

Aberdeenshire
COUNCIL



BANFF AND BUCHAN AREA COMMITTEE

TUESDAY, 16 APRIL 2024 at 9.30 am

Your attendance is requested at a meeting of the **BANFF AND BUCHAN AREA COMMITTEE** to be held in **THE COUNCIL CHAMBER, FAITHLIE CENTRE, FRASERBURGH, AB43 9DA, (WITH VIRTUAL ATTENDANCE)** on **TUESDAY, 16 APRIL 2024, at 9.30 am**

This meeting will be live streamed and a recording of the public part of the meeting will be made publicly available at a later date.

Wednesday, 10 April 2024

Angela Keith,
Area Manager, Banff and Buchan

To: Councillors D Mair (Chair), R Menard (Vice-Chair), J Adams, S Adams, A Bell, R Cassie, J Cox, M Findlater, S Logan and G Reynolds

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B U S I N E S S

1	Sederunt and Declaration of Members' Interests	
2(A)	Public Sector Equality Duty Consider, and if so desired, adopt the following resolution:- (1) to have due regard to the need to:- (a) eliminate discrimination, harassment and victimisation; (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and (c) foster good relations between those who share a protected characteristic and persons who do not share it; and (2) where an Integrated Impact Assessment is provided, to consider its contents and take those into account when reaching a decision.	4
2(B)	Exempt Information Consider, and if so decided, adopt the following resolution:- "That under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 15 of business below, on the grounds that it involves the likely disclosure of exempt information of the class described in the relevant paragraphs of Part 1 of Schedule 7A of the Act."	
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Planning Applications for Determination		
5	APP/2023/2312: Full Planning Permission for Alterations and Extension to Aquarium to include Cafe/Restaurant (Class 3), Associated Landscaping and Alterations to Car Park. Macduff Marine Aquarium, 11 High Shore, Macduff GRANT	19 - 68
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Reports by the Director of Education and Children's Services

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ITEM WHICH THE COMMITTEE MAY WISH TO CONSIDER WITH THE PRESS AND PUBLIC EXCLUDED

Report by Director of Education and Children's Services

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[Exempt under paragraph 8]

Expenditure to be incurred by the Council under a contract for acquisition of property or supply of goods or services.

PUBLIC SECTOR EQUALITY DUTY – GUIDANCE FOR MEMBERS

What is the duty?

In making decisions on the attached reports, Members are reminded of their legal duty under section 149 of the Equality Act 2010 to have due regard to the need to:-

- (i) eliminate discrimination, harassment and victimisation;
- (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- (iii) foster good relations between those who share a protected characteristic and persons who do not share it.

The “protected characteristics” under the legislation are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; and (in relation to point (i) above only) marriage and civil partnership.

How can Members discharge the duty?

To ‘have due regard’ means that in making decisions, Members must consciously consider the need to do the three things set out above. This requires a conscious approach and state of mind. The duty must influence the final decision.

However, it is not a duty to achieve a particular result (e.g. to eliminate unlawful racial discrimination or to promote good relations between persons of different racial groups). It is a duty to have due regard to the need to achieve these goals.

How much regard is ‘due’ will depend upon the circumstances and in particular on the relevance of the needs to the decision in question. The greater the relevance and potential impact that a decision may have on people with protected characteristics, the higher the regard required by the duty.

What does this mean for Committee/Full Council decisions?

Members are directed to the section in reports headed ‘Council Priorities, Implications and Risk’. This will indicate whether or not an Integrated Impact Assessment (IIA) has been carried out as part of the development of the proposals and, if so, what the outcome of that assessment is.

An IIA will be appended to a report where it is likely, amongst other things, that the action recommended in the report could have a differential impact (either positive or negative) upon people from different protected groups. The report author will have assessed whether or not an IIA is required. If one is not required, the report author will explain why that is.

Where an IIA is provided, Members should consider its contents and take those into account when reaching their decision. Members should also be satisfied that the assessment is sufficiently robust and that they have enough of an understanding of the issues to be able to discharge their legal duty satisfactorily.

For more detailed guidance please refer to the following link:-

https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.equalityhumanrights.com%2Fsites%2Fdefault%2Ffiles%2Ftechnical_guidance_psed_scotland.docx&wdOrigin=BROWSELINK

BANFF AND BUCHAN AREA COMMITTEE

TUESDAY, 12TH MARCH, 2024

Present: Councillors D Mair (Chair), R Menard (Vice-Chair), J Adams, S Adams, A Bell, R Cassie, J Cox, M Findlater, S Logan, and G Reynolds.

Officers: Angela Keith, (Area Manager, Banff and Buchan); Paul Macari, (Head of Planning and Economy); Fiona McCallum, (Business Strategy Manager, Business Services); Mark Mitchell, (Estates Programme Manager, Education and Children's Services); Christine Webster, (Team Manager, Place Economy); Irene Sharp, (Head Teacher, Fraserburgh Academy); Ross Bennett, (Principal Engineer, Roads Development); Martin Ingram, (Principal Solicitor, Governance); Rob McIntosh, (Principal Solicitor – Developer Obligations and Infrastructure); Lee Watson, (Principal Engineer, Roads and Infrastructure); Lindsey Geddes, (Senior Planner); Jim Martin, (Senior Planner); Suzanne Robertson, (Place Economy Executive); Amanda de Candia, (Solicitor); Elaine Sinclair, (Community Planning Officer, Banff and Buchan); and Jan McRobbie, (Area Committee Officer, Banff and Buchan).

1 SEDERUNT AND DECLARATION OF MEMBERS' INTERESTS

The Chair asked Members if they had any interests to declare, in terms of the Councillors' Code of Conduct.

Councillor Menard declared an interest in Item 6, (APP/2022/3000 - Full Planning Permission for Erection of Supermarket, Including Cafe, Petrol Station, Car Parking and Associated Works, Vehicular Access and Landscaping, Canal Park, Banff Canal Park), as having submitted a letter of representation on the application before he became a Councillor. He indicated that he would leave the meeting and take no part in the determination of the matter.

Councillor Reynolds declared an interest in Item 10, (Banff and Buchan Coastal Communities Fund 2023/24) as a Board member of the organisation which had applied for funding. He indicated he would leave the meeting and take no part in the determination of the matter.

Councillor Cox made a transparency statement on Item 10 (Banff and Buchan Coastal Communities Fund 2023/24) by virtue of his association with Banff Castle, used as a venue by the applicants for funding, but having applied the objective test had determined that he would stay in the meeting and take part in the discussion of and determination of the matter.

2(A) PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act 2010:-

(1) to have due regard to the need to:-

(a) eliminate discrimination, harassment and victimisation;

- (b) advance equality and opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it, and
- (2) to consider, where an Integrated Impact Assessment has been provided, its contents and to take those into consideration when reaching a decision.

2B EXEMPT INFORMATION

The Committee **agreed**, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the items specified below so as to avoid disclosure of exempt information of the classes described in the undernoted paragraphs of Part 1 of Schedule 7A of the Act.

Item No	Paragraph No of Schedule 7A
11	8

3 MINUTE OF MEETING OF 20 FEBRUARY 2024

There had been circulated and was **approved** as a correct record the Minute of Meeting of the Banff and Buchan Area Committee of 20 February 2024

4 STATEMENT OF OUTSTANDING BUSINESS

A report by the Banff and Buchan Area Manager was circulated detailing the items of outstanding business as at 6 March 2024

Having heard from the Area Manager details about the timing of the expected conclusion of the remaining matters of outstanding business, the Committee agreed to note the items of outstanding business as at 12 March 2024.

5 APP/2023/0562 - FULL PLANNING PERMISSION FOR ERECTION OF 35 DWELLINGHOUSES AND ASSOCIATED INFRASTRUCTURE AT LAND TO THE NORTH OF CAIRN CLOSE, MEMSIE, FRASERBURGH DELEGATED GRANT

With reference to the Minute of Meeting of 20 February 2024, (Item 7), there had been circulated a report dated 29 February 2024 by the Director of Environment & Infrastructure Services, requesting Members' consideration of an application for Full Planning Permission for Erection of 35 Dwellinghouses and Associated Infrastructure at Land to the North of Cairn Close, Memsie, Fraserburgh, recommended for delegated grant as within a settlement allocation OP2, in the Local Development Plan.

Members heard from Miss Geddes, Senior Planner, details of the application. deferred on 20 February 2024 for a site visit which took place on Tuesday 5 March 2024.

This was a major development, covering 2.6 ha, allocated in the development plan as OP2, with an indication of 20 houses. The waste water treatment plant would be upgraded to adoptable standard and surface drainage would be by soakaways. The layout, density, and plot sizes were in keeping with those in the adjacent development to the south, and also included open space in excess of the policy requirements, with

bio-diversity enhancement measures. Assurance was given that SEPA were satisfied that there would be no flood risk.

Reference was made to the Viability summary report which had been shared in confidence with the Members, and Miss Geddes indicated that the Planning Service had accepted this as the scheme was unlikely to be fundable or otherwise proceed in the current housing market. On that basis, and in accordance with policy, a commuted sum had been accepted in terms of Developer Obligation, allocated to affordable housing and not include a contribution to healthcare and sports provision which would have otherwise been required. This would be undertaken as a Section 75 agreement, which would include a clawback mechanism which would seek funds to cover both affordable housing and developer obligations should the financial circumstances change during the build. The application was deemed to demonstrate good place-making and so was recommended for delegated grant.

Questions were asked of officers of the topography of the site; the monitoring and clawback mechanism that would be applied to the commuted payment proposed, more commonly related to commercial development, but also appropriate to housing development; whether an additional entrance could be conditioned as it was not required by Roads Technical Standards; the allocation of green way/ cycle routes which could be used for emergency access; and the need for careful traffic management during the construction period to safeguard other road users and pedestrians, particularly adjacent to the play area and at times of school bus arrival and departures.

Members confirmed they had sufficient information to determine the application.

The Committee **agreed:-**

(1) that authority to GRANT Full Planning Permission be delegated to the Head of Planning and Economy subject to (a) a Section 75 agreement to secure commuted sum payment for affordable housing and to incorporate a clawback mechanism in the event that the financial circumstances change; and (b) the following conditions:-

01. In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) this planning permission will lapse on the expiration of a period of three years from the date of this decision notice unless the development is begun within that period.

Reason: Pursuant to Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. That prior to the occupation of the 5th dwellinghouse within the development hereby approved the agreed off site infrastructure improvements have been installed in accordance with the approved plans and are completed and available for public use. The offsite infrastructure comprises the following:

- extended footways along both the A981 and B9032;
- bus stop provision on either side of the A981 public road; and
- the pedestrian crossing point.

Any variation to the timing of the implementation of the works shall require to be subject of the prior formal agreement in writing by the Planning Authority.

Reason: To ensure that the development meets the NPF4 requirements of providing access to sustainable modes of transport and amenity and to ensure that the offsite infrastructure is implemented timeously.

03. That unless otherwise agreed in writing, all soft and hard landscaping within the application site boundary shall be carried out in accordance with the approved planting scheme as detailed on drawing Landscape Proposals Phase 2 – Planting Plan reference CH M2 100.22 SL-02 REV E dated 8th November 2022. The landscaping shall be implemented in the first planting season following commencement of development within each respective residential phase (as detailed on Phasing plan WCP-WIP-07 REV E) and thereafter the landscaping shall be maintained in accordance with the agreed 5-year Landscaping Maintenance Regime (Jan 2024). The hard landscaping includes, but is not limited to, the provision of the play equipment, cycle stands, and seating within the public open space areas.

For the avoidance of doubt, any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged, or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all soft and hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and enhance biodiversity.

04. That unless otherwise agreed in writing with the Planning Authority, all landscaping proposals outwith the application site boundary as detailed on the approved plan titled Landscape Proposals Phase 2 – Open Space Planting Plan reference CH M2 100.22 SL-03 REV E shall be carried out in accordance with the details contained therein. The timing for implementation of the agreed landscaping in this area shall accord with the timing as detailed within the landscape phasing plan Reference WCP-WIP-LAND-PH dated 30 Jan 2024. The landscaping shall thereafter be maintained in accordance with the agreed 5 year Landscaping Maintenance Regime (Jan 2024). For the avoidance of doubt, any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged, or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all soft and hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and enhance biodiversity.

05. No individual dwellinghouse hereby approved shall be erected unless an Energy Statement applicable to that dwellinghouse has been submitted to, and approved in writing by, the Planning Authority. The Energy Statement shall include the following items:
- a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
 - b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy C1 of the Aberdeenshire Local Development Plan 2023.

The development shall not be occupied unless it has been constructed in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and Policy C1 of the Aberdeenshire Local Development Plan 2023.

06. No dwellinghouse hereby approved shall be occupied unless its driveway and parking area has been provided and surfaced in accordance with the details shown on the approved plans. Once provided, all parking areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the driveway to an adequate standard to prevent the carriage of loose driveway material on to the public road in the interests of road safety.

07. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the Planning Authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

08. No dwellinghouse hereby approved shall be occupied unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans and the Drainage Statement V.6 by Cameron and Ross dated Feb 2024. Foul and surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

09. No works in connection with the development hereby approved shall commence unless an archaeological Written Scheme of Investigation (WSI) has been submitted to, and approved in writing by, the Planning Authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and

recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the Written Scheme of Investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis, the development hereby approved shall not be brought into use unless a post 1 excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to, and approved in writing by, the Planning Authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

10. No works in connection with the development hereby approved shall commence unless a Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the Planning Authority. The development shall be carried out in complete accordance with the approved CTMP.

Reason: In the interests of road safety and to avoid degradation of the road and bridge network.

11. No development shall commence unless details of the proposed seating and play equipment within the open space areas have been submitted for the written approval of the Planning Authority. The approved play equipment and seating shall thereafter be installed in accordance with the approved details and in accordance with the timing as specified within the agreed phasing plan (as per condition 3 above).

Reason: To ensure the timeous implementation of play equipment and seating within the open space areas in the interests of amenity.

12. That no development shall commence unless detailed plans of the following biodiversity enhancement measures have been submitted for the written approval of the Planning Authority:

- The hibernacula including locations
- The wildlife highways including locations

The details shall include details of the timing of implementation of the above measures and the agreed measures shall thereafter be implemented in accordance with the approved plans and within the agreed timeframes.

Reason: To ensure the timeous implementation of agreed measures in the interests of ensuring biodiversity enhancement.

13. No development shall commence unless full details of the proposed formal path connecting the development to the Doolie Burn have been submitted for the written approval of the Planning Authority. The approved path shall thereafter be implemented on site in accordance with the approved details and in its entirety. The path shall be completed and made available for public use in accordance with the timings as detailed within the landscape phasing plan Reference WCP-WIP-LAND-PH dated 30 Jan 2024.

Reason: To ensure the timeous implementation of the formal path within the open space area to provide access to the wider countryside in the interests of amenity; and

- (2) that the reason for decision is that the Planning Authority considers that the application is for a development that is in accordance with both National Planning Framework 4 and the Aberdeenshire Local Development Plan 2023. The proposal encompasses many features of good placemaking, and the development will be appropriately designed, laid out and be of a compatible scale, nature, and finish to the properties adjacent. The site can be suitably accessed and serviced and will have no detrimental impact on the local amenity or character of Memsie.

6 APP/2022/0300 -FULL PLANNING PERMISSION FOR ERECTION OF SUPERMARKET, INCLUDING CAFE, PETROL STATION, CAR PARKING AND ASSOCIATED WORKS, VEHICULAR ACCESS AND LANDSCAPING, CANAL PARK, BANFF - REFUSE

Councillor Menard, having declared an interest in the matter having submitted a letter of representation on the planning application before being elected as a Councillor, left the meeting and took no part in the discussion of, or determination of, the application.

There had been circulated a report dated 1 March 2024 by the Director of Environment and Infrastructure Services, requesting Members' consideration of an application for Full Planning Permission for Erection of Supermarket, Including Cafe, Petrol Station, Car Parking and Associated Works, Vehicular Access and Landscaping at Canal Park, Bridge Road, Banff, Aberdeenshire, recommended for refusal as contrary to the Local Development Plan and National Planning Framework 4 in that issues relating to the site access and site flooding and drainage had not been, and may not be, addressed satisfactorily.

Members heard from Mr. Martin, Senior Planner, of the details of the proposal, including the demolition of an existing community centre, the layout of the proposed supermarket development and ancillary uses, including a home shopping unit, petrol filling station, and car parking provision. He referred to the 2 new access points which were proposed, the serviced public water mains provision and foul water drainage. There had been early engagement on the nature, design, and finish of the proposed erections, with a positive reflection on the current proposals.

Mr. Martin spoke of the significant representations both for, and against, the proposal.

The first factor in the recommendation of refusal was a statutory consultee's (SEPA) objection, in terms of flooding: they would have accepted redevelopment of a size comparable to the existing community centre building on site, but not the increased size proposed in the application. Any flood mitigation would need to be for the whole area, not just the development site. The Council's Flood Protection team had made similar comments.

The second factor related to access. The Council's Roads Development section had issued a holding response, including issues relating to access onto the A98 (New Road), which could require additional land and had implications for the proposed internal layout, with the works unable to be done within the existing site boundaries, and matters relating to pedestrian and cyclist access to, and within, from the site.

Mr. Martin reported that the cumulative impact of a supermarket development at Macduff, recently approved, had not been assessed but that an updated retail assessment had been requested.

He concluded that, whilst acknowledging the positive aspects of the proposed development, the issues of flooding and drainage seemed insurmountable, and the matters regarding access would require a new application to be addressed. As in breach of policies in both National Planning Framework 4, and Aberdeenshire Local Development Plan 2023, the application was recommended for refusal.

Questions were asked for clarification on SportScotland's change of stance in response to consultation regarding loss of open space; discussions held on wider traffic impact assessments in the context of relevant information not being provided, beyond that for a simple priority junction which was deemed to be insufficient, to allow the Roads Development section to make proper assessments; the flooding implications from the existing buildings on site to those proposed; and the timescale for the Council's existing hierarchy of 5 Year Flood Plans, as required by Scottish Government, and the justification for these priorities, in the context of the level of informal protection afforded by the A98 and the road embankment.

Members confirmed they had sufficient information to determine the application.

There was discussion of the historical flooding of the lower Deveronside area; the challenges of the proposed site; and the need for increased supermarket provision in the area.

The Committee **agreed to:**

(1) REFUSE Full Planning Permission for the following reasons:-

1. The proposed development fails to comply with Local Development Plan Policy RD1 (Providing Suitable Services) and NPF4 Policy 18 (Infrastructure first) in that it has not been satisfactorily demonstrated that appropriate infrastructure can be provided to enhance access by sustainable transport means, and the proposed vehicular access onto the A98 is not considered to be acceptable; and
2. The proposed development fails to comply with Local Development Plan Policy C4 (Flooding) and NPF4 Policy 22: (Flood risk and water management) in that it has not been demonstrated that the site can be developed as proposed without exacerbating the risk of on-site flooding and enhancing the risk to surrounding properties.

7 DEVELOPING EXCELLENCE IN OUR NORTH COAST COMMUNITIES: FINAL PROGRAMME REPORT

There had been circulated a report dated 19 February 2024 by the Director of Environment & Infrastructure Services requesting Members' consideration of a final report on the regeneration strategy: Developing Excellence in our North Coast Communities for Banff, Macduff, and Fraserburgh, highlighting the progress achieved across the programme.

The Committee heard from Mrs Webster, Team Manager, Place Economy, and Mrs Robertson, Place Economy Executive, of the work undertaken with partners in actioning the vision relating to the 7 Year Developing Excellence in our North East Communities programme, in Banff, Macduff, and Fraserburgh.

Assurances were given of the key role of Elected Members in driving and supporting change, with the work to continue in established partnerships, and ongoing priorities, including progressive procurement-benefits, both community and jobs, carried forward. Similarly, the work to deliver on the Fraserburgh Beach Master Plan would be progressed across relevant services and partners. The Council's move to place based plans was intended to simplify relationships in Community Planning. Officers acknowledged that it had not been possible to deliver on all projects as originally anticipated: for example, the electrification of Macduff Harbour still awaited appropriate match-funding.

