overused and could potentially become unplayable.

There were also a number of objections from residents at Carron Den who sited Forest Park as their nearest open green space. However, there is provision within the plans for Carron Den to provide open green space as the site is fully developed.

Many letters of objection received were from residents concerned at the potential loss of the open green space which they stated was used by children playing outwith school hours, families flying kites, families playing outdoor games, having picnics and taking exercise. A study was undertaken by the Rugby Club to log the number of people using the park and the activities undertaken. The study was undertaken from 1 to 11 March and repeated again from 3 to 16 May 2021 during and after lockdown. The majority of users were dog walkers, walkers and joggers. The Rugby Club has attempted to accommodate ongoing activities by proposing the creation of a perimeter path for walkers, dog walkers and joggers; children and families will continue to be able to access the grass pitches through the hatch to be created in the fencing. The nearby Primary Schools will be able to use the facilities with pre-arranged access arrangements.

- 3.14 The Rugby Club currently employ the services of a full-time Development Officer who delivers a programme of rugby within the primaries and academies across Kincardine and Mearns, without this post, it is unlikely that rugby would have been taught in schools. Formal plans are now in place to further develop rugby in schools by jointly working with the Scottish Rugby Union, Aberdeenshire Council and the Rugby Club on an initiative to embed rugby into

the school curriculum. The initiative aims to improve children's health and wellbeing and attainment in schools and beyond into employment.

- 3.15 A joint valuation was instructed by Aberdeenshire Council and the Rugby Club. This was carried out by the Valuation Office Agency and market value was estimated at £65,000. The market value assumes that use of the ground is restricted to sport and recreation and no other purpose. The Rugby Club has agreed that the site will be sold with a burden preventing an alternative more valuable use, although there can be no guarantee that such a restriction would in every circumstance be enforceable against the club. The valuation was then used to undertake the Cost Benefit Analysis attached as **Appendix 3**. The Cost Benefit Analysis shows the Asset Transfer to give a substantial surplus to the Council over the term of the lease due to the potential community benefit which it presents. Therefore following the outcome of this analysis it is recommended that the land is transferred for the amount of £1.
- 3.16 The Council's Asset Disposal Policy in general has a presumption against disposal of playing fields, open spaces and amenity land on the open market, however, some assets may be subject to disposal despite not having been previously declared surplus, these being:
- Disposal of assets for community regeneration
 - Transfer to the community

The Community Empowerment (Scotland) Act 2015 was designed to give community bodies the right to makes requests to Local Authorities for any land or buildings which they feel they could make better use of. Community bodies can request ownership, lease or other rights, as they wish. The Act requires the Local Authority to assess requests transparently against a specified list of criteria and to agree the request unless there are reasonable grounds for refusal. This shifts the balance of power clearly towards the community body.

- 3.17 In conclusion, the Officers' recommendation is that this application should be approved due to the current low usage of Forest Park, as there is no other suitable land currently available to the Rugby Club, and to support the continuation of an established sports club and their delivery of rugby to all ages in the community. This recommendation also fits with [Live Life Aberdeenshire's Pitch and Outdoor Physical Activity Space Strategy](#) which has identified a need for improved pitches to cater for Rugby and Hockey to further develop. It should be noted that the recommendations contained in paragraph 1.1 relate to the Asset Transfer application and that as indicated, planning permission will be required for a number of elements proposed by the rugby club e.g. fencing, new structures etc. It is therefore considered appropriate to recommend the Asset Transfer application favourably subject to the transfer being conditional on the Rugby Club obtaining the appropriate planning consents before conclusion of the Asset Transfer. The Rugby Club have confirmed that should Aberdeenshire Council wish to support the Asset Transfer they would be agreeable to the transfer being subject to planning permission being granted.

4 Council Priorities, Implications and Risk

4.1 The following Council Priorities are relevant to the report:

Pillar	Priority
Our People	Education Health & Wellbeing
Our Environment	Infrastructure Resilient Communities

Underpinning the Priorities are a number of key principles. They are: right people, right places, right time; Community Planning Partnership Local Outcome Improvement Plan; and human rights and public protection.

4.2 This report helps deliver against Aberdeenshire Children's Services Plan Priority – Children and Young People's Mental Health and Wellbeing

This report also helps deliver on the LOIP Priority – Health & Wellbeing.

4.3 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	IIA attached as Appendix 2		
Children and Young People's Rights and Wellbeing	IIA attached as Appendix 2		
Climate Change and Sustainability	IIA attached as Appendix 2		
Health and Wellbeing	IIA attached as Appendix 2		
Town Centre First		X	

4.4 There will be positive staffing and financial implications in removing future maintenance requirements with an annual saving to the Council of circa £10,000 incurred by Landscape Services who currently maintain the park.

4.5 An integrated impact assessment has been carried out as part of the development of the proposals set out above. It is included as **Appendix 2** and the following impacts have been identified:

Children's Rights & Wellbeing
No Negative Impacts Identified.

The Rugby Club have a number of policies and procedures in place to safeguard children whilst taking part in the sport or involved in club activities.

Equalities & Fairer Scotland Duty

Only Some Negative Impacts Can Be Mitigated.

The fencing off of the pitches will limit access to the wider community. Dog walkers will not be allowed onto the pitches. Although hatches will be provided in the fencing to allow children and others to use the grass pitches when not in use by the Rugby Club it will limit access to those with mobility issues.

At present no alternative sites within Stonehaven or the surrounding area that can accommodate 2 grass pitches have been identified as suitable and are available. If the transfer does not go ahead there is a risk that the Rugby Club will struggle to continue and those who partake in the activities of the club will be impacted. The Rugby Club employ the services of a Development Officer and may not be in a position to continue funding this post which will also impact rugby being taught in schools across Kincardine and Mearns.

Health Inequalities

Only Some Negative Impacts Can Be Mitigated.

There is strong evidence that taking part in sport and physical activity has a positive impact on mental health and wellbeing as well as health benefits from being physically active. The creation of new pitches will provide improved facilities for the community to enjoy, however, there will not be open access for all to the current green open space as the fencing will remove the open nature of the park.

Hatches will be created in the fencing to allow the public to use the pitches when not in use by the Rugby Club. This may not be suitable for all those who currently use the park. If the transfer does not proceed then there will be a loss of rugby facilities in the community which could have a negative impact on those who currently take part in the sport.

Sustainability & Climate Change

Only Some Negative Impacts Can Be Mitigated.

The loss of trees and shrubs currently situated around the park can only be partly mitigated by relocating some elsewhere. There are still a number of trees and shrubs on the other side of the road from the park which will continue to offer a natural environment for plants and wildlife nearby.

Stonehaven benefits from a number of green open spaces such as Mineralwell Park, Dunnottar Woods etc which provides a natural environment. Additional trees and shrubs were only recently introduced to Forest Park and as they are still young and not fully developed can be relocated within Stonehaven.

4.6 No Risks have been identified as relevant to this matter on a Corporate Level.

The following Risks have been identified as relevant to this matter on a Strategic Level:

BSSR006 - Support Community Asset Transfer [Business Services Directorate Risk Register \(aberdeenshire.gov.uk\)](#).

ISSR008 – Placemaking – supporting communities to help themselves, enabling wealth building that supports local economic opportunities. [Infrastructure Services Directorate Risks \(aberdeenshire.gov.uk\)](#).

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 and are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 5.2 The Committee is able to consider and take a decision on this item in terms of Section B.9.2.6 of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to the determination of the granting of a transfer of an asset to a community or voluntary group and the terms and conditions of that transfer.
- 5.3 Where the Committee does not agree with Officers' recommendations or existing Council policy, the Scheme of Governance provides that the decision must be referred to the appropriate Policy Committee for determination.

Alan Wood
Director of Environment and Infrastructure Services

Report prepared by Bruce Stewart, Area Manager Kincardine and Mearns and Diane Henderson, Area Project Officer
Date: 14 July 2022

List of Appendices:

- Appendix 1 – Asset Transfer application & supporting documents
- Appendix 2 – Integrated Impact Assessment
- Appendix 3 – Summary of Cost Benefit Analysis

APPENDIX 2

EXTRACT OF THE MINUTE OF THE KINCARDINE AND MEARN'S AREA COMMITTEE HELD ON TUESDAY, 23 AUGUST 2022

5. ASSET TRANSFER FOREST PARK, STONEHAVEN

A report by the Director of Environment and Infrastructure Services was circulated to Members seeking consideration and approval to transfer Forest Park, Stonehaven to the Mackie Academy Rugby Football Club.

Councillors Evison and Turner as indicated left the meeting and took no further part in the determination.

The Chair indicated that two requests to speak had been received from Alan Venters Mackie Academy Rugby Club and David a representative from Save Forest Drive Park Campaign. The Committee **agreed** to hear from both requests to speak. A representative from Save Forest Drive Park Campaign was not available at the time of Area Committee.

The Area Manager introduced the report, outlined the Community Asset Transfer process, highlighted key points within the report and welcomed any questions. Members heard from Alan Venters, representative from Mackie Rugby Club in support of their application.

Members sought clarification on a number of points including public engagement and what consultation had been carried, the length of time remaining on their current lease, timescales to prepare the new site, Members heard that the Mackie rugby club attended the Stonehaven and District Community Council meetings twice and held three open days within the community. The Club confirmed they had 3 years remaining on their lease and in they have an alternative site in place this could be extended to five years.

Members sought guidance on the weight that should be attributed to community support, the legal officer confirmed that Members would need to determine what weight they felt was appropriate to attributed. Members heard that other users of the site had agreed to work with the rugby to find alternative locations or indeed remain on the site and work with the club.

Members queried the longevity of the site and the Club confirmed that this site was suitable for long term use, however this would require a drainage solution to be in place. Members asked questions regarding how to assess the application separately from any potential future planning application as the two are intrinsically linked. Members queried if impact assessments regarding noise, traffic and flood lights had been carried out and heard that these would be covered by the planning application process and that these needed to be assessed separately.

Members heard that members of the public will be able to continue to use the space, any fenced pitches will have small entrances to allow access when required and provide a potentially safer space for users. Members queried if other alternative sites had been considered and heard that yes many sites had been considered however due to costs and infrastructure many were unsuitable.

After further discussion and debate, members highlighted that whilst they fully supported the ambition of the Mackie Rugby club and the need for an alternative location to be found however considered that this site was not the correct location due to the overwhelming responses received from members of the public that place a value on the current use of the land for recreational use and their own wellbeing.

The Committee **agreed** to refuse the asset transfer from Mackie Academy Rugby Football club for ownership of Forest Park, Stonehaven for the following reasons:

The application does not meet the criteria required as provided for in Part 5 of the Community Empowerment Scotland Act 2015, Section 82. In that the request would not promote or improve economic development, regeneration and public health would be diminished in the adjacent neighbourhood.

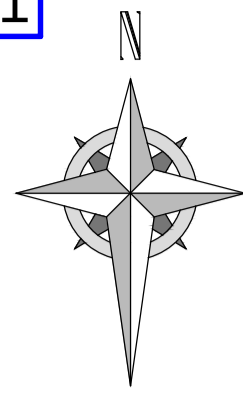
The proposed asset transfer would be contrary to 83(3)(d) would induce inequality of outcome in respect of social disadvantage concerning the neighbourhood community resulting in the loss of the protected Forest Park.

The proposed asset transfer is also contrary to section 82 (4) in that equal opportunities are neither encouraged nor observed by the proposed asset transfer which would reserve equal opportunities provided by the requirement for provision of and protection of Forest Park arising from the scale of residential development at the former Mill of Forest Farm and as site specific benefit for the developed neighbourhood and the town.

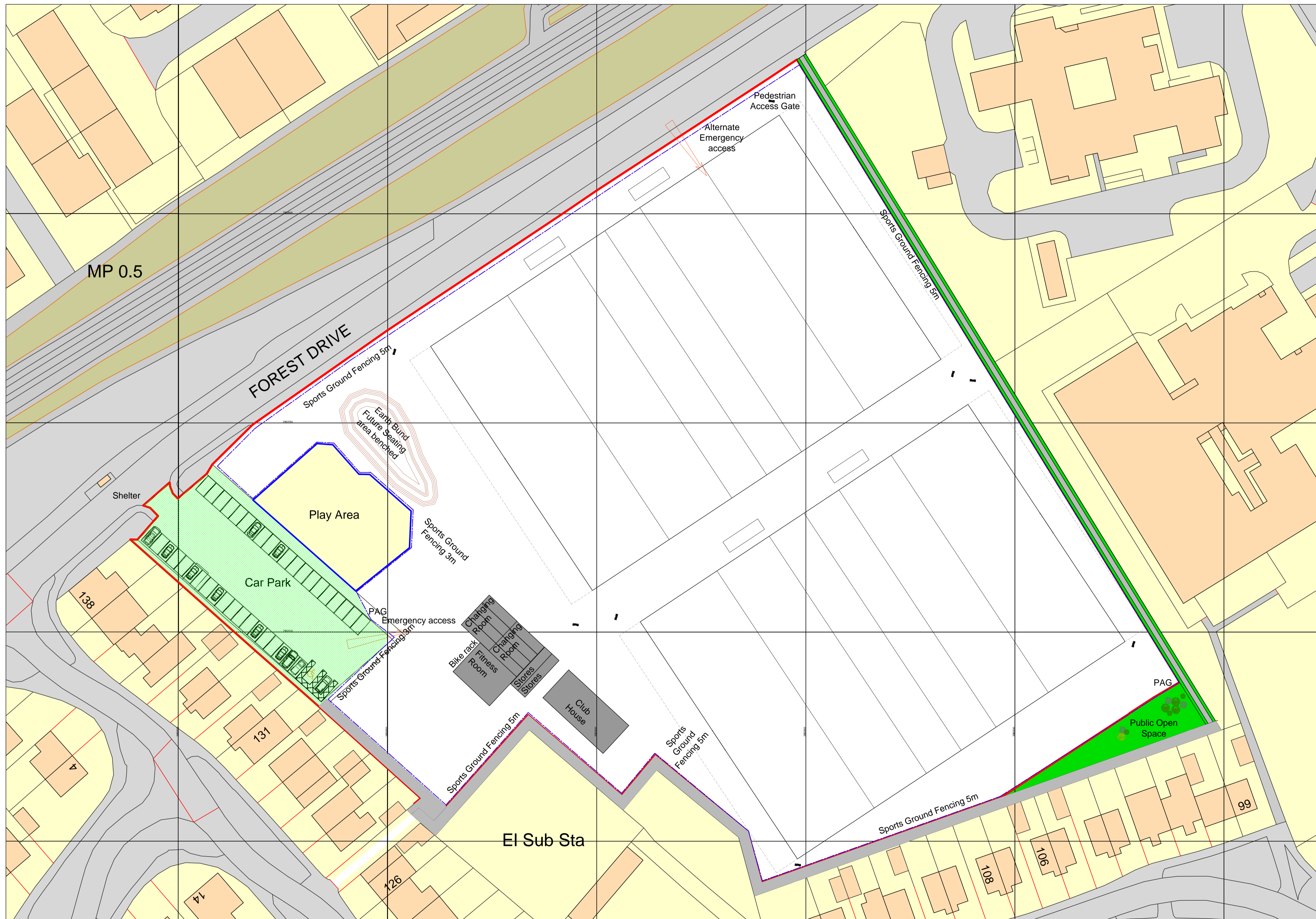
APPENDIX 3



A1



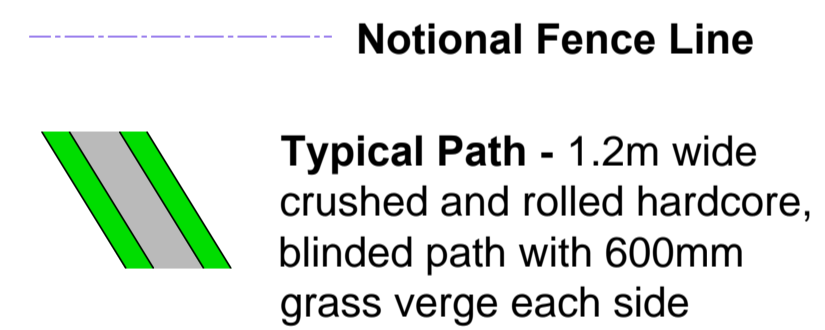
MACKIE ACADEMY FP RFC DRAFT - Proposed Playing & Training Facility (to replace aged training grounds and floodlighting)



Typical Fence Detail with pedestrian pass gate 3.0m - NTS (Type and size to be confirmed on discussion with planning service)



Typical Fence Detail with double pass gate 3.0m - NTS (Type and size to be confirmed on discussion with planning service)



Lighting - To be by specialist designer to include limiters for any glare or backspill to either roads or local residents. Aged existing lighting to be removed.

Club House & Changing Facilities - To be sectional container style buildings with external finish to be agreed. These buildings will be temporary in nature as there is a desire to have a purpose built club house facility within the site

Coach Parking and Drop Off - To be agreed, traffic management for major events will be specific event traffic management plan. Small coach parking and turning to be accommodated within existing car parking arrangements.

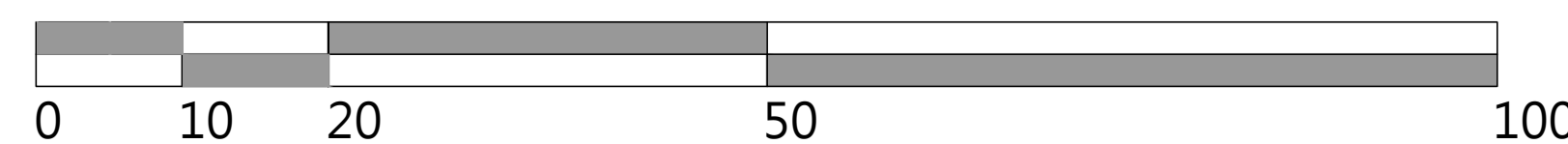
Surface Water Disposal - Existing greenfield run off is being made no worse by the proposals, under pitch drainage will enhance the ground conditions. Surface water to be collected via grey water harvesting for re use to water pitches and flush toilets etc.

REVISIONS	
Date	Description
1 12 Mar 21	Boundary, fence alterations, club buildings relocation, public paths provided & bund relocated

inspired design & development ltd
 Design Studio
 27 Evan St
 Stonehaven
 AB39 2EQ
 Tel: 01569 764183
 mail@idd-ltd.co.uk

**Mill O' Forest Green Space - Site Plan
Scale 1:500**

SCALE BAR 1:500



Under no circumstances are drawings to be scaled from. Contact IDD regarding any queries. This drawing is copyright, all rights reserved.

Client: Mackie Academy FP RFC
 Project: Rugby Facilities
 Drawing Title: Site Plan

Drawn by:	GB
Checked by:	AV
Scale:	As Shown
Date:	01 August 2020
Ref:	116-2020
Dwg No:	SP01
Rev:	1

CONCEPT



From mountain to sea

Asset Transfer Request

This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015. **Please read the applicant notes before completing this form.**

Section 1: Information about the community transfer body (CTB) making the request

- 1.1 Name and address of the CTB making the request. This should be the registered address, if you have one.

Name:	
Postal address:	[REDACTED]
Postcode:	[REDACTED]

- 1.2 Contact details. Please provide the name and contact address to which correspondence in relation to this asset transfer request should be sent.

Contact name:	
Position in CTB:	
Postal address:	[REDACTED]
Postcode:	
Email:	[REDACTED]
Telephone:	[REDACTED]

We agree that correspondence in relation to this asset transfer request may be sent by email to the email address given above. *(Please tick to indicate agreement) You can ask the relevant authority to stop sending correspondence by email, or change the email address, by telling them at any time, as long as 5 working days' notice is given.*



From mountain to sea

1.3 Please mark an "X" in the relevant box to confirm the type of CTB and its official number, if it has one.

	Company, and its company number is	
	Scottish Charitable Incorporated Organisation (SCIO), and its charity number is	
	Community Benefit Society (BenCom), and its registered number is	
	Unincorporated organisation (no number)	

Please attach a copy of the CTB's constitution, Articles of Association or registered rules.

1.4 Has the organisation been individually designated as a community transfer body by the Scottish Ministers?

No

Yes

Please give the title and date of the designation order:

1.5 Does the organisation fall within a class of bodies which has been designated as community transfer bodies by the Scottish Ministers?

No

Yes

If yes what class of bodies does it fall within?



From mountain to sea

Section 2: Information about the asset requested

2.1 Please identify the asset - land or building(s) - which this asset transfer request relates.

You should provide a street address or grid reference and any name by which the land or building is known. If you have identified the land on the relevant authority's register of land, please enter the details listed there.

It may be helpful to provide one or more maps or drawings to show the boundaries of the land requested. If you are requesting part of a piece of land, you must attach a map and full description of the boundaries of the area to which your request relates. If you are requesting part of a building, please make clear what area you require. a drawing may be helpful.

Name of Asset:

Address of Asset:

Postcode of Asset:

2.2 Please provide the UPRN (Unique Property Reference Number), if known.

This should be given in the relevant authority's register of land

UPRN:



From mountain to sea

Section 3: Type of request, payment and conditions

3.1 Please mark what type of request is being made (mark one only):

- for ownership ([under section 79\(2\)\(a\)](#)) - go to section 3A

- for lease ([under section 79\(2\)\(b\)\(i\)](#)) – go to section 3B

- for other rights ([section 79\(2\)\(b\)\(ii\)](#)) - go to section 3C

3A – Request for ownership

What price are you prepared to pay for the asset requested?

Proposed price: £

Please give information setting out any other terms and conditions you wish to apply to the request.



From mountain to sea

3B – Request for lease

What is the length of lease you are requesting?

How much rent are you prepared to pay? Please make clear whether this is per year or per month.

Proposed rent:

£ per

Please give information setting out any other terms and conditions you wish to be included in the lease, or to apply to the request in any other way.



From mountain to sea

3C – Request for other rights

What are the rights you are requesting?

Do you propose to make any payment for these rights?