Questions were asked for officers, on the transition to a more simple plan process, including both the reassessment and incorporation of existing datasets across services and the need for continuity in staffing support; the timescale for Council's agreement of a place policy and strategy; the need for adequate resources to support the place planning development and process; the proportion of actions which could be directly linked to the original Regeneration Plans; the number of businesses supported reported, in the context of the number of businesses in the area; the impact of the downturn in night time economy on both local community and visitors; the need to consider current downturn in shopping and other business opportunities; the commendable work of partners, both as individuals and in joint working; the data relating to the works at the Smiddy in Banff; the redevelopment of Macduff Marine Aquarium; the lack of conference scale hotel accommodation in the Fraserburgh area; the need for positive procurement to support local firms in their potential tendering for contracts, in terms of community wealth building, in the context of the legislative constraints; the potential for local events to support major and smaller companies to realise procurement opportunities; the timing of the stopping of the Regeneration Programmes before Place Planning had been agreed and established; the proposals to redistribute any residual Regeneration Plan funding; the route through which Elected Members might continue to be able to oversee and scrutinise continuing projects; and how local communities and businesses would continue to be supported, across services, while place planning was established.

Members heard from the Area Manager of the coordination which was anticipated across the Council in the establishment of, and resourcing of, the move to place planning, and the anticipated timeline for the consideration of a policy by Full Council.

The Committee **agreed:-**

- (1) to welcome the report and commend the officers for progress achieved;
- (2) that the documents be revised in respect of the undernoted:
 - 1) Fraserburgh Beach Master Plan is not complete, only its consultation process;
 - 2) that both Royal Town Planning Institute (RTPI) awards be listed against the Faithlie Centre work; and
 - 3) that the wording of some of the projects listed be amended to clarify they were not in original regeneration programme; and

- (3) that the undernoted comments be made to the Infrastructure Services Committee:
- 1) Clarification is required of the processes and ongoing fiscal support;
 - 2) Place plans have to embrace the capacities of our communities;
 - 3) Support for existing projects previously funded to be confirmed;
 - 4) Need to take community and businesses with us;
 - 5) How will things be done differently in a place-based approach?;
 - 6) Do we have the resources to support a place-based approach?;
 - 7) How many of the elements cited in the original regeneration plans have been delivered?;
 - 8) The calculation of “Achievements” needs to be revisited as some numbers are questioned and present a misleading view of the economic landscape;
 - 9) The support for the Silversmith needs to be analysed to ensure economic benefit: was the accommodation fully booked? If so, does this indicate a development opportunity, or if not fully booked, are there alternative uses?;
 - 10) It was anticipated that a/ major hotel chain(s) might be brought to Fraserburgh, given need for conference size hotel with function rooms and the empty Station and Royal Hotels;
 - 11) The focus and momentum must be continued during the transition to Place Plans;
 - 12) Need to ensure that projects ongoing are still supported in the place plan and come back to area committee in the future;
 - 13) Community Benefit from progressive procurement to be assessed; and
 - 14) Recommend procurement event, as recently took place in Peterhead, be arranged in Banff and Buchan.

8 DRAFT ABERDEENSHIRE BRITISH SIGN LANGUAGE (BSL) PLAN 2024-30

There had been circulated a report dated 21 February 2024 by the Director of Business Services requesting Members’ consideration of the Council’s British Sign Language Plan 2024 -30, as required by Scottish Government within six months of its publication, in November 2023, of its National British Sign Language Plan 2023-2029.

Members heard from Mrs McCallum, Business Strategy Manager, Business Services, of the evolution from the Council’s previous BSL plan and the actions proposed to continue to support the initiatives across all services and communities.

Questions were asked on the sharing of best practice across other local authorities and public bodies; the information and learning applied from public consultation and user engagement; and the potential to consider the use of sub-titles on all Council video productions, and not simply rely on the closed caption functions of YouTube.

The Committee **agreed**, having considered the draft Aberdeenshire British Sign Language Plan, as appended to the report:-

- (1) to welcome the Draft Plan; and
- (2) that the Business Services Committee be requested to consider ensuring that all Council video productions be sub-titled where possible.

**9 BANFF AND BUCHAN COMMUNITY PLAN ACTION PLAN 2022 - 2025 -
MONITORING REPORT AND INTEGRATION OF ACTIVITIES FROM OUTGOING
LOCALITY PLANS**

There had been circulated a report dated 27 February 2024 by the Director of Education and Children Services requesting Members' consideration of (a) the progress of actions in the Banff and Buchan Community Plan 2022-2025, and (b) an update on the incorporation and alignment of priorities and activities carried forward from the outgoing Fraserburgh and Banff & Macduff Locality Plans, as part of the phased transition to place plans in Banff and Buchan.

The Committee heard further from the Community Planning Officer, Banff and Buchan, Mrs Sinclair, details of the progress of the community planning work, collating information from Community Planning partners and original action leads. She spoke of need to sense check relevant and timely issues, such as the impact of challenges such as the Cost of Living in the closure of the existing Locality Plans in the move to place planning, and the need in joint working to have the right people involved in any decision making to unpick existing priorities and consider the emerging priorities.

Assurances were provided by officers of the key role which Elected Members would play, utilising their knowledge of local communities for future multiagency working.

Questions were asked on the outcomes expected for Connected Communities in the context of reliability of public transport connections between Fraserburgh and Peterhead; the potential impact of the removal of funding on mentoring schemes with youth; whether joint working was still ongoing with the Scottish Fire and Rescue Service (SFRS), despite the conclusion of the FraserDeen project in 2022; the need for clarification on local demand for allotments in both Fraserburgh and Banff/Macduff; the provision of Confidence for Cooking sessions in Fraserburgh via the AoG church, previously a successful applicant for Area Initiative and other funding for its kitchen works; and the continued working by Community Learning and Development (CLD) officers in working with both Fraserburgh and Banff Academies on alternative accreditation schemes for learners.

Having considered the progress of actions in the Banff and Buchan Community Plan 2022-25, the Committee agreed that the undernoted comments be made to the Banff and Buchan Local Community Planning group:

- (1) that there is a need to ensure that the Community Action Plan transition to Place Planning leaves no gaps;
- (2) that transportation issues have to be brought forward to ensure arrangements support access services and work and similar opportunities; and
- (3) to welcome the report and commend the work being undertaken by the Community Planning Officer Banff and Buchan.

10 BANFF AND BUCHAN COASTAL COMMUNITIES FUND 2023/24

Councillor Reynolds, having declared an interest in this item as a Director of the applicant, left the meeting and took no part in the discussion of, or determination of, the matter.

There had been circulated a report dated 5 March 2024 by the Director of Education and Children Services (a) updating Members on the Coastal Communities funding for 2023/24 from Crown Estate, Marine Scotland funding; and (b) request Members' consideration of an application from the Foyer from the funds for 2023/24.

The Committee heard from the Area Manager of the details of the application and **agreed:-**

- (1) to note the confirmation of Banff and Buchan funding allocation from the Crown Estate for 2023/24 as £94,404; and
- (2) to approve the application, detailed in Appendix 2 to the report, by the Foyer, Banff, for £10,000 towards the purchase and installation of a grass-roofed storage container for equipment storage from the 2023/2024 allocation; and
- (3) to note that a balance of £84,404 would remain to be disbursed by 31 March 2025.

11 **ANNUAL PROCUREMENT PLAN FOR EDUCATION AND CHILDREN'S SERVICES DIRECTORATE - PROCUREMENT APPROVAL**

There had been circulated a report dated 7 February 2024 by the Director of Education and Children Services requesting Members' consideration of a Procurement Work Plan for the refurbishment and reconfiguration of pupil toilets at Fraserburgh Academy, encompassing the refurbishment of existing boys and girls toilets, and the creation of a non-sex specific toilet block and new accessible toilet.

Having heard further from Mr. Mitchell, Estates Programme Manager, Education and Children's Services, and Mrs Irene Sharp, Head Teacher, Fraserburgh Academy, details of the proposed works, the Committee **agreed**, having considered the Directorate Procurement Plan as detailed in Appendix 1 to the report:-

- (1) to approve the items on the Procurement Plan; and
- (2) not to reserve approval of the Procurement Approval Form for any item in the Plan where the value is between £50,000 and £1,000,000.

**Banff and Buchan Area Committee
Statement of Outstanding Business as at 9 April 2024**

Date of BBAC & Item No.	Original Report Title	Action Agreed	Progress to date	Responsible Officer	Date Expected
1. 6/12/22 (Item 5)	Thermal Improvements to pre1919 buildings.	Deferred for additional information on potential external funding for thermal improvements to pre-1919 buildings.	<p>Update briefing note or report on potential external funding provided via Ward Pages. Revised “Expression of Interest” to be submitted October 2023 for modified regeneration project which would incorporate grant scheme to improve energy efficiency but will focus on Peterhead Central Conservation Area properties.</p> <p>Project deferred pending conclusion of current Levelling Up work in Peterhead which will inform any future funding bid.</p> <p>Recommend DISMISS.</p>	Shaun Norman, Environment Planner.	Circulated and lodged on Ward Pages, 2 April 2024.
2. 6/12/22 (Item 5)	Pennan Conservation Area Review	Rerun of consultation exercise.	Consultation to start 3 April and run for 6 months. During this period, four	Yvonne Tough, Environment Planner.	Spring 2024

				letters will be sent to all properties/property owners, providing the information required to participate in the consultation. Briefing shared with Members 13 October 2023. Revised timeline and additional public meeting to be held before report back to Area Committee.		
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Angela Keith, Area Manager, Banff & Buchan, 9 April 2024

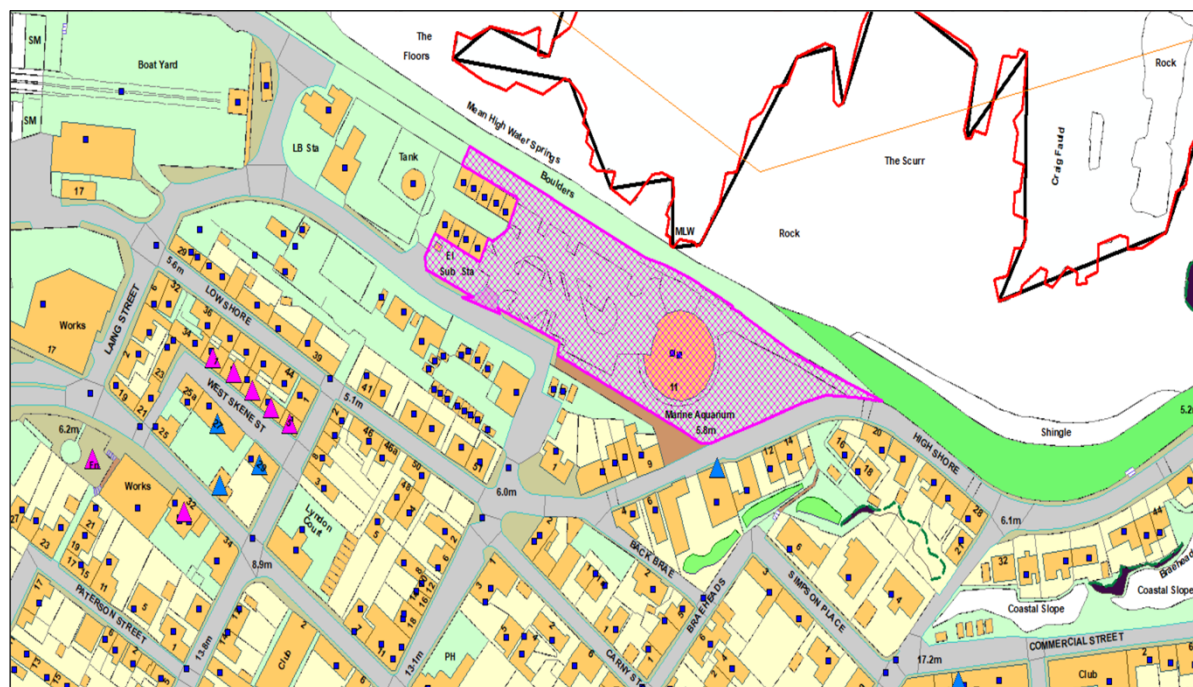


Banff & Buchan Area Committee Report - 16 April 2023

Reference No: [APP/223/2312](#)

Full Planning Permission for Alterations and Extension to Aquarium to include Cafe/Restaurant (Class 3), Associated Landscaping and Alterations to Car Park at Macduff Marine Aquarium, 11 High Shore, Macduff, AB44 1SL

Applicant:	Live Life Aberdeenshire - Aberdeenshire Council
Agent:	Aberdeenshire Council - Property & Facilities Management
Grid Ref:	E:370759 N:864806
Ward No. and Name:	W02 - Troup
Application Type:	Full Planning Permission
Representations:	7
Consultations:	7
Relevant Proposals Map Designations:	Protected Area, Regeneration priority Area
Complies with Development Plans:	Yes
Main Recommendation:	Grant



NOT TO SCALE

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1. Reason for Report

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.3.1i (2) of Part 2C Planning Delegations of the Scheme of Governance as the application is recommended for approval, and has been submitted by the Local Authority, and there have been four objections.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and had no comments to make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposal

- 2.1 This application seeks Full Planning Permission for the Alterations and Extension to Aquarium to include Cafe/Restaurant (Class 3), Associated Landscaping and Alterations to Car Park at Macduff Marine Aquarium ('the Aquarium'), 11 High Shore, Macduff. A location plan is attached as **Appendix 1**.
- 2.2 The Aquarium is an established visitor attraction within the north east and has been present on site since 1997. The site is located approximately 100m north of the town centre of Macduff, within the Remote Rural Area, Regeneration Priority Area and the Cliffs and Rocky Coast Landscape Character Area. The site is also located within the Medium Coastal Flood risk Zone as shown in the SEPA Flood Maps. The site lies in the area designated as P7 in the Aberdeenshire Local Development Plan 2023 which is designated to protect the harbour for port related activities.
- 2.3 The Aquarium borders the coastline to the north and the Whitehills to Melrose Coast Site of Special Scientific Interest (SSSI), designated as such for its geological interest, lies a short distance to the north side. The public road and associated properties along High Shore border the site to the south west. There is an existing garage court over the west boundary with industrial yard and buildings associated with the port sited further to the west. The existing building lies on the eastern portion of the site with the associated car parking area to the west. The access to the site is taken from the public road to the south (Bankhead) at the west side. The existing building comprises a circular design with conical roof with the main glazed entrance facing west towards the car park. The roof has a rock effect feature (which is also circular) which sits in the roof space and lines the proposed entrance. There is an existing external plant area attached to the building on the north side and there is some play equipment and benches sited externally within the open space area to the south of the building. The existing site plan and elevations are attached at **Appendices 2 and 4** respectively, with existing floor and roof plans in **Appendix 5**.

2.4 The proposed development has a number of elements.

These are:

Erection of 2 storey extension off the west side of the building (dimensions 31.4m long x 12.1m wide x 7.75m high) to accommodate new entrance foyer, enlarged reception and retail area, learning space, toilets, and staff accommodation at ground level, with restaurant and associated kitchen and plant room at first floor level.

A new single storey extension (dimensions 3.5m wide x 3.6m high) off the east side of the building which follows the external building line of the existing building to provide lobster hatchery, public activity area, quarantine tanks, laboratory, workshop and storage. The proposed extended elements of the building comprise 698m² of floorspace in total.

A new external landscaped activity area to the east side of the building including areas for children's play and picnic benches.

Formation of pathways to connect into existing coastal path networks and to the wider town.

A new surfaced pedestrian route along the sea wall along with new outlook point off the car park.

Biodiversity enhancement measures to include new plantings appropriate to the setting and coastal location.

Public realm enhancement works including new paving and surfacing within the car park and external areas, in materials that reflect the coastal location.

New soft landscaping throughout the site and formation of mounded areas on the land to the east side of the building.

The principal entrance to the building is to be moved southwards so that it relates better to the town and provides a more welcoming approach for visitors on foot.

The two-storey element of the building is flat roofed and would also accommodate low level plant and PV panels on the roof.

The proposed site plan, elevations, and floor plans of the proposed building are attached at **Appendices 3, 6, and 7** (respectively).

2.5 In terms of materials, the external finish on the building along the new formed west elevation is a mix of metal rainscreen cladding, metal mesh perforated cladding, and full length glazing (referred in the plans as curtain walling). The plant within the roof space will also be contained within a mesh finished parapet which is set back from the main elevations and which matches the lower wall sections. Along the south, east, and north elevations metal

rainscreen cladding is proposed on the upper wall sections with smooth white render to the lower walls at ground level. The existing elements of the building that are to remain will be subject to upgrade and repair including the roof tiles, and the wet dash walls. The stone effect cladding (on the circular feature in the roof space) is to be removed and replaced with flashings to match the new extension. Louvres to provide ventilation are proposed at various locations. Doors and windows, gutters and downpipes are to be dark grey aluminium.

2.6 In terms of the external changes, the external grassed area to the east side of the building will become useable external space with coastal-themed play area and seating. The levels in this area and within the landscaped areas in the car park will be enhanced with mounding and planted up in a mix of dune and marram grasses and flowering coastal species, to reflect the dunes along the coast. The existing art installations within the car park are to be removed, and new signage and information boards will be upgraded, and new bike racks, benches, and seating provided alongside the paths and landscaped areas. The car park is to be reconfigured to maximise the amount of spaces within the confines of the site (52 spaces to be provided as opposed to the existing number of 44) and the car park is also to accommodate a waste storage area in the far northwest corner, motorcycle parking, EV charging points, and new lighting columns throughout. The application is accompanied by a landscape scheme which details both the hard and soft landscaping within the external spaces, and a maintenance plan for these. However, some changes to the species mix of the planting has been requested and at the time of writing, this information is still awaited. The development connects to the existing public water supply, public sewer, and surface water drainage systems.

2.7 In terms of relevant site history, the following applies:

ENQ/2023/1050 Alterations and Extension to Aquarium to Include Café

ENQ/2022/0968 Alteration and Extension to Aquarium to Accommodate Cafe, Possible Public Realm Enhancements to Car Park Area and new Car Park

95/0079 Erection of Aquarium approved on 12/11/95

2.8 The following information has been provided in support of the application: -

Design and Access Statement which incorporates 3D Visualisations, by Aberdeenshire Council dated December 2023.

This provides detail of the functionality of the design, 3D visualisations, and the materials to be used.

Design and Access Statement and associated maintenance plan by Rankin Fraser Landscape Architect dated 8th Dec 2023 – This relates to the soft landscaping works within the external areas surrounding the revised aquarium and provides justification for the choice of surfacing materials.

Flood Risk Statement by Fairhurst (Reference: 149859/GL-W-TN-01) dated 14 November 2023. The report concludes that the site is not considered to be at risk of tidal flooding based on the still water levels in a 1 in 200 year + climate change event. Flood risk from other sources is considered to be low. The proposed development is for a small-scale extension to an existing building with no increase in land use vulnerability and the development will not significantly increase flood risk.

Transport Statement by Fairhurst (Reference 149859 TS01) dated December 2023. The report concludes that the Aquarium can be easily accessed by all modes of travel including walking, cycling, and public transport. No traffic or transport issues have been identified. It has been established that the parking proposals are appropriate to support the proposed Aquarium extension and balance the expected demands during both peak and off-peak times, and the site's location and characteristics meet with both local and national policies on sustainable development.

Overview of Catering requirements and Town Centre Impact by Aberdeenshire Council dated 29 January 2024. This details the justification for the proposal and the various consultation and engagement with relevant groups that the project has been subject of prior to the formal planning application submission. The document also contains a report by Fare Consulting (dated August 2023) on the proposed Food and Beverage Strategy in support of the proposed café element.

- 2.9 Members will be aware that development is to be funded by a share of the £20m bid that was awarded to Aberdeenshire Council from the UK Government's Levelling Up Fund. The supporting information states that the Aquarium aims to promote its exhibits and educational programmes, awareness, enjoyment, and stewardship of the Moray Firth marine environment, via its exhibits and educational programmes. The plans comprise modernisation and extension to the existing aquarium at Macduff which will enhance the visitor experience with improved exhibits that capitalise on new technologies and provide immersive experiences. The Levelling Up program required 'Investment proposals that focus on supporting high priority and high impact projects that will make a visible positive difference to local areas.' The submission factored in the social, physical health, and outdoor recreation, and wider economic benefit of the improvements in the bid submission. Further details in respect of the anticipated benefits of the development are considered within the discussion section of this report.