Yes

No

If yes, how much are you prepared to pay? Please make clear what period this would cover, for example per week, per month, per day?

Proposed payment:

£ per

Please attach a note setting out any other terms and conditions you wish to apply to the request.



From mountain to sea

Section 4: Community Proposal

4.1 Please set out the reasons for making the request and how the land or building will be used.

This should explain the objectives of your project, why there is a need for it, any development or changes you plan to make to the land or building, and any activities that will take place there.



From mountain to sea

Benefits of the proposal

4.2 Please set out the benefits to the community that you consider will arise if the request is agreed to. This should include: - economic, regeneration, public health, social wellbeing, environmental benefits; or how this will reduce inequalities.

This section should explain how the project will benefit your community, and others. Please refer to the applicant notes on how the relevant authority will consider the benefits of a request.



From mountain to sea

Restrictions on use of the land

- 4.3 If there are any restrictions on the use or development of the land, please explain how your project will comply with these.

Restrictions might include, amongst others, environmental designations such as a Site of Special Scientific Interest (SSI), heritage designations such as listed building status, controls on contaminated land or planning restrictions.

Risk Analysis

- 4.4 What negative consequences (if any) may occur if your request is agreed to? How would you propose to minimise these?

You should consider any potential negative consequences for the local economy, environment, or any group of people, and explain how you could reduce these.



From mountain to sea

Capacity to deliver

4.5 Please show how your organisation will be able to manage the project and achieve your objectives.

This could include the skills and experience of members of the organisation, any track record of previous projects, whether you intend to use professional advisers, etc.



From mountain to sea

Section 5: Level and nature of support

5.1 Please provide details of the level and nature of support for the request, from your community and, if relevant, from others.

This could include information on the proportion of your community who are involved with the request, how you have engaged with your community beyond the members of your organisation, their response and how the community have contributed to the design of the project. You should also show how you have engaged with any other communities that may be affected by your proposals.



From mountain to sea

Section 6: Funding

6.1 Please outline how you propose to fund the price or rent you are prepared to pay for the asset, and your proposed use of the asset.

You should show your calculations of the costs associated with the transfer of the land or building and your future use of it, including any redevelopment, ongoing maintenance and the costs of your activities. All proposed income and investment should be identified, including volunteering and donations. If you intend to apply for grants or loans you should demonstrate that your proposals are eligible for the relevant scheme, according to the guidance available for applicants.



From mountain to sea

Section 7: Business Plan including a 3-year financial forecast

7.1 Please give details of your Business Plan

You should include a statement of your goals, reasons they are attainable, plans for reaching them and a forecast of future revenues and expenses.



From mountain to sea

Signatures

Two authorised signatories (e.g. manager, board members, charity trustees or committee members) of the community transfer body must sign the form. They must provide their full names and home addresses for the purposes of prevention and detection of fraud.

This form and supporting documents will be made available online for any interested person to read and comment on. Personal information will be redacted before the form is made available.

We, the undersigned on behalf of the community transfer body as noted at section 1, make an asset transfer request as specified in this form.

We declare that the information provided in this form and any accompanying documents is accurate to the best of our knowledge.

Name

Address

Date

Position

Signature

Name

Address

Date

Position

Signature



From mountain to sea

Checklist of accompanying documents

To check that nothing is missed, please list any documents which you are submitting to accompany this form.

Section 1 – you must attach your organisation’s constitution, Articles of Association or registered rules

Title of document attached:

Section 2 – any maps, drawings or description of the land requested

Documents attached:

Section 3 – note of any terms and conditions that are to apply to the request

Documents attached:

Section 4 – about your proposals, their benefits, any restrictions on the asset or potential negative consequences, and your organisation’s capacity to deliver.

Documents attached:

Section 5 – evidence of community support

Documents attached:



From mountain to sea

Section 6 – funding

Documents attached:

Section 7 – business plan including a 3-year financial forecast

Documents attached:

Completed applications should be sent to your **local Area Manager** and marked '**Asset Transfer**'. **Contact addresses are listed below:**

<p>BANFF & BUCHAN Area Manager Town House 34 Low Street Banff AB45 1AY</p> <p>Tel. no: 01467 537131 Email: banffandbuchanamo@aberdeenshire.gov.uk</p>	<p>BUCHAN Area Manager Buchan House St Peter Street Peterhead AB42 1QF</p> <p>Tel. no: 01467 537259 Email: buchan@aberdeenshire.gov.uk</p>
<p>FORMARTINE Area Manger Formartine Area Office 29 Bridge Street Ellon AB41 9AA</p> <p>Tel. no: 01467 538439 Email: formartineareaoffice@aberdeenshire.gov.uk</p>	<p>GARIOCH Area Manager Gordon House Blackhall Road Inverurie AB51 3WA</p> <p>Tel. no: 01467 539371 Email: garioch@aberdeenshire.gov.uk</p>
<p>KINCARDINE & MEARNES Area Manager Viewmount Arduathie Road Stonehaven AB39 2DQ</p> <p>Tel. no: 01467 534684 Email: kincardineandmearnes@aberdeenshire.gov.uk</p>	<p>MARR Area Manager Alford Area Office School Road Alford AB33 8TY</p> <p>Tel. no: 01467 536421 Email: marr@aberdeenshire.gov.uk</p>

Mackie Rugby Football Club.
Scottish Charity: Number SC051025

This document can be read in conjunction with Executive Summary for the Asset Transfer Request for Land transfer for Community Rugby and Sports facility at Forest Park, Stonehaven for Mackie Rugby Football Club.

This document has been written in a way to support use of software, hopefully making it easy to read.

SECTION 4

4.1 Need for the proposal

This plan sets out the proposed development for the Mackie RFC over the next 6 years and within this there is a proposal to construct a two pitch, community rugby sports facility at Forest Park, Stonehaven. The plan begins by providing a brief background to the current facilities and its place in the Kincardine and Mearns community and surrounding areas. It sets out the overall vision and aspirations to secure and enhance the rugby and sports provision within K&M.

The plan focuses on securing and developing more participants across all age groups, encouraging more activity more often. The following areas are key priorities for the development & sustainability of rugby in the K&M area.

Key Priorities

- Further development of the club's, junior, intermediate, and advanced rugby programmes taking place throughout Stonehaven and the surrounding areas.
- Sustainability of the sport, upskilling coaches, and continued player development.
- Introduction of a programme to promote & deliver disability rugby.
- Continuing to explore opportunities for participants of all ages and ability to play more rugby.
- Management of Mackie RFC community rugby facility and its finances.

Current Position

There is a lack of Playing facilities for Rugby in Kincardine & Mearns. This is illustrated by the position the rugby club finds itself in where it has lost one of its two playing pitches recently due to the land being sold by the landowners and we have been advised that our current lease at Redcloak will not be renewed when it expires in 2026. In effect the club will have no playing facilities and faces the serious risk of folding if this is not addressed.

The club has over a period of the last 15 years sought to find a permanent home but despite extensive efforts has been unable to achieve this due to the high demand for land in Stonehaven and accordingly consider the asset, the last suitable site available to the club with a realistic chance of securing the clubs existence and continued success.

The Proposal

To undertake an asset transfer request under the Community Empowerment (Scotland) Act 2015, of Forest Park to provide a Community Rugby and Sports facility to secure future and growth of Mackie RFC consisting of existing parking area, two pitches, training area and club and sports facility. We have been working hard to bring an all-inclusive approach to our delivery of projects and programs via engaging from nursery age to senior citizens and the proposal will secure and expand the delivery of these.

Facilities to be delivered by proposal -

Two pitches to SRU competition standard, training area, and clubhouse, changing rooms, storage, fitness suite, which will involve reusing existing modular building and purchase or building of new changing rooms.

The rugby clubs Executive Committee have worked very hard to get the Club where it is and have laid down a programme for the continued success of our Organisation which is based upon securing its own facilities to deliver:

- Secure a more permanent site locally.
- Secure realistic streams of funding e.g. Land Fund, Sports Scotland, funds are not available without either ownership or a long lease.
- Once owned, the Club will invest to create competitive pitches. The existing land will require extensive work to break up the clay, create proper drainage, lighting, to deliver a high-class playing surface to SRU standards that will be able to handle the demands imposed on it.
- Create a purpose-built facility, taking ownership and creating a safe and healthy environment for rugby and potentially other community activities.
- Create additional funding streams to cover the capital investment.
- Use existing Club owned infrastructure, such as changing rooms and club house (unless funding is available to build a new changing facility).
- Our existing assets are fully owned and have deliberately been procured as cabins so we have the option to move these to a new site should one become available. They can be refurbished or repainted to suit a new location. This gives us the greatest chance of delivering the proposal within a manageable budget.
- Creating a new home will encourage people to continue to join the club, take ownership and pride with what has been established. This should increase numbers and improve the level of rugby that the different age groups play at.

What we will deliver at new facilities-

The facilities will allow the club to:

- We will train and play rugby upon it
- We will host league fixtures
- We will host tournaments
- We will work with the community and assist other clubs who do not have land or facilities – i.e. the Athletics club
- We will look if favourable to open a permanent club house and gain income from Hire.
- We will look to hire out other facilities.
- We will look to support the smaller groups within our community by making our facilities available for use. Such as: Yoga, Massage Therapy, Pilates, Sewing bee, etc.

Proposal - Area/extent of land being sought

Forest Park Stonehaven

The rugby club is seeking the transfer of the whole of Forest Park as shown on attached Plan to create two competition pitches, and a community rugby sports facility consisting of, club house, changing rooms, fitness suite, storage facilities and carpark.

Playpark – this is to be excluded from the request

At the west side of the proposed site, beside the car park there is an existing playpark, "Hamish's play park", named after a charity mascot. This was opened in 2000 following a funding campaign by a local woman (Joyce Burnett) who had a child with additional needs. There was no such suitable playpark in the town at the time so she set up a charity which went on to fund £73,000 for a playpark that is suitable for children with special needs, finally reaching a total of £130,000 raised. This was filmed for BBC Children in Need. The Club see this as a great amenity for the town and would not expect this be included in the sale unless particularly requested by the Local Authority with our application. The Club are happy to support the play park to take care of basic cleanliness or maintenance but feel, given its prior history, it sits better being retained by the council. It would be our intention to leave the playpark, full disabled access from on street parking, shared parking and on Forest Road while enclosing the area around the play parks perimeter from the rugby pitches.

Parking -

There are spaces for 41 cars parking already established in the current car park (based on current car parking spacing guidelines). We would properly establish line marking. In addition to this there is ample on street parking along Forest Drive, which has been used without issue for many years. There is also the potential of an overspill car park, using Mill O' Forest primary school on the odd Saturday matchday When needed.

With the occasional use of coaches visiting, we would mark out an area behind the already established local bus stop. With the amount of cars that currently attend rugby matches, and with the reduced need to travel (by car) as the location is within the town, we see that there is extensive space for parking at the location.

Current use

Forest Park is designated protected sports land within Stonehaven, and despite this it is currently also used for as other informal recreational uses, mostly for dog walking albeit the rugby club has enjoyed the predominant use of the park but ceased its use for competitions due to the surface being often unplayable due to significant drainage issues.

The site is in the ownership of Aberdeenshire Council, the ground is designated “P” in the 2017 Aberdeenshire Local Development Plan and P3-“ To protect recreational open space as an amenity for the settlement in 2021 LDP “, to conserve the recreation area and playing field.

Background, Organisation and Management of Mackie RFC

Club History – background

Mackie Rugby Club has been providing the sport of rugby to the children and adults of Stonehaven and surrounding communities for over 44 years and has grown from small roots in to a club offering First XV and Second XV rugby along with Senior, Youth, Junior and Ladies teams, including Walking Rugby and Touch Rugby.

The Junior section is the largest junior section in the North East of Scotland. We hold weekly training sessions for children as young as 4 years old (Nursery) through to Seniors – the oldest being 73 years young.

The Junior section host regular rugby festivals through-out the season for both local and travelling clubs. The annual Mackie Mini's Tournament is famed for being the largest in the North East of Scotland welcoming over 700 children from 12 clubs. The past two years have seen clubs travel from Ireland to compete in the event.

The Junior section also has an awards scheme for all players who join the Micros and work through the age groups into the Minis section. The Mini Monitor scheme was one of a kind when it was developed over 20 years ago and has been shared and adopted by other clubs throughout the SRU. This monitor system sees the boys and girls work through various activities and key stages of their rugby development, where they earn points throughout the season and sees them receive badges and monitor point awards. The scoring system is flexible and allows for the players to develop at their own speed and ensures that they all can proudly wear their mini monitor badges at training and when out and about.

Our 38 coaches and additional volunteers give up their time to provide training sessions and take the teams to games all over Scotland. All coaches have the SRU minimum certification which is ‘Rugby Ready’. Most of the coaches also have certification in UKCC level 1, 2 and above and refereeing. The club also assists

many of the Youth players to gain certification so that they can also help coach the micro and mini level junior squads and some use this to support their Duke of Edinburgh Awards. Our aim is to help every coach or assistant coach /helper to develop in delivering rugby training within a safe and professional environment.

Our Youth section continues to grow and compete strongly in the North East and has over the seasons produced players for the Pathway and Hurricane programmes and currently has four of our former players playing for Scotland at Under 17s, 18s and 19 level.

The Youth Section have for the past 3 years taken part in an official nationwide league that has seen our 4 youth teams compete very positively at each age group and has seen them win the Mitsubishi sponsored league in 3 out of the last 4 years and gain promotion to the National Lancer league. The current senior squad boasts membership of over 50 players. The 1st XV play in the SRU Caledonian Division 2 and after finishing 3rd this year after a progressive year, will be pushing for promotion to Caledonian Division 1 in the 2021/2022 season.

Along with the First and Second XV squads we have now developed a senior's team called the Mammoths – “Middle Aged Men Mainly Over The Hill “. This team of coaches and ex-players regularly compete in festivals and bring a new dimension to the club and caters for those die hards who never want to give up playing our glorious sport. Last year saw one of our Mammoths play and be capped for Team GB Touch Rugby Team (over 50's) and travel to Kuala Lumpur and play in the World Touch Rugby tournament.

The above totals over 460 playing members and is under-pinned by our Development Officer.

Development Officer

We contract a company to supply a full-time development officer, who is a former member of the Junior and Youth sections. His main role is with schools in our catchment area, but he can be seen working with some schools within Aberdeen city and takes the name of Mackie Rugby Football Club to those not so close to our home in Stonehaven.

Working closely with the Executive Committee, the Scottish Rugby Union, and our coaches the Development Officer has worked with and often exceeded in annual KPI's. To date the Club has contributed:

- Club & Community Programme
- Club Academy and primary Programme including working with Active Aberdeenshire to deliver rugby at Mearns, Mackie academy and Portlethen academies, which saw these schools have rugby teams playing against each other for the first time and at local primary schools.
- Player Development Guides
- Session Plans

- Skills, Drills booklet
- Warm Up & Cool Down booklet
- Fun games
- Coach Development
- Coaching Handbook

It takes quite a bit of discipline and funding for the Club to continue to fund this position, giving him support and commitment, allowing him to concentrate on the job in hand without always looking over his shoulder in these current difficult economic times. Mackie Rugby are one of the very few rugby clubs in the country that continue to invest in a Development Officer for rugby delivery. The Club are committed to the sport and the town and see this position as a very important part of our strategy and ethos in allowing all to come and try the game of rugby.

4.2 Benefits of the Proposal

Community benefit of rugby

This proposal will allow the club to continue to deliver and continue to grow its vision and which is already evidence by the impact which the club has within the community.

The proposal and club already support and deliver the vision but in addition it meets the Councils following objectives as:

- It will help enhance the sporting facilities of the town and bring additional visitors and promotional opportunities to the area. Providing support for this proposal would also meet key priorities in the Aberdeenshire Council Plan 2017 – 2022 as well as the Sport and Physical Activity Strategy for Aberdeenshire Council 2018-2028. These priorities include:
 - Support a strong, sustainable, diverse, and successful economy.
 - We will support people to reach their potential by providing opportunities for wider achievement.
 - Work with parents and carers to support children through every stage of their development.
 - We will help the people of Aberdeenshire to live longer, healthier lives with a focus on reducing obesity and improving mental health and wellbeing.
 - Have the right people, in the right place, doing the right thing, at the right time.
 - We will use Sport and Physical Activity to build stronger communities
 - In addition, in meeting the clubs and the Council objectives, it meets the equivalent national priorities as set down by Sports Scotland, the SRU and Scottish Government.

Promotion of Aberdeenshire

The club's youth and minis play throughout the Scotland and bring people to Stonehaven.

Twinned with Acheres – members of the clubs committee took part in the twinning activities – and the clubs senior team travelled to Paris where they took part in a cultural tour of Paris and the surrounding sights and represented Stonehaven in a civic reception hosted by the Lord Mayor of Acheres, and then played in a rugby fixture against RCSO (the Acheres) rugby team. This was to mark their 50 anniversary and as the inaugural rugby fixture between our two clubs/towns. Acheres were planned to visit during the Easter break 2020, however due to the COVID pandemic all our activities were cancelled. The meticulously planned activities were formed as part of a working group of rugby volunteers and the Stonehaven Business Community and the Lions.

Mackie RFC Vision & Community benefit of proposal

The objective of the Club is to carry on the success of the rugby club, and in so doing, to promote by all proper means the sport of rugby in and around Stonehaven, and to encourage social interaction amongst members.

We aim to develop each person to be the best they can be. We work with the players in an exciting and learning environment making players comfortable and willing to learn.

We work on all aspects of rugby-skills work, speed agility, strength conditioning and touch on lifestyle.

Amongst the key attributes we look for and to develop – as well as playing rugby are:

- Work Ethic
- Operating model
- Effort
- Energy
- Time Keeping
- Passion
- Coachability
- Being Prepared
- Doing Extra
- Attitude

As noted, the Club is open to all age groups, male, female, disadvantaged, disabled & multicultural.

Our Philosophy is: Rugby – develops the person, not just the player.

Our Values are: FUN-DEVELOPMENT-RESPECT-COMMUNITY-CHALLENGE-INCLUSIVE

Evidence of Delivery

The evidence of meeting these visions and objectives for both the Club and the Council for the communities benefit as currently delivered and will be delivered by the proposal, can be illustrated by the following:

Who do we engage with in the Community?

- Tots to Pensioners – inclusive – female / male / disabled / vulnerable people
- 375 players - information held in SRU management system (micro tots not currently registered in the system)
- Each player from the tots to the mammoths bring their family/carers into the club's vision and support. 1214 club members.
- Full time Funded development officer - funded by club with partial support from SRU.
- Contract of delivery with SRU - Participation agreement for primary and secondary schools
- Current delivery programme - weekdays – weekends – league games – tours
- Delivery at regional and elite level - Caley, Hurricanes and Pathways so tying into national SRU strategy
- Social Awareness and Wellbeing programmes – Walk and Talk, Youth Club', for improved social and mental wellbeing
- Local community assistance where required – Provide help and support for: Harbour Flood Clean up, Sandbag filling at Spurryhillock during flood, school and community BBQs when requested– Stall assembly and take down for – Fee 'in Market, Harbour Festival, Open Air in the Square, Summer Beer Happening. Supporting the athletics club during the dark winter nights allowing the use of our floodlit pitch for the safety of younger members.
- Involved with twinning détente with Acheres, France – to promote town and Aberdeenshire

Hours delivered annually to the community - Coaches/volunteering

The benefits of volunteering both for the person and the Community are well recognised. The Club is in a very fortunate position where we enjoy a huge support from keen rugby fans and parent supporters. Currently we have 38 coaches, teaching rugby to all ages every week of the rugby season, often up to 3 times in a single week with matches in addition to that.

We also have many other volunteers who help with other associated jobs such as tuck shop, food & drink supply, cleaning, clothing, international tickets, grass cutting, fixtures, maintenance to name a few. The number of hours on annual basis has been captured in the undernoted table and which reflects actual rugby activity time but would be even higher if it included time given up travelling to deliver these activities.

Summary of Community benefit

The Club provides a minimum of 76,876 playing hours and 16,316 hours of volunteer time to ensure delivery of the Clubs vision and which it also delivers the Council and national priorities for sports development and wellbeing. The club also works proactively and supports Live Life Aberdeenshire and has recently produced videos that are being used to promote healthy activities whilst children are at home during lock down. These videos have been forwarded to some 1300 children and 130 parents by Aberdeenshire Council.

Monitoring of Success of delivery

The club already monitor and if delivered, will continue to monitor the success of these community outcomes by:

- 1 - the Club development officer has number of KPI to meet from the club and which are supplied to the SRU
- 2 - maintain and note the number of hours being delivered to players and maintain note number of members players and volunteers been involved in club vision and objectives.

Community engagement for the Proposal

Following a positive response to this application, the rugby club will engage with the community themselves, and with the help of a local professional body to ensure all the required consultation takes place.

Options appraisal for land and resources required to deliver proposal

The criteria agreed by the Executive Committee for community rugby facilities were:

- Centrally located to encourage walking or cycling
- Relatively flat land to avoid major earthworks
- Easily accessible by public transport
- Parking availability locally for visiting players and close
- Ground availability for a Community rugby facility with a minimum of 2 rugby pitches and associated buildings.

Running costs are less of a problem than the capital start-up costs as we generally cover running costs with membership subscription, fund raising and sponsorship and have successfully managed the existing facility on this basis.

Existing provision at Redcloak

Mackie RFC has no option other than to look for an alternative site. Our current facility was split between two different land- owners. The land where the lower pitch was located was recently sold and, the seller and their agent made it clear they

wanted the club off the land to sell the property. The new owner will not allow our club to use it, and we have recently taken down the rugby posts so only have one competition pitch left.

Our incumbent landlord at Redcloak, has made it clear that there will be no renewal or extension of our current lease when it expires in six years' time for the remainder of the facilities. They have ambitions for alternative uses due to the proximity to small businesses and the recycling centre. He is unwilling to offer any other area of land for purchase by the club which provides long term security for the club.

Alternative sites

LDP sites

The club has been involved at looking at alternative sites however all these involved the landowners insisting this be part of promotion of major housing sites either in, the 2017 LDP or emerging LDP but none of these sites were, or are being supported by the Council, in its function as the Planning Authority, so are high risk and not deliverable. Over a period of over 10 years the club has explored opportunities with developers that see providing rugby facilities as a key part of any future development.

Land in Ury Estate near Coneyhatch and alternative land now housing Raedykes, Braehead – Bancon, Mill O' Forest – Barratt, Braehead –Cala etc as allocated LDP sites have been ruled out of the LDP process.

Direct acquisition/open market sales

Land rarely becomes available in Stonehaven and the club has not been able to secure this due to competition from both the private and public sectors e.g. sites included –

- **Rickarton** - This is a bigger site as offered by existing landlord but would need substantial groundwork to create level pitches which is not affordable, and the duration of lease was too short to secure the clubs future or funding.
- **Land over the bypass – Behind Economove**
This parcel of land came up for sale recently (where the former second pitch was situated). The Club looked closely at putting in a bid for this, however after carrying out due diligence it was concluded that access from Slug Road could be a major problem being so close to the overpass. The decision was taken not proceed as it would have required buying adjoining lots to create an alternative access so was out with the clubs means.
- **Cemetery Hill**
This land recently came up for sale, and even with an extension to the cemetery there would be enough land to create 2 rugby pitches on tiers but would require earthworks to tier the land. The ground is sandy with decent water runoff. The Club put a bid in for this piece of land at over the asking

price but was out-bid, we believe by Aberdeenshire Council who may have purchased the land for a cemetery extension.

- **Open Market- There are no other sites for sale on open market**

Asset transfer

The Club has looked at assets held by Aberdeenshire Council

Mackie Academy

The club used to have pitches and dedicated changing facilities at the Academy and albeit there are substantial landholdings at the Academy, we understand these require to be retained for any future plans for Mackie academy, as illustrated by the decision not to have the community all weather pitch situated there.

The pitches are also extensively used by the Academy and all the sporting clubs in Stonehaven, the academy cannot cater for all clubs competitive matches so it cannot be guaranteed to be available for fixtures and albeit supports a lot of the clubs activities, it cannot fully deliver the number of hours the club delivers.

Forest Park

This has already been used by the club so a precedent for using as a rugby facility is already there but predominately it's used for exercise of dogs by local residents so the clubs proposal would maximise the use of this facility as noted in the community benefits as set out previously. The ground is level and can be used as pitches but will require drainage and fencing works but unlike other sites would not require extensive and expensive earthworks.

It is noted that it will have impact in removing a green area from the locality, but the area already is well catered for open space, and there are alternatives for walking dogs. The car park is utilised by neighbouring properties however it is not official designated parking for any individual properties in forest park so albeit it may be useful and desirable to them, it's not essential parking so they will not be losing anything they were legally entitled to and sufficient on and off-street parking exists already. A pathway connecting the exits from Forest Park has been added to the south side of the plot to allow a dog walking 'loop' for local residents.

The council's Lifelong Learning and Leisure service also recognise in their recent pitch strategy, as by approved K&M committee, the lack of provision for rugby pitches and the need to support club in find new pitches. The club has also discussed this proposal with the Council Estates, Area Manager and Landscape Services, who have indicated in terms of a site option for an Asset Transfer, this is the only one they can support in Stonehaven.

Outwith Stonehaven

The club have considered looking at other settlements in K&M, but majority of players/volunteers are still based around Stonehaven and the same issues in terms of acquiring a site arise.

Site Option Summary

In terms of options, Forest Park, is the only deliverable site to secure the existence and development of the club within our limited timeline.

4.3 Restrictions on the use of the land.

The extant use for rugby pitches has already established the principle of the rugby pitches so the only elements which would require planning consent would be the safety fencing and the modular buildings (or new changing rooms) for the community facilities. It is acknowledge the need for “open space“ but the proposal does provide open recreational space albeit it’s acknowledged it will not be totally open as present due to the fencing for security and health and safety considerations however given the total use of the space will increase from the present use it still provides increased recreational space for the community, whilst retaining green space. It is also noted there is more than sufficient open and recreational space in the area and that use for Forest Park is for sport, predominantly rugby, and there is sufficient open space in Stonehaven and the forest park area as set out in council’s open space strategies as undernoted.

<https://www.aberdeenshire.gov.uk/media/14714/settlement-summary-kincardine-and-mearns.pdf>

<https://www.aberdeenshire.gov.uk/media/16736/stonehaven.pdf>

Summary

The principal of the proposal does comply with existing use and planning policy, any details that may require amending subject to planning requirements.

4.4 Risk Analysis

Risks of proposal

We have undertaken a SWOT analysis to identify the strengths/weaknesses of the proposal (See Executive Summary Document).

Planning consent - risk - low

the site is designated “P” in the 2017 Aberdeenshire Local Development Plan and P3 -“To protect recreational open space as an amenity for the settlement “,in the emerging 2021 LDP which would be a material consideration.

Address risks – by liaising with Planning service & making sound planning arguments

A pre-application planning enquiry has been made which recognises existing use but highlight "open" use.

Raising the Capital risk - medium risk

The club already has funds to potentially purchase the noted land and securely fence it. We also own existing assets that can be transported and re-sited at Forest Park and in-turn will allow the continuance of rugby. Any additional risk is purely for the upgrade of the pitches and facilities.

Securing the Mill O' Forest Site

This would be subject to a successful asset transfer with ownership being passed to Mackie RFC.

Given the substantial community benefit we believe the risk of this not being progressed is low however acceleration of this requires to be progressed from the Aberdeenshire Council side. Please remember that the clock is ticking and we need this expedited. Possible Participatory Budget funding could be at risk (Live Life Aberdeenshire) should this take too long.

4.5. Capacity to Deliver.

Delivery of this would be on a phased basis as follows-

Agree – Terms of Transfer

The principle of asset transfer in accordance with Aberdeenshire Council's own Property and Asset transfer policy has been set out in the Executive Summary and the Club would seek to acquire on the following terms:

Tenure - transfer of heritable title

Price – a nominal sum to reflect the Community benefit in accordance with the Council's surplus Property and asset transfer policy and in addition, the club would restrict the value of the site and ensure the benefit by accepting an economic development burden restricting the use to community sporting facilities.

Phased Plan – Phased Approach

Timing – we have 6 years left on the lease of our current pitch in which we need to be up and running in a new location. The actions and timings are to be done in phases.

Phase 1 – Secure asset transfer or funded purchase of suitable land and gain planning permission. Agree an Aberdeenshire Council focal point who we can liaise with and with the club for the delivery of the project. Transfer to a SCIO.

Phase 2 – Security fencing

Phase 3 - Earth works, drainage and electrical work

Phase 4 – Create pitches, sow grass

Phase 5 - Move cabins from Redcloak and site at Mill O' Forest – site replacement cabins

Phase 6 – Purchase additional / replacement cabins

Phase 7 – Apply suitable aesthetics to blend

Phase 8 – Start rugby activities

Phase 9 – Begin planning / business plan to look at a permanent clubhouse and facilities, to replace existing cabin based structures.

How we will ensure delivery of the Clubs Vision and Community benefits?

The Club's executive committee have taken on the responsibilities for delivery of the proposal and this structure will assist in the delivery of the proposal

Structure - Executive Committee - the executive committee runs the club on behalf of the Membership and are:

Executive Committee Members

Neil Foster – Club President

- Played club rugby for 20 years, coached various levels over 15 years - UKCC Certified, Qualified referee for over 15 years - IRB and SRU certified
- Mackie Rugby Club member for 21 years – Coach, Section leader, Committee member, Referee, Child Protection Officer, Life Member and currently in my second tenure as Club President
- Outside of rugby I work in 'business strategic alignment'.

Alan Venters – Vice President

- Grew up in Stonehaven, attending Mackie Academy, Playing rugby from school age and member of Rugby Club from seventeen years of age.
- Moved into coaching of the Primary School age kids – for around ten years, taking them on various rugby tours and tournaments.
- A member of the Executive Committee for the club in which I am in a second stint as Vice President.
- Work in the oil & gas industry, mainly operations and technical sales, reaching director level for two different businesses.

Norman MacKay – VP and Acting Treasurer

- Played rugby and joined the club in 2009. Playing as a Mammoth.
- Originally from Stornoway and made Stonehaven my home in 2006.
- Member of the executive committee for the club as Vice President.
- Accountant by trade and worked in the oil and gas industry owning his own company.

Andrew Mitchell – Executive Secretary (Director of Rugby)

- Played for Mackie since the age of 4 years, captained the Senior for 10 years and went on to play for Scotland at U19 and U21s.
- Currently a coach at U16 level and an Executive Committee member.
- Work in the Oil and Gas industry and reached the position of Managing Director.

Robert Richmond – Honorary Chairman

- Founding member of the rugby club in 1976. Played for the club until hanging up his boots after 20 years and has served the club for 45 years.
- Was a senior coach for many years, served on the committee and was president on 3 occasions. Held a committee position on the Caledonian Rugby Committee and now holds a position as a non- Executive Director of the SRU
- Worked in the Oil and Gas industry all his working life and has just retired from running his own company after more than 20 years.

Summary of Executive – Structure

The executive Committee has a variety of skills and experience in delivering Business projects, and resident to the area, they are successful businesspeople who are well known and respected in the community with links past and present to other voluntary groups. In addition to their experience, from within the club membership, we have the ability to draw on legal, surveying, financial, construction, architectural and project management expertise, and are in strong position to deliver the proposed project.

Governance

Structure

The club has recently transferred from an unincorporated voluntary organisation to a Scottish Charity (SCIO) as part of the delivery of the proposal and to meet the criteria as Community organisation in terms of Community Empowerment (Scotland) Act 2015. Charity number: SC051025.

Affiliations

The club is an affiliated and member club of the sport's governing body, the Scottish Rugby Union as well as:

- Caledonian North East Rugby
- Referee's Society Scotland
- Aberdeenshire Sports
- Live Life Aberdeenshire
- Stonehaven Twinning Committee with Acheres in France

Revenue Costs

The club already runs and has experience of running a similar facility at Redcloak and the base operating costs per annum for the club are approximately £35,000. This consists of Lease Costs, Sports Equipment maintenance, Development Officer contract, Insurances, Utilities, Grass Cutting and Buildings Maintenance and Bank Charges are set out in the club's accounts.

These are covered by means of Subscriptions, 100 Club (monthly raffle) and Partnership Funding with the SRU and a copy of the clubs last 3 years accounts are enclosed. These demonstrate that ongoing revenue costs of the proposed facility are not dissimilar to the existing facility so are comfortably within the club's ability to maintain.

The 2020/21 accounts are to be finalised shortly albeit as for most organisations fundraising has not been possible this year.

Policies

The following listed documents are kept up-to-date and circulated where relevant to the appropriate persons. The documents noted with an asterisk are published on our club website.

The following Club documents are provided

- Constitution.*
- Code of Conduct *
- Junior Code of Conduct *
- Code of Conduct for Safeguarding Children.*
- Safeguarding children in Rugby – Child Protection Officer Handbook *
- Child Protection Policy *
- SRU Youth Charter *
- Child Abuse: Signs & Indications *
- Procedure for Responding to Concerns
- Partnership with Parents/Guardian form *
- First Aid Emergency Plan
- Good Practice Guidelines
- Recruitment and Selection

- Disciplinary Procedures – Staff, Coaches & Volunteers *
- Risk Assessment Guidance Procedures
- Risk Assessment- Youth Guidance
- Risk Assessment – Facilities
- Risk Assessments – Covid 19
- Environment Policy
- Serious Injury Reporting *
- Concussion Guidance *
- Prohibited Drug Policy *
- Privacy Notice / GDPR *

Summary of Club's governance

The club has a structure with effective and required policies to meet the relevant legal and welfare requirement for the proposed proposal and its benefits.

Mackie Rugby Football Club.
Scottish Charity: Number SC051025

This document can be read in conjunction with Executive Summary for; Asset transfer Request for Land transfer for Community Rugby and Sports facility at Forest Park, Stonehaven for Mackie Academy Rugby Football Club.

This document has been written in a way to support use of software, hopefully making it easy to read.

SECTION 5

5.1 Community engagement for the Proposal

Following a positive response to this application, the rugby club will conduct public consultation as per the recommended processes by Aberdeenshire Council. They will work with experts in this field to deliver all communications and engagements thereafter.

We have also presented to Stonehaven Community Council, where we discussed our issue of needing to find a new home. At that time we were looking at several possibilities, and received unanimous support. Since our first engagement with the SCC we have written to and presented an update advising of our preference of the Mill O' Forest site. This seems to be the option with the greatest reasonable chance of being successful within our time frame and budgets.

After this last engagement, while all were in favour of Mill O' Forest proposal it was decided that the SCC will wait for public consultation before support is unanimously given.

We have engaged with the Scottish Rugby Union & with Sports Scotland, who have requested to be involved from the outset of this project. While not currently guaranteed funding we have been advised that we seem to cover the pre-requisite requirements to qualify for support.

Mackie Rugby Football Club.

Scottish Charity: Number SC051025

This document can be read in conjunction with Executive Summary for; Asset transfer Request for Land transfer for Community Rugby and Sports facility at Forest Park, Stonehaven for Mackie Academy Rugby Football Club.

This document has been written in a way to support use of software, hopefully making it easy to read.

SECTION 6

6.1 Proposal to fund

Capital Funding

The Capital Funding stream for this proposal are –

- Mackie RFC – Clubs current available funds to new facilities = £48,000
- Mackie RFC - Deposit Account A = £14,100
- Mackie RFC - Deposit Account B = £10,000
- Club beneficiary and Life Member = £60,000

Potential funding:

Developer Obligations Aberdeenshire council = £17,000

Scottish Proceeds of crime funding = £50,000

Scottish Rugby Union funding = £50,000 CSF grant

Sportscotland funding = after an initial meeting with Sportscotland – the grant we would look to apply for is a £ for £ to a max of £100k

Live Life Aberdeenshire – Participatory Budget for sports and leisure in Stonehaven

Club fund raising = £100k (4 year plan)

The Summary funding of the Capital costs

Additional funding Streams to deliver capital costs -

- Club Funds
- Club Benefactors
- Club Crowd Funding – ‘buy a brick’
- Local Grants – Windfarms, Councils, Supermarkets
- National Funding Grants – Sports Scotland
- Affiliate Funding – SRU etc
- Club Sponsorships
- New Associate Memberships
- Potential associate or affiliate sports options.

Not all of the costs will be sustained in a single year. The project is to be completed over a period of 4 years to tie in with relinquishing our existing lease. We have secured several 'estimates' which allow us to plan with confidence.

Phase 1

Secure asset transfer of land with planning permission. Secure funding with bids from Sportscotland & SRU.

Legal cost est. £2500.00 (Inspired Design & Development)

Planning / building warrants est. £2,000 to £6,000.

Phase 2

Security Fencing est. £90,000

Phase 3

Earth works to site, drainage & electrical work est £174,000

Phase 4

Sow grass est. £20,000

Phase 5

Move cabins from Redcloak and site at Mill o' Forest. Site placement and ancillary tie in with concrete pads. est: £30,000. If funding allows, build a purpose-built changing room facility.

Phase 6

Purchase new/replacement cabins and tie in. Est £100,000

Phase 7

Apply suitable aesthetics to blend with environment. Pathways. Est £50,000

Phase 8

Start rugby activities in new home.

Phase 9

Begin plans to look at a permanent clubhouse and facilities to replace existing cabin based structures.

Live Life Aberdeenshire

Mackie RFC would be delighted to be included in the public consultation organised by Live Life Aberdeenshire for part of the available budget to be spent in the community for infrastructure for sport and leisure in Stonehaven. In doing so helping the club continue to offer physical activity with both physical and mental health outcomes and continuing to create a long-term vision for the community and a greater sense of belonging around sport, leisure, health and wellbeing.

The project which is under way and is being developed in manageable phases, culminating on the delivery of a fit for purpose facility to allow the sport to prosper in the area.

Funding from participatory budgeting:

The club is seeking the full funding of each phase as its' preference, however substantial funding from this would also mean support in the funding of a new and better and permanent changing room facility (as per drawing below). Our current changing facility is cabin based and has really passed its useful lifespan and will need to be replaced. Our preference would be to build rather than replace with another cabin-based system.



Mackie Academy
Rugby Football Club
Est 1976

Mackie RFC - Community Rugby and Sports facility - Forest Park, Stonehaven

**Executive Summary for; Asset transfer Request for Land transfer for
Community Rugby and Sports facility at Forest Park, Stonehaven for Mackie
Rugby Football Club**



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Need for the proposal

This plan sets out the proposed development for the Mackie RFC over the next 6 years and within this there is a proposal to construct a two pitch, community rugby sports facility at Forest Park, Stonehaven. The plan begins by providing a brief background to the current facilities and its place in the Kincardine and Mearns community and surrounding areas. It sets out the overall vision and aspirations to secure and enhance the rugby and sports provision within K&M.

The plan focuses on securing and developing more participants across all age groups, encouraging more activity more often. The following areas are key priorities for the development & sustainability of rugby in the K&M area.

Key Priorities -

- Further development of the club's, junior, intermediate, and advanced rugby programmes taking place throughout Stonehaven and the surrounding areas.
- Sustainability of the sport, upskilling coaches, and continued player development.
- Introduction of a programme to promote & deliver disability rugby.
- Continuing to explore opportunities for participants of all ages and ability to play more rugby.
- Management of Mackie RFC community rugby facility and its finances.

Current Position -

There is a lack of Playing facilities for Rugby in Kincardine & Mearns. This is illustrated by the position the rugby club finds itself in where it has lost one of its two playing pitches recently due to the land being sold by the landowners and we have been advised that our current lease at Redcloak will not be renewed when it expires in 2026. In effect the club will have no playing facilities and faces the serious risk of folding if this is not addressed.

The club has over a period of the last 15 years sought to find a permanent home but despite extensive efforts has been unable to achieve this due to the high demand for land in Stonehaven and accordingly consider the asset, the last suitable site available to the club with a realistic chance of securing the clubs existence and continued success.

The Proposal

To undertake an asset transfer request under the Community Empowerment (Scotland) Act 2015, of Forest Park to provide a Community Rugby and Sports facility to secure future and growth of Mackie RFC consisting of existing parking area, two pitches, training area and club and sports facility. We have been working hard to bring an all-inclusive approach to our delivery of projects and programs via engaging from nursery age to senior citizens and the proposal will secure and expand the delivery of these.



Facilities to be delivered by proposal - two pitches to SRU competition standard, training area, and clubhouse, changing rooms, storage, fitness suite, which will involve reusing existing modular building and potential purchase of new changing rooms.

The rugby clubs Executive Committee have worked very hard to get the Club where it is and have laid down a programme for the continued success of our organisation which is based upon securing its own facilities to deliver:

- Secure a more permanent site locally.
- Secure realistic streams of funding e.g. Land Fund, Sports Scotland, funds are not available without either ownership or a long lease.
- Once owned, the Club will invest to create competitive pitches. The existing land will require extensive work to break up the clay, create proper drainage, lighting, to deliver a high-class playing surface to SRU standards that will be able to handle the demands imposed on it.
- Create a purpose-built facility, taking ownership and creating a safe and healthy environment for rugby and potentially other community activities.
- Create additional funding streams to cover the capital investment.
- Use existing Club owned infrastructure, such as changing rooms and club house.
- Our existing assets are fully owned and have deliberately been procured as cabins so we have the option to move these to a new site should one become available. They can be refurbished or repainted to suit a new location. This gives us the greatest chance of delivering the proposal within a manageable budget.
- Creating a new home will encourage people to continue to join the club, take ownership and pride with what has been established. This should increase numbers and improve the level of rugby that the different age groups play at.

Outcomes of Proposal not being realised

The Club will be homeless from 2026, and unable to fulfil any of the fixtures, training or development for the hundreds of primary and academy aged children and adults which the club has to offer nor continue the growth and outcomes it delivers to the community. With no home, there is a real and great risk that the Club would wain, lose numbers and eventually close. We have been trying to secure land in the area for over 15 years, however this has proved fruitless as there has always been issues with Developers, alternative development e.g. Supermarkets, and the location of the oil pipeline and the general hilly, topography of the land surrounding Stonehaven.



Proposal - Area/extent of land being sought

○ **Forest Park Stonehaven**

The rugby club is seeking the transfer of the whole of Forest park as shown on attached Plan to create two competition pitches, and a community rugby sports facility consisting of, club house, changing rooms, fitness suite, storage facilities and carpark.

○ **Playpark – this is to be excluded from the request**

At the west side of the proposed site, beside the car park there is an existing playpark, "Hamish's play park", named after a charity mascot. This was opened in 2000 following a funding campaign by a local woman (Joyce Burnett) who had a child with additional needs. There was no such suitable playpark in the town at the time so she set up a charity which went on to fund £73,000 for a playpark that is suitable for children with special needs, finally reaching a total of £130,000 raised. This was filmed for BBC Children in Need. The Club see this as a great amenity for the town and would not expect this be included in the sale unless particularly requested by the Local Authority with our application. The Club are happy to support the play park to take care of basic cleanliness or maintenance but feel, given its prior history, it sits better being retained by the council. It would be our intention to leave the playpark, full disabled access from on street parking, shared parking and on Forest Road while enclosing the area around the play parks perimeter from the rugby pitches.

Parking - There are spaces for 41 cars parking already established in the current car park (based on current car parking spacing guidelines). We would properly establish line marking. In addition to this there is ample on street parking along Forest Drive, which has been used without issue for many years. There is also the potential of an overspill car park, using Mill O' Forest primary school on the odd Saturday matchday When needed.

With the occasional use of coaches visiting, we would create a turning circle within the facility. With the amount of cars that currently attend rugby matches, and with the reduced need to travel (by car) as the location is within the town, we see that there is extensive space for parking at the location.