3. Representations

- 3.1 A total of 7 valid representations (3 support/4 objection) have been received as defined in the Scheme of Governance. All issues raised have been considered. The letters raise the following material issues:

Objections

- *The café will take away all local trade in hospitality.*

- *Local businesses cannot compete (especially given the scale and views from the proposed café).*
- *Consideration of impact to local business and wider community has not been carried out and no follow up report has been made available to the community.*
- *Design is not in keeping with surroundings.*
- *2 storey design will stand out like a sore thumb.*
- *The open view area is not appropriate to north east climate.*
- *Conflict with existing residents parking.*
- *Play area will spoil amenity and attract older children which may result in anti-social behaviour.*

Support

- *The café will be a welcome addition.*
- *The expansion of the educational role is of significant benefit, and it celebrates marine life and the significance of Macduff and its contribution to NE coastal natural heritage.*
- *The Friends of Macduff Marine Aquarium (FOMMMA) has commented that:*
- *The aquarium represents a valuable educational and economic asset for Macduff.*
- *The venue attracts significant numbers of visitors throughout the year and is a significant part of the regional tourism portfolio.*
- *Improved education facilities will allow for more extensive learning programmes and enhanced display, retailing visitor services, animal welfare facilities and energy saving measures thereby ensuring a more sustainable future for the facility.*
- *Good use has been made of the restricted site availability and all critical elements have been integrated into the design and the appearance of the development will provide for an exciting and attractive addition to the area.*

Non-material issues

Impact on house values.

The plans for the aquarium 25 years ago did not include catering facilities.

Views from neighbouring houses.

4. Consultations

Internal

- 4.1 **Business Services (Economic Development)** has commented that the aquarium is one of the most visited tourist attractions in Aberdeenshire with 51,694 visitors between April 2022 and March 2023 and it compliments other existing tourist attractions along the North East 250 route. The development will create additional jobs both in the construction phase and once the Aquarium reopens. It will make the north of Aberdeenshire and the wider region more attractive and encourage increased numbers of new and repeat visitors. This should be to the benefit of other businesses in the area.
- 4.2 **Infrastructure Services (Contaminated Land)** has no objections.
- 4.3 **Infrastructure Services (Environment Team – Natural Heritage)** advise that the submitted planting scheme largely comprises ornamental non-native species, with only sea thrift being found locally and as such it would be beneficial if the planting can be amended to incorporate native coastal species which will not only enhance biodiversity but also showcase the local coastal floral fauna. Additionally, it advises that woody shrubs should replace the proposed Scots pine. It advises that a revised landscaping scheme and associated maintenance detail can be secured by appropriate condition(s). Having received confirmation from the applicants that as the location of the viewing platform does not encroach nor directly affect the Whitehills to Melrose Site of Special Scientific Interest (SSSI) that Nature Scot do not require to be consulted.
- 4.4 **Infrastructure Services (Environmental Health)** has no objection but advises that the internal floor layout needs amendment to ensure compliance with food hygiene requirements. This will be applied as an informative.
- 4.5 **Infrastructure Services (Flood Prevention Unit)** confirmed it has no objection following review of the Flood Risk Statement (18739-FAI-00-XX-RP-C-90-01 dated 14 Nov 2023)
- 4.6 **Infrastructure Services (Roads Development)** note the contents of the updated Transport Statement (December 2023) and the submitted plans. Roads Development has no objections subject to a condition requiring that prior to the extension being open to members of the public that the car park is surfaced, laid out, and available for use.

External

- 4.7 **Scottish Environmental Protection Agency (SEPA)** has no objections on grounds of flood risk.

5. Relevant Planning Policies

5.1 National Planning Framework 4 (NPF4)

Scotland's fourth National Planning Framework (NPF4) is a long term plan looking to 2045 that guides spatial development, sets out national planning policies, designates national developments, and highlights regional spatial priorities. It is part of the development plan, and so influences planning decisions across Scotland.

On 13 February 2023 (0900am) Scottish Ministers adopted and published National Planning Framework 4 (NPF4), meaning that it is in force and National Planning Framework 3 and Scottish Planning Policy are superseded from that date and time. This will also have the effect that all strategic development plans and any supplementary guidance issued in connection with them cease to have effect on that date. As such the Aberdeen City and Shire Strategic Development Plan 2020 has now ceased to have effect. The NPF4 now forms part of the development plan along with the Aberdeenshire Local Development Plan 2023.

Policy 2 Climate mitigation and adaptation

Policy 3 Biodiversity

Policy 14 Design Quality and Place

Policy 18 Infrastructure First

Policy 21 Play, recreation and sport

Policy 22 Flood risk and water management

Policy 25 Community Wealth Building

Policy 27 City, town, local and commercial centres

Policy 30 Tourism

5.2 Aberdeenshire Local Development Plan 2023

On 13 January 2023 the Aberdeenshire Local Development Plan 2023 was adopted.

Policy B1 Town Centre Development

Policy B3 Tourist facilities

Policy P3 Infill and householder developments within settlements (including home and work proposals)

Policy P1 Layout, siting and design

Policy C4 Flooding

Policy RD1 Providing suitable services

5.3 Other Material Considerations

Aberdeenshire Local Development Plan 2023 Appendix 3 Regeneration Priority Areas

In Macduff the Local Partnership (formed with business and community representatives) has resolved to capitalise on the area's genuine maritime

past, present, and future. Macduff is promoted as an area with a strong civic pride, and a distinctive townscape. One of the main tourism product developments noted in the appendix is facilitating investment in the Macduff Marine Aquarium.

Aberdeenshire Local Development Plan 2023 Planning Advice PA 2023-18 Tourist Facilities (Sept 2023)

Understanding Integrated Impact Assessments (IIAs) Town Centre First Principle Guidance - The Town Centre First Principle looks at how the activity will affect any of the identified town centres across a range of factors including town centre assets, footfall, aesthetics, impacts on road layouts/parking, impacts on tourism, public safety etc.

Destination Aberdeen and Aberdeenshire – A Framework for Growth 2022-2030 – lists the ambition for the region to become Scotland’s leading visitor destination by 2030. This will be achieved by

Setting the pace for sustainable growth with visitors staying longer and spending more.

Pioneering tourism business innovation.

Being at the vanguard of delivering unique, high-quality, visitor experiences.

Going above and beyond customer expectations.

Chris Foy (Chief Executive Officer – Visit Aberdeenshire) commented “At the heart of the Destination Strategy is an aspiration to attract more visitors who will stay longer in Aberdeenshire and spend more. There is also a desire for regional spread, from Aberdeen to Alford, Banff to Braemar, and from St Cyrus to Sandend through effective promotion, and through development of sustainable new visitor experiences. The development of Macduff Aquarium will be a significant new contribution to the North East tourism offer. Already a well-loved and popular attraction, the extension, and associated improvements to the visitor experience, will align with the region’s ambition, with a reason for more visitors to travel to Macduff, and stay longer in the area. Visitors who stay longer in one place are not only likely to be spending more money, but also likely to spend less time on the road. Visitor expectations are continually evolving, and attractions need to keep pace with demand, whether that is to meet requirements of an aging demographic, or to inspire younger visitors with imaginative interpretation. Macduff’s redevelopment has the potential to meet this demand.”

Outlook 2030 –Scotland’s Tourism Strategy

The Regional Director for Visit Scotland commented that “the proposed extension is a welcome development, being closely aligned with the priority set out in Outlook 2030 of providing visitors with outstanding and memorable experiences that are of the highest quality and authentic to the place – it will

not only provide the opportunity to transform the visitor experience within the aquarium itself, but the improved landscaping and links to coastal paths will also enhance the wider destination offering, helping to encourage extended, year-round visits and spend in Macduff and the surrounding area.”

6. Discussion

- 6.1 The main issues to be addressed in the determination of the application includes the principle of development, the impact of the development on the town centre, along with consideration of the impact on residential amenity and any relevant technical matters.

Principle of development

- 6.2 Given that the main part of the proposal comprises the extension of an existing tourist attraction, the development requires to be assessed against the tourism policies. Additionally, whilst the site lies in the settlement boundary of Macduff in a relatively central location, the site lies outwith the town centre and therefore consideration of the impact of the development on the town centre requires to be assessed.
- 6.3 National Planning Framework 4 (NPF4) promotes the importance of tourism and how it plays an important role for the economy. NPF Policy 30 Tourism states that proposals for new or extended tourist facilities in locations identified in the LDP will be supported. Tourism development will consider:
- i. The contribution made to the local economy.
 - ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors.
 - iii. Impacts on communities, for example by hindering the provision of homes and services for local people.
 - iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation
 - v. Accessibility for disabled people.
 - vi. Measures taken to minimise carbon emissions; vii. Opportunities to provide access to the natural environment.
- 6.4 In the ALDP, Policy B3 also supports new tourist facilities provided they are well related to settlements and the existing natural environment and deliver net and social economic benefits.
- 6.5 The development comprises the extension and upgrade to the tourist attraction in terms of both the offering and the overall external appearance of the building and surrounding site. As detailed under section 2 of this report, the main elements of the two-storey extension will comprise new entrance/reception area with shop and additional exhibition and display space at ground level, and a restaurant at first floor level which has views over the North Sea. The external space is to be completely rejuvenated with new seating, environmental improvements, and paths that link to the wider coastal trails. The Regional Director for Visit Scotland advises that “the development

will build on the aquarium's unique attributes and strong connections with the areas rich marine and maritime heritage to create a world class visitor experience for Macduff, Aberdeenshire and the wider region – it will enhance the wider destination offering, helping to encourage extended year round visits and spend in Macduff and the surrounding area.” The Chief Executive of Visit Aberdeenshire accentuates this by stating that the aquarium is already a well-loved and popular attraction – the improvements to the visitor experience will align with the region’s ambition, with a reason for more visitors to travel to Macduff and stay longer in the area. Visitors who stay longer in one place are not only likely to be spending more money, but also likely to spend less time on the road. Visitor expectations are continually evolving, and attractions need to keep pace with demand, whether that is to meet requirements of an ageing demographic, or to inspire younger visitors with imaginative interpretation. Macduff’s redevelopment has the potential to meet this demand.”

- 6.6 In terms of compatibility with the surrounding area, the aquarium is located at an ideal location, on the coast which reinforces its link with the sea. The site area is of a sufficient size to accommodate the extension without the building appearing over dominant in the wider townscape. The site lies on protected land (ALDP 2023) for harbour and port related activities. The nature of the surrounding area is mixed with residential development to the southeast, harbour related buildings to the west and a mix of commercial and residential to the southwest. In terms of links to the wider town, the site is 100m from the boundary of the defined town centre and the movement of the entrance further to the south will assist with integrating the development into the town encouraging visitors on foot. The supporting statement details how the site links into existing coastal and heritage trails in and around Banff and Macduff and given the improvements to the paths in the vicinity as a result of the development, this will encourage more visitors to the aquarium to explore the wider area. There are new interpretive signage boards proposed and the formation of the new viewpoint off the car park is also a welcome attraction enhancing the visitor experience. The building design is accessible for disabled with provision of an internal lift to provide access to the first floor. Impact on communities and the impacts of traffic generation are discussed in the Amenity and Technical matters sections below. In general, the overall benefits of the extension and enhancement of the tourist facility aligns with the aims and criteria defined under NPF 4 Policy 30 and ALDP Policy B3.

Impact on Town Centre

- 6.7 Policy 27 of NPF 4 states that Development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported. For proposals outwith the town centres, a town centre first assessment is required which demonstrates that all centre and edge of centre options have been sequentially assessed; the scale of development cannot reasonably be altered or reduced in scale to allow it to be accommodated in a centre and that the impacts on existing centres have been assessed and there will be no significant adverse effect on the vitality and viability of the town centre. ALDP

Policy B1 states that “We will allow retail and other frequently visited uses only in defined town centres unless a sequential assessment shows that another site is clearly more appropriate.”

- 6.8 As previously noted, the site lies outwith the town centre. Notwithstanding the fact that the development is for extension of an existing tourist use, and it therefore necessitates the current location, the developers were asked to provide justification for the ancillary café element and to assess the resultant impact that this may have on existing businesses within the town. The issue of displacement was also raised within the letters of representation that local café businesses would not be able to compete with the new facility.
- 6.9 In response to this, the developers advised that an options appraisal for the facility was carried out some years ago, which suggested that displacement from other local facilities would be minimal due to the anticipated increase in visitor numbers. As part of the application for the Levelling Up fund, there was a requirement for a Town Centre First Impact Assessment to be carried out and that assessment identified mostly positive benefits associated with the town centre due to an improved facility and increased footfall. There was considerable public engagement and the general feedback on the provision of the catering offering was positive. Within the proposed café, it is intended to appoint an operator which therefore provides opportunity for a local business or consortia of local businesses to take over the running of the café/restaurant. This also aligns with the aims of NPF 4 Policy 25 Community Wealth Building states that development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. Examples quoted in the policy include increasing spending within communities; ensuring the use of local supply chains and services and local job creation which the proposed development will fulfil.
- 6.10 As per the comments from the Council's Economic Development Service, it is generally accepted that competition increases the quality of service and products on offer. In addition to the above, it must be highlighted that the aquarium is only a short walking distance from the town centre (100M) and with the enhanced pedestrian linkages, it is anticipated that the new improved aquarium will encourage more footfall within the town which in turn will benefit local businesses and improve the vitality of the town centre overall. Taking account of the above factors, the ancillary café element is more likely to provide benefits for businesses within the town. The development is considered to comply with the requirements of NPF 4 Policy 27 and ALDP Policy B1.

Impact on residential amenity

- 6.11 Policy P3 of ALDP23 advises that we will support development, as long as the development respects the scale, density, and character of its surroundings, and will not erode the character or amenity of the surrounding area. Concerns were raised in the letters of representation on the resultant impact of the development in that the design is not in keeping with surroundings, the

two-storey element being obtrusive.

- 6.12 In assessing the design, NPF 4 Policy 14 and ALDP Policy P1 Layout Siting and Design requires that developments demonstrate the six qualities of successful places. These vary between the 2 plans but follow the same general themes which are providing local identity, safe and pleasant, welcoming through visual appeal, adaptable to future needs, resource efficient, and well connected.
- 6.13 The two-storey element will make the development stand out but without being over-dominant within the site or the surrounding area and also contains the development within a smaller footprint thereby ensuring that there is adequate external space to facilitate the building. Given the location of the two-storey section being to the west side of the building which is away from the residential properties to the south, there is no implications for overbearing effects nor loss of views of the coastal area. Concerns were raised over the proposed external deck at first floor level being inappropriate for the north east climate. This is a very small area (13.7m²) at the north side of the building that overlooks the North Sea and assists in giving the building its unique identity and is a welcome feature.
- 6.14 The use of the combination of the metal rainscreen cladding, the metal mesh perforated cladding and smooth render on the exterior, will give a contemporary and unique identity to the building whilst still maintaining the circular form at the east side with the single storey extension neatly following the line of the existing building. The existing building will be completely overhauled as a result of the works and the dated stone feature within the central roof space will be finished off with flashing to give a more sleek and contemporary appearance. The plans indicate the external finish of the metal and mesh to be copper coloured which is a welcome change as it is a warm colour and will give the building status and identity. However, in order to ensure that the external materials are appropriate to the site and surrounding area, it is appropriate in this case to ensure that a condition is applied to request that samples of the external materials are provided for consideration by the planning authority.

Play area and environmental enhancement

- 6.15 Policy 21 Play, recreation and sport of NPF 4 states that new, replacement, or improved play provision will, as far as possible and as appropriate:
- i. provide stimulating environments.
 - ii. provide a range of play experiences including opportunities to connect with nature.
 - iii. be inclusive.
 - iv. be suitable for different ages of children and young people.
 - v. be easily and safely accessible by children and young people independently, including those with a disability.
 - vi. incorporate trees and/or other forms of greenery.
 - vii. form an integral part of the surrounding neighbourhood.
 - viii. be well overlooked for passive surveillance.

be linked directly to other open spaces and play areas.

- 6.16 In addition, NPF 4 Policy 3 Biodiversity requires development to incorporate appropriate measures to conserve, restore, and enhance biodiversity and ALDP 2023 Policy P1 also says that all developments should identify measures that will be taken to enhance biodiversity in proportion to the potential opportunities available and the scale of the development.
- 6.17 Concerns in the letters of representation indicate that the proposed play area has the potential to be noisy and attract anti-social behaviour from youths and spoil the coastal views from residential properties.
- 6.18 In the supporting information, it is stated that the designs for the exterior areas have been adapted to move any seating / play as far as possible from residential areas to minimise noise, with soft planting and dunes used in between to further dampen possible noise. The mounded areas which are to be planted with appropriate species do not extend higher than the existing boundary wall (Maximum height of 1.1m) and this was to minimise impact on residents' views. The play area is accessible and the development links to the wider area by new paths and improvements to existing paths along the northern side of the car park and to the north of the building.
- 6.19 The development will undoubtedly benefit younger people, with a new Improved play area which is enclosed and sited away from vehicular traffic. The provision of picnic benches and seating will not only allow for supervision but will enhance the outdoor space for all visitors. The external space accommodating the play area will be clearly visible from the adjacent public road and residential properties along High Shore. Taking account of these factors, it is not anticipated to become a problem area for youths congregating etc. The natural designed play equipment that presently exists at the west side of the building is to be reused as part of the development. It is expected that there will be a level of noise associated with a children's play area. It should be noted that Environmental Health has not raised any concerns on this matter.
- 6.20 The development will bring life into this part of town and the fact that people will use the area for leisure is a positive attribute. As part of the public engagement, the views of local residents were taken into account in the design of the external spaces with the following suggestions being incorporated mounds, wooden features, stepping stones, and water features, along with interpretation for children such as rubbing posts, activity boards, species identification panels etc. Whilst most of the details of the external spaces have been submitted, as detailed in section 2, the species for the landscaping required to be amended to make it more in keeping with the coastal location. The conceptual design is however considered to be appropriate to the character of the aquarium and will complement and enhance the visitor experience. A condition will be applied for the finalised soft and hard landscaping details of the external spaces. Biodiversity enhancement in the proposals have been noted to include the replacement of amenity grass and gravel with native coastal plant species. The need for

including biodiversity in the revised landscaping scheme will be included within the condition which will ensure that biodiversity enhancement in line with policy requirements. The development is considered to meet the criteria set out under Policy 21 with regards the external play area.

- 6.21 Overall, the design of the building and external space is considered to comply with the 6 qualities of successful places as defined under NPF 4 Policy 14 and ALDP 2023 Policies P1 and P3.

Technical Considerations

- 6.22 The site is identified on the SEPA flood maps as being a medium risk of coastal and surface water flooding. Policy 22 of NPF 4 states that development proposals at risk of flooding or in a flood risk area will only be supported if they meet one of the specified criteria. The criteria that applies to the proposed development is where development comprises small-scale extensions and alterations to existing buildings where they will not significantly increase flood risk. The development is considered to meet these criteria. Policy C4 Flooding as defined within ALDP 2023 states that we will not approve development that may contribute to flooding issues elsewhere.
- 6.23 Within the Flood Statement submitted, it is stated that the proposed development is for a small-scale extension to an existing building with no increase in land use vulnerability and the development will not significantly increase flood risk. In relation to the coastal flooding aspect, SEPA in its response has indicated that since it provided pre-application advice on this site, and that the coastal flood maps have been updated and now include an assessment of flood risk from wave overtopping. Based on this assessment, the SEPA future flood maps indicate that this site is at risk of flooding from the sea. However, SEPA fundamentally note that it is an existing building and that any increase in building footprint is unlikely to increase flood risk elsewhere and therefore it is satisfied that the proposals meets the exceptions (i.e. building extension) as detailed under Policy 22 of NPF 4 and it does not object. The development is considered to comply with both Policy 22 of NPF 4 and C2 of ALDP 2023.
- 6.24 Policy RD1 advises that we will only allow development that is located and designed to take advantage of, or incorporate, the services, facilities, and infrastructure necessary to support it. These matters include road access, waste management provision, water supply, wastewater connections and treatment, and other elements as may be appropriate in the circumstances. NPF 4 Policy 18 states that development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure.
- 6.25 Concerns were raised in relation to parking and the potential for customers' vehicles overspilling to nearby streets and therefore being in conflict with existing residents parking. In terms of the parking to facilitate the development, the Transport Statement (December 2023) details that the current level of parking is for 45 spaces and 2 bus bays and the new car park

layout provides 52 car parking spaces. which includes 4 accessible spaces (one with EV charging) and 5 standard EV spaces, 2 motorcycle spaces. and 2 bus bays. There is also cycle-rack provision that will accommodate 12 bikes adjacent to the entrance. The transport statement indicates that the development will result in a 20% increase in the number of visitors and therefore equates to a 20% increase in parking demand (i.e. provision for 62 cars meaning that the number of spaces within the site is 10 short). The report concludes that for the vast majority of the time that the proposed car parking would cater for the projected numbers. During the busiest of peak periods, the existing car park can be at 100% capacity for short durations with some on-street parking occurring. There is space along Bankhead for around 9 cars on-street and a further 12 spaces within the nearby Bankhead car park.