Current use

Forest Park is designated protected sports land within Stonehaven, and despite this it is currently also used for as other informal recreational uses, mostly for dog walking albeit the rugby club has enjoyed the predominant use of the park but ceased its use for competitions due to the surface being often unplayable due to significant drainage issues.

The site is in the ownership of Aberdeenshire Council, the ground is designated "P" in the 2017 Aberdeenshire Local Development Plan and P3-" To protect recreational open space as an amenity for the settlement in 2021 LDP ", to conserve the recreation area and playing field.



Why will the facility be secured for Community rugby and Sport use

The intention is to fence the area off from community uses by the club as this is a requirement for SRU competition pitches, to provide security to the facilities but is required to address Health & safety concerns on dog fouling. It is not acceptable for sport facilities to be utilised for dog walking and notwithstanding if the mess is cleaned up, it leaves residue which can cause serious illness to participants e.g. toxocariasis in humans and particularly in rugby where there is significant contact with the playing surface. The councils own Open Space Assessment Sheet and Open space audits recognises that use for Forest Park is for sport, predominantly rugby, and there is enough open space in Stonehaven and the Forest Park area. The reliance on voluntary cleaning and anti-fouling signs is ineffective as illustrated by the continued issues with dog fouling at Mackie Academy playing fields.
<https://www.aberdeenshire.gov.uk/media/14714/settlement-summary-kincardine-and-mearns.pdf>

<https://www.aberdeenshire.gov.uk/media/16736/stonehaven.pdf>

Background, Organisation and Management of Mackie RFC

Club History – background

- Mackie Rugby Club has been providing the sport of rugby to the children and adults of Stonehaven and surrounding communities for over 44 years and has grown from small roots in to a club offering First XV and Second XV rugby along with Senior, Youth, Junior and Ladies teams , including Walking Rugby and Touch Rugby
- The Junior section is the largest junior section in the North East of Scotland.
- We hold weekly training sessions for children as young as 4 years old (Nursery) through to Seniors – the oldest being 73 years young.
- The Junior section host regular rugby festivals through-out the season for both local and travelling clubs. The annual Mackie Mini's Tournament is famed for being the largest in the North East of Scotland welcoming over 700 children from 12 clubs. The past two years have seen clubs travel from Ireland to compete in the event.
- The Junior section also has an awards scheme for all players who join the Micros and work through the age groups into the Minis section. The Mini Monitor scheme was one of a kind when it was developed over 20 years ago and has been shared and adopted by other clubs throughout the SRU. This monitor system sees the boys and girls work through various activities and key stages of their rugby development, where they earn points throughout the season and sees them receive badges and monitor point awards. The scoring system is flexible and allows for the players to develop at their own speed and ensures that they all can proudly wear their mini monitor badges at training and when out and about.



- Our 38 coaches and additional volunteers give up their time to provide training sessions and take the teams to games all over Scotland. All coaches have the SRU minimum certification which is 'Rugby Ready'. Most of the coaches also have certification in UKCC level 1, 2 and above and refereeing. The club also assists many of the Youth players to gain certification so that they can also help coach the micro and mini level junior squads and some use this to support their Duke of Edinburgh Awards. Our aim is to help every coach or assistant coach /helper to develop in delivering rugby training within a safe and professional environment.
- Our Youth section continues to grow and compete strongly in the North East and has over the seasons produced players for the Pathway and Hurricane programmes and currently has four of our former players playing for Scotland at Under 17s, 18s and 19 level.
- The Youth Section have for the past 3 years taken part in an official nationwide league that has seen our 4 youth teams compete very positively at each age group and has seen them win the Mitsubishi sponsored league in 3 out of the last 4 years and gain promotion to the National Lancer league. The current senior squad boasts membership of over 50 players. The 1st XV play in the SRU Caledonian Division 2 and after finishing 3rd this year after a progressive year, will be pushing for promotion to Caledonian Division 1 in the 2021/2022 season.
- Along with the First and Second XV squads we have now developed a senior's team called the Mammoths – "Middle Aged Men Mainly Over The Hill ". This team of coaches and ex-players regularly compete in festivals and bring a new dimension to the club and caters for those die hards who never want to give up playing our glorious sport. Last year saw one of our Mammoths play and be capped for Team GB Touch Rugby Team (over 50's) and travel to Kuala Lumpur and play in the World Touch Rugby tournament.

The above totals over 460 playing members and is under-pinned by our Development Officer.

Development Officer

We contract a full time development officer, who is a former member of the Junior and Youth sections. His main role is with schools in our catchment area but he can be seen working with some schools within Aberdeen city and takes the name of Mackie Rugby Football Club to those not so close to our home in Stonehaven.

Working closely with the Executive Committee, the Scottish Rugby Union, and our coaches the Development Officer has worked with and often exceeded in annual KPI's. To date the Club has contributed:



- Club & Community Programme
- Club Academy and primary Programme including working with Active Aberdeenshire to deliver rugby at Mearns, Mackie academy and Portlethen academies, which saw these schools have rugby teams playing against each other for the first time and at local primary schools.
- Player Development Guides
- Session Plans
- Skills, Drills booklet
- Warm Up & Cool Down booklet
- Fun games
- Coach Development
- Coaching Handbook

It takes quite a bit of discipline and funding for the Club to continue to fund this position, giving him support and commitment, allowing him to concentrate on the job in hand without always looking over his shoulder in these current difficult economic times. Mackie Rugby are one of the very few rugby clubs in the country that continue to invest in a Development Officer for rugby delivery. The Club are committed to the sport and the town and see this position as a very important part of our strategy and ethos in allowing all to come and try the game of rugby.

Promotion of Aberdeenshire

- The club's youth and minis play throughout the Scotland and bring people to Stonehaven.
- Twinned with Acheres – members of the clubs committee took part in the twinning activities – and the clubs senior team travelled to Paris where they took part in a cultural tour of Paris and the surrounding sights and represented Stonehaven in a civic reception hosted by the Lord Mayor of Acheres, and then played in a rugby fixture against RCSO (the Acheres) rugby team. This was to mark their 50 anniversary and as the inaugural rugby fixture between our two clubs/towns. Acheres were planned to visit during the Easter break 2020, however due to the COVID pandemic all our activities were cancelled. The meticulously planned activities were formed as part of a working group of rugby volunteers and the Stonehaven Business Community and the Lions.

Mackie RFC Vision & Community benefit of proposal

- The objective of the Club is to carry on the success of the rugby club, and in so doing, to promote by all proper means the sport of rugby in and around Stonehaven, and to encourage social interaction amongst members.



- We aim to develop each person to be the best they can be. We work with the players in an exciting and learning environment making players comfortable and willing to learn.
- We work on all aspects of rugby-skills work, speed agility, strength conditioning and touch on lifestyle.

Amongst the key attributes we look for and to develop – as well as playing rugby are:

- Work Ethic
- Operating model
- Effort
- Energy
- Time Keeping
- Passion
- Coachability
- Being Prepared
- Doing Extra
- Attitude

As noted, the Club is open to all age groups, male, female, disadvantaged, disabled & multicultural.

- Our Philosophy is: Rugby – develops the person, not just the player.
- Our Values are: FUN-DEVELOPMENT-RESPECT-COMMUNITY-CHALLENGE-INCLUSIVE



How we will ensure delivery of the Clubs Vision and Community benefits?

The Club's executive committee have taken on the responsibilities for delivery of the proposal and this structure will assist in the delivery of the proposal

Structure - Executive Committee - the executive committee runs the club on behalf of the Membership and are:

- **Executive Committee Members**

- **Neil Foster – Club President**

- Played club rugby for 20 years, coached various levels over 15 years - UKCC Certified, Qualified referee for over 15 years - IRB and SRU certified
- Mackie Rugby Club member for 21 years – Coach, Section leader, Committee member, Referee, Child Protection Officer, Life Member and currently in my second tenure as Club President
- Outside of rugby I work in 'business strategic alignment'.

- **Alan Venters – Vice President**

- Grew up in Stonehaven, attending Mackie Academy, Playing rugby from school age and member of Rugby Club from seventeen years of age.
- Moved into coaching of the Primary School age kids – for around ten years, taking them on various rugby tours and tournaments.
- A member of the Executive Committee for the club in which I am in a second stint as Vice President.
- Work in the oil & gas industry, mainly operations and technical sales, reaching director level for two different businesses.

- **Norman MacKay – VP and Acting Treasurer**

- Played rugby and joined the club in 2009. Playing as a Mammoth.
- Originally from Stornoway and made Stonehaven my home in 2006.
- Member of the executive committee for the club as Vice President.
- Accountant by trade and worked in the oil and gas industry owning his own company.

- **Andrew Mitchell – Executive Secretary**

- Played for Mackie since the age of 4 years, captained the Senior for 10 years and went on to play for Scotland at U19 and U21s.
- Currently a coach at U16 level and an Executive Committee member.
- Work in the Oil and Gas industry and reached the position of Managing Director.

- **Robert Richmond – Honorary Chairman**

- Founding member of the rugby club in 1976. Played for the club until hanging up his boots after 20 years and has served the club for 44 years.
- Was a senior coach for many years, served on the committee and was president on 3 occasions. Held a committee position on the Caledonian



Rugby Committee and now holds a position as a non- Executive Director of the SRU

- Worked in the Oil and Gas industry all his working life and has just retired from running his own company after more than 20 years.

Summary of Executive - Structure

The executive Committee has a variety of skills and experience in delivering Business projects, and resident to the area, they are successful businesspeople who are well known and respected in the community with links past and present to other voluntary groups. In addition to their experience, from within the club membership, we have the ability to draw on legal, surveying, financial, construction, architectural and project management expertise, and are in strong position to deliver the proposed project.

Governance

Structure

- The club has recently transferred from an unincorporated voluntary organisation to a Scottish Charity (SCIO) as part of the delivery of the proposal and to meet the criteria as Community organisation in terms of Community Empowerment (Scotland) Act 2015. Charity number: SC051025.

Affiliations

- The club is an affiliated and member club of the sport's governing body, the Scottish rugby union as well as:
 - Caledonian North East Rugby
 - Referee's Society Scotland
 - Aberdeenshire Sports
 - Live Life Aberdeenshire
 - Stonehaven Twinning Committee with Acheres in France



Affiliations

(Data from SRU)

SEASON 2020/21				
GENUINE FULL MEMBER 1. Rugar 2. Southside Rugby & Community Sports Club ("Boroughmuir") 3. Rosyth RFC 4. Carrington FC 5. Celtic RFC ("Celtic Edinburgh") 6. Dalry 7. Dalry 8. Edinburgh Academicals (Co. Ltd) Ltd 9. Gifford 10. Edinburgh North 11. Edinburgh University 12. Haddington 13. Hibernian Rugby Club Ltd 14. Heriot Watt University 15. Inverurie 16. Leven 17. Leith Rugby Co. Ltd (Coventry) 18. Leith RFC 19. Leith Rugby Club Ltd 20. Leven 21. Leven 22. Marcellus Wanderers 23. Melrose 24. North Berwick 25. Porthcarron 26. Porthcarron FC 27. Porthcarron 28. Rosyth 29. Rosyth 30. Stirling Albion RFC Ltd 31. Thornhill Academicals 32. Whitburn Football Club Ltd	33. Quorn RFC 34. Rosyth RFC 35. Rosyth RFC 36. Rosyth RFC 37. Rosyth RFC 38. Rosyth RFC 39. Rosyth RFC 40. Rosyth RFC 41. Rosyth RFC 42. Rosyth RFC 43. Rosyth RFC 44. Rosyth RFC 45. Rosyth RFC	GLASGOW SOUTH FULL MEMBER 1. Annan 2. Ardrossan Academicals 3. Ayr 4. Birkmyre 5. Bishopclee 6. Carrick 7. Curriehill 8. Dalry 9. Dalry 10. Glasgow Hutchiesons' Alloysians 11. Glenrothes Wanderers 12. Inverurie 13. Kilmarnock 14. Marr 15. Moffat 16. Newton Stewart 17. Paisley 18. Stewarton 19. Whitecross 20. Wigtonshire		
GENUINE ASSOCIATE 1. SCOTS 2. SCOTS 3. Argyll & Bann 4. Camanachd Thailann 5. Dundee University 6. Dundee University 7. Dundee University 8. Dundee University 9. Dundee University 10. Dundee University 11. Dundee University 12. Dundee University 13. Dundee University 14. Dundee University 15. Dundee University 16. Dundee University 17. Dundee University 18. Dundee University 19. Dundee University 20. Dundee University 21. Dundee University 22. Dundee University 23. Dundee University 24. Dundee University 25. Dundee University 26. Dundee University 27. Dundee University 28. Dundee University 29. Dundee University 30. Dundee University 31. Dundee University 32. Dundee University 33. Dundee University 34. Dundee University 35. Dundee University 36. Dundee University 37. Dundee University 38. Dundee University 39. Dundee University 40. Dundee University 41. Dundee University 42. Dundee University 43. Dundee University 44. Dundee University 45. Dundee University 46. Dundee University 47. Dundee University 48. Dundee University 49. Dundee University 50. Dundee University 51. Dundee University 52. Dundee University 53. Dundee University 54. Dundee University 55. Dundee University 56. Dundee University 57. Dundee University 58. Dundee University 59. Dundee University 60. Dundee University 61. Dundee University 62. Dundee University 63. Dundee University 64. Dundee University 65. Dundee University 66. Dundee University 67. Dundee University 68. Dundee University 69. Dundee University 70. Dundee University 71. Dundee University 72. Dundee University 73. Dundee University 74. Dundee University 75. Dundee University 76. Dundee University 77. Dundee University 78. Dundee University 79. Dundee University 80. Dundee University 81. Dundee University 82. Dundee University 83. Dundee University 84. Dundee University 85. Dundee University 86. Dundee University 87. Dundee University 88. Dundee University 89. Dundee University 90. Dundee University 91. Dundee University 92. Dundee University 93. Dundee University 94. Dundee University 95. Dundee University 96. Dundee University 97. Dundee University 98. Dundee University 99. Dundee University 100. Dundee University	GLASGOW NORTH FULL MEMBER 1. Annan 2. Ardrossan Academicals 3. Ayr 4. Birkmyre 5. Bishopclee 6. Carrick 7. Curriehill 8. Dalry 9. Dalry 10. Glasgow Hutchiesons' Alloysians 11. Glenrothes Wanderers 12. Inverurie 13. Kilmarnock 14. Marr 15. Moffat 16. Newton Stewart 17. Paisley 18. Stewarton 19. Whitecross 20. Wigtonshire	GLASGOW SOUTH ASSOCIATE 1. All Black & Blues 2. Ayrshire College (Kilmarnock) 3. Dumfries & Galloway College 4. Isle of Arran 5. Scottish Rural University College 6. St Columba's Old Boys 7. Trust Rugby International 8. University of the West of Scotland		
GLASGOW NORTH ASSOCIATE 1. All Black & Blues 2. Ayrshire College (Kilmarnock) 3. Dumfries & Galloway College 4. Isle of Arran 5. Scottish Rural University College 6. St Columba's Old Boys 7. Trust Rugby International 8. University of the West of Scotland	MIDLANDS FULL MEMBER 1. Alwa 2. Bannockburn 3. Blairgowrie 4. Carnoustie HSF 5. Crieff & Strathcarron 6. Dundee HSF Limited 7. Dundee Margon 8. Dundee University 9. Dumfermline 10. Falkirk 11. Glenrothes 12. Grangemouth Stags 13. Harris Academy FP 14. Hillfoots 15. Howe of Fife 16. Kinross 17. Kirkcaldy 18. Madras College FP 19. Montrose & District 20. Panmure 21. Perthshire 22. Rosyth Sharks 23. Stirling County 24. Stirling University 25. Stobroven 26. Strathmore 27. University of St Andrews 28. Waid Academy FP	MIDLANDS ASSOCIATE 1. Aberfeldy 2. Abernethy 3. Althol 4. Blairgowrie Rams 5. Bilswey 6. Brechin 7. Dollar Academicals 8. Dundee & Angus College 9. Dundee Abertay University 10. Dundee Dragons Sports Club 11. Dundee University Medical Society 12. Dundee University Women 13. Dundee Veterans 14. Dunblair Old Boys 15. Fife College 16. Perth Valley Fossils 17. Rugby Fife Legends 18. Stirling University Women 19. University of the Highlands & Islands	NORTH FULL MEMBER 1. Aberdeen Rugby Ltd (playing as Aberdeen Grammar Rugby) 2. Aberdeen 3. Aberdeen University 4. Aberdeen Wanderers 5. Banff 6. Cairnrossa 7. Duns 8. Elton 9. Garioch 10. Glenrothes 11. Highland Fife SCIO 12. Huntly 13. Lochaber 14. Mackie Academy FP 15. Moray 16. Orkney 17. Ross Sutherland	NORTH ASSOCIATE 1. 35CCTS 2. Aberdeen Exiles 3. Aberdeen Medics 4. Aberdeen Strrollers 5. Aberdeen Tackall RC 6. Aberdeen University Women 7. Alford Youth 8. Dyce 9. Fraserburgh 10. Inverness Craig Dunain 11. Inverness Eagles 12. Nairn 13. North East Scotland College 14. North Police Scotland 15. Peterhead 16. Robert Gordon's University 17. RAF Lossiemouth 18. Royal Air Force Scotland & Northern Ireland 19. Scottish Golden Oldies 20. Shetland 21. Stornoway 22. Strathgry 23. Turriff

GLASGOW SOUTH FULL MEMBER

- Annan
- Ardrossan Academicals
- Ayr
- Birkmyre
- Bishopclee
- Carrick
- Curriehill
- Dalry
- Dalry
- Glasgow Hutchiesons' Alloysians
- Glenrothes Wanderers
- Inverurie
- Kilmarnock
- Marr
- Moffat
- Newton Stewart
- Paisley
- Stewarton
- Whitecross
- Wigtonshire

MIDLANDS FULL MEMBER

- Alwa
- Bannockburn
- Blairgowrie
- Carnoustie HSF
- Crieff & Strathcarron
- Dundee HSF Limited
- Dundee Margon
- Dundee University
- Dumfermline
- Falkirk
- Glenrothes
- Grangemouth Stags
- Harris Academy FP
- Hillfoots
- Howe of Fife
- Kinross
- Kirkcaldy
- Madras College FP
- Montrose & District
- Panmure
- Perthshire
- Rosyth Sharks
- Stirling County
- Stirling University
- Stobroven
- Strathmore
- University of St Andrews
- Waid Academy FP

GLASGOW SOUTH ASSOCIATE

- All Black & Blues
- Ayrshire College (Kilmarnock)
- Dumfries & Galloway College
- Isle of Arran
- Scottish Rural University College
- St Columba's Old Boys
- Trust Rugby International
- University of the West of Scotland

OUTWITH SCOTLAND FULL MEMBER

- Londen Scottish

OUTWITH SCOTLAND ASSOCIATE

- BP Barbarians
- Hong Kong Scottish
- Toronto Scottish
- Craig Crusaders

ASSOCIATED BODIES

- Scottish Rugby Union Schools Division
- Scottish Rugby Referees Association

SEASON 2020/21

NORTH FULL MEMBER

- Aberdeen Rugby Ltd (playing as Aberdeen Grammar Rugby)
- Aberdeen
- Aberdeen University
- Aberdeen Wanderers
- Banff
- Cairnrossa
- Duns
- Elton
- Garioch
- Glenrothes
- Highland Fife SCIO
- Huntly
- Lochaber
- Mackie Academy FP
- Moray
- Orkney
- Ross Sutherland

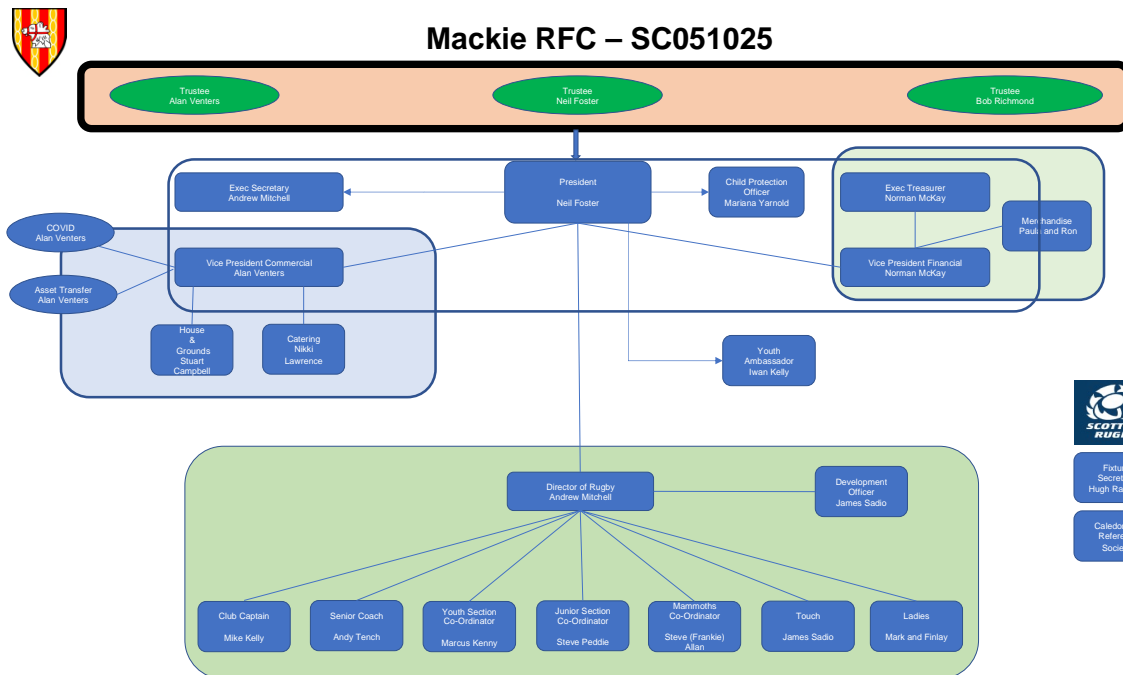
NORTH ASSOCIATE

- 35CCTS
- Aberdeen Exiles
- Aberdeen Medics
- Aberdeen Strrollers
- Aberdeen Tackall RC
- Aberdeen University Women
- Alford Youth
- Dyce
- Fraserburgh
- Inverness Craig Dunain
- Inverness Eagles
- Nairn
- North East Scotland College
- North Police Scotland
- Peterhead
- Robert Gordon's University
- RAF Lossiemouth
- Royal Air Force Scotland & Northern Ireland
- Scottish Golden Oldies
- Shetland
- Stornoway
- Strathgry
- Turriff

As at 3 September 2020
- 142 PM
- 137 AM

Note:
Club Name = Club deleted from membership list this season.
Club Name = New member club this season.
Club Old Name New Name = Approved change of name.

Organisational Chart





Policies

The following listed documents are kept up to date and circulated where relevant to the appropriate persons. The documents noted with an asterisk are published on our club website.

The following Club documents are provided

Constitution.*

Code of Conduct *

Junior Code of Conduct *

Code of Conduct for Safeguarding Children.*

Safeguarding children in Rugby – Child Protection Officer Handbook *

Child Protection Policy *

SRU Youth Charter *

Child Abuse: Signs & Indications *

Procedure for Responding to Concerns

Partnership with Parents/Guardian form *

First Aid Emergency Plan

Good Practice Guidelines

Recruitment and Selection

Disciplinary Procedures – Staff, Coaches & Volunteers *

Risk Assessment Guidance Procedures

Risk Assessment- Youth Guidance

Risk Assessment – Facilities

Risk Assessments – Covid 19

Environment Policy

Serious Injury Reporting *

Concussion Guidance *

Prohibited Drug Policy *

Privacy Notice / GDPR *

Summary of club's governance

The club has a structure with effective and required polices to meet the relevant legal and welfare requirement for the proposed proposal and its benefits.



Community benefit of rugby

- This proposal will allow the club to continue to deliver and continue to grow its vision and which is already evidence by the impact which the club has within the community
- The proposal and club already support and deliver the vision but in addition it meets the Councils following objectives as:
 - It will help enhance the sporting facilities of the town and bring additional visitors and promotional opportunities to the area. Providing support for this proposal would also meet key priorities in the Aberdeenshire Council Plan 2017 – 2022 as well as the Sport and Physical Activity Strategy for Aberdeenshire Council 2018-2028, These priorities include:
 - Support a strong, sustainable, diverse, and successful economy.
 - We will support people to reach their potential by providing opportunities for wider achievement.
 - Work with parents and carers to support children through every stage of their development.
 - We will help the people of Aberdeenshire to live longer, healthier lives with a focus on reducing obesity and improving mental health and wellbeing.
 - Have the right people, in the right place, doing the right thing, at the right time.
 - We will use Sport and Physical Activity to build stronger communities
 - In addition, in meeting the clubs and the Council objectives, it meets the equivalent national priorities as set down by Sports Scotland, the SRU and Scottish government

Evidence of Delivery

The evidence of meeting these visions and objectives for both the Club and the Council for the communities benefit as currently delivered and will be delivered by the proposal, can be illustrated by the following:



Who do we engage with in the Community?

- Tots to Pensioners – inclusive – female / male / disabled / vulnerable people
- 375 players - information held in SRU management system (micro tots not currently registered in the system)
- Each player from the tots to the mammoths bring their family/carers into the club's vision and support. 1214 club members.
- Full time Funded development officer - funded by club with partial support from SRU
- Contract of delivery with SRU - Participation agreement for primary and secondary schools -
- Current delivery programme - weekdays – weekends – league games - tours
- Delivery at regional and elite level - Caley, Hurricanes and Pathways so tying into national SRU strategy
- Social Awareness and Wellbeing programmes – Walk and Talk, Youth Club', for improved social and mental wellbeing
- Local community assistance where required – Provide help and support for: Harbour Flood Clean up , Sandbag filling at Spurryhillock during flood , school and community BBQs when requested– Stall assembly and take down for – Fee 'in Market, Harbour Festival, Open Air in the Square, Summer Beer Happening. Supporting the athletics club during the dark winter nights allowing the use of our floodlit pitch for the safety of younger members.
- Involved with twinning détente with Acheres, France – to promote town and Aberdeenshire

Hours delivered annually to the community - Coaches/volunteering

The benefits of volunteering both for the person and the Community are well recognised. The Club is in a very fortunate position where we enjoy a huge support from keen rugby fans and parent supporters. Currently we have 38 coaches, teaching rugby to all ages every week of the rugby season, often up to 3 times in a single week with matches in addition to that.

We also have many other volunteers who help with other associated jobs such as tuck shop, food & drink supply, cleaning, clothing, international tickets, grass cutting, fixtures, maintenance to name a few. The number of hours on annual basis has been captured in the undernoted table and which reflects actual rugby activity time but would be even higher if it included time given up travelling to deliver these activities.



Club Numbers

- Tots – 24
- Micros - 25
- Minis - 64
- Youth - 126
- Seniors - 40
- Mammoths – 20
- Ladies - 12
- Youth Academy – 12
- Referees - 2
- Coaches - 38
- Managers – 1
- Director of Rugby - 1
- Co-ordinators - 4
- Catering - 6
- Tour Organisers - 4
- General Committee – 15
- Exec Committee - 4
- Life Members - 38
- Website Club Members – 1214
- Club Development Officer – 1
- Fixture Secretary - 1





Hours Delivered into Community by club activities

Community delivery hours			
community/club work	number of coaches/volunteers	number of hours per week per coach	number of hours per Annum collectively
level 1- tots/micros boy/girls (nursery to P3)	7 coaches	2.5 hours	910
level 2- Minis boy/girls (p4-p7)	11 coaches	4 hours	2288
level 3- youth boy/girls (s1-u18)	17 coaches	4 hours	3536
level 4- seniors (18+)	6 coaches	4.5 hours	1404
touch/walking rugby	2 coaches	1.5 hours	156
womens rugby fit	1 coach	1.5 hours	78
coach development sessions	1 coach educator	2 hours	104
club micro/minis festivals and tournaments	18 coaches	4 hours	720
club micro/minis catering, first aid volunteers	10 volunteers	4 hours	400
club youth league games	17 coaches	3 hours	1836
club youth 7s	17 coaches	4 hours	68
club youth catering, first aid volunteers	10 volunteers	3 hours	1080
club youth academy programme	2 coaches	5 hours	520
seniors league games	6 coaches	3 hours	324
seniors league 7s	4 coaches	4 hours	128
club seniors catering, first aid volunteers	4 volunteers	3 hours	216
primary school sessions	1 coach	15 hours	780
secondary school sessions	1 coach	6 hours	312
club maintenance	2 volunteers	8 hours	416
tour/festival planning	10 coaches/volunteers	2 hours	1040
		Total	16316

Additional to the above –

Provide help and support for: Harbour Flood Clean up x 2, Sandbag filling at Spurryhillock x 2, school bags when requested.
Support to Community Events – Stall assembly and take down for – Fee in Market, Harbour Festival, Previously Open Air in the Square, Summer Beer Happening

Player benefits into the Community

Hours Delivered – playing / training

Players Only				
Group	Number in Group	Hours inc. Training, Games, Festivals, Hours of Delivery per section per week	Hours of Delivery per section per week	Number of hours activity delivered per season collectively (based on 44 weeks)
Nursery to P3	49	1.5	* 73.5	3234
Minis P4 to P7	64	4	256	11,264
Youth S1 to U18	126	5	630	27,720
Seniors	40	6.5	260	11,440
Mammoths	20	4	80	3520
Ladies	12	4	48	2112
Youth Academy	12	2	24	1056
Schools Delivery	23 ave. class size	15	345	15,180
Rugby Camps	25	18	450	1350
			Total	76,876

We also have many other volunteers who help with other associated jobs such as tuck shop, food & drink supply, cleaning, clothing, international tickets, grass cutting, fixtures, maintenance to name a few.

*Number in Group x Hours trained per week x Number of weeks(annually 44). 49 x 1.5 = 73.5 x 44 weeks = 3234 Hours.

Summary of Community benefit

The Club provides a minimum of 76,876 playing hours and 16,316 hours of volunteer time to ensure delivery of the clubs vision and which it also delivers the Council and national priorities for sports development and wellbeing. The club also works proactively and supports Live Life Aberdeenshire and has recently produced videos that are being used to promote healthy activities whilst children are at home during lock down. These videos have been forwarded to some 1300 children and 130 parents by Aberdeenshire Council



Monitoring of Success of delivery

The club already monitor and if delivered, will continue to monitor the success of these community outcomes by:

- 1 - the Club development officer has number of KPI to meet from the club and which are supplied to the SRU
- 2 - maintain and note the number of hours being delivered to players and maintain note number of members players and volunteers been involved in club vision and objectives.

Community engagement for the Proposal

Following a positive response to this application, the rugby club will engage with the community themselves, and with the help of a local professional body to ensure all the required consultation takes place.

Options appraisal for land and resources required to deliver proposal

The criteria agreed by the Executive Committee for community rugby facilities were:

- Centrally located to encourage walking or cycling
- Relatively flat land to avoid major earthworks
- Easily accessible by public transport
- Parking availability locally for visiting players and close
- Ground availability for a Community rugby facility with a minimum of 2 rugby pitches and associated buildings.

Running costs are less of a problem than the capital start-up costs as we generally cover running costs with membership subscription, fund raising and sponsorship and have successfully managed the existing facility on this basis.



Existing provision at Redcloak

Mackie RFC has no option other than to look for an alternative site. Our current facility was split between two different land- owners. The land where the lower pitch was located was recently sold and, the seller and their agent made it clear they wanted the club off the land to sell the property. The new owner will not allow our club to use it, and we have recently taken down the rugby posts so only have one competition pitch left.

Photo of Post from lower pitch being removed following Seller and their agent's insistence



Our incumbent landlord at Redcloak, has made it clear that there will be no renewal or extension of our current lease when it expires in six years' time for the remainder of the facilities. They have ambitions for alternative uses due to the proximity to small businesses and the recycling centre. He is unwilling to offer any other area of land for purchase by the club which provides long term security for the club.



Current facilities at Redcloak



Assets at Redcloak

What we have- asset list

Club Room	Changing Rooms	Rugby Equipment	Ancillary Equipment
Fully fitted Kitchen	2 x Home Team Changing	2 x scrum machines	Grass cutting equipment
Tables / chairs / furniture	2 x Away Team Changing	3 sets post pads	Line painting equipment
Office Equipment	1 x Female Changing	rucking pads	Barbeque
2 x TV	2 x toilet facilities	training aids	Hog roast oven
Projector	1 x Female Toilet / Disabled Access	flags	gas bottles
Heaters / Lights	Treatment room	each age group team shirts	club merchandise shop
Dinner sets		rugby posts	Marquee
Trophy cabinets			4 x pop up tents
			Desks
			2 x Laptops / printers
			portable bar
			4 x Storage containers
			Diesel telescopic lighting tower
			Crowd barriers 40ea

Fitness suite equipment – Asset List

Machines/stations:	Quantity	Weight:	Quantity	Misc	quantity
preacher bench	2	olympic 0.5kg weight disc	5	battle rope	1
leg extention machine	1	olympic 1.25kg weight disc	4	16kg kettlebell	2
hexogan dumbbell rack and set (5kg-30kg weights)	1	olympic 2.5kg weight disc	19	resistance bands	2 sets of 5
dumbell weight rack	1	olympic 5kg weight disc	19	12kg kettlebell	2
squat cage	1	olympic 10kg weight disc	12	8kg kettlebell	2
punch bag	1	olympic 15kg weight disc	10	farmer yolk	2
squat racks	4	olympic 20kg weight disc	6	resistance belts	6
2 triangle olympic disc racks	2	1inch barbell 0.5kg weight disc	4	harnesses	5
benches	3	1inch barbell 2kg weight disc	5	Impact Flooring	1
sit up bench	2	1inch barbell 2.5kg weight disc	10	Punch Bag	1
bench press bench	1	1inch barbell 5kg weight disc	7	Weight Flooring	1
multigym cable machine	1	1inch barbell 7.5kg weight disc	6		
knee raise rack	1	1inch barbell 10kg weight disc	5		
smith machine	1	5kg dumbbells	2		
spin bike	4	10kg dumbbells	2		
		15kg dumbbells	2		
		20kg dumbbells	2		
		25kg dumbbells	2		
		30kg dumbbells	2		
		20kg olympic barbell	3		
		1inch barbell bar	1		
		1inch dumbbell bar	5		



Alternative sites

- **LDP sites**

The club has been involved at looking at alternative sites however all these involved the landowners insisting this be part of promotion of major housing sites either in, the 2017 LDP or emerging LDP but none of these sites were, or are being supported by the Council, in its function as the Planning Authority, so are high risk and not deliverable. Over a period of over 10 years the club has explored opportunities with developers that see providing rugby facilities as a key part of any future development.

Land in Ury Estate near Coneyhatch and alternative land now housing Raedykes, Braehead – Bancon, Mill O’ Forest – Barratt, Braehead –Cala etc as allocated LDP sites have been ruled out of the LDP process.

Direct acquisition/open market sales

Land rarely becomes available in Stonehaven and the club has not been able to secure this due to competition from both the private and public sectors e.g. Sites included -

- **Rickarton** - This is a bigger site as offered by existing landlord but would need substantial groundwork to create level pitches which is not affordable, and the duration of lease was too short to secure the clubs future or funding
- **Land over the bypass – Behind Economove**

This parcel of land came up for sale recently (where the former second pitch was situated). The Club looked closely at putting in a bid for this, however after carrying out due diligence it was concluded that access from Slug Road could be a major problem being so close to the overpass. The decision was taken not proceed as it would have required buying adjoining lots to create an alternative access so was out with the clubs means.

- **Cemetery Hill**

This land recently came up for sale, and even with an extension to the cemetery there would be enough land to create 2 rugby pitches on tiers but would require earthworks to tier the land. The ground is sandy with decent water runoff. The Club put a bid in for this piece of land at over the asking price but was out-bid, we believe by Aberdeenshire Council who may have purchased the land for a cemetery extension.

- **Open Market- There are no other sites for sale on open market**



Asset transfer

The Club has looked at assets held by Aberdeenshire council

- **Mackie Academy**

The club used to have pitches and dedicated changing facilities at the Academy and albeit there are substantial landholdings at the Academy, we understand these require to be retained for any future plans for Mackie academy, as illustrated by the decision not to have the community all weather pitch situated there.

The pitches are also extensively used by the Academy and all the sporting clubs in Stonehaven, the academy cannot cater for all clubs competitive matches so it cannot be guaranteed to be available for fixtures and albeit supports a lot of the clubs activities, it cannot fully deliver the number of hours the club delivers.

- **Forest Park**

This is already been used by the club so a precedent for using as a rugby facility is already there but predominately it's used for exercise of dogs by local residents so the clubs proposal would maximise the use of this facility as noted in the community benefits as set out previously. The ground is level and can be used as pitches but will require drainage and fencing works but unlike other sites would not require extensive and expensive earthworks.

It is noted that it will have impact in removing a green area from the locality, but the area already is well catered for open space, and there are alternatives for walking dogs. The car park is utilised by neighbouring properties however it is not official designated parking for any individual properties in forest park so albeit it may be useful and desirable to them, it's not essential parking so they will not be losing anything they were legally entitled to and sufficient on and off-street parking exists already. A pathway connecting the exits from Forest Park has been added to the south side of the plot to allow a dog walking 'loop' for local residents.

The council's Lifelong Learning and Leisure service also recognise in their recent pitch strategy, as by approved K&M committee, the lack of provision for rugby pitches and the need to support club in find new pitches. The club has also discussed this proposal with the Council Estates, Area Manager and Landscape Services, who have indicated in terms of a site option for an Asset Transfer, this is the only one they can support in Stonehaven.

Out-with Stonehaven

The club have considered looking at other settlements in K&M, but majority of players/volunteers are still based around Stonehaven and the same issues in terms of acquiring a site arise.

Site Option Summary

In terms of options, Forest Park, is the only deliverable site to secure the existence and development of the club within our limited timeline.



What we will deliver at new facilities-

The facilities will allow the club to-

- We will train and play rugby upon it
- We will host league fixtures
- We will host tournaments
- We will work with the community and assist other clubs who do not have land or facilities – i.e. the Athletics club
- We will look if favourable to open a permanent club house and gain income from hire.
- We will look to hire out other facilities.

Approach - Efficient, Local, Renewable and Friendly.

- The club will look to use solar energy as an ancillary source of energy supply and when not possible, we will tie in with energy suppliers who use renewable energy sources. Potential of using ground source heat system in any new build.
- Where applicable the club will look to recycle and use existing materials during the build, the construction and siting process
- We will ensure that all materials unused are recycled correctly and we create as little waste as possible
- Work with companies who can prove renewable and eco friendly credentials and are local to the North East of Scotland with a look to environmental sustainability
- The club will look to catch and use rain water for, watering of the pitches and any outdoor cleaning requirements

Delivery of this would be on a phased basis as follows-

Agree - Terms of transfer

The principle of asset transfer in accordance with Aberdeenshire Council's own Property and Asset transfer policy has been set out in this business plan and club would seek to acquire on following terms-

- **Tenure-** transfer of heritable title
- **Price** – a nominal sum to reflect the Community benefit in accordance with the Council's surplus Property and asset transfer policy and in addition, the club would restrict the value of the site and ensure the benefit by accepting an economic development burden restricting the use to community sporting facilities.



Capital cost and delivery

The capital budget covering Project Costs and estimated timetable are as undernoted and are based upon delivering pitches to required SRU/Sports Scotland specification and recent quotes for works as set out.

We have also looked at other similar projects for a similar project by Biggar RFC.

Phased Plan – Phased Approach

Timing – we have 6 years left on the lease of our current pitch in which we need to be up and running in a new location. The actions and timings are to be done in phases.

- Phase 1 – Secure asset transfer or funded purchase of suitable land and gain planning permission. Agree an Aberdeenshire Council focal point who we can liaise with and with the club for the delivery of the project.
- Phase 2 – Security fencing
- Phase 3 - Earth works, drainage and electrical work
- Phase 4 – Create pitches, sow grass
- Phase 5 - Move cabins from Redcloak and site at Mill O' Forest – site replacement cabins
- Phase 6 – Purchase additional / replacement cabins
- Phase 7 – Apply suitable aesthetics to blend
- Phase 8 – Start rugby activities
- Phase 9 – Begin planning / business plan to look at a permanent clubhouse and facilities, to replace existing cabin based structures.



Project Capital Costs:

Project Costs:

Phase 1 – Secure asset transfer of land with planning permission – Submit and Secure Funding bids with SRU and Sports Scotland Transfer to SCIO	Site value - the Club would accept a value based on restriction to use for community rugby facility and under deduction of community benefits in Accordance with the Councils asset transfer policy. Legal costs - £2,000 Planning/ Building Warrant costs £2,000 to £6,000 tbc with Aberdeenshire Council
Phase 2 – Security fencing	£90,000
Phase 3 - Earth works to site, drainage and electrical work and flood lights	£174,000
Phase 4 – Create pitches - sow grass.	£20,000
Phase 5 - Move cabins from Redcloak and site at Mill O' Forest – site placement and ancillary tie in costs for siting + concrete pads	£30,000
Phase 6 - Purchase New Cabins site and tie in	£100,000
Phase 7 – Apply suitable aesthetics and pitched roofs to blend + concrete pathways.	£50,000
Phase 8 – Start rugby activities	N/A
Phase 9 – Begin planning / business plan to look at a permanent clubhouse and facilities, to replace existing cabin based structures.	TBC

NB: 20% variance will be applied at final costings

Revenue Costs

The club already runs and has experience of running a similar facility at Redcloak and the base operating costs per annum for the club are approximately £35,000. This consists of Lease Costs, Sports Equipment maintenance, Development Officer contract, Insurances, Utilities, Grass Cutting and Buildings Maintenance and Bank Charges are set out in the clubs accounts.

These are covered by means of Subscriptions, 100 Club (monthly raffle) and Partnership Funding with the SRU and a copy of the clubs last 3 years accounts are enclosed. These demonstrate that ongoing revenue costs of the proposed facility are not dissimilar to the existing facility so are comfortably within the club's ability to maintain.

The 2020/21 accounts are to be finalised shortly albeit as for most organisations fundraising has not been possible this year.



Capital Funding

The Capital Funding stream for this proposal are -

- * Mackie RFC – Clubs current available funds to new facilities = £48,000
- * Mackie RFC - Deposit Account A = £14,100
- * Mackie RFC - Deposit Account B = £10,000
- * Club beneficiary and Life Member = £60,000

Potential funding:

- * Developer Obligations Aberdeenshire council = £17,000
- * Scottish Rugby Union funding = £50,000 CSF grant
- * Sportscotland funding = after an initial meeting with Sportscotland – the grant we would look to apply for is a £ for £ to a max of £100k
- * Live Life Aberdeenshire Participatory Budget for sports & leisure in Stonehaven.
- * Club fund raising = £100k (4 year plan)

The Summary funding of the Capital costs

Additional funding Streams to deliver capital costs-

- Club Funds
- Club Benefactors
- Club Crowd Funding – ‘buy a brick’
- Local Grants – Windfarms, Councils, Supermarkets
- National Funding Grants – Sportscotland
- Affiliate Funding – SRU etc
- Club Sponsorships
- New Associate Memberships
- Potential associate or affiliate sports options.

Not all of the costs will be sustained in a single year. The project is to be completed over a period of 4 years to tie in with relinquishing our existing lease. We have secured several 'estimates' which allow us to plan with confidence.



Phase 1: Secure asset transfer of land with planning permission. Secure funding with bids from Sports Scotland & SRU

*Legal cost est. £2500.00 (Inspired Design & Development)

*Planning / building warrants est. £2,000 to £6,000.