- 6.26 Roads Development advise that whilst there is a reduction of “standard” car parking spaces within the site, this is offset by a proposed increase of electric vehicle charging spaces and cycle spaces, and as a result, it has no objections to the proposed changes to the Aquarium car park. It also notes that the Aquarium site is accessible by public transport, walking, and cycling. It requests that a condition is applied requiring that the Aquarium extension does not come into operation until the remodelled car park is ready for use. The installation of EV chargers also accords with the aims of NPF 4 Policy 2 Climate mitigation and adaptation which states that proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported. The installation of the EV chargers will be secured by condition.
- 6.27 Taking account of the above, the development is not expected to cause issues of parking conflict with properties in the vicinity. Vehicular access to the site remains unchanged, with access continuing to be via the existing priority controlled junction with Bankhead. The proposed development is therefore considered to be in accordance with the relevant road and parking elements of Policy RD1 of the Local Development Plan.
- 6.28 In terms of waste provision, there is an area at the far north-west side of the car park safeguarded for bin storage and collection. As no detail of the bin provision has been submitted, and in order to ensure that it meets the requirement of Waste Management, a condition shall be applied requesting that the details of the food and residual waste and recycling are submitted to planning service for approval.
- 6.29 In relation to water supply and wastewater, Policy RD1 advises that we will support development when the developer satisfactorily meets the required standards for water, wastewater, and surface-water drainage servicing in the new development. Policy 22 (Flood risk and water management) of NPF4 advises that development proposals will be supported if they can be connected to the public water mains. The development would be serviced by existing public water and sewer networks connecting to the building. The Flood Risk statement identifies that in terms of surface water drainage that the drainage facilitating the site is by a number of drainage structures within the site, which includes several gullies and a combined sewerage network. The

gullies connect to an interceptor that discharges via outlet pipe to the sea. Flood prevention have not raised any concerns in regard the proposed means of surface water drainage and on this basis, the development is considered to be able to be adequately serviced in terms of water supply and wastewater and surface water in compliance with policies RD1 of ALDP23 and 22 of NPF4.

Conclusion

- 6.30 The new improved tourist attraction comprising the extension to the Aquarium and redevelopment of the external areas will undoubtedly improve the facility as a visitor attraction and will increase visitor numbers which will have positive economic benefits for the town.
- 6.31 Good use has been made of the restricted site availability and the design complements the existing building on site and will make the facility stand out more within the townscape. The proposal is considered to be appropriately sited and designed causing no negative amenity impacts. The development encompasses many desirable features (biodiversity and environmental enhancement, new play area, links with the wider town, better access etc). All technical matters have been addressed and their implementation can be covered by application of appropriate conditions. In conclusion, the proposal complies with the relevant policies contained within the Aberdeenshire Local Development Plan 2023 and the National Planning Framework 4 and as such the Planning Service recommend the application favourably subject to conditions.

7. Area Implications

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Implications and Risk

- 8.1 An integrated impact assessment has been carried out as part of the development of the proposals set out above. It is included as **Appendix 8** and identifies no negative impacts as a result of the development. The positive impacts identified are for younger people with the inclusion of the play area and enhanced visitor experience. In terms of town centre impacts, the assessment identifies the following aspects will have positive impacts: footfall, cultural heritage, tourism, and social and cultural aspects.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.

- 8.4 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to, and wholly integral with, the planning process against the policies of which it has been measured.

9. Departures, Notifications and Referrals

9.1 Development Plan Departures

None

- 9.2 The application is not a Departure from the valid Development Plan and no departure procedures apply.
- 9.3 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.
- 9.4 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

10. Recommendation

10.1 **GRANT subject to the following conditions:**

1. In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) this planning permission will lapse on the expiration of a period of three years from the date of this decision notice unless the development is begun within that period.

Reason: Pursuant to Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. That for the avoidance of doubt the Soft Landscape Layout plan 18739-RFL-S1-XX-DR-L-94-02 dated 11/12/2023 and the associated Maintenance Plan dated 8 /12/2023 by Rankin Fraser is not approved. No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works has been submitted to, and approved in writing by, the planning authority. Details of the scheme shall include:
- a) Existing landscape features and vegetation to be retained.
 - b) Protection measures for the landscape features to be retained.
 - c) Existing and proposed finished levels.
 - d) The location of new trees, shrubs, hedges and grassed areas.

- e) A schedule of planting to comprise species, plant sizes, and proposed numbers and density.
- f) Details of the measures incorporated to enhance biodiversity.
- g) The location, design, and materials of all hard landscaping works including walls, fences, gates, street furniture, and play equipment.
- h) An indication of existing trees, shrubs, and hedges to be removed.
- i) A programme for the implementation, completion, and subsequent management of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping appropriate to the coastal location is provided which will help to integrate the proposed development into the landscape in the interests of the visual amenity of the area.

3. That prior to the development hereby approved being open to members of the public, the car parking area shall be laid out in accordance with the detail on Site Plan reference 1 8739-PFM-S1-XX-DR-A-00-03 dated 11-12 2023. The surfacing of the car park shall be tarred or paved in a hard wearing surface material and the car parking spaces shall be clearly marked out using white plastic road paint or similar. Any variation to the proposed surfacing or demarcation shall be subject of the prior written approval of the planning authority.

Reason: In the interest of road safety.

4. Prior to commencement of development, details of the refuse bin/ waste storage shall be submitted for the approval in writing of the planning authority. The development hereby approved shall not be brought into use unless the agreed details have been implemented on site in their entirety. The refuse bin/ waste store shall thereafter be retained in perpetuity.

Reason: To ensure the provision of an appropriate means of servicing in the interests of road safety.

5. The development hereby approved shall not be open to members of the public unless the electric vehicle (EV) charging points as detailed on the site layout plan 1 8739-PFM-S1-XX-DR-A-00-03 dated 11-12 2023 and detailed on the "Post eVolve Series" brochure has been provided on site in

accordance with the approved details. Any variations to the positions or design of the EV chargers shall require to be submitted for the prior approval of the Planning Authority in advance of them being installed on site.

Reason: In the interests of making provision for the use of electric vehicle to reduce carbon emissions in line with Policy C1 of the Aberdeenshire Local Development Plan and Policy 2 of NPF 4.

6. No works in connection with the development hereby approved shall commence unless a sample of all the materials to be used in the external finish for the approved development have been submitted to, and approved in writing by, the planning authority. The detail provided shall include but is not limited to the following materials: Metal rainscreen cladding, metal mesh cladding, smooth white render, doors and windows and rain water goods. The development shall not be brought into use unless the external finish has been applied in accordance with the approved details.

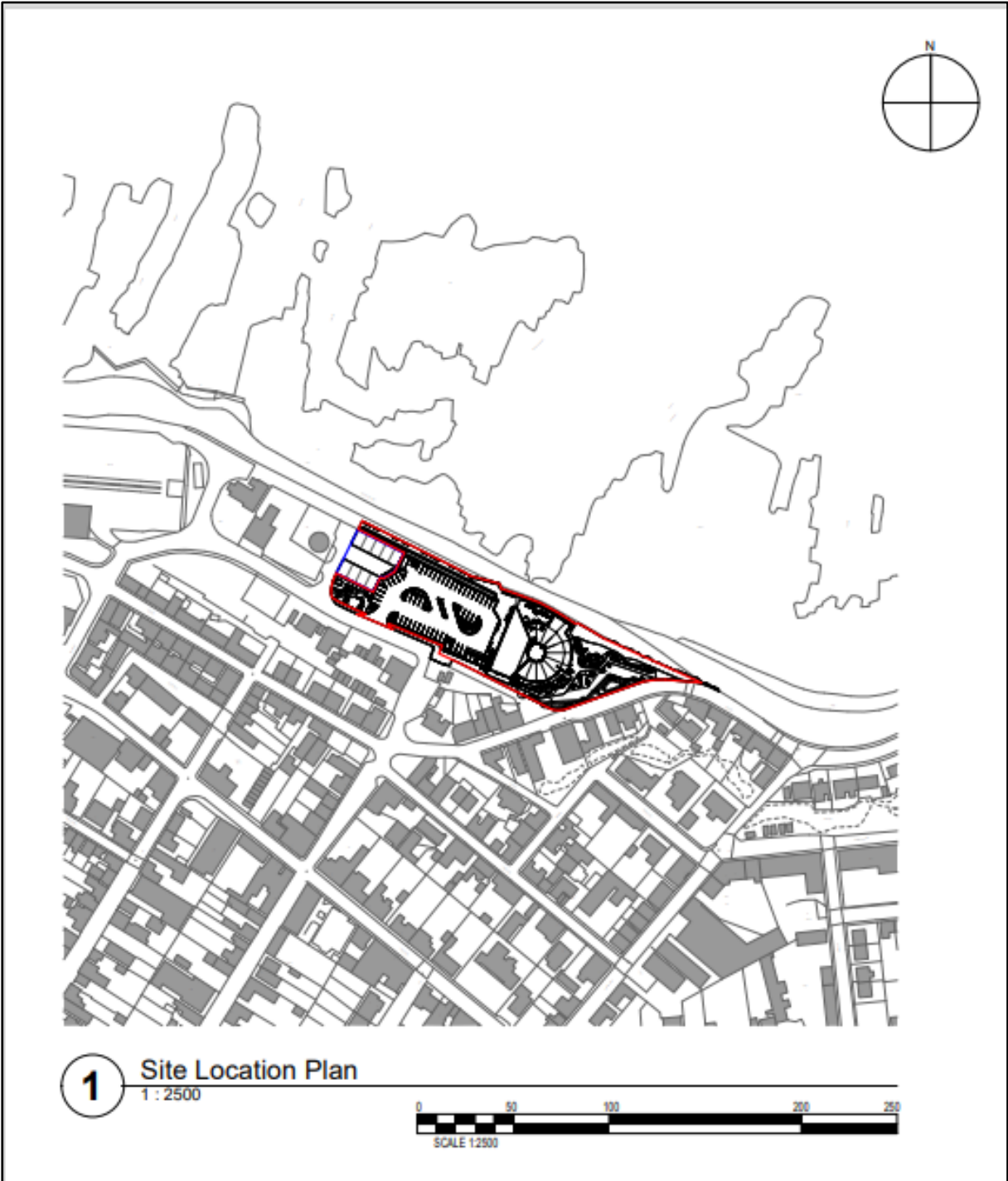
Reason: In the interests of the appearance of the development and the visual amenities of the area.

10.2 Reason for Decision

The proposal complies with both the relevant policies of the Aberdeenshire Local Development Plan 2023 and the National Planning Framework 4. The development will improve the facility as a visitor attraction and will increase visitor numbers which will have positive economic benefits for the town and the principle of proposal complies with NPF4 Policies 21, 27 and 30 and ALDP Policies B3, B1 and P3. The proposal is considered to be appropriately sited and designed, causing no negative amenity impacts to neighbouring properties or the surrounding area in compliance with NPF4 Policy 14 and ALDP Policy P1. All technical considerations have been addressed in compliance with NPF 4 Policies 18 and 22, and ALDP 2023 policies C4 and RD1.

Alan Wood
Director of Environment and Infrastructure Services
Author of Report: Lindsey Geddes
Report Date: 27 March 2024

Appendix 1
Location Plan



Appendix 2

Existing Site Plan



Appendix 3
Proposed Site Plan



Red line boundary - 4880m² area

Rev	Revision Description	Rev Date
A	Planning comments	22/03/2024

Revision Schedule

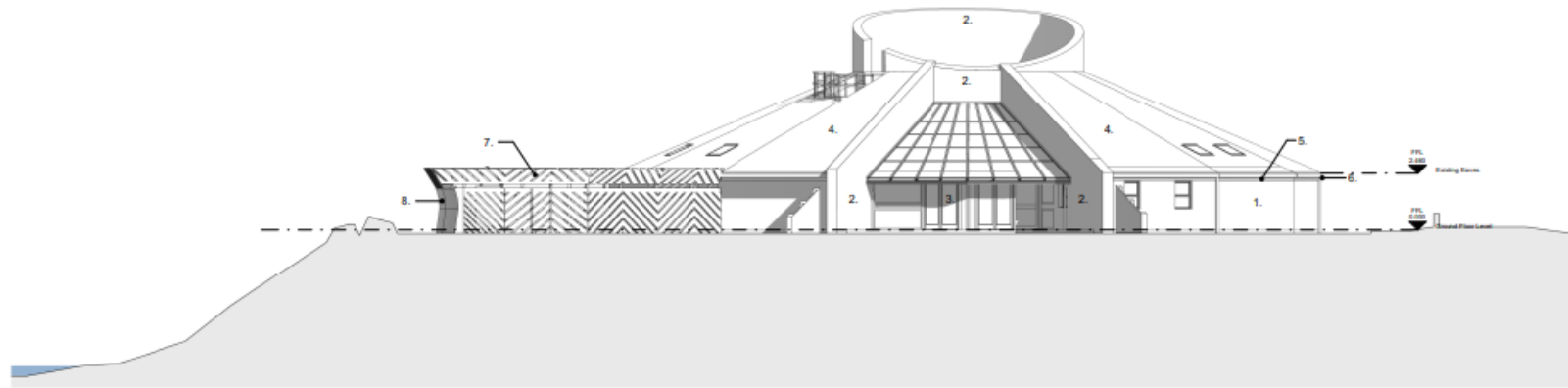
Aberdeenshire COUNCIL

Business Services
Property and Facilities Management
Macduff House, Strathmore Road, Aberdeen AB10 0QB
Tel: 01224 26 12 36 www.aberdeenshire.gov.uk

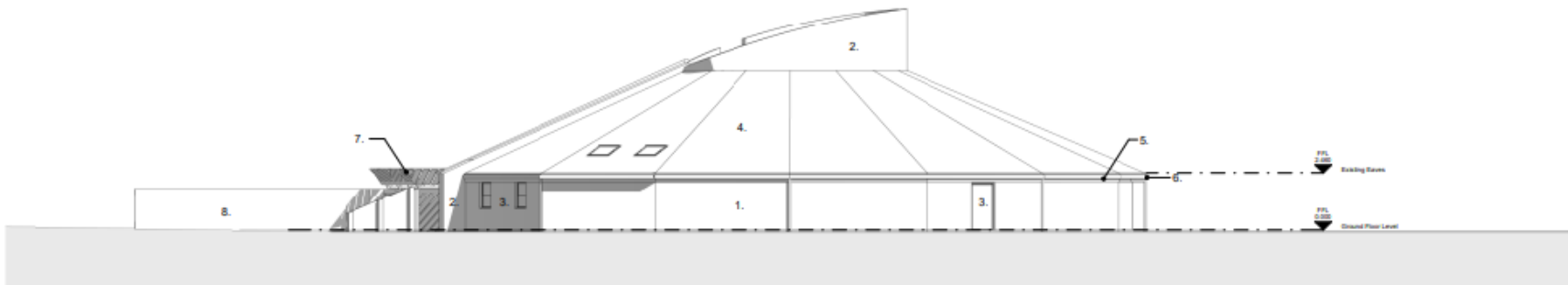
Job: Extension to Macduff Marine
Site: Aquarium

Drawing No: Proposed Site Plan
Drawing Title: Planning Issue
Date: 11/12/2023
Drawn by: GJ
Checked by: CSB
Issue: 18728-PFM-51-KX-ORA-00-03 Rev: A