Phase 2

*Security Fencing est. £90,000

Phase 3

*Earth works to site, drainage & electrical work est £174,000

Phase 4

* Sow grass est. £20,000

Phase 5

*Move cabins from Redcloak and site at Mill o' Forest. Site placement and ancillary tie in with concrete pads. est: £30,000

Phase 6

*Purchase new/replacement cabins and tie in. Est £100,000

Phase 7

*Apply suitable aesthetics to blend with environment. Pathways. Est £50,000

Phase 8

Start rugby activities in new home.

Phase 9

Begin plans to look at a permanent clubhouse / changing rooms and facilities to replace existing cabin based structures.

Risks of proposal

We have undertaken a SWOT analysis to identify the strengths/weaknesses of the proposal

Strengths	Weaknesses
375 players P1 to Senior citizens – male – female – disadvantaged – disabled - multicultural Providing rugby excellence	Lease 7 years
£100k self funded assets	Lease – terminated (2 nd pitch)
Caledonian participants – Under 18 Premier League inclusion – International U18 Players – American All Star Collegiate – World Touch participant	Outgrown existing facilities
	Negative funding stream /grants with a small duration lease
Opportunities	Threats
Purchase Land – governance of growth Central Hub – focal point Offer rugby excellence Open to wider community Diversify – boules – running – yoga – <u>pilates</u> - athletics Tug of War Social commitment and opportunities for children at a younger age Potential for indoor and outdoor functions – can be used by wider community Help protect greenbelt from further housing development Zone the land to sports for the future Topography – limited flat space Ease access for visiting clubs Increase income opportunities for the club – rentals – parties – bar Development Officer – job(s) Greater Funding opportunities	Leasing – continual threat from landlord Landlord wants us off of the land If no land – where do we play once the lease has expired Club Momentum – central hub – NO GROWTH



Planning consent - risk - low

- *the site is designated “P” in the 2017 Aberdeenshire Local Development Plan and P3-“ To protect recreational open space as an amenity for the settlement “,in the emerging 2021 LDP which would be a material consideration.*
- *Address risk s – by liaising with Planning service & making sound planning arguments*
- *A pre-application planning enquiry has been made which recognises existing use but highlight “open“ use*

The extant use for rugby pitches has already established the principle of the rugby pitches so the only elements which would require planning consent would be the safety fencing and the modular buildings for the community facilities. It is acknowledge the need for “ open space “ but the proposal does provide open recreational space albeit it’s acknowledged it will not be totally open as present due to the fencing for security and health and safety considerations however given the total use of the space will increase from the present use it still provides increased recreational space for the community, whilst retaining green space. It is also noted there is more than sufficient open and recreational space in the area and that use for Forest park is for sport, predominantly rugby, and there is sufficient open space in Stonehaven and the forest park area as set out in council’s open space strategies as undernoted .

<https://www.aberdeenshire.gov.uk/media/14714/settlement-summary-kincardine-and-mearns.pdf>

- <https://www.aberdeenshire.gov.uk/media/16736/stonehaven.pdf>



Summary

The principal of the proposal does comply with existing use and planning policy, any details that may require amending subject to planning requirements

Raising the Capital risk - medium risk

The club already has funds to potentially purchase the noted land and securely fence it. We also own existing assets that can be transported and re-sited at Forest Park and in-turn will allow the continuance of rugby. Any additional risk is purely for the upgrade of the pitches and facilities.

Securing the Mill O' Forest Site

This would be subject to a successful asset transfer with ownership being passed to Mackie RFC.

Given the substantial community benefit we believe the risk of this not being progressed is low however acceleration of this requires to be progressed from the Aberdeenshire Council side. Please remember that the clock is ticking and we need this expedited. Possible Participatory Budget funding could be at risk (Live Life Aberdeenshire) should this take too long.



Site Plan



Mackie FP RFC Income and Expenditure 'financial forecast' for 4 years of the project							
		21/22	22/23	23/24	24/25		
Identified Income	Income		Increase to playing numbers		Increase to playing numbers		
	SRU Development	£10,000		£10,000		£10,000	
	Subscriptions	£20,000	10%	£22,000	10%	£24,200	
	100 Club	£4,000	10%	£4,400	10%	£5,324	
	Sponsor A	£2,500		£2,500		£2,500	
	Int Tickets	£500		£500		£500	
	Fundraising Activities	£2,000	20%	£2,000	20%	£3,456	
	Hire of facilities	£700		£700		£700	
	Hire of fitness suite	£1,000		£1,000		£1,000	
	Food service	£1,000		£1,000		£1,000	
	Clothing	£2,000		£2,000		£2,000	
	RugbyCamp	£2,000		£2,000		£2,000	
	Sub Total	£45,700		£48,100		£51,620	£52,680
Base Operating Costs	Expenditure		Cost of living		Cost of living	Cost of living	
	Lease	£2,700		£2,700		£2,700	
	Utilities / Insurances	£2,500	5%	£2,625	5%	£2,756	
	Letts	£4,000	5%	£4,200	5%	£4,410	
	Development Officer	£24,000	5%	£25,200	5%	£26,460	
	Bank Charges	£250.00		£250.00		£250.00	
	Maintenance	£2,000		£2,000		£2,000	
	Sub Total	£35,450		£36,975		£37,106	£38,713
	Annual Surplus	£10,250		£11,125		£14,514	£13,967

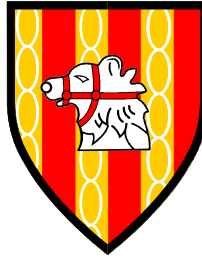
1. Cost of Living increase at 5% - does not apply every year to some - notional
2. Club and SRU strategy is to increase the player base by 10%. Based on 18/19 and 19/20 numbers this is achievable.
3. 100 Club - clubs yearly strategy is to promote and gain numbers each year.
4. Fundraising is based on a review of 5 years prior to 2019. Once activities return this 20% figure is easily achievable.
5. Sponsor A - year deal - beginning 2020

Mackie FP RFC - Asset Transfer Funding Streams Forecast					
21/22		22/24		24/25	
Current Accounts	£48,000.00	SRU Grant	£50,000.00	Grants	TBC view to raise £50k
Deposit Account A	£10,000.00	Sport Scotland Grant	£100,000.00	Club Fund Raising	£50,000.00
Deposit Account B	£14,000.00	Aberdeenshire	£10,000.00	Club Account	£12,967.00
Beneficiary	£60,000.00	Grants	TBC view to raise £50k		
		Club Fund Raising	£50,000.00		
		Club Account	£32,889.00		
Evidenced to hand	£132,000.00	Forecasted	£242,889.00	Forecasted	£62,967.00
			£50k tbc		£50k tbc
Year 1	Purchase - Secure grounds - Planning - Complete Q1 2022	Year 2 and 3	Begin Q2 2022 Ground Works and Pitch Preparation, Foundations Finish end Q1 2024	Year 4	Begin Q1 Build - Siting - Completion - end of Q2 2025
	Phases 1 and 2		Phases 3 and 4		Phases 5, 6 and 7
	Capital Costs		Capital Costs		Capital Costs
	£114,500		£209,500		£125,000
Legal Costs approx £2,000		Earth Works, Pitch and site drainage, Sewer Connectivity	£93,000	Siting pads - cabin move and laydown - ancillary tie and hook up	£20,000
Planning Costs/ Building Warrant / Valuation £6,000		Utilities provision	£15,000	Pathways	£5,000
Security of land and fencing £90,000		Create pitches and sow seed	£20,000	New Cabins	£100,000
Preliminaries, Enablers, Traffic Management, Welfare Facilities etc £16,500		Flood lighting	£81,500		

1. Club Account 22/24 - surplus from accounts	£32,889.00
2. Club Account 24/25 - surplus from accounts	£12,967.00

Capital project costs = £449,000 + 10 % variance = Total = £493,900	
Overall project funding = £437,856 + £100,00 additional sourced funding =£537,856	

NB - these figures are based on 2020 quotations and subject to change during the duration of this project. And all prices are excluding VAT



Est. 1976

CONSTITUTION

of

MACKIE RUGBY FOOTBALL CLUB
Charity Number SC051025



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GENERAL

1. Type of Organisation

The organisation will, upon registration, be a Scottish Charitable Incorporated Organisation (SCIO).

2. Scottish Principal Office

The principal office of the organisation will be in Scotland (and must remain in Scotland) and is care of:

Alan Venters Vice President
Ardgour, Kirk Road Stonehaven AB39 2DX.

3. Name

The name of the organisation is:

Mackie Rugby Football Club.

4. Community & Purposes

4.1. The Organisation has been formed to benefit those who participate, in Rugby Football Union and ancillary sport and social activities in Stonehaven and surrounding districts, from the age of age three, regardless of sex, disability, ethnicity, nationality, sexual orientation, religion, or other beliefs Nearly 100% of the members reside within our local catchment area (the "Community"), with the following purpose.

4.2. The Organisation's purposes are:

The advancement of public participation in sport through the promotion, practising and playing of Rugby Football Union and other sports in Stonehaven and surrounding districts. The provision of recreational facilities and organised sporting pursuits to improve the well-being and conditions of life for the community in Stonehaven and districts, through participation in sport and social activities in the furtherance of these objects. The advancement of education where appropriate and to broaden the development, skills, and knowledge, therefore improving the individual capabilities of children, youth, young adults, and adults. To work with those involved in sport, particularly the



sport of Rugby Union in relation to such activities and charitable purposes. This will include, although not restricted to, (i) organisation of teams, training, and games at the organisation's facilities within Stonehaven; (ii) participation in the Scottish Rugby Union (SRU) League structures and cup competitions; and (iii) developing its involvement in working with Aberdeenshire Council "Active Schools" programme or any replacement thereof and providing coaching staff within local schools and other voluntary organisations.

4.3. Definition of Community (area)

The club which is based in Stonehaven and within the Aberdeenshire Council Kincardine and Mearns Area:

Stonehaven

- Mackie Academy and feeder primary schools

Portlethen

- Portlethen Academy and feeder primary schools

Laurencekirk

- Mearns Academy and feeder primary schools

This covers a local community area from Portlethen in the North, to Luthermuir in the South and in land to Banchory Devenick.

Powers

5. The organisation has power to do anything which is calculated to further its purposes or is conducive or incidental to doing so.
6. No part of the income or property of the organisation may be paid or transferred (directly or indirectly) to the members - either in the course of the Organisation's existence or on dissolution - except where this is done in direct furtherance of the organisation's charitable purposes.



Liability of Members

7. The members of the organisation have no liability to pay any sums to help to meet the debts (or other liabilities) of the organisation if it is wound up; accordingly, if the organisation is unable to meet its debts, the members will not be held responsible.
8. The members and charity trustees have certain legal duties under the Charities and Trustee Investment (Scotland) Act 2005; and clause 7 does not exclude (or limit) any personal liabilities they might incur if they are in breach of those duties or in breach of other legal obligations or duties that apply to them personally.

General Structure

9. The structure and governance of the organisation consists of: -
 - 9.1. The MEMBERS who must be members of the Community in accordance with clause 11 and - who have the right to attend members' meetings (including any annual general meeting) and have important powers under the constitution; in particular, the members appoint people to serve on the Board and take decisions on changes to the constitution itself.
 - 9.2. The BOARD who must be Members of the community in accordance with clause 61 who hold regular meetings, and generally control the activities of the organisation; for example, the board is responsible for monitoring and controlling the financial position of the organisation.
 - 9.3. The ownership and control of the organisation is therefore vested in the Members and the Board who are all required to be Members of the Organisation in accordance with clauses 11 and 61.
10. The people serving on the board are referred to in this constitution as CHARITY TRUSTEES.



MEMBERS

11. Qualifications for membership

- 11.1. The organisation has an equal opportunities policy and membership shall be open to anyone in the Community. The organisation shall not have fewer than 20 members at any time. In the event that the number of members falls below 20, the Board may conduct only essential business other than taking steps to ensure the admission of sufficient Adult Members to achieve the minimum number Adult playing member – This category of membership shall be open to those aged 18 and over and only adult playing members with fully paid-up subscriptions shall have full voting rights at members' meetings.
- 11.2. Youth playing member - This category of membership shall be open to those in Secondary school, further education and employment who are under the age of 18. Youth playing members aged under 18 shall have no voting rights at members' meetings. (Such Members not being eligible to serve as Charity Trustees).
- 11.3. Mini playing member – This category of membership shall be open to those in Primary 4 to Primary 7. Mini playing members shall have no voting rights at members' meetings. (Such Members not being eligible to serve as Charity Trustees).
- 11.4. Micro & Tots playing member - This category of membership shall be open to those aged 3 and to Primary 1 to Primary 3. Micro & tots playing members shall have no voting rights at members' meetings. (Such Members not being eligible to serve as Charity Trustees).
- 11.5. Social member – This category of membership shall be subject to approval by the executive committee or trustees and shall have voting rights at members meetings subject to being a fully paid annual member.
- 11.6. Associate Membership – This membership can be made available to other local community groups and individuals and holds no membership voting rights.
- 11.7. Life Member - This category of membership shall be appointed by the Board and members at the AGM and shall have full voting rights at members' meetings.
- 11.8. Honorary Member - This category of membership shall be appointed by the Board and members at the AGM and shall have no voting rights at members' meetings.



12. Employees of the organisation are not eligible for membership.
13. The Playing membership classes are currently restricted to those that are physically fit and able due to the nature of the game, however the long term aim of the organisation is to develop and provide support for those who have physical disabilities.

Application for Membership

14. Any person who wishes to become a member must sign a written application for membership; the application will then be considered by the board at its next board meeting.
15. The board may, at its discretion, refuse to admit any person to membership.
16. The board must notify each applicant promptly (in writing or by email) of its decision on whether or not to admit them to membership.

Membership Subscription

17. Members shall require paying an annual subscription; unless and until otherwise determined by the members, the amount of the annual membership shall be as follows:

17.1.1	Adult playing member	£
17.1.2	Adult Mammoth playing member	
17.1.3	Youth playing member	
17.1.4	Mini playing member	
17.1.5	Tots and Micro playing member	
17.1.6	Honorary member	£0
17.1.7	Life Membership (can be applied for after a minimum of 8 x years consecutive senior playing membership and an additional one off payment – subject to executive committee approval)	£0
17.1.8	Family membership	
17.1.9	Social Membership	
17.1.10	Associate Membership	



18. The annual membership subscriptions shall be payable on or before 31st August in each year.
19. The members may vary the amount or category of the annual membership subscriptions and/or the date on which it falls due in each year, by way of a resolution to that effect passed at an AGM.
20. If the membership subscription payable by any member remains outstanding for more than 8 weeks after the date on which it fell due – and providing he/she has been given at least one written reminder – the board may, by resolution to that effect, expel him/her from membership.
21. A person who ceases (for whatever reason) to be a member shall not be entitled to any refund of the membership subscription.
22. The board must notify each applicant promptly (in writing or by email) of its decision on, whether or not, to admit him/her to membership.
23. Membership subscription - the organisation has Playing and Non-Playing membership classes with subscriptions set on a non-discriminatory and fair basis; The board may, at their discretion, provide assistance to any member who is unable to pay the subscription on application to the Treasurer/Head of Finance.

Register of Members

24. The board must keep a register of members, setting out
 - 24.1. for each current member:
 - 24.1.1 Their full name and address; and
 - 24.1.2 The date on which they were registered as a member of the organisation
 - 24.2 For each former member - for at least six years from the date on which they ceased to be a member:
 - 24.2.1 Their name; and
 - 24.2.2 The date on which they ceased to be a member



25. The board must ensure that the register of members is updated within 28 days of any change:
 - 25.1 Which arises from a resolution of the board or a resolution passed by the members of the organisation; or
 - 25.2 Which is notified to the organisation.
26. If a member or charity trustee of the organisation requests a copy of the register of members, the board must ensure that a copy is supplied to them within 28 days, providing the request is reasonable; if the request is made by a member (rather than a charity trustee), the board may provide a copy which has the addresses blanked out.

Withdrawal from Membership

27. Any person who wants to withdraw from membership must give a written notice of withdrawal to the organisation, signed by them; they will cease to be a member as from the time when the notice is received by the organisation.

Transfer of Membership

28. Membership of the organisation may not be transferred by a member.

Re-Registration of Members

29. The board may, at any time, issue notices to the members requiring them to confirm that they wish to remain as members of the organisation and allowing them a period of 28 days (running from the date of issue of the notice) to provide that confirmation to the board.
30. If a member fails to provide confirmation to the board (in writing or by e-mail) that they wish to remain as a member of the organisation before the expiry of the 28-day period referred to in clause 29, the board may expel them from membership.
31. A notice under clause 29 will not be valid unless it refers specifically to the consequences (under clause 30) of failing to provide confirmation within the 28-day period.



Expulsion from Membership

32. Any person may be expelled from membership by way of a resolution passed by not less than two thirds of those present and voting at a members' meeting, providing the following procedures have been observed.
 - 32.1 at least 21 days' notice of the intention to propose the resolution must be given to the member concerned, specifying the grounds for the proposed expulsion.
 - 32.2 the member concerned will be entitled to be heard on the resolution at the members' meeting at which the resolution is proposed.

Termination

33. Membership of the organisation will terminate on death.

DECISION-MAKING BY THE MEMBERS

Members' Meetings

34. The board must arrange a meeting of members (an annual general meeting or "AGM") in each calendar year which can be hosted in person or by electronic means or a combination thereof.
35. The gap between one AGM and the next must not be longer than 15 months.
36. Notwithstanding clause 34, an AGM does not need to be held during the calendar year in which the organisation is formed; but the first AGM must still be held within 15 months of the date on which the organisation is formed.
37. The business of each AGM must include: -
 - 37.1 a report by the chair on the activities of the organisation.
 - 37.2 consideration of the annual accounts of the organisation.
 - 37.3 the election/re-election of charity trustees, as referred to in clauses 65 to 68.



The board may arrange a special members' meeting at any time

Power to request the board to arrange a special members' meeting

38. The board must arrange a special members' meeting if they are requested to do so by a notice (which may take the form of two or more documents in the same terms, each signed by one or more members) by members who amount to 5% or more of the total membership of the organisation at the time, providing:
- 38.1 the notice states the purposes for which the meeting is to be held; and
 - 38.2 those purposes are not inconsistent with the terms of this constitution, the Charities and Trustee (Investment) Scotland Act 2005 or any other statutory provision.
39. If the board receive a notice under clause 38, the date for the meeting which they arrange in accordance with the notice must not be later than 28 days from the date on which they received the notice.

Notice of members' meetings

40. At least 14 clear days' notice must be given of any AGM or any special members' meeting.
41. The notice calling a members' meeting must specify in general terms what business is to be dealt with at the meeting; and
- 41.1 in the case of a resolution to alter the constitution, must set out the exact terms of the proposed alteration(s); or
 - 41.2 in the case of any other resolution falling within clause 52 (requirement for two-thirds majority) must set out the exact terms of the resolution.
42. The reference to "clear days" in clause 40 shall be taken to mean that, in calculating the period of notice,
- 42.1 the day after the notices are posted (or sent by e-mail) should be excluded;
 - 42.2 the day of the meeting itself should also be excluded.



43. Notice of every members' meeting must be given to all the members of the organisation, and to all the charity trustees; but the accidental omission to give notice to one or more members will not invalidate the proceedings at the meeting.
44. Any notice which requires to be given to a member under this constitution must be: -
 - 44.1 sent by post to the member, at the address last notified by them to the organisation; or
 - 44.2 sent by e-mail to the member, at the e-mail address last notified by them to the organisation.

Procedure at members' meetings

45. No valid decisions can be taken at any members' meeting unless a quorum is present.
46. The quorum for a members' meeting is 21 members, present in person either physically or electronic medium.
47. If a quorum is not present within 15 minutes after the time at which a members' meeting was due to start - or if a quorum ceases to be present during a members' meeting - the meeting cannot proceed; and fresh notices of meeting will require to be sent out, to deal with the business (or remaining business) which was intended to be conducted.
48. The chair of the organisation should act as chairperson of each members' meeting.
49. If the chair of the organisation is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as chairperson), the charity trustees present at the meeting must elect (from among themselves) the person who will act as chairperson of that meeting.



Voting at members' meetings

50. Every member has one vote, which must be given personally.
51. All decisions at members' meetings will be made by majority vote - with the exception of the types of resolution listed in clause 52.
52. The following resolutions will be valid only if passed by not less than two thirds of those voting on the resolution at a members' meeting (or if passed by way of a written resolution under clause 56):
 - 52.1 a resolution amending the constitution.
 - 52.2 a resolution expelling a person from membership under clause 32.
 - 52.3 a resolution directing the board to take any particular step (or directing the board not to take any particular step);
 - 52.4 a resolution approving the amalgamation of the organisation with another SCIO (or approving the constitution of the new SCIO to be constituted as the successor pursuant to that amalgamation);
 - 52.5 a resolution to the effect that all of the organisation's property, rights and liabilities should be transferred to another SCIO (or agreeing to the transfer from another SCIO of all of its property, rights and liabilities);
 - 52.6 a resolution for the winding up or dissolution of the organisation.
53. If there is an equal number of votes for and against any resolution, the chairperson of the meeting will be entitled to a second (casting) vote.
54. A resolution put to the vote at a members' meeting will be decided on a show of hands - unless the chairperson (or at least two other members present at the meeting) ask for a secret ballot.
55. The chairperson will decide how any secret ballot is to be conducted, and they will declare the result of the ballot at the meeting.

Written resolutions by members

56. A resolution agreed to in writing (or by e-mail) by all the members will be as valid as if it had been passed at a members' meeting; the date of the resolution will be taken to be the date on which the last member agreed to it.



Minutes

57. The board must ensure that proper minutes are kept in relation to all members' meetings.
58. Minutes of members' meetings must include the names of those present; and (so far as possible) should be signed by the chairperson of the meeting.