Appendix 4A
Existing West and South Elevations

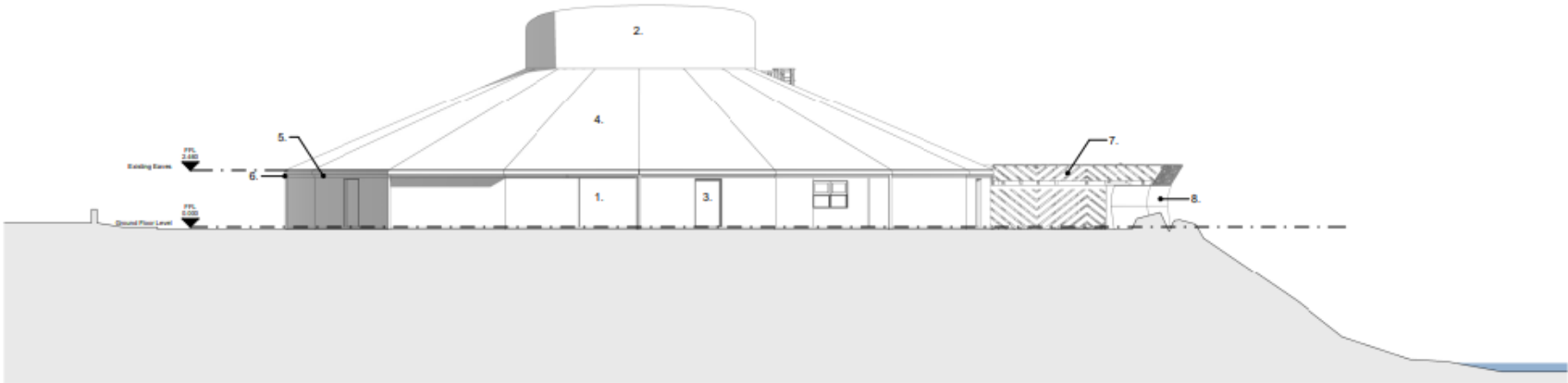


1 Existing West Elevation
1:100

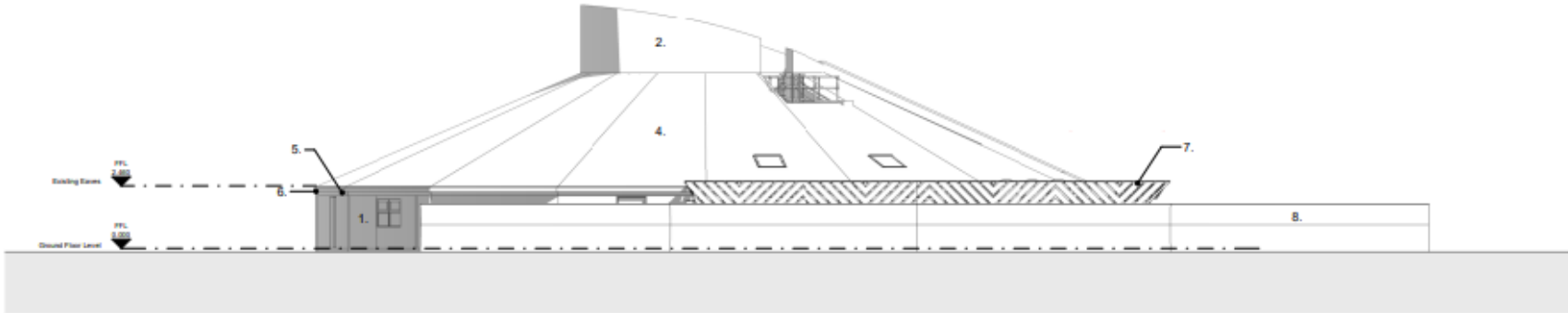


2 Existing South Elevation
1:100

Appendix 4B
Existing East and North Elevations

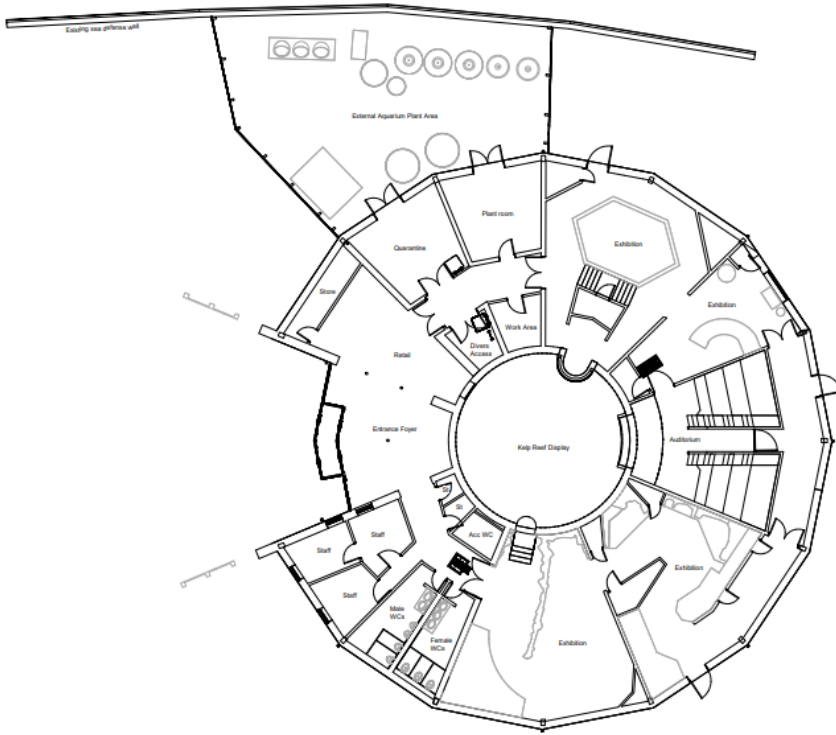


1 Existing East Elevation
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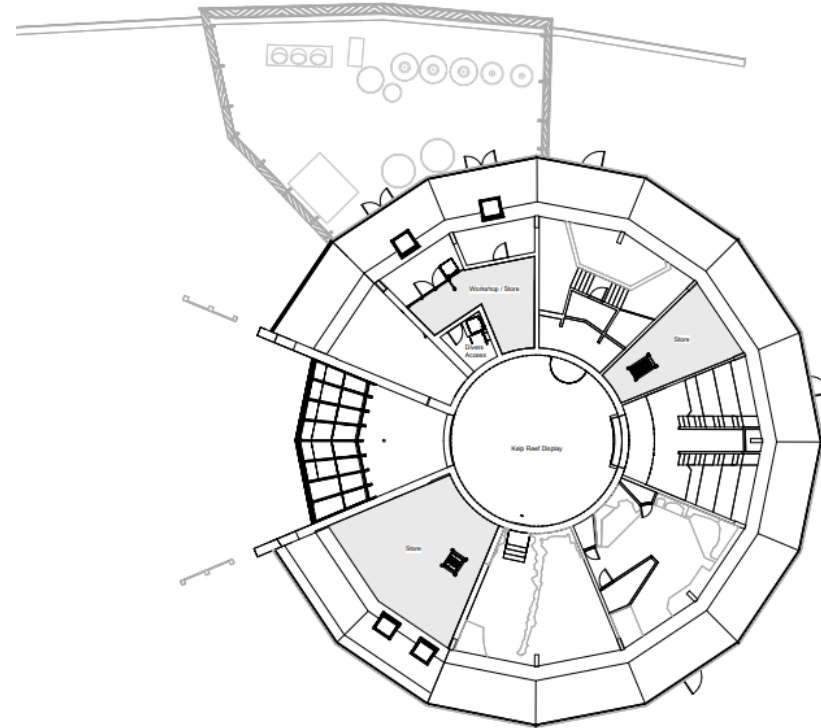


2 Existing North Elevation
1:100

Appendix 5A
Existing Floor Plans



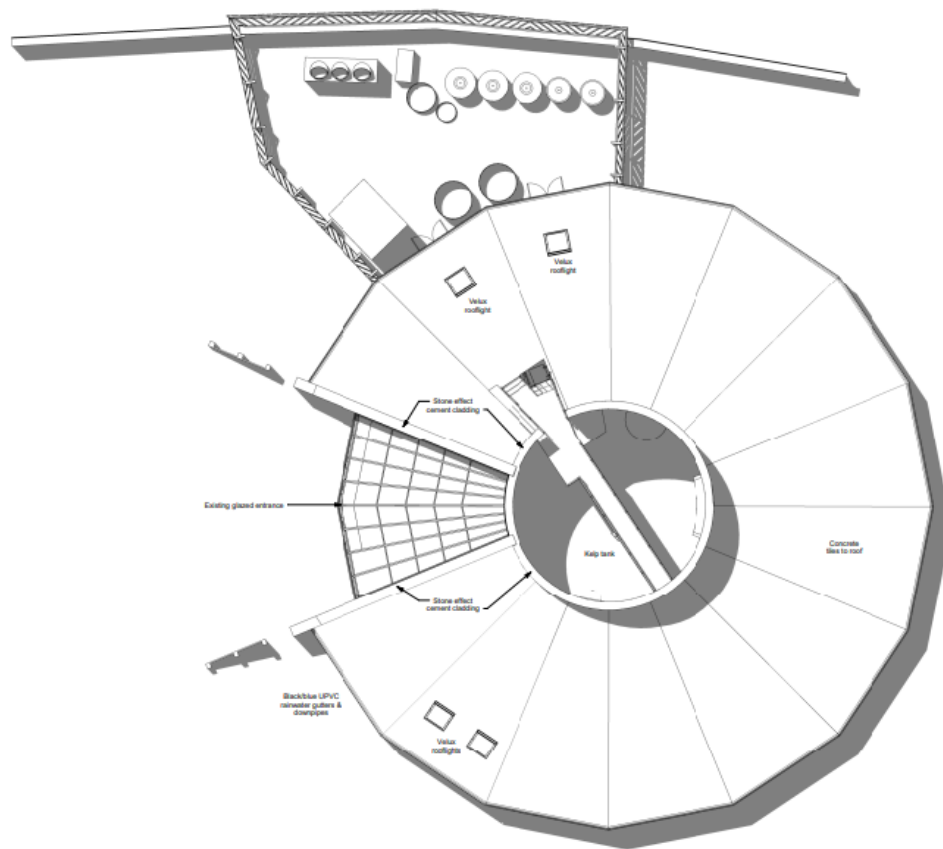
1 Existing Ground Floor
1:100 (partial floor)



1 Existing Mezzanines
1:100 (partial floor)



Appendix 5B
Existing Roof Plan



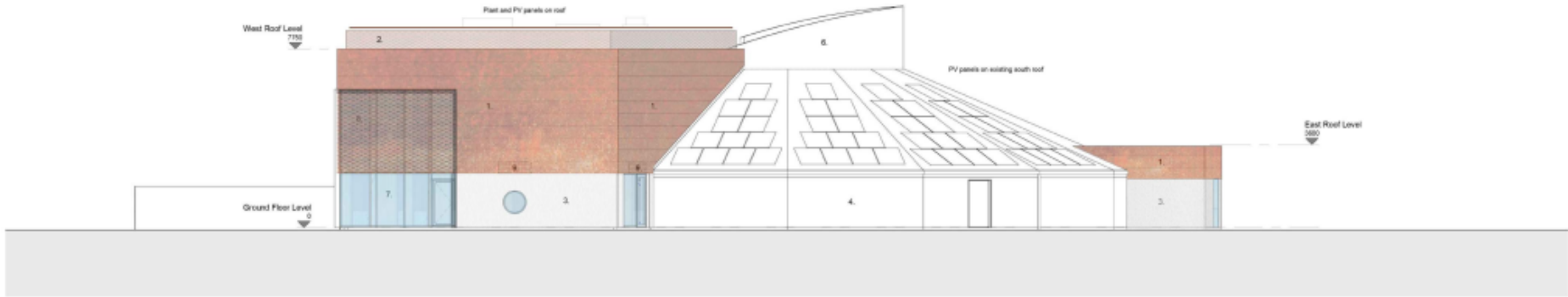
1 Existing Roof Plan
1:100 (Proposed Roof Plan)

Appendix 6A

Proposed West and South Elevations



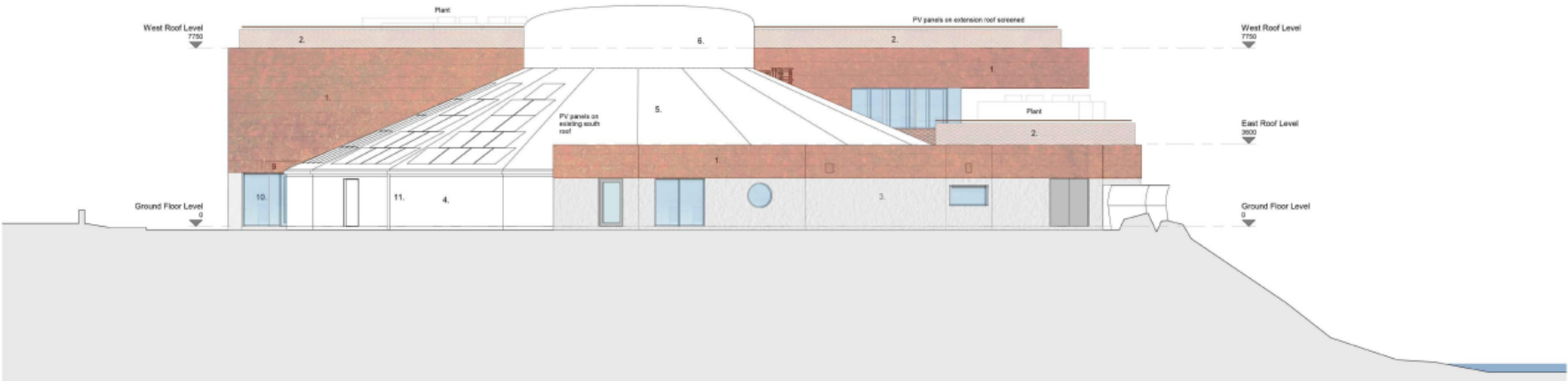
1 West Elevation
1:100



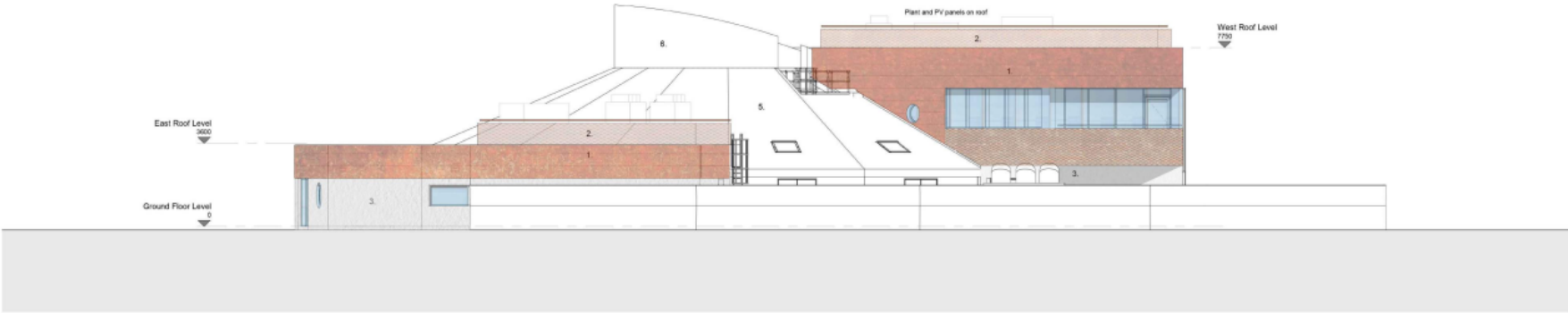
2 South Elevation
1:100

Appendix 6B

Proposed West and South Elevations



1 East Elevation
1:100



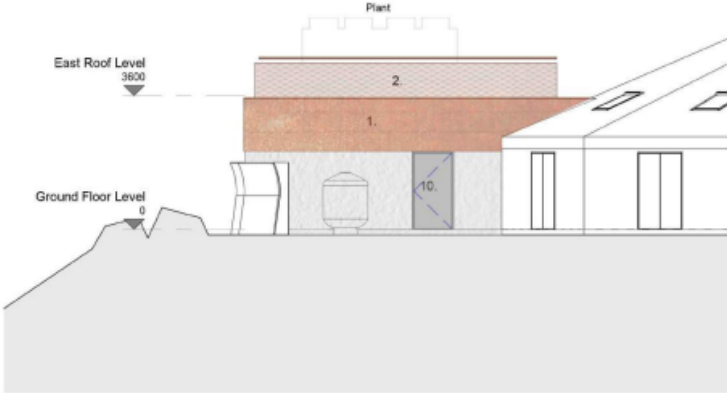
2 North Elevation
1:100

Appendix 6C

Proposed Extension Elevations Only



1 Part Elevation (South-East)
1 : 100



2 Part Elevation (North-West)
1 : 100



3 Part Elevation (North-East)
1 : 100

Aberdeenshire Council

Integrated Impact Assessment

Proposed Alterations and Extension to Aquarium to include Cafe/Restaurant (Class 3), Associated Landscaping and Alterations to Car Park APP/2023/2312

Assessment ID	IIA-001942
Lead Author	Lindsey Geddes
Service Reviewers	Mairi Stewart
Subject Matter Experts	Suzanne Rhind
Approved By	Paul Macari
Approved On	Monday February 19, 2024
Publication Date	Thursday February 22, 2024

1. Overview

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

Given that a large part of the proposed application is for a new cafe, an Integrated Impact Assessment is required to assess the impact of the development on the town centre. Additionally the development incorporates a children's play area and therefore the development requires to be assessed in terms of the impacts on young people.

During screening 2 of 10 questions indicated that detailed assessments were required, the screening questions and their answers are listed in the next section. This led to 2 out of 5 detailed impact assessments being completed. The assessments required are:

- Equalities and Fairer Scotland Duty
- Town Centres First

In total there are 10 positive impacts as part of this activity. There are 2 negative impacts, all impacts have been mitigated.

A detailed action plan with 1 points has been provided.

This assessment has been approved by paul.macari2@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?	Yes
Would this activity / proposal / policy have consequences for the health and wellbeing of the population in the affected communities?	No
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?	No
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?	No
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 impact on inequality of outcome?	No
Does this activity / proposal / policy have an impact on children / young people's rights?	No
Does this activity / proposal / policy have an impact on children / young people's wellbeing?	No

3. Impact Assessments

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

4. Equalities and Fairer Scotland Duty Impact Assessment

4.1. Protected Groups

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

4.2. Socio-economic Groups

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

4.3. Positive Impacts

Impact Area	Impact
Age (Younger)	The visitor experience will be enhanced by the provision of safe out door play facilities for younger children and their guardians.
Age (Younger)	The development incorporates the relocation of existing play equipment and picnic benches from the west side of the building to the new proposed landscaped area to the east side of the building thereby improving public safety and enhancing the environment and opportunity for play within the outside play spaces.

4.4. Evidence

Type	Source	It says?	It Means?
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Type	Source	It says?	It Means?
Internal Data	Aberdeenshire Parks and Open Spaces Strategy – January 2011	Appendix 1: Hierarchy of Open Space - Equipped play areas	It identifies a need for Formal playing space, with equipment and some informal areas: for children and teenagers. For younger children, they should be reasonably close to catchments and preferably not across any busy road. Areas of play should be fenced against dogs and have consideration of potential noise and visibility issues. Appropriate provision to be made for teenagers, with a range of facilities and equipment for all abilities, to respond to the need for exercise and recreation by different groups. To include sheltered seating/ seating facilities.
External Data	National Planning Framework 4	Policy 21 Play, recreation and sport	Development proposals likely to be occupied or used by children and young people will be supported where they incorporate well designed, good quality provision for play, recreation, and relaxation that is proportionate to the scale and nature of the development and existing provision in the area

4.5. Engagement with affected groups

Public & Stakeholder Engagement was undertaken including a public engagement exercise in September 2023. This comprised a series of stakeholder meetings, an informal drop in sessions and a survey.

4.6. Ensuring engagement with protected groups

Stakeholders participating in the public engagement included local residents and the business community and active encouragement for participation in the engagement exercise was undertaken targeted at groups visiting the facility.

4.7. Evidence of engagement

Designs for the exterior areas have been adapted to move any seating / play as far as possible

from residential areas to minimise noise, with soft planting and dunes used in between to further dampen possible noise. The mounded areas do not extend higher than the existing wall to minimise impact on residents' views. Natural play has been incorporated as well as the relocation of existing play equipment.

4.8. Overall Outcome

No Negative Impacts Identified.

The project will benefit younger people, with a new improved play area which is enclosed and sited away from vehicular traffic. The provision of picnic benches and seating will not only allow for supervision but will enhance the outdoor space for all visitors.

4.9. Improving Relations

Effective stakeholder consultation during the development of detailed project plans.

4.10. Opportunities of Equality

The projects would enhance accessibility for rural communities and enhance/increase access to facilities. They would also promote wider socio-economic development in the most deprived parts of Aberdeenshire.

5. Town Centre's First Impact Assessment

5.1. Local Factors

Indicator	Positive	Neutral	Negative	Unknown
Town centre assets		Yes		
Footfall	Yes			
Changes to road layouts		Yes		
Parking		Yes		
Infrastructure changes		Yes		
Aesthetics of the town centre		Yes		
Tourism	Yes			
Public safety		Yes		
Town centre business		Yes		
Cultural heritage and identity	Yes			
Social and cultural aspects	Yes			

5.2. Positive Impacts

Impact Area	Impact
Cultural heritage and identity	The enhanced educational space and additional features proposed as part of the aquarium extension adds to the cultural experience celebrating their historic and continuing links to the sea and fishing industry.
Footfall	Enhanced visitor attraction which will attract additional visitors to the town centre and spend within businesses in the town centre.
Social and cultural aspects	Enhanced opportunities for socialisation in enhanced cultural facilities, and green spaces. The cafe will provide a meeting point for visitors participating in social and recreational activity.
Tourism	The extension of the existing aquarium to provide for enhanced visitor experiences as well as the provision of a café will ensure that the Aquarium is a hotspot for tourist engagement. It will be a valuable educational resource and economic asset to the town of Macduff and the wider north east community.

5.3. Evidence

Type	Source	It says?	It Means?
------	--------	----------	-----------

Type	Source	It says?	It Means?
External Data	Aberdeenshire Local Development Plan 2023 (ALDP 2023)	B3 Tourist Facilities	Policy B3 supports the development of tourist facilities provided they are well related to settlements and the existing natural environment and they deliver net economic and social benefits. The policy also supports shops that are built as an ancillary use to the tourist development provided that it is demonstrated that there will be no significant negative effect on existing town centres.
External Data	National Planning Framework 4	Policy 30 Tourism	Development proposals for extended tourist facilities will be supported. In any application, development must take account of the contribution the proposal will make to the local economy and its compatibility with the surrounding area in terms of nature, scale of the activity and impacts of increased visitors.

Type	Source	It says?	It Means?
External Data	National Planning Framework 4	Policy 27 City, town, local and commercial centres	Policy 27 of NPF 4 states that Development proposals that enhance and improve the vitality and viability of city, town and local centres, including proposals that increase the mix of uses, will be supported. For proposals outwith the town centres, a town centre first assessment is required which demonstrates that all centre and edge of centre options have been sequentially assessed; the scale of development cannot reasonably be altered or reduced in scale to allow it to be accommodated in a centre and that the impacts on existing centres have been assessed and there will be no significant adverse effect on the vitality and viability of the town centre
Internal Data	Aberdeenshire Local Development Plan	Policy B1 Town Centre Development	We will allow retail and other frequently visited uses only in defined town centres unless a sequential assessment shows that another site is clearly more appropriate. The policy specifically states that leisure developments designed to cater for a tourism market are not covered by this policy.
Internal Data	Understanding Integrated Impact Assessments (IIAs) Town Centre First Principle Guidance	Town Centre First Principle	The Town Centre First Principle looks at how the activity will affect any of the identified town centres across a range of factors including town centre assets, footfall, aesthetics, impacts on road layouts/ parking, impacts on tourism, public safety etc.

5.4. Overall Outcome

No Negative Impacts Identified.

The development will enhance the visitor experience to the Aquarium and therefore will enhance the tourism offering.

6. Action Plan

Planned Action	Details
<p>application is to be reported to Banff and Buchan Area Committee on 12th March 2024 with a favourable recommendation.</p>	<p>Lead Officer Lindsey Geddes Repeating Activity No Planned Start Monday May 09, 2022 Planned Finish Thursday June 30, 2022 Expected Outcome Grant full planning permission Resource Implications None</p>

Comments for Planning Application APP/2023/2312

Application Summary

Application Number: APP/2023/2312

Address: Macduff Marine Aquarium 11 High Shore Macduff AB44 1SL

Proposal: Alterations and Extension to Aquarium to include Cafe/Restaurant (Class 3), Associated Landscaping and Alterations to Car Park

Case Officer: Lindsey Geddes

Customer Details

Name: Mr Akira Hippisley

Address: Corner Bistro 1 Market Street Macduff

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I formally object to the extension plans at Macduff marine aquarium to build a cafe on its premises. This will take all local trade in the hospitality sector away from local businesses, forcing many to close. Instead of creating and encouraging growth and redevelopment within macduff, this will do the opposite. People visit the aquarium and then go out into the town for refreshments. Building this cafe will take this away from local businesses. You'll be creating a focal point at only the aquarium. Local businesses cannot compete with a 100 cover restaurant that will command excellent views. Instead of rejuvenating the local area, it's doing the total opposite. Seems like the money would be better spent in some form of redevelopment in Macduff town centre. Keep small businesses open to keep town centres open!

Comments for Planning Application APP/2023/2312

Application Summary

Application Number: APP/2023/2312

Address: Macduff Marine Aquarium 11 High Shore Macduff AB44 1SL

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Case Officer: Lindsey Geddes

Customer Details

Name: Mr AKIRA Hippisley

Address: 3 MARKET STREET MACDUFF

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application. Proper consideration on the impact to local businesses and the wider community have not been carried out and indeed no relevant report compiled in favour of this application has been made available to the wider community.

From: [REDACTED]
Sent: 15 January 2024 20:09
To: Planning Online
Subject: APP/2023/2312 Macduff Marine Aquarium

[REDACTED]

Thank you for your invitation for us to provide our viewpoint on the alterations to Macduff Marine Aquarium

We would like to share some of our main concerns:

1. We do not agree with the building of a café/restaurant as this is going to take away business from the local cafés which already rely on customers from the aquarium. The local café named Corner Bistro have already expressed that if you build this café then they will be forced out of business like many other businesses which are struggling in the area relying on footfall from the aquarium. Local cafés like Corner Bistro are unable to fork out the cost to run a café of the size that is planned.
2. The design of the building does not fit with the local surroundings. The copper design does not fit with the local traditional stone fisherman cottage of the local area. When the copper sheets get blown off by the wind and hit our vehicles/houses, are you paying for the bill? The two-story design blocks views of the residents and will stick out like a sore thumb. There is no need to build it as two stories or to this extent. What is the point of an open view area, we live in the northeast of Scotland where for 99% of the year it is cold and nobody will use it.
3. Please fix your address and how people find your aquarium, please improve signage so people are not parking outside our house. The carpark for the aquarium is not on High Shore and this needs to be fixed. We do not have a driveway, so we have to park on the street.
4. When we went to visit the discussion about the planning, we was told you are not improving on the exhibits, rather a bigger auditorium, learning environment and lobster hatch (which if you check with the local fisherman is not needed). We were also told that you would want to put playground equipment and trees at the back, which is in our direct view of the sea. We live here because we would like to see the sea, not a screaming children's playpark or windswept salt burnt trees (which won't grow). Leave the rear of the aquarium the same. We do not want to be looking at a children's soft play park rather than the view of the sea. This will attract older children who gather later in the evenings drinking, smoking on the bench that is already in place, leaving litter behind.
5. We feel the money could be better spent being invested in Tarlair swimming pool for the local community and those that wish to visit.

We look forward to hearing your response and we hope that you reject the proposal for the Macduff Marine Aquarium due to our reasons above and the other denied applications for smaller projects in our local area

Kind Regards

Ashley Lakin & Amanda Lakin
12 High Shore, Macduff, AB44 1SL

Comments for Planning Application APP/2023/2312

Application Summary

Application Number: APP/2023/2312

Address: Macduff Marine Aquarium 11 High Shore Macduff AB44 1SL

Proposal: Alterations and Extension to Aquarium to include Cafe/Restaurant (Class 3), Associated Landscaping and Alterations to Car Park

Case Officer: Lindsey Geddes

Customer Details

Name: Ms Catharine Clark

Address: Caravan Park Findhorn Findhorn Forres

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I arrived at the aquarium expecting a cafe after a long journey travelling here. My stay at the aquarium was cut short due to lack of cafe provision.

Comments for Planning Application APP/2023/2312

Application Summary

Application Number: APP/2023/2312

Address: Macduff Marine Aquarium 11 High Shore Macduff AB44 1SL

Proposal: Alterations and Extension to Aquarium to include Cafe/Restaurant (Class 3), Associated Landscaping and Alterations to Car Park

Case Officer: Lindsey Geddes

Customer Details

Name: Ms Julia Mckay

Address: 10 High Shore Macduff

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the extension to the aquarium. The extension is not in keeping with the surrounding traditional buildings therefore will make the existing building more of an eyesore than it already is. It will increase traffic to the area which at the meeting we were told that parking would be a problem, meaning a problem for the residents who already have people parking outside our homes as it is, absolutely zero consideration for the residents as usual. A play area in a residential area means screaming children outside our homes and anti social behaviour at night which we've already had. Also the negative affect on the residents home values and the neighbouring businesses which will suffer as a result. The town of Macduff needs investment but this is complete waste of money, there are many places to eat out in the area, a coffee shop/restaurant will not help the aquarium, also the original plans 25 years ago made clear that there would be NO catering facilities.

From: [REDACTED]
Sent: 30 January 2024 17:38
To: Planning Online
Subject: APP/2023/2312 Macduff Aquarium

[REDACTED]

Dear Aberdeenshire Planning

This evening we tried to register our comment to this Planning Application through your online portal, but it responded by advising there was a fault.
Hence this email to register our comment.

This comment is in support of the Application.

Friends of Macduff Marine Aquarium (FOMMA) is a charitable organisation which aims to inspire and promote understanding, appreciation, consideration, protection and conservation of Moray Firth marine wildlife and its environment by supporting and assisting Macduff Marine Aquarium.

We believe that the Aquarium represents a valuable educational and economic asset for Macduff and the wider north-east community. It is a significant part of the regional tourism portfolio and attracts significant numbers of visitors throughout the year.

We are pleased therefore to offer our support in respect of the submitted application which will lead to a significant uplift in the overall "offer" provided. Improved education facilities will allow for more extensive learning programmes and enhanced display, retailing, visitor services (including catering facilities) and animal welfare facilities, together with energy saving measures, will ensure a more sustainable future for the Aquarium.

We have had the opportunity to contribute to the ongoing design of the project and are pleased that many of the suggestions made have been incorporated into these proposals.

We believe that good use has been made of the restricted site availability and the architect is to be commended for having ensured all critical elements have been incorporated and the extension successfully integrated into the existing structure. Although the building will look markedly different from its present form, we believe that it contains sufficient points of interest to provide an exciting and attractive addition to the area.

We will continue to work with the design team as the project evolves through to completion both in resolving any outstanding concerns or issues that there might be, and, through our charitable status, in seeking and securing funds to support the project.

Thank you
Ian Williams
Secretary
Friends of Macduff Marine Aquarium
c/o 132 Gellymill St
Macduff
AB44 1XD

Comments for Planning Application APP/2023/2312

Application Summary

Application Number: APP/2023/2312

Address: Macduff Marine Aquarium 11 High Shore Macduff AB44 1SL

Proposal: Alterations and Extension to Aquarium to include Cafe/Restaurant (Class 3), Associated Landscaping and Alterations to Car Park

Case Officer: Lindsey Geddes

Customer Details

Name: Ms Anne Mansfield

Address: Lawfolds Cottage Durno Inverurie

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I couldn't view the plans 'these documents are unavailable for viewing 'so cannot comment on how it will look or any environmental concerns . I can say I appreciate the expansion of the Aquariums educational role -I visited throughout grandchild/nephews childhood & appreciated the wealth of marine knowledge shared by staff . Long may that continue !in appreciation of NE coastal natural capital .

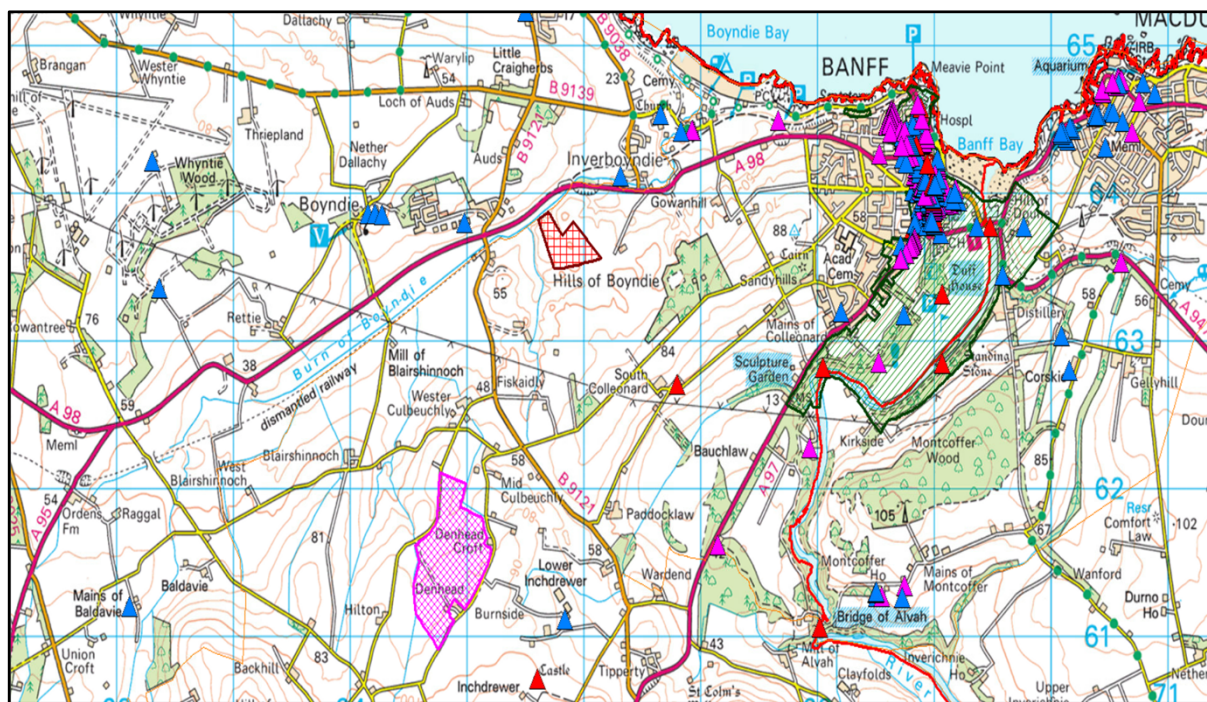


Banff & Buchan Area Committee Report – 16 April 2024

Reference No: [APP/2023/2040](#)

Full Planning Permission for Formation of 25MW Solar Farm, Siting of Substation, CCTV, Erection of Security Fencing, Formation of Access and Associated Infrastructure at Denhead, Banff, Aberdeenshire, AB45 3AL

Applicant:	ME1 Solar LTD
Agent:	Muirden Energy
Grid Ref:	E:364870 N:861515
Ward No. and Name:	W01 - Banff and District
Application Type:	Full Planning Permission
Representations	2
Consultations	13
Relevant Proposals Map Designations:	Remote Rural Area
Complies with Development Plans:	Yes
Main Recommendation	Grant



NOT TO SCALE

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1. Reason for Report

- 1.1 The Committee is able to consider and take a decision on this item in terms of Section B.8.1 of Part 2A List of Committee Powers and Section C.2.1 of Part 2C Planning Delegations of the Scheme of Governance as the application is for major development.
- 1.2 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report are satisfied that the report complies with the Scheme of Governance and relevant legislation.

2. Background and Proposal

- 2.1 Full Planning Permission is sought for the formation of 25MW (megawatt) solar farm, siting of substation, CCTV, erection of security fencing, formation of access, and associated infrastructure at Denhead, Banff.
- 2.2 The proposed site covering approximately 43.76ha is located in the countryside (remote rural area) approximately 3.4km southwest of the Banff settlement and approximately 3.2km south of Whitehills settlement. The site is currently arable agricultural land on slopes descending from southeast towards northwest. An overhead powerline runs through the site from south to north. The site is bounded by open agricultural land on the northeast and southwest and two minor public roads on the northwest and southeast. The A98 road lies approximately 1.3km northwest of the site whilst the B9121 road is approximately 0.6km to the northeast. Location Plan and Site Block Plan are attached as **Appendix 1** and **Appendix 2**.
- 2.3 A small area on the northern part of the site falls within the Areas of Search for Minerals Map 8 Banff West for Sand and Gravel Reserves as defined in the ALDP 2023 (**Appendix 14**).
- 2.4 The site is within the Western Coastal Farmland Landscape Character Area (LCA) of the Aberdeenshire Local Development Plan 2023. Deveron Valley Special Landscape Area (SLA) as defined in the Aberdeenshire Local Development Plan 2023 lies approximately 1.8km to the east of proposed site. North Aberdeenshire Coast (SLA) combined with Cliffs of the North and South East Coasts (LCA) lies approximately 2.6km to the north of the site boundary.
- 2.5 Cullen to Stake Ness Coast Site of Special Scientific Interest (SSSI) and Whitehills to Melrose Coast SSSI lie approximately 3.3km to the north and 3.7km to the northeast of the site respectively and are designated for geological interest and coastal habitats. Troup, Pennan, and Lion's Heads Special Protection Area (SPA) is located 14km to the northeast of the site and is primarily designated for breeding seabirds.

- 2.6 Two properties (Denhead and Denhead Croft) lie just outwith the eastern site boundary, whilst the property of Hill of Culbeuchly lies approximately 60m to the northeast of the site. A further 12 residential properties are located on the north and south within 800m radius of the site. The category A listed Inchdrewer Castle lies approximately 780m to the east of the site.
- 2.7 The proposal comprises construction and operation of a 25MW solar farm with associated electrical infrastructure including underground cables, inverters (1.125m x 0.77m x 0.384m), and a substation, erection of 15 no. of CCTV towers up to 2.9m in height at approximately 200m spacing, and 1.9m high security perimeter deer fence, as well as construction of an access road from the minor road on the west site boundary, and a temporary construction compound with laydown area, parking, and welfare and storage facilities (2 no. of 20ft modified containers). The solar farm, consisting of approximately 62,000 PV (photovoltaic) panels, would be arranged in multiple arrays across the site with a 15m buffer to the site boundaries. The panels would be mounted on a metal alloy framework at an angle of up to 30 degrees with a height up to 3m. The proposed substation would measure approximately 15.6m in length, 8.0m in width, and 5.9m in height, and would be finished in wet dash harling to walls, grey interlocking concrete roof tiles, and steel doors. Site Layout, Landscape Mitigation Plan, Substation Elevations, Substation Floor Plan, Storage Unit Plan, Welfare Unit Plans, Solar Elevations, Security Deer Fencing, and CCTV Poles are attached as **Appendix 3** to **Appendix 11**.
- 2.8 The construction period of the proposed development would be approximately 25 weeks and the operational period would be 30 years. At the end of the operation, all elements would be removed apart from underground cables and the site would be reinstated to its original condition.
- 2.9 The proposal constitutes a major development as defined in the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2008. A Proposal of Application Notice (POAN) for erection of solar array, inverter housing, CCTV, and associated ancillary works (ENQ/2022/1388) was submitted on 15 September 2022. Pre-application consultations and a public event were carried out by the agent in November 2022 in accordance with the relevant legislation provided for the Covid-19 emergency period.
- 2.10 Under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 the proposed development is of a type listed under Schedule 2. Given the nature, scale and location of the development, it is considered that the level of the significance of any potential impact on the environment by the development would not warrant a full Environmental Impact Assessment.
- 2.11 The application is accompanied by a list of supporting information including Pre-Application Consultation Report, Planning Statement, along with various assessment reports on issues of landscape and visual impacts, hydrology and hydrogeology, natural and built heritage, noise impact, glint and glare, and transportation. The Zone of Theoretical Visibility (ZTV) map and

Photomontages from Viewpoint 1 to Viewpoint 9 will be attached to the Committee powerpoint presentation.

2.12 Relevant Planning History

ENQ/2022/1388

Proposal of Application Notice for Erection of Solar Array, Inverter Housing, CCTV, and Associated Ancillary Works at Denhead, Banff on 15 September 2022, accepted 30 September 2022

ENQ/2022/1074

EIA Screening Opinion for Formation of 20MW Solar Farm, Substation, Access Tracks, and Ancillary Infrastructure at Denhead, Banff, EIA not required 4 August 2022

ENQ/2022/1061

Pre-Application Enquiry for Formation of 20MW Solar Farm, Substation, Access Tracks, and Ancillary Infrastructure at Denhead, Banff

ENQ/2019/1597

Pre-Application Enquiry for Erection of Ground Mounted 20MW Solar PV Farm at Culbeuchly, Banff

2.13 Supporting Information

Pre-Application Consultation (PAC) Report [ME1 Solar Ltd, October 2023]

The report provides a summary of public consultation carried out by the applicant prior to the submission of the application and contains details of engagement activities and opinions of those who attended public consultation events.

Planning Statement [ME1 Solar Ltd, October 2023]

The statement provides an overview of pre-application consultations, a description of the site, the proposed development and assessment of the proposal in relation to the relevant policies of the local development plan and NPF4.

Technical Considerations [ME1 Solar Ltd, October 2023]

The statement provides an overview of technical considerations of the development in terms of transportation and infrastructure including Scottish Water and SSEN.

Heritage Impact Assessment [ME1 Solar Ltd, October 2023]

The report outlines the legislation, policy guidance and methodology and provides assessment of potential impacts on cultural heritage by the proposal. The assessment concludes that there would be negligible or no impact on the cultural heritage within the 5km radius of the proposed site, apart from moderate impact on Inchdrewer Castle.

Ecology and Ornithology/Breeding Bird Survey Report (April to June 2023)
[SAC Conservation Services, 24 July 2023]

The report outlines the legislation, policy framework and methodology and provides assessment of potential impacts on breeding birds by the proposal. The assessment concludes that potential impacts on birds are likely to be low and there is potential to mitigate this by delivering biodiversity enhancement through sensitive management of habitats within the solar farm footprint.

Ecology Report [SAC Conservation Services, 3 November 2022]

The report outlines the legislation, policy framework and methodology and provides assessment of potential impacts on habitats, protected mammals and breeding birds by the proposal. The assessment concludes that potential impacts are likely to be low but mitigation measures should be in place to protect badgers outside of the southwest site boundary, with habitats enhancement on northern and northwest site boundaries to improve foraging habitats for bats.

Glint and Glare Screening Report [WSP, 4 October 2023]

The report provides assessment of glint and glare arising from the proposed development and concludes that no significant solar reflections are projected regarding road users and residential dwellings therefore no specific mitigation measures are proposed. Furthermore, there are no aviation constraints in the area, and thus no mitigation is required.

Hydrology and Hydrogeology including Figures and Appendix [ME1 Solar Ltd, October 2023]

The report outlines the legislation, policy guidance and methodology and provides assessment of potential impacts on hydrology and hydrogeology by the proposal. The assessment concludes that it is likely that any impacts will be limited to minor and short-term. Provided that best practice, control procedures and mitigations are followed, the risks and impacts will be reduced to an acceptable level. Detailed drainage strategy and plan is provided.