BOARD

Number of charity trustees

59. The maximum number of charity trustees is 9 and the majority shall be Members and ; out of that:
 - 59.1 no more than seven shall be charity trustees who were elected/appointed under clauses 65 and 66 (or deemed to have been appointed under clause 63); and
 - 59.2 no more than 2 shall be charity trustees who were co-opted under the provisions of clauses 68 and 69.
60. The minimum number of charity trustees is [3] and in which case no more than one shall be charity trustees who were co-opted under the provisions of clauses 68 and 69.

Eligibility

61. A person shall not be eligible for election/appointment to the board under clauses 64-67 unless they are a member of the organisation. A person appointed to the board under clause 68 need not, however, be a member of the organisation.
62. A person will not be eligible for election or appointment to the board if they are:
 - 62.1 disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005; or
 - 62.2 an employee of the organisation.



Initial charity trustees

63. The individuals who signed the 'charity trustee declaration' forms which accompanied the application for incorporation of the organisation shall be deemed to have been appointed as charity trustees with effect from the date of incorporation of the organisation until resignation.

Election, retiral, re-election

64. At each AGM, the executive committee may elect any member (unless they are debarred from membership under clause 62) to be an additional charity trustee who will serve for a term of 3 years.
65. At each AGM, the fully paid-up voting members may recommend and vote upon any member to the executive committee positions.
66. At AGM, all of those elected/appointed under clauses 64 and 65 shall retire from office – but shall then be eligible for re-election under clause 64.
67. A charity trustee retiring at an AGM will be deemed to have been re-elected unless: -
- 67.1 they advise the board prior to the conclusion of the AGM that they do not wish to be re-appointed as a charity trustee; or
 - 67.2 a resolution for the re-election of that charity trustee was put to the AGM and was not carried.

Appointment/re-appointment of co-opted charity trustees

68. In addition to their powers under clause 65, the board may at any time appoint any non-member of the organisation to be a co-opted charity trustee on the basis that they have specialist experience and/or skills which could be of assistance to the board.
69. At each AGM, all co-opted charity trustees appointed under clause 68 shall retire from office – but shall then be eligible for reappointment under that clause.



Termination of office

70. A charity trustee will automatically cease to hold office if: -
- 70.1 they become disqualified from being a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005;
 - 70.2 they become incapable for medical reasons of carrying out their duties as a charity trustee - but only if that has continued (or is expected to continue) for a period of more than six months;
 - 70.3 (in the case of a charity trustee elected/appointed under clauses 64 to 68) they cease to be a member of the organisation;
 - 70.4 they become an employee of the organisation;
 - 70.5 they give the organisation a notice of resignation, signed by them;
 - 70.6 they are absent (without good reason, in the opinion of the board) from more than three consecutive meetings of the board - but only if the board resolves to remove them from office.
 - 70.7 they are removed from office by resolution of the board on the grounds that they are considered to have committed a material breach of the code of conduct for charity trustees (as referred to in clause 87)
 - 70.8 they are removed from office by resolution of the board on the grounds that they are considered to have been in serious or persistent breach of their duties under section 66(1) or (2) of the Charities and Trustee Investment (Scotland) Act 2005; or
 - 70.9 they are removed from office by a resolution of the members passed at a members' meeting.
71. A resolution under paragraph 70.7 shall be valid only if: -
- 71.1 the charity trustee who is the subject of the resolution is given reasonable prior written notice of the grounds upon which the resolution for their removal is to be proposed.
 - 71.2 the charity trustee concerned is given the opportunity to address the meeting at which the resolution is proposed, prior to the resolution being put to the vote; and
 - 71.3 (in the case of a resolution under paragraph 71.1) at least two thirds (to the nearest round number) of the charity trustees then in office vote in favour of the resolution.



Register of charity trustees

72. The board must keep a register of charity trustees, setting out
- 72.1 for each current charity trustee:
 - 72.1.1 their full name and address;
 - 72.1.2 the date on which they were appointed as a charity trustee; and
 - 72.1.3 any office held by them in the organisation;
 - 72.2 for each former charity trustee - for at least 6 years from the date on which they ceased to be a charity trustee:
 - 72.2.1 the name of the charity trustee;
 - 72.2.2 any office held by them in the organisation; and
 - 72.2.3 the date on which they ceased to be a charity trustee.
73. The board must ensure that the register of charity trustees is updated within 28 days of any change:
- 73.1 which arises from a resolution of the board or a resolution passed by the members of the organisation; or
 - 73.2 which is notified to the organisation.



74. If any person requests a copy of the register of charity trustees, the board must ensure that a copy is supplied to them within 28 days, providing the request is reasonable; if the request is made by a person who is not a charity trustee of the organisation, the board may provide a copy which has the addresses blanked out - if the SCIO is satisfied that including that information is likely to jeopardise the safety or security of any person or premises.

Office-bearers

75. The charity trustees must elect (from among themselves) a chair, a treasurer, and a secretary (to form the Executive Committee). The Executive Committee must be formed of fully paid up or life members of the organisation.
76. In addition to the office-bearers required under clause 75, the charity trustees may elect (from members) further office-bearers if they consider that appropriate.
77. All of the office-bearers will hold office for a period of 3 years but at the conclusion of the relevant 3 year period will cease to hold office and at conclusion of the relevant AGM may then be re-elected under clause 75 or 76.
78. A person elected to any office will automatically cease to hold that office: -
- 78.1 if they cease to be a charity trustee; or
 - 78.2 if they give to the organisation a notice of resignation from that office, signed by them.

Powers of board

79. Except where this constitution states otherwise, the organisation (and its assets and operations) will be managed by the board; and the board may exercise all the powers of the organisation.
80. A meeting of the board at which a quorum is present may exercise all powers exercisable by the board.
81. The members may, by way of a resolution passed in compliance with clause 52 (requirement for two-thirds majority), direct the board to take any particular step or direct the board not to take any particular step; and the board shall give effect to any such direction accordingly.



Charity trustees - general duties

82. Each of the charity trustees has a duty, in exercising functions as a charity trustee, to act in the interests of the organisation; and must:
- 82.1 seek, in good faith, to ensure that the organisation acts in a manner which is in accordance with its purposes.
 - 82.2 act with the care and diligence which it is reasonable to expect of a person who is managing the affairs of another person.
 - 82.3 in circumstances giving rise to the possibility of a conflict of interest between the organisation and any other party:
 - 82.3.1 put the interests of the organisation before that of the other party.
 - 82.3.2 where any other duty prevents them from doing so, disclose the conflicting interest to the organisation and refrain from participating in any deliberation or decision of the other charity trustees with regard to the matter in question;
 - 82.4 ensure that the organisation complies with any direction, requirement, notice or duty imposed under or by virtue of the Charities and Trustee Investment (Scotland) Act 2005.
83. In addition to the duties outlined in clause 82, all of the charity trustees must take such steps as are reasonably practicable for the purpose of ensuring: -
- 83.1 that any breach of any of those duties by a charity trustee is corrected by the charity trustee concerned and not repeated; and
 - 83.2 that any trustee who has been in serious and persistent breach of those duties is removed as a trustee.



84. Provided they have declared their interest - and have not voted on the question of whether or not the organisation should enter into the arrangement - a charity trustee will not be debarred from entering into an arrangement with the organisation in which they have a personal interest; and (subject to clause 85 and to the provisions relating to remuneration for services contained in the Charities and Trustee Investment (Scotland) Act 2005), they may retain any personal benefit which arises from that arrangement.
85. No charity trustee may serve as an employee (full time or part time) of the organisation; and no charity trustee may be given any remuneration by the organisation for carrying out their duties as a charity trustee.
86. The charity trustees may be paid all agreed expenses for travelling and other expenses reasonably incurred by them in connection with carrying out their duties; this may include expenses relating to their attendance at meetings.

Code of conduct for charity trustees

87. Each of the charity trustees shall comply with the code of conduct (incorporating detailed rules on conflict of interest) prescribed by the board from time to time.
88. The code of conduct referred to in clause 81 shall be supplemental to the provisions relating to the conduct of charity trustees contained in this constitution and the duties imposed on charity trustees under the Charities and Trustee Investment (Scotland) Act 2005; and all relevant provisions of this constitution shall be interpreted and applied in accordance with the provisions of the code of conduct in force from time to time



DECISION-MAKING BY THE CHARITY TRUSTEES

Notice of board meetings

89. Any charity trustee may call a meeting of the board or ask the secretary to call a meeting of the board.
90. At least 7 days' notice must be given of each board meeting, unless (in the opinion of the person calling the meeting) there is a degree of urgency which makes that inappropriate.

Procedure at board meetings

91. No valid decisions can be taken at a board meeting unless a quorum is present; the quorum for board meetings is 2 charity trustees, present in person which can be physically in person or by electronic means or a combination thereof.
92. If at any time the number of charity trustees in office falls below the number stated as the quorum in clause 60 the remaining charity trustee(s) will have power to fill the vacancies or call a members' meeting - but will not be able to take any other valid decisions.
93. The chair of the organisation should act as chairperson of each board meeting.
94. If the chair is not present within 15 minutes after the time at which the meeting was due to start (or is not willing to act as chairperson), the charity trustees present at the meeting must elect (from among themselves) the person who will act as chairperson of that meeting.
95. Every charity trustee has one vote, which must be given personally in physical or electronic presence.
96. All decisions at board meetings will be made by majority vote.
97. If there is an equal number of votes for and against any resolution, the chairperson of the meeting will be entitled to a second (casting) vote.
98. The board may, at its discretion, allow any person to attend and speak at a board meeting notwithstanding that they are not a charity trustee - but on the basis that they must not participate in decision-making.
99. A charity trustee must not vote at a board meeting (or at a meeting of a sub-committee) on any resolution which relates to a matter in which they have a personal interest or duty which conflicts (or may conflict) with the interests of the organisation; they must withdraw from the meeting while an item of that nature is being dealt with.



100. For the purposes of clause 99: -
- 100.1 an interest held by an individual who is “connected” with the charity trustee under section 68(2) of the Charities and Trustee Investment (Scotland) Act 2005 (husband/wife, partner, child, parent, brother/sister etc) shall be deemed to be held by that charity trustee.
 - 100.2 a charity trustee will be deemed to have a personal interest in relation to a particular matter if a body in relation to which they are an employee, director, member of the management committee, officer or elected representative has an interest in that matter.

Minutes

- 101. The board must ensure that proper minutes are kept in relation to all board meetings and meetings of sub-committees.
- 102. The minutes to be kept under clause 101 must include the names of those present; and (so far as possible) should be signed by the chairperson of the meeting.

ADMINISTRATION

Delegation to sub-committees

- 103. The board may delegate any of their powers to sub-committees; a sub-committee must include at least one charity trustee.
- 104. The board may also delegate to the chair of the organisation (or the holder of any other post) such of their powers as they may consider appropriate.
- 105. When delegating powers under clause 103, the board must set out appropriate conditions (which must include an obligation to report regularly to the board).
- 106. Any delegation of powers under clause 103 may be revoked or altered by the board at any time.
- 107. The rules of procedure for each sub-committee, and the provisions relating to membership of each sub-committee, shall be set by the board.



Operation of accounts

108. Subject to clause 109, the signatures of two out of three signatories appointed by the board will be required in relation to all operations (other than the lodging of funds) on the bank and building society accounts held by the organisation; at least one out of the two signatures must be the signature of a charity trustee.
109. Where the organisation uses electronic facilities for the operation of any bank or building society account, the authorisations required for operations on that account must be consistent with the approach reflected in clause 108.

Accounting records and annual accounts

110. The board must ensure that proper accounting records are kept, in accordance with all applicable statutory requirements.
111. The board must prepare annual accounts, complying with all relevant statutory requirements; if an audit is required under any statutory provisions (or if the board consider that an audit would be appropriate for some other reason), the board should ensure that an audit of the accounts is carried out by a qualified auditor.

MISCELLANEOUS

Winding-up

112. If the organisation is to be wound up or dissolved, the winding-up or dissolution process will be carried out in accordance with the procedures set out under the Charities and Trustee Investment (Scotland) Act 2005.
113. Any surplus assets available to the organisation immediately preceding its winding up or dissolution must be used for purposes which are the same as - or which closely resemble - the purposes of the organisation as set out in this constitution.



Alterations to the constitution

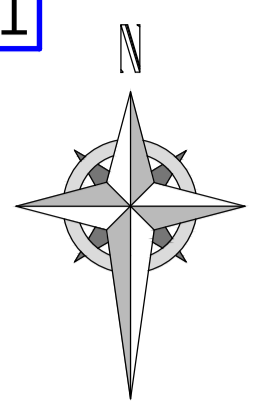
114. This constitution may (subject to clause 115) be altered by resolution of the members passed at a members' meeting (subject to achieving the two thirds majority referred to in clause 53) or by way of a written resolution of the members.
115. The Charities and Trustee Investment (Scotland) Act 2005 prohibits taking certain steps (e.g., change of name, an alteration to the purposes, amalgamation, winding-up) without the consent of the Office of the Scottish Charity Regulator (OSCR).

Interpretation

116. References in this constitution to the Charities and Trustee Investment (Scotland) Act 2005 should be taken to include: -
 - 116.1 any statutory provision which adds to, modifies or replaces that Act; and
 - 116.2 any statutory instrument issued in pursuance of that Act or in pursuance of any statutory provision falling under paragraph 116.1 above.
117. In this constitution: -
 - 117.1 "charity" means a body which is either a "Scottish charity" within the meaning of section 13 of the Charities and Trustee Investment (Scotland) Act 2005 or a "charity" within the meaning of section 1 of the Charities Act 2011, providing (in either case) that its objects are limited to charitable purposes;
 - 117.2 "charitable purpose" means a charitable purpose under section 7 of the Charities and Trustee Investment (Scotland) Act 2005 which is also regarded as a charitable purpose in relation to the application of the Taxes Acts.

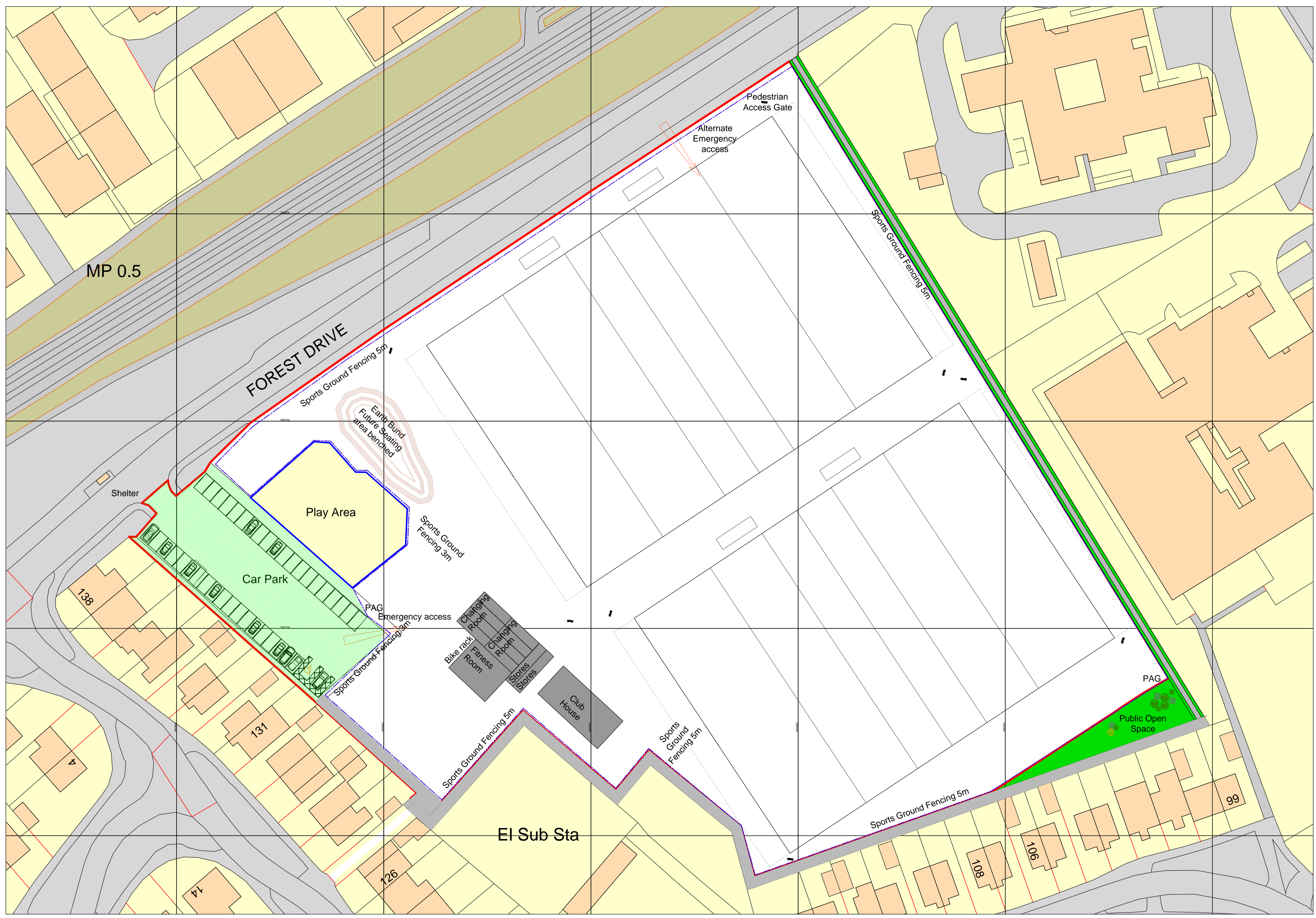
Dated 31st August 2021

A1

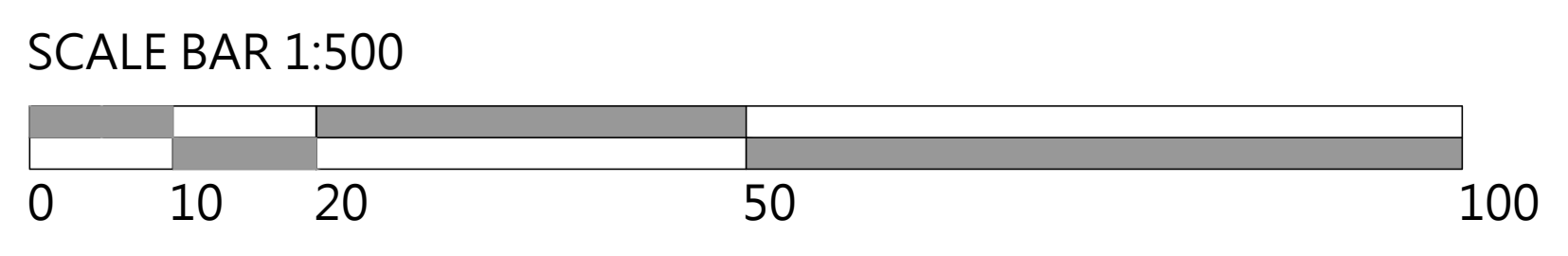


MACKIE ACADEMY FP RFC DRAFT - Proposed Playing & Training Facility

(to replace aged training grounds and floodlighting)



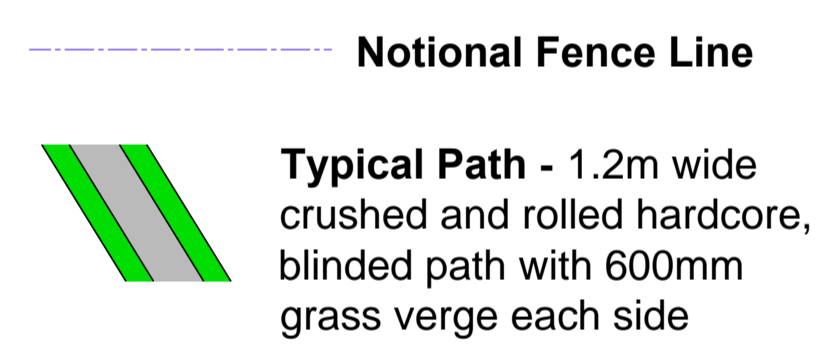
Mill O' Forest Green Space - Site Plan
Scale 1:500



Typical Fence Detail with pedestrian pass gate 3.0m - NTS (Type and size to be confirmed on discussion with planning service)



Typical Fence Detail with double pass gate 3.0m - NTS (Type and size to be confirmed on discussion with planning service)



Lighting - To be by specialist designer to include limiters for any glare or backspill to either roads or local residents. Aged existing lighting to be removed.

Club House & Changing Facilities - To be sectional container style buildings with external finish to be agreed. These buildings will be temporary in nature as there is a desire to have a purpose built club house facility within the site

Coach Parking and Drop Off - To be agreed, traffic management for major events will be specific event traffic management plan. Small coach parking and turning to be accommodated within existing car parking arrangements.

Surface Water Disposal - Existing greenfield run off is being made no worse by the proposals, under pitch drainage will enhance the ground conditions. Surface water to be collected via grey water harvesting for re use to water pitches and flush toilets etc.

REVISIONS	
#	Description
1	1 21 Mar 21 Boundary, fence alterations, club buildings relocation, public paths provided & bund relocated

inspired design & development ltd
Design Studio
27 Evan St
Stonehaven
AB39 2EQ
Tel: 01569 764183
mail@idd-ltd.co.uk

Client: Mackie Academy FP RFC
Project: Rugby Facilities
Drawing Title: Site Plan

Drawn by:	GB
Checked by:	AV
Scale:	As Shown
Date:	01 August 2020
Ref:	116-2020
Dwg No:	SP01
Rev:	1
CONCEPT	

Under no circumstances are drawings to be scaled from. Contact IDD regarding any queries. This drawing is copyright, all rights reserved.