Examination of Soil & Land Capacity for Agricultural [SAC Consulting, July 2023]

The report considers the nature and quality of the soil under the Macaulay Land Capacity for Agricultural Classification and concludes that the site is situated on agricultural land of grade 3.2 and is not on prime agricultural land.

Landscape and Visual Assessment [WSP, 1 November 2023]

Figures 1 to 11.

Appendix A—Landscape and Visual Assessment (LVA) Methodology and Glossary.

Appendix B—Viewpoint Analysis; and

Appendix C—Residential Visual Amenity Assessment (RVAA).

The LVA outlines policy guidance and methodology and provides assessment of potential landscape and visual impacts by the proposal. Zone of Theoretical

Visibility (ZTV) and a series of photomontages have been provided to illustrate predicted landscape and visual impact of the proposed development. The assessment concludes that the development would result in some localised landscape effects and visual effects on a limited number of receptors, with higher levels of effect in and immediately around the site, primarily during construction and operation at Year 1; and many of these effects would gradually reduce during the operation phase as native vegetation becomes well established under the mitigation plan by Year 15.

Noise Impact Assessment [WSP, 2 October 2023]

The report outlines policy and other guidance, and methodology and provides assessment of noise impact by the proposal. The assessment concludes that construction noise is unlikely to exceed the significance threshold at any time during the work and potential operational noise is unlikely to exceed the significance threshold during the daytime or the night-time at nearest noise sensitive receptors. No requirement to recommend any specific mitigation measure to control operational noise.

Inverter Specifications [Solis]

Solis-(215-255) K-EHV-5G

Solar Specifications [Longi]

Hi-MO LR5-72HPH 540~560M

10ft Container Specifications

20ft Container Specifications

3. Representations

3.1 A total of 2 valid representations (2 support) have been received as defined in the Scheme of Governance. All issues raised have been considered. The letters raise the following material issues:

- *Renewable Energy hitting the climate change targets should be supported.*

4. Consultations

4.1 **Banff & Macduff Community Council** has not responded to the consultation.

4.2 **Civil Aviation Authority** has not responded to the consultation.

4.3 **Defence Infrastructure Organisation (Ministry of Defence Safeguarding)** has no objection to this proposal.

4.4 **Environment and Infrastructure Services (Archaeology)** has no comments to make on this application.

4.5 **Environment and Infrastructure Services (Contaminated Land)** comment that due to past and current activities at this site the ground is potentially

contaminated. The developer should be aware of the potential to encounter contaminated material during site work. Therefore, a formal note is required to be appended to the decision document.

- 4.6 **Environment and Infrastructure Services (Environment—Built Heritage)** has commented that the solar farm would not raise immediate concerns with respect to impact on the setting of Inchdrewer Castle but additional strategic landscaping along the eastern boundary of the development should be introduced.
- 4.7 **Environment and Infrastructure Services (Environment—Natural Heritage)** has assessed the submitted information with regard to impact on ecology and access and has no objection to the proposal subject to breeding bird and biodiversity enhancement plan conditions and badger licence informative.
- 4.8 **Environment and Infrastructure Services (Environmental Health)** has no objection to the proposal subject to conditions.
- 4.9 **Environment and Infrastructure Services (Flood Risk and Coastal Protection)** has no objection to the application.
- 4.10 **Environment and Infrastructure Services (Planning and Economy)** has no objection to the application, as either agricultural use or proposed development is an economically productive land use and reversible.
- 4.11 **Environment and Infrastructure Services (Roads Development)** has no objection to the application subject to conditions.
- 4.12 **National Air Traffic Service (NATS)** has no safeguarding objection to the proposal.
- 4.13 **Scottish Environment Protection Agency (SEPA)** has no objection to the application.

5. Relevant Planning Policies

5.1 National Planning Framework 4 (NPF4)

Scotland's fourth National Planning Framework (NPF4) is a long term plan looking to 2045 that guides spatial development, sets out national planning policies, designates national developments and highlights regional spatial priorities. It is part of the development plan, and so influences planning decisions across Scotland.

On 13 February 2023 (0900am) Scottish Ministers adopted and published National Planning Framework 4 (NPF4), meaning that it is in force and National Planning Framework 3 and Scottish Planning Policy are superseded from that date and time. This will also have the effect that all strategic development plans and any supplementary guidance issued in connection

with them cease to have effect on that date. As such the Aberdeen City and Shire Strategic Development Plan 2020 has now ceased to have effect. The NPF4 now forms part of the development plan (along with the Aberdeenshire Local Development Plan 2023) and as such is a significant material consideration in the decision making process.

Policy 3 Biodiversity
Policy 4 Natural places
Policy 7 Historic assets and places
Policy 9 Brownfield, vacant and derelict land and empty buildings
Policy 11 Energy
Policy 14 Design, quality and place
Policy 18 Infrastructure first
Policy 22 Flood risk and water management
Policy 23 Health and safety
Policy 33 Minerals

5.2 Aberdeenshire Local Development Plan 2023

On 13 January 2023 the Aberdeenshire Local Development Plan 2023 was adopted.

Policy C2 Renewable Energy
Policy PR1 Protecting Important Resources
Policy P1 Layout, Siting and Design
Policy P4 Hazardous and Potentially Polluting Developments and Contaminated Land
Policy C4 Flooding
Policy E1 Natural Heritage
Policy E2 Landscape
Policy HE1 Protecting Listed Buildings, Scheduled Monuments and Archaeological Sites (including other historic buildings)
Policy RD1 Providing Suitable Services

5.3 Other Material Considerations

ALDP 2023 Appendix 12 Local Nature Conservation Sites

ALDP 2023 Appendix 13 Aberdeenshire Special Landscape Areas

ALDP 2023 Appendix 14 Areas Safeguarded or Identified as Areas of Search for Minerals Development

Historic Environment Policy for Scotland (HEPS) and associated policy and guidance

6. Discussion

- 6.1 The development site is situated in the countryside (remote rural area). The main planning issues to be considered in this application are the principle of development; the layout, siting, and design; landscape and visual impact of the development; potential impact on built and natural heritage; impact on general amenity; access and servicing; as well as impact on aviation and infrastructure.

Principle of Development

- 6.2 Policy 11 Energy a) of the NPF4 states that development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:
- i. wind farms including repowering, extending, expanding, and extending the life of existing wind farms.
 - ii. enabling works, such as grid transmission and distribution infrastructure.
 - iii. energy storage, such as battery storage and pumped storage hydro.
 - iv. small scale renewable energy generation technology.
 - v. solar arrays.
 - vi. proposals associated with negative emissions technologies and carbon capture.
 - vii. proposals including co-location of these technologies.
- 6.3 Policy 11 Energy e) of the NPF4 states that in addition, project design and mitigation will demonstrate how the following impacts are addressed:
- i. impacts on communities and individual dwellings, including, residential amenity, visual impact, noise and shadow flicker.
 - ii. significant landscape and visual impacts, recognising that such impacts are to be expected for some forms of renewable energy. Where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable.
 - iii. public access, including impact on long distance walking and cycling routes and scenic routes.
 - iv. impacts on aviation and defence interests including seismological recording.
 - v. impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised.
 - vi. impacts on road traffic and on adjacent trunk roads, including during construction.
 - vii. impacts on historic environment.
 - viii. effects on hydrology, the water environment and flood risk.
 - ix. biodiversity including impacts on birds.
 - x. impacts on trees, woods and forests.
 - xi. proposals for the decommissioning of developments, including ancillary infrastructure, and site restoration.
 - xii. the quality of site restoration plans including the measures in place to safeguard or guarantee availability of finances to effectively implement those plans.
 - xiii. cumulative impacts.

- 6.4 Policy 33 Minerals c) of the NPF4 states that development proposals that would sterilise mineral deposits of economic value will only be supported where: i. there is an overriding need for the development and prior extraction of the mineral cannot reasonably be undertaken; or ii. extraction of the mineral is impracticable or unlikely to be environmentally acceptable.
- 6.5 Policy C2 Renewable Energy of the ALDP 2023 (paragraph C2.1) states that we will support renewable energy developments, including solar, wind, biomass (energy from biological material derived from living, or recently living organisms) and hydro-electricity projects, as well as energy storage projects, which are in appropriate sites and of the appropriate design. Assessment of the acceptability of such developments will take account of any effects on: socio-economic aspects; renewable energy targets; greenhouse gas emissions; communities; landscape and visual aspects; natural heritage; carbon rich soils; the historic environment; tourism and recreation; aviation, defence, telecommunications and broadcasting interests; road traffic; hydrology; and opportunities for energy storage.
- 6.6 Policy C2 Renewable Energy of the ALDP 2023 (paragraph C2.5) states that we will approve applications for solar panel arrays greater than 4kW if: their cumulative impact with other arrays, including siting and design, has been assessed and can be dismissed; account has been taken of glint and glare issues; it has been demonstrated that any significant impacts will have a duration of less than five minutes on any receptor in any one day; there are no objections from the Ministry of Defence, the National Air Traffic Services or civil airport operators; boundary treatments limit vehicular access to the site through means designed to make any security fencing unobtrusive and screen the development.
- 6.7 Policy PR1 Protecting Important Resources of the ALPD 2023 (paragraph 1.9) states that we identify important mineral safeguarded sites where other types of development should not generally be allowed, and wider areas of search where mineral resources should not be sterilised by inappropriate developments. Major non-minerals developments will be permitted in the areas of search if an opportunity is given for the extraction of mineral resources before the development commences. On safeguarded sites non-mineral developments will be refused unless they are small-scale and ancillary to existing uses, or of a temporary nature. Safeguarded sites and areas of search are identified on the adjacent proposals map and detailed in Appendix 14, Areas Safeguarded or Identified as Areas of Search for Minerals Development.
- 6.8 The proposed site is currently in agricultural use and is not prime agricultural land. A small area on the northern part of the site falls within the Areas of Search for Minerals Map 8 Banff West for Sand and Gravel Reserves.
- 6.9 The proposal formation of a 25MW solar farm with associated infrastructure. The proposed 62,000 solar panels would be arranged in multiple arrays across the site with a 15m buffer to the site boundaries. The local

development plan policies support renewable developments such as solar arrays subject to appropriate design, wider biodiversity and landscape, historic interests, general amenity, glint and glare, and views from MOD, NATS, and civil airport operators. However, a small part of the site falls within the area that is reserved for mineral extraction, which would prevent the area for other non-mineral development. As the site has always been in agricultural use and none of the wider local area of search for mineral has actually been developed for mineral extraction, it is considered that extraction in this small part of the site for minerals is unlikely and impracticable. Environment and Infrastructure Services (Planning and Economy) have no objection to the application, as either agricultural use or proposed development is an economically productive land use and reversible. Given the nature of the development being reversible and as the affected area is limited, the Planning Service considers that the proposal does not contradict to the local development plan policies.

- 6.10 The submitted supporting documents have demonstrated that the proposed development would not have a significant impact on the surrounding area. The Planning Service therefore considers that the proposed development generally complies with Policy 11 and Policy 33 of the NPF4 and Policy C2 and Policy PR1 of the ALDP 2023 and is acceptable in principle. Issues detailed in the following sections also overlap with relevant aspects of Policy 11 of the NPF4 and Policy C2 of the ALDP 2023.

Layout Siting and Design

- 6.11 Policy P1 of the ALDP 2023 and Policy 14 of the NPF4 support development designs that demonstrate the six qualities of successful places, which includes that it is distinctive; safe and pleasant; welcoming; adaptable; efficient and well connected.
- 6.12 The development site is situated in the countryside characterised by open agricultural land with sporadic farm steadings and dwellings. The proposed solar arrays would be installed on the existing ground without changes to the ground levels. All the solar panels would be mounted on rows of steel frames with a 10m spacing at 30-degree angle up to 3m high. The inverters would be installed on the vertical frame behind the panels. There would be a 15m buffer zone between the site boundaries and the solar arrays.
- 6.13 Exclusion zones would be reserved for the water main and overhead power lines running through the site. The proposed substation building would be of a small scale pitched roof building with a similar design and building materials to an ordinary outbuilding and located on the edge of the site. It would have no significant impact to the surrounding landscape. The proposed construction compound and temporary facilities would be sited during the construction period. It is not anticipated that these would lead to any negative impact to the surrounding area.
- 6.14 The overall design and scale of the solar arrays are distinctive for this type of renewable energy development. The proposed 1.9m high security fencing and

boundary treatments would screen the development and make the site safe and unobtrusive. The proposed site would be reversible to agricultural use after the decommission of the project. The site is relatively well connected to the main public roads. The design, layout, siting, scale, and building materials of the new development would be generally in keeping with the character of the surrounding countryside. Given the nature of the renewable energy development, the Planning Service considers that the proposal is appropriately sited and designed therefore complies with Policy P1 of the ALDP 2023 and Policy 14 of the NPF4.

Landscape and Visual Impact

- 6.15 Policy 4 Natural places d) of the NPF4 states that development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where: i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.
- 6.16 Policy E2 Landscape of the ALDP 2023 (paragraph E2.1) states that we will refuse development that causes unacceptable effects through its scale, location, or design on key characteristics, natural landscape elements, features, or the composition or quality of the landscape character as defined in the Landscape Character Assessments produced by NatureScot. These impacts can be either alone or cumulatively with other recent developments. A Landscape and Visual Impact Assessment (LVIA) may be required to assess the effects of change on a landscape that could be experienced should a development proposal be approved. Appropriate mitigation should be identified.
- 6.17 Policy E2 Landscape of the ALDP 2023 (paragraph E2.2) states that development that has a significant adverse impact on the qualifying interests of a Special Landscape Area will not be permitted unless it is adequately demonstrated that these effects are clearly outweighed by social, environmental or economic benefits of at least local importance.
- 6.18 The site is within the Western Coastal Farmland Landscape Character Area (LCA). Deveron Valley Special Landscape Area (SLA) lies approximately 1.8km to the east of proposed site, with North Aberdeenshire Coast (SLA) combined with Cliffs of the North and South East Coasts (LCA) located approximately 2.6km to the north of the site boundary.
- 6.19 The agent has submitted detailed assessment of potential landscape and visual impacts by the proposed development, including zone of theoretical visibility (ZTV) map and a series of photomontages from 9 viewpoints illustrating the predicted maximum attributable landscape and visual effects of the proposed development. Cumulative impact of the development has not been assessed, as there are no other solar arrays in the surrounding area,

apart from existing wind turbines which are considered as part of the baseline information.

- 6.20 The submitted assessment indicates that within a 5km radius, theoretical visibility is concentrated around the site and to the north, along with outskirts of Banff. Majority of the theoretical visibility falls within the Western Coastal Farmland and some falls within the Deveron Valley SLA, most of which is coincides with Montcoffer Wood.
- 6.21 The photomontages from nine locations, including viewpoints close to the site boundaries and main public roads, indicate that the development would result in localised landscape effects and visual effects areas immediately adjacent to the site (viewpoints 3, 4, 5, 7) primary during the construction period and year 1 operation. However, the impact would be gradually reduced by year 15, apart from viewpoint 7, following the implementation of proposed landscape mitigation plan, which includes planting/infill planting hedgerows and trees around the site boundaries particularly on the north and northwest boundaries.
- 6.22 The assessment has also considered the visual impacts on other receptors including residents, transport, and recreational routes users. Among the 15 studied residential properties, 4 dwellings would have major to moderate effect in year 1 but only one (Hilton Croft, to the south west) would remain to have major to moderate effect to year 15 and decommissioning.
- 6.23 The assessment further considers the residual visual impact and concludes that the overall landscape and visual effects of the proposal would be limited to a small geographical area and would affect a few, very localised, number of receptors. Strengthening of landscape features through provision of additional planting would integrate the development into the landscape in the longer term and reduce the visual effects.
- 6.24 The ZTV map indicates a localised visibility concentrated within the Western Coastal Farmland LCA. The Planning Service considers that the part of Western Coastal Farmland LCA that the proposed site falls in is generally open but with altered character by existing wind turbines. Part of the theoretical visibility falls within Deveron Valley SLA but is coincides with Montcoffer Wood. Therefore, this LCA has a medium sensitivity, and the proposed development would have a medium to low magnitude of change.
- 6.25 Based on the ZTV maps and photomontages, the medium sensitivity of the immediate LCA, the separation distance to the Deveron Valley SLA, the topography of the surrounding area, as well as the solar arrays' design and siting and their resulting magnitude of change, it is considered that the proposal would have a low to moderate visual effect on the wider landscape character and the topography of the surrounding area including very few residential receptors. The Planning Service generally agrees that the proposal would not create a significant unacceptable visual or landscape impact on the surrounding area. Therefore, the proposal complies with Policy P4 of the NPF4 and Policy E2 of the ALDP 2023.

Built & Cultural Heritage

- 6.26 Policy 7 Historic assets and places a) of the NPF4 states that Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.
- 6.27 Policy HE1 of the ALDP 2023 (Paragraph HE1.1) will resist development that would have an adverse impact on the character, integrity or setting of listed buildings, or scheduled monuments, or other archaeological sites. If adverse impact is unavoidable, it should be minimised and justified.
- 6.28 Environment and Infrastructure Services (Archaeology) have no comments to make on this application. Environment and Infrastructure Services (Environment—Built Heritage) have commented that the solar farm would not raise immediate concerns with respect to impact on the setting of Inchdrewer Castle but additional strategic landscaping along the eastern boundary of the development should be introduced.
- 6.29 The submitted Heritage Impact Assessment indicates that there would be negligible or no impact on the cultural heritage including scheduled monuments and listed buildings within the 5km radius of the proposed site, apart from moderate impact on Inchdrewer Castle due to visibility to the setting of the castle. However, the LVA photomontage indicates that there would be no visibility to the castle. The Planning Service is satisfied that the proposal would not have a negative impact on the built heritage. The suggested landscaping along the eastern boundary of the site has been proposed, though not detailed, in the landscape mitigation plan. Therefore, it is considered that the proposal complies with Policy 7 of the NPF4 and Policy HE1 of the ALDP 2023.

Ecology

- 6.30 Policy 3 Biodiversity d) of the NPF4 states that any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks, and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.
- 6.31 Policy 4 Natural places a) of the NPF4 states that development proposals which by virtue of type, location, or scale will have an unacceptable impact on the natural environment, will not be supported.
- 6.32 Policy 4 Natural places d) of the NPF4 states that development proposals that affect a site designated as a local nature conservation site or landscape area

in the LDP will only be supported where: i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental, or economic benefits of at least local importance.

- 6.33 Policy E1 Natural Heritage of the ALDP 2023 (E1.1) will not allow new development where it may have an unacceptable adverse effect on a nature conservation site designated for its biodiversity, species, habitat, or geodiversity importance, except where certain circumstances apply. Paragraph E1.6 states that development must seek to avoid any unacceptable detrimental impact on protected species. Paragraph E1.10 states that Policy P1 also says that all developments should identify measures that will be taken to enhance biodiversity (including woodlands) in proportion to the potential opportunities available and the scale of the development.
- 6.34 The proposed site does not fall within any nature conservation sites. The closest SSSI sites are located some 4km from the site. Troup, Pennan and Lion's Heads SPA primarily designated for breeding seabirds. The submitted Ecology and Ornithology/Breeding Bird Survey Report concludes that potential impacts on birds are likely to be low and there is potential to mitigate this by delivering biodiversity enhancement through sensitive management of habitats within the solar farm footprint. Outwith the southwest site boundary mitigation measures should be in place to protect badgers, with habitats enhancement on northern and northwest site boundaries to improve foraging habitats for bats.
- 6.35 Environment and Infrastructure Services (Environment—Natural Heritage) has assessed the submitted information and consider that the proposed development would not have an adverse impact on natural heritage designations, or any qualifying interests connected to them, therefore has no objection to the proposal subject to breeding bird and biodiversity enhancement plan conditions and badger license informative. The Planning Service considers that the proposal would have no negative impact on the natural environment therefore complies with Policy 3 and Policy 4 of the NPF4 and Policy E1 of the ALPD 2023.