Community Asset Transfer (CAT)**Summary Evaluations**

BACKGROUND	
Project Name:	Forest Park, Stonehaven
Community Group:	Mackie Rugby Club
Population Affected by Transfer (thousands)	11.17
Project Life	99

EVALUATION	Project Life
	£s
Asset Value At Best Consideration (per Property Estates)	65,000
Allowable Discounts/Benefits	
Disposal Proceeds/Lease Payment (£2 per annum has been requested)	198
Surplus Arising from Activity Reinvested in Community	0
Capital Investment Proposed in Asset	0
Community Benefit	1,203,335
Savings to Council arising from Transfer	293,691
Total Benefit	1,497,225
(SURPLUS)/DEFICIT	-1,432,225

Aberdeenshire Council

Integrated Impact Assessment

Asset Transfer Request - Forest Park, Stonehaven

Assessment ID	IIA-000315
Lead Author	Diane Henderson
Additional Authors	Clare Taylor-Brown, Graeme Hooper, Glynis Buchan
Service Reviewers	Elaine McCarron, Heather Macrae, Sheree Pottinger, Brian Holden
Subject Matter Experts	Susan Forbes, Claudia Cowie, Jane Wilkinson, Christine McLennan
Approved By	Bruce Stewart
Approved On	Monday April 25, 2022
Publication Date	Tuesday May 17, 2022

1. Overview

This document has been generated from information entered into the Integrated Impact Assessment system.

An Asset Transfer request has been received from Mackie Academy Rugby Football Club to take on ownership of Forest Park to develop 2 rugby pitches and associated buildings. The Club leased two pitches in the Redcloak area, Stonehaven but lost one pitch recently when the landlord did not renew their lease as they have other plans for the land. The landlord of their second pitch as also indicated that their lease will not be renewed when it expires in 2026. The Club have been searching for alternative land for a number of years without success and having found no alternative are seeking to take on ownership and develop Forest Park by constructing two rugby pitches to SRU competition standard, provide a training area, clubhouse, changing rooms, storage and fitness suite.

The Club submitted an Asset Transfer request under the Community Empowerment (Scotland) Act 2015 which was validated on 6 October 2021. The legislation requires Asset Transfers to be determined within 6 months of their validation date. Following validation notices are put up on the land/building that relates to the request when members of the public are given an opportunity to make representation. This has prompted a large number of representations (205 in support, 165 against plus a petition with 1165 signatures).

The Rugby Club has approx 460 playing members and employs a full-time Development Officer who works with schools in the Club's catchment area. The Club offers First XV and Second XV rugby along with Senior, Junior and Ladies teams including Walking Rugby and Touch Rugby. The Junior Section is the largest in the North East of Scotland. They hold weekly training sessions for children as young as 4 years of age (Nursery) through to the Seniors. The Junior Section host regular rugby festivals throughout the season for both local and travelling clubs. They also host the annual Mackie Mini's Tournament which welcomes over 700 children from 12 clubs and is famed for being the largest event in the North East of Scotland. They have 38 coaches and additional volunteers who give up their time to help provide training sessions and attend games all over Scotland. All coaches have the SRU minimum certification, most also have certification in UKCC Level 1, 2 and above in refereeing.

In considering the request the issues raised by the community within the representations need to be taken into account along with the competing needs of the Rugby Club who will soon find themselves without pitches to train and play matches. The purpose of the IIA is to consider all equalities issues that may arise from the transfer of Forest Park to the Rugby Club.

During screening 6 of 10 questions indicated that detailed assessments were required, the screening questions and their answers are listed in the next section. This led to 4 out of 5 detailed impact assessments being completed. The assessments required are:

- Childrens' Rights and Wellbeing
- Equalities and Fairer Scotland Duty
- Health Inequalities
- Sustainability and Climate Change

In total there are 18 positive impacts as part of this activity. There are 5 negative impacts, of these negative impacts, 4 have been mitigated and 1 cannot be mitigated satisfactorily.

A detailed action plan with 1 points has been provided.

This assessment has been approved by bruce.stewart@aberdeenshire.gov.uk.

The remainder of this document sets out the details of all completed impact assessments.

2. Screening

Could your activity / proposal / policy cause an impact in one (or more) of the identified town centres?	No
Would this activity / proposal / policy have consequences for the health and wellbeing of the population in the affected communities?	Yes
Does the activity / proposal / policy have the potential to affect greenhouse gas emissions (CO2e) in the Council or community and / or the procurement, use or disposal of physical resources?	Yes
Does the activity / proposal / policy have the potential to affect the resilience to extreme weather events and/or a changing climate of Aberdeenshire Council or community?	No
Does the activity / proposal / policy have the potential to affect the environment, wildlife or biodiversity?	Yes
Does the activity / proposal / policy have an impact on people and / or groups with protected characteristics?	Yes
Is this activity / proposal / policy of strategic importance for the council?	No
Does this activity / proposal / policy reduce inequality of outcome?	No
Does this activity / proposal / policy have an impact on children / young people's rights?	Yes
Does this activity / proposal / policy have an impact on children / young people's wellbeing?	Yes

3. Impact Assessments

Children's Rights and Wellbeing	No Negative Impacts Identified
Climate Change and Sustainability	Only Some Negative Impacts Can Be Mitigated
Equalities and Fairer Scotland Duty	Only Some Negative Impacts Can Be Mitigated
Health Inequalities	Only Some Negative Impacts Can Be Mitigated
Town Centre's First	Not Required

4. Childrens' Rights and Wellbeing Impact Assessment

4.1. Wellbeing Indicators

Indicator	Positive	Neutral	Negative	Unknown
Safe	Yes			
Healthy	Yes			
Achieving	Yes			
Nurtured	Yes			
Active	Yes			
Respected	Yes			
Responsible	Yes			
Included	Yes			

4.2. Rights Indicators

UNCRC Indicators upheld by this activity / proposal / policy	Article 12 - Respect for the views of the child Article 28 - Right to education Article 29 - Goals of education Article 31 - Leisure, play and culture
--	---

4.3. Positive Impacts

Impact Area	Impact
Achieving	The Club operates a Mini Monitor scheme which sees the boys and girls work through various activities and key stages of their rugby development, where they earn points throughout the season and sees them receive badges and monitor their points. The scoring system is flexible and allows players to develop at their own pace and ensures that they can proudly wear their badges when training and out and about at matches. The Club also assists many of the youth players to gain certification so that they can help coach the micro and mini level junior squads and some use this to support their Duke of Edinburgh Awards. Their aim is to help every coach or assistant coach or helper to develop in delivering rugby training within a safe and professional environment.
Active	Rugby is a naturally physical sport encouraging an active lifestyle. The Club work on all aspects of rugby skills, speed agility, strength conditioning etc.
Healthy	Taking part in sport encourages a healthy lifestyle. Sport and physical activity has a positive impact on mental health and wellbeing. Recent research from Sport Scotland has concluded that sport has a positive impact on young people's confidence, health and happiness. The Club aim to help people across Aberdeenshire to live longer, healthier lives with a focus on reducing obesity and improving mental health and wellbeing.

Impact Area	Impact
Included	<p>The Development Officer visits all primary schools across Kincardine and Mearns to offer taster sessions and sport skills development in schools therefore is open to all school age children who are then able to join the club if they wish and continue to take part in the sport. Through the value base of the club there is a strong focus on building the person. What are the fees for membership? Would it exclude some? Is there help for people on low incomes purchasing kit and paying membership fees. Is there old kit available?</p> <p>The Rugby Club fencing will provide a hatch into the fencing to allow children and others access to the grass pitches when not in use by the Club. Through the construction of the pitches the grass will be of a higher grade than what is currently on site.</p>
Nurtured	<p>The club encourages members to join from a young age and develop through the club. The Club has a philosophy to develop the person and not just the player. As well as learning the skills of playing rugby, players are developed to have a good work ethic and attitude, encourages good time keeping, good behaviour and team building. Members who come through the club are then encouraged to help coach the younger teams A sense of belonging to a club and team building.</p>
Responsible	<p>Through the mentoring and coaching of younger members they demonstrates responsible behaviour. Rules associated with Rugby requires a strong sense of responsibility for themselves and other team members. The Club operates a number of policies including a Code of Conduct, Child Protection Policy, Safeguarding Children in Rugby, Child Protection Policy, Good Practice guidelines to name a few. The Club encourages responsible behaviour from all their members. The Club offer community support where required helping out at various community events and responding to emergencies by providing community help where needed.</p>
Respected	<p>One of the values of the Club is to encourage respect throughout the club membership. Older members are also encouraged to mentor and work with the junior members. As part of the Asset Transfer process members of the Club and the community have been given an opportunity to voice their views and many have taken the opportunity to submit representations highlighting the positive impact the club has had for them.</p>
Safe	<p>The Rugby Club work hard to provide a safe environment for youngsters to take part. They have a number of policies to safeguard the welfare of children including: Junior Code of Conduct; Code of Conduct for Safeguarding Children; Child Protection Policy; Child Abuse: Signs & Indications; Procedure for Responding to Concerns; Prohibited Drug Policy. They work with parents and carers to support children through every stage of their development, helping to improve health and wellbeing, reducing obesity and helping people live longer, healthier lives.</p>

4.4. Evidence

Type	Source	It says ?	It Means ?
Other Evidence	Asset Transfer application supporting documentation	The Club have a number of policies aimed at protecting children they come into contact with - Code of Conduct for Safeguarding Children, Safeguarding Children in Rugby - Child Protection Officer Handbook, Child Protection Policy, Child Abuse: Signs & Indications.	The Club take their responsibility very seriously and have adopted a number of policies to ensure the welfare of children within their care.
Internal Data	Children & Young People's Charter	The Charter aims to ensure that children and young people's voices are heard and that they are included in decisions being made.	Through the work of the Club in schools they have demonstrated a strong will to include children in sport regardless of age, sex, disability, disadvantaged or multicultural.

4.5. Accounting for the Views of Children and Young People

The Rugby Club have kept all members of their club aware of the Asset Transfer request and were advised of their opportunity to submit representations. In addition public notices were displayed around Forest Park and in particular the playpark informing members of the public of their right to submit comments.

4.6. Promoting the Wellbeing of Children and Young People

The creation of new rugby pitches with improved facilities will ensure children continue to have access to good quality sports facilities to help support and promote their health and wellbeing.

4.7. Upholding Children and Young People's Rights

The Club has a number of policies in place which include the safeguarding and welfare of children.

4.8. Overall Outcome

No Negative Impacts Identified.

The Rugby Club have a number of policies and procedures in place to safeguard children whilst taking part in the sport or involved in club activities.

5. Equalities and Fairer Scotland Duty Impact Assessment

5.1. Protected Groups

Indicator	Positive	Neutral	Negative	Unknown
Age (Younger)	Yes			
Age (Older)	Yes			
Dis ability	Yes			
Race		Yes		
Religion or Belief		Yes		
Sex		Yes		
Pregnancy and Maternity		Yes		
Sexual Orientation		Yes		
Gender Reassignment		Yes		
Marriage or Civil Partnership		Yes		

5.2. Socio-economic Groups

Indicator	Positive	Neutral	Negative	Unknown
Low income		Yes		
Low wealth		Yes		
Material deprivation		Yes		
Area deprivation		Yes		
Socioeconomic background		Yes		

5.3. Positive Impacts

Impact Area	Impact
Age (Older)	The Rugby Club runs Senior, Youth, Junior and Ladies teams and has also developed a senior's team called the Mammoths (Middle Aged Men Mainly Over the Hill) with the oldest member being 73 years of age. This team is mainly made up of coaches and ex-players regularly compete in festivals. This demonstrates that the Club is open to people of all ages and abilities.
Age (Younger)	The Club hold weekly training sessions for children as young as 4 years old. Their Development Officer works with both primary and secondary schools to offer taster sessions to pupils and those who enjoy the support can then become members of the Club. The sessions within the schools offer sport specific development skills, good behaviour, team building and promote leadership opportunities.
Dis ability	The Rugby Club are open to all including those with disabilities.

5.4. Evidence

Type	Source	It says?	It Means?
Other Evidence	Asset Transfer application supporting documents	It covers the aims and objectives of the club, covering the Club's history, policies and plans for the future.	It demonstrates that the Club works with children of all ages, adults and those with disabilities in teaching sports skills which can be enjoyed merely as a hobby or can lead to a career in rugby at professional level.

5.5. Engagement with affected groups

Public notices were displayed allowing the general public to make comments. Two open days were held by the Rugby Club to allow people to engage with them and discuss any issues.

5.6. Ensuring engagement with protected groups

There has been no direct targeted engagement to any specific groups just wider public engagement.

5.7. Evidence of engagement

Community engagement events were held on 19 February, 6 and 20 March at different venues. Plans and drawings were put on display so that members of the public could view them and members of the Rugby Club and Planning Agent were present to answer any questions. Feedback from these events will help inform any future planning application.

5.8. Overall Outcome

Only Some Negative Impacts Can Be Mitigated.

The fencing off of the pitches will limit access to the wider community. Dog walkers will not be allowed onto the pitches. Although hatches will be provided in the fencing to allow children and others to use the grass pitches when not in use by the Rugby Club it will limit access to those with mobility issues.

At present no alternative sites within Stonehaven or the surrounding area that can accommodate 2 grass pitches have been identified as suitable and are available. If the transfer does not go ahead there is a risk that the Rugby Club will struggle to continue and those who partake in the activities of the club will be impacted. The Rugby Club employ the services of a Development Officer and may not be in a position to continue funding this post which will also impact rugby being taught in schools across Kincardine and Mearns.

5.9. Improving Relations

The Rugby Club has developed good relationships with schools, Active Aberdeenshire and the wider community through their sports activities, tournaments, festivals and taking part in many community events.

5.10. Opportunities of Equality

The Rugby Club has an inclusive culture and is open to all age groups, sex, disability, disadvantaged or multicultural. All members of the club have the opportunity to learn and develop as individuals and players to their desired level within the sport of rugby.

6. Health Inequalities Impact Assessment

6.1. Health Behaviours

Indicator	Positive	Neutral	Negative	Unknown
Healthy eating		Yes		
Exercise and physical activity	Yes		Yes	
Substance use – tobacco		Yes		
Substance use – alcohol		Yes		
Substance use – drugs		Yes		
Mental health	Yes		Yes	

6.2. Positive Impacts

Impact Area	Impact
Exercise and physical activity	The Rugby Club hold weekly training sessions for children as young as 4 years old through to Seniors. They employ a full-time Development Officer who visits schools across the Kincardine & Mearns Area to teach rugby. The Club work with Active Aberdeenshire to promote exercise and physical activity through rugby. Taster rugby sessions are offered to school pupils who can then join the Rugby Club if they enjoy the sport.
Mental health	It is well documented that sport and physical activity have a positive benefit on mental health. Establishing a permanent home for the club will offer stability to the club members which in turn will have a positive impact on their mental health.

6.3. Negative Impacts and Mitigations

Impact Area	Details and Mitigation
Exercise and physical activity	<p>Members of the public have raised concerns that fencing off the area will prevent them from enjoying activities such as flying kites and enjoying ball games with their families. There have been concerns raised that the high fencing will make it a less enjoyable place to walk or run and jog.</p> <p>Can be mitigated Yes</p> <p>Mitigation Request that Rugby Club do not fence off the entire area.</p> <p>Timescale TBC</p>

Impact Area	Details and Mitigation
Mental health	<p>Comments contained within the representations have expressed concern over the proposal which will see development on an existing open space area where people like to walk and take part in family activities. If the area is fenced off then it will no longer provide an easily accessible open space for the general public to enjoy.</p> <p>Can be mitigated No</p> <p>Justification The proposed development will require the entire open space leaving only a perimeter path for walkers and access to and from the school and houses nearby. There are other open green spaces within Stonehaven which are available to the community.</p>

6.4. Evidence

Type	Source	It says?	It Means?
External Data	Sportscotland	In 2020 Sportscotland undertook surveys through members of clubs and schools and found that taking part in sport and physical activity was having a clear and positive impact on their mental wellbeing. It also reported that school pupils who were involved in sport had made 88% of pupils feel happy, while 97% said that it made them feel healthy and 89% said it made them feel confident.	The survey supports the benefits that sport can have on people's mental health and wellbeing and by providing improved sports facilities will have a positive impact reducing the impact on health services.
External Consultation	New LOIP Priority - Health & Wellbeing	This recognises that Mental Health & Wellbeing is an important contribution to our wellbeing in Aberdeenshire especially as we recover from the impacts of Covid-19.	It promotes taking part in physical activity as a means to improve mental wellbeing and promote recovery.

Type	Source	It says?	It Means?
Internal Data	Aberdeenshire Council Strategic Assessment 2020/21	The Strategic Assessment provides an overview of health and wellbeing lifestyle factors including activity and mental health (page 32). The document also makes reference to the Scottish Health Survey (page 114). Both documents site mental health and obesity as growing challenges and that poverty has an impact on people being able to access sports facilities.	The proposal will provide new improved facilities which will be available to other groups and schools to make use of.

6.5. Overall Outcome

Only Some Negative Impacts Can Be Mitigated.

There is strong evidence that taking part in sport and physical activity has a positive impact on mental health and wellbeing as well as health benefits from being physically active. The creation of new pitches will provide improved facilities for the community to enjoy, however, there will not be open access for all to the current green open space as the fencing will remove the open nature of the park.

Hatches will be created in the fencing to allow the public to use the pitches when not in use by the Rugby Club. This may not be suitable for all those who currently use the park. If the transfer does not proceed then there will be a loss of rugby facilities in the community which could have a negative impact on those who currently take part in the sport.

7. Sustainability and Climate Change Impact Assessment

7.1. Emissions and Resources

Indicator	Positive	Neutral	Negative	Unknown
Consumption of energy	Yes			
Energy efficiency	Yes			
Energy source	Yes			
Low carbon transition		Yes		
Consumption of physical resources	Yes			
Waste and circularity	Yes			
Circular economy transition		Yes		
Economic and social transition		Yes		

7.2. Biodiversity and Resilience

Indicator	Positive	Neutral	Negative	Unknown
Quality of environment			Yes	
Quantity of environment			Yes	
Wildlife and biodiversity			Yes	
Infrastructure resilience		Yes		
Council resilience		Yes		
Community resilience		Yes		
Adaptation		Yes		

7.3. Positive Impacts

Impact Area	Impact
Consumption of energy	The Club is looking to use, as far as is reasonably practical, Low to Zero Carbon Technologies within the proposed development. Photovoltaic cells and power wall technology are to be installed on the roofs and storage of electricity for use by the Club. The structures are to be highly insulated reducing heating demand. Low voltage light fittings are to be used. Automated lights will be used to ensure no lights are left on in the building.
Energy efficiency	Ground source loop with heat pump is to be laid within the pitches. Photovoltaic cells and power wall technology is to be used in the buildings. Highly insulated thermal envelope will be used on the buildings. The rainwater will be harvested and reused for the toilets and water the pitches. Use of low voltage light fittings. Photocell automated lighting is to be used. Reduced flush WCs.
Energy source	Photovoltaic cells will be installed on the roofs to store electric. Ground source loop with heat pump is to be used within the pitches.

Impact Area	Impact
Consumption of physical resources	Low voltage light fittings will be used reducing electricity consumption. Automated lights will be used to avoid lights being left on unnecessarily again reducing consumption of electricity. WCs will have reduced flush mechanisms to reduce water consumption.
Waste and circularity	The rainwater will be harvested and used to flush the toilets and watering of the pitches.

7.4. Negative Impacts and Mitigations

Impact Area	Details and Mitigation
Quality of environment	<p>The creation of the pitches will remove the existing trees and shrubs placed around the perimeter of the current open space.</p> <p>Can be mitigated Yes</p> <p>Mitigation As many trees and shrubs as possible will be lifted and relocated to the outer areas of the park or elsewhere within Stonehaven.</p> <p>Timescale 1 year</p>
Quantity of environment	<p>The creation of two rugby pitches and associated infrastructure i.e. clubhouse, changing rooms etc will have an impact in removing the existing open green space which is enjoyed by walkers, joggers and families undertaking outdoor activities.</p> <p>Can be mitigated Yes</p> <p>Mitigation A new path will be created around the sports pitches to allow dog walkers and joggers to continue to exercise. The path will also provide access for people walking to and from the primary school from the nearby Forest Park housing development. Although the sports pitches will have restricted access there is an intention to provide a small unlocked pass gate for use by those wishing to play on the pitch when not in use for scheduled training and match play by the Club.</p> <p>Timescale Up to 5 years</p>
Wildlife and biodiversity	<p>With the removal of the trees and shrubs this will have a negative impact on the natural wildlife which currently exists within the open space.</p> <p>Can be mitigated Yes</p> <p>Mitigation Aberdeenshire Council will remove and relocate as many trees and shrubs as possible. A number of the trees and shrubs were planted more recently and are still small enough to be moved to other locations.</p> <p>Timescale 6 months.</p>

7.5. Evidence

Type	Source	It says ?	It Means ?
Other Evidence	Rugby Club submitted documentation	The Club have adopted an Environment Policy whereby the Club recognises the potential impact upon the environment from certain aspects of their operations and have an ethical commitment to minimise waste and manage how their activities impact on the environment.	They will seek to identify any impacts of pollution from their activities and look to identify objectives to control the risks. They endeavour to reduce waste to the lowest possible level and disposal will be considered and controlled.

7.6. Overall Outcome

Only Some Negative Impacts Can Be Mitigated.

The loss of trees and shrubs currently situated around the park can only be partly mitigated by relocating some elsewhere. There are still a number of trees and shrubs on the other side of the road from the park which will continue to offer a natural environment for plants and wildlife nearby.

Stonehaven benefits from a number of green open spaces such as Mineralwell Park, Dunnottar Woods etc which provides a natural environment. Additional trees and shrubs were only recently introduced to Forest Park and as they are still young and not fully developed can be relocated within Stonehaven.

8. Action Plan

Planned Action	Details
<p>The negative impacts such as the fencing and removal of trees and shrubs will be fully considered as part of a future planning application. Further community consultation will take place as part of this process.</p>	<p>Lead Officer Diane Henderson Repeating Activity No Planned Start Monday May 02, 2022 Planned Finish Saturday December 31, 2022 Expected Outcome Matters to be addressed through Planning process. Resource N/A Implications</p>