Impact on general amenity

- 6.36 Policy P4 of the ALDP 2023 and Policy 23 of the NPF4 do not support development if there is a risk that it could cause significant pollution, create a significant nuisance (for example through impacts on air quality or noise), or present an unacceptable danger to the public or the environment.
- 6.37 Noise Impact Assessment has been submitted which indicates that construction noise is unlikely to exceed the significance threshold at any time during the work and potential operational noise is unlikely to exceed the significance threshold during the daytime or the night-time at the nearest noise sensitive receptors. There is thus no requirement to recommend any specific mitigation measure to control operational noise.

- 6.38 Environment and Infrastructure Services (Environmental Health) has no objection to the proposal subject to conditions. The Planning Service considers that the development therefore complies with Policy 23 of the NPF4 and Policy P4 of the ALDP 2023.

Glint and glare

- 6.39 A Glint and Glare Screening Report has been submitted, which concludes that no significant solar reflections are projected in regard to road users and residential dwellings therefore no specific mitigation measures are proposed. There are also no aviation constraints in the area, and as noted above in section four of the report, although the Civil Aviation Authority has not responded to consultation, the Ministry of Defence has, and has not objected. Therefore, the Planning Service considers that the proposal complies with Policy C2 of the ALPD 2023.

Aviation and Infrastructure

- 6.40 Both Defence Infrastructure Organisation (Ministry of Defence Safeguarding) and National Air Traffic Service (NATS) have been consulted. No objections have been raised to the proposed development. The Civil Aviation Authority has not responded to the consultation. It is thus deemed that the CAA has no objection to the proposal. The Planning Service considers that the proposal complies with this aspect of the Policy 11 of the NPF4 and Policy C2 of the ALDP 2023.

Hydrology and hydrogeology

- 6.41 Policy 22 c) of the NPF4 states that development proposals will not increase the risk of surface water flooding to others, or itself be at risk.
- 6.42 The submitted hydrology and hydrogeology report indicates that it is likely that any impacts will be limited to minor and short-term. Provided that best practice, control procedures, and mitigations are followed, the risks and impacts will be reduced to an acceptable level. Detailed drainage strategy and plan is provided.
- 6.43 Environment and Infrastructure Services (Flood Risk and Coastal Protection) has no objection to the application, and SEPA has no objection to the application. The Planning Service considers that the proposal complies with Policy 22 and Policy 11 of the NPF4, and Policy C2 of the ALDP 2023.

Access and Servicing

- 6.44 Policy 18 of the NPF4 supports development which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes, and where the impacts of development proposals on infrastructure are mitigated.

- 6.45 Policy RD1 of ALDP 2023 only allow development that is located and designed to take advantage of or incorporate the services, facilities, and infrastructure necessary to support it. Such matters may include sustainable transport linkages and supporting infrastructure, facilities for alternatively fuelled vehicles, road access, waste management provision, water supply, wastewater connections and treatment, and other elements as may be appropriate in the circumstances.
- 6.46 Regarding vehicular access and parking for the proposed development, Environment and Infrastructure Services (Roads Development) has no objection to the proposal subject to conditions.
- 6.47 The Planning Service therefore considers that infrastructure provisions for the proposal would be sufficient. The proposal therefore is compliant to Policy 18 of the NPF4 and Policy RD1 of the ALDP 2023.

Other issues

- 6.48 Policy 9 c) of the NPF4 states that where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use.
- 6.49 Policy P4 of the ALDP 2023 does not support development if there is a risk that it could cause significant pollution, create a significant nuisance (for example through impacts on air quality or noise), or present an unacceptable danger to the public or the environment.
- 6.50 Environment and Infrastructure Services (Contaminated Land) comment that due to past and current activities at this site the developer should be aware of the potential for encounter contaminated material during site work. Therefore, a formal note is required to be appended to the decision document. The Planning Service considers that the development therefore complies with Policy 9 of the NPF4 and Policy P4 of the ALDP 2023.

Conclusion

- 6.51 In conclusion, the Planning Service is satisfied that the proposal complies with relevant policies of the NPF4 and the Aberdeenshire Local Development Plan 2023, in that the principle, layout, and design of the proposal are considered acceptable; the development would not create a significant unacceptable visual or landscape impact on the surrounding area; it would have no negative impact on natural and built heritage; it would not lead to significant impact on hydrology, glint and glare; the proposal would not result in material loss of amenity to sensitive receptors and would not have a negative impact on the airdrome safeguarding zones; and there would be adequate provisions with regard to vehicular access and parking. Therefore, the Planning Service is in a position to support this application.

7. Area Implications

- 7.1 In the specific circumstances of this application there is no direct connection with the currently specified objectives and identified actions of the Local Community Plan.

8. Implications and Risk

- 8.1 An integrated impact assessment is not required because the granting or refusing of the application will not have a differential impact on the protected characteristics of the applicant or any third parties.
- 8.2 There are no staffing and financial implications.
- 8.3 There are no risks identified in respect of this matter in terms of the Corporate and Directorate Risk Registers as the Committee is considering the application as the planning authority in a quasi-judicial role and must determine the application on its own merits in accordance with the Development Plan unless material considerations justify a departure.
- 8.4 No separate consideration of the current proposal's degree of sustainability is required as the concept is implicit to and wholly integral with the planning process against the policies of which it has been measured.

9. Departures, Notifications and Referrals

9.1 Development Plan Departures

None

- 9.2 The application is not a Departure from the valid Development Plan and no departure procedures apply.
- 9.3 The application does not fall within any of the categories contained in the Schedule of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 and the application is not required to be notified to the Scottish Ministers prior to determination.
- 9.4 The application would not have to be referred to Infrastructure Services Committee in the event of the Area Committee wishing to grant permission for the application.

10. Recommendation

10.1 GRANT Full Planning Permission subject to the following conditions:

1. In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) this planning permission will lapse on the expiration of a period of three years from the date of this decision notice unless the development is begun within that period.

Reason: Pursuant to Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. No other development in connection with the permission hereby granted shall commence and the access hereby approved shall not be brought into use unless visibility of 120 metres in both directions along the channel line of the public road has been provided from a point 2.4 metres measured at right angles from the existing edge of the carriageway surface along the centre line of each approved new access in accordance with the Council's Standards for Road Construction Consent and Adoption. The visibility splays shall be physically formed on the ground and any existing fences, walls, hedges or other means of enclosure or obstructions within the splays shall be removed and relocated outwith the splays in accordance with the approved plans. Once formed, the visibility splays shall be permanently retained thereafter, and no visual obstruction of any kind shall be permitted within the visibility splays so formed.

Reason: To enable drivers of vehicles using the access to have a clear view of other road users and pedestrians in the interests of road safety.

3. Prior to commencement of the development hereby permitted, a lay-by measuring 8.0m by 2.5m with 45 degrees splays to be formed on frontage of the site and the proposed vehicular access to be taken via this. Construction shall be to a standard appropriate to the location and must be agreed in advance with Roads Development.

Reason: In the interests of road safety and to meet the Council's standards as contained in the Aberdeenshire Local Development Plan as to ensure the development is provided with an adequate access.

4. The development hereby permitted shall not be occupied until the vehicular access has been constructed in accordance with the approved plans as detailed below, and shall thereafter be permanently retained as such:
 - (a) The maximum gradient of the first 5m of the new access must not exceed 1 in 20.
 - (b) First 5m of access (measured from edge of road or back of footway) must be fully paved.
 - (c) Off street parking for 3 cars, surfaced in hardstanding materials, shall be provided within the site.
 - (d) A turning area, measuring not less than 7.6m x 7.6m, must be formed within the site to ensure that all vehicle movements to the public road can be undertaken in forward gear.

Reason: In the interests of road safety and to meet the Council's standards as contained in the Aberdeenshire Local Development Plan as to ensure the development is provided with an adequate access.

5. The development hereby approved shall not be brought into use until sound power level noise data is confirmed for the inverters and the substation. The sound power level noise data shall not exceed the sound power noise level data shown in WSP NIA dated October 2023, Table 4.3. Once approved, the inverters and substation proposed in the information shall be implemented, installed, and shall be retained and maintained in perpetuity.

Reason: To ensure that noise from the development does not result in undue loss of amenity for surrounding properties.

6. Noise from the proposed development shall not exceed NR20 when measured over an LZeq5min (dB) within any habitable room of any noise sensitive dwelling with an open window.

Reason: To ensure that noise from the development does not result in undue loss of amenity for surrounding properties.

7. The development hereby approved shall not be brought into use until it has been confirmed and demonstrated that sound level emission outputs result in noise level conditions modelled within the NIA. This must be provided to Environmental Health's satisfaction prior to the development becoming operational.

Reason: To ensure that noise from the development does not result in undue loss of amenity for surrounding properties.

8. Within a period of 12 months from the commencement of development, or within a timescale agreed in writing with the Planning Authority, the construction compound along with all temporary facilities shall be removed from the site and the site reinstated in accordance with a scheme of restoration which shall be submitted to the Planning Authority for approval in writing.

Reason: In order to allow the Planning Authority to retain effective control over this part of the development which is temporary by nature.

9. No works in connection with the development hereby approved shall commence unless a fully detailed scheme for the restoration of the site has been submitted to, and approved in writing by, the Planning Authority. The restoration of the site shall be carried out in complete accordance with the approved restoration scheme.

Reason: In the interests of visual amenity and landscape protection.

10. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a detailed check of the site for active birds' nests has been undertaken and written confirmation has been submitted to the Planning Authority that no birds will be harmed and that there are appropriate measures in place to protect nesting bird interest on the site. The check shall be undertaken no later than 14 days before the commencement of

the development and no site clearance or other works in connection with the development hereby approved shall commence unless the written confirmation and protection measures have been submitted to, and approved in writing by, the Planning Authority. The development shall be carried out in accordance with the approved protection measures.

Reason: In the interest of safeguarding the habitat of local bird species.

11. No works in connection with the development hereby approved shall commence unless a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the Planning Authority. The LEMP shall include the following:
- (a) Description and evaluation of features to be managed.
 - (b) Ecological trends and constraints on site that might influence management.
 - (c) Aims and objectives of management.
 - (d) Appropriate management options for achieving aims and objectives.
 - (e) Prescriptions for management actions.
 - (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - (g) Details of the body or organization responsible for implementation of the plan.
 - (h) Ongoing monitoring and remedial measures.
 - (i) Details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out how contingencies and remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the approved LEMP.

Reason: In order to protect and enhance biodiversity in the environment.

12. The development hereby approved shall be carried out in strict accordance with the approved relevant landscape and ecological document as submitted and agreed as part of the planning application.

Reason: In the interests of protecting the biodiversity of the environment.

13. No works in connection with the development hereby approved shall commence unless a scheme of soft landscaping work has been submitted to, and approved in writing by, the Planning Authority.

Details of the scheme shall include:

- a) Existing landscape features and vegetation to be retained.
- b) The location of new trees, shrubs, and hedges.

- c) A schedule of planting to comprise species, plant sizes and proposed numbers and density.
- d) A programme for the implementation, completion and subsequent management of the proposed landscaping.

All soft landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

14. No work in connection with the development hereby approved shall take place unless the proposed surface water drainage has been provided in accordance with the approved plans and the Hydrology and Hydrogeology including Figures and Appendix [ME1 Solar Ltd, October 2023]. The surface water drainage system shall be permanently retained thereafter in accordance with the approved scheme.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

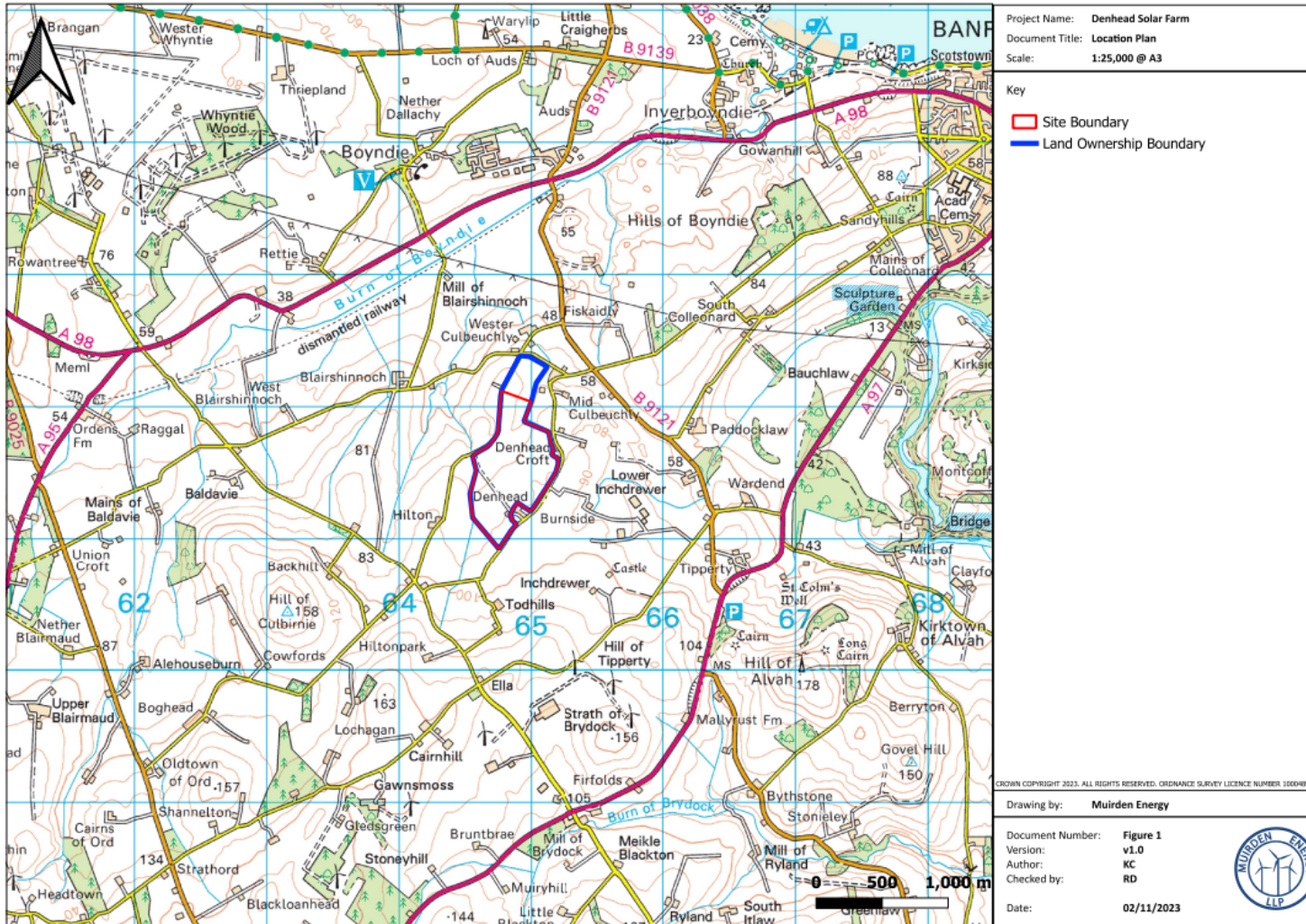
10.2 Reason for Decision

The proposal complies with relevant policies of the NPF4 and the Aberdeenshire Local Development Plan 2023, in that the principle, layout, and design of the proposal are considered acceptable; the development would not create a significant unacceptable visual or landscape impact on the surrounding area; it would have no negative impact on natural and built heritage; it would not lead to significant impact on hydrology, glint and glare; the proposal would not result in material loss of amenity to sensitive receptors and would not have a negative impact on the airdrome safeguarding zones; and that there would be adequate provisions with regard to vehicular access and parking.

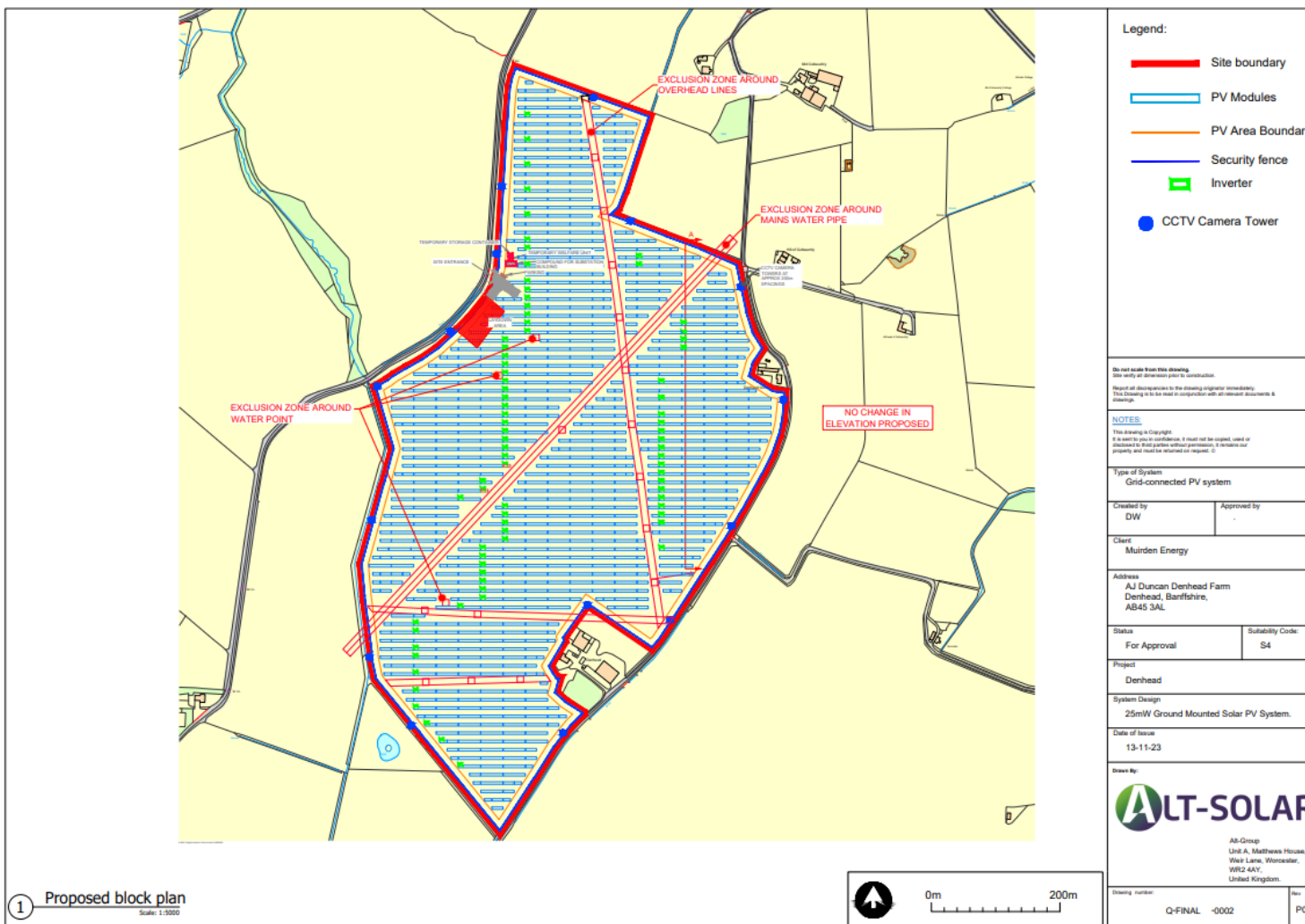
Alan Wood
Director of Environment and Infrastructure Services
Author of Report: Timothy Xu
Report Date: 28 March 2024

Appendix 1

Location Plan



Appendix 2 Site Block Plan



1 Proposed block plan
Scale: 1:5000

- Legend:**
- █ Site boundary
 - ▬ PV Modules
 - ▬ PV Area Boundary
 - ▬ Security fence
 - Inverter
 - CCTV Camera Tower

Do not scale from this drawing
Use only as a guide to construction.
Report all discrepancies to the drawing originator immediately.
This drawing is to be used in conjunction with all relevant documents & drawings.

NOTES:
This drawing is Copyright.
It is lent to you in confidence, it must not be copied, used or
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Type of System
Grid-connected PV system

Created by
DW

Approved by
-

Client
Muirden Energy

Address
AJ Duncan Denhead Farm
Denhead, Barffshire,
AB45 3AL

Status
For Approval

Suitability Code:
S4

Project
Denhead

System Design
25mW Ground Mounted Solar PV System.

Date of Issue
13-11-23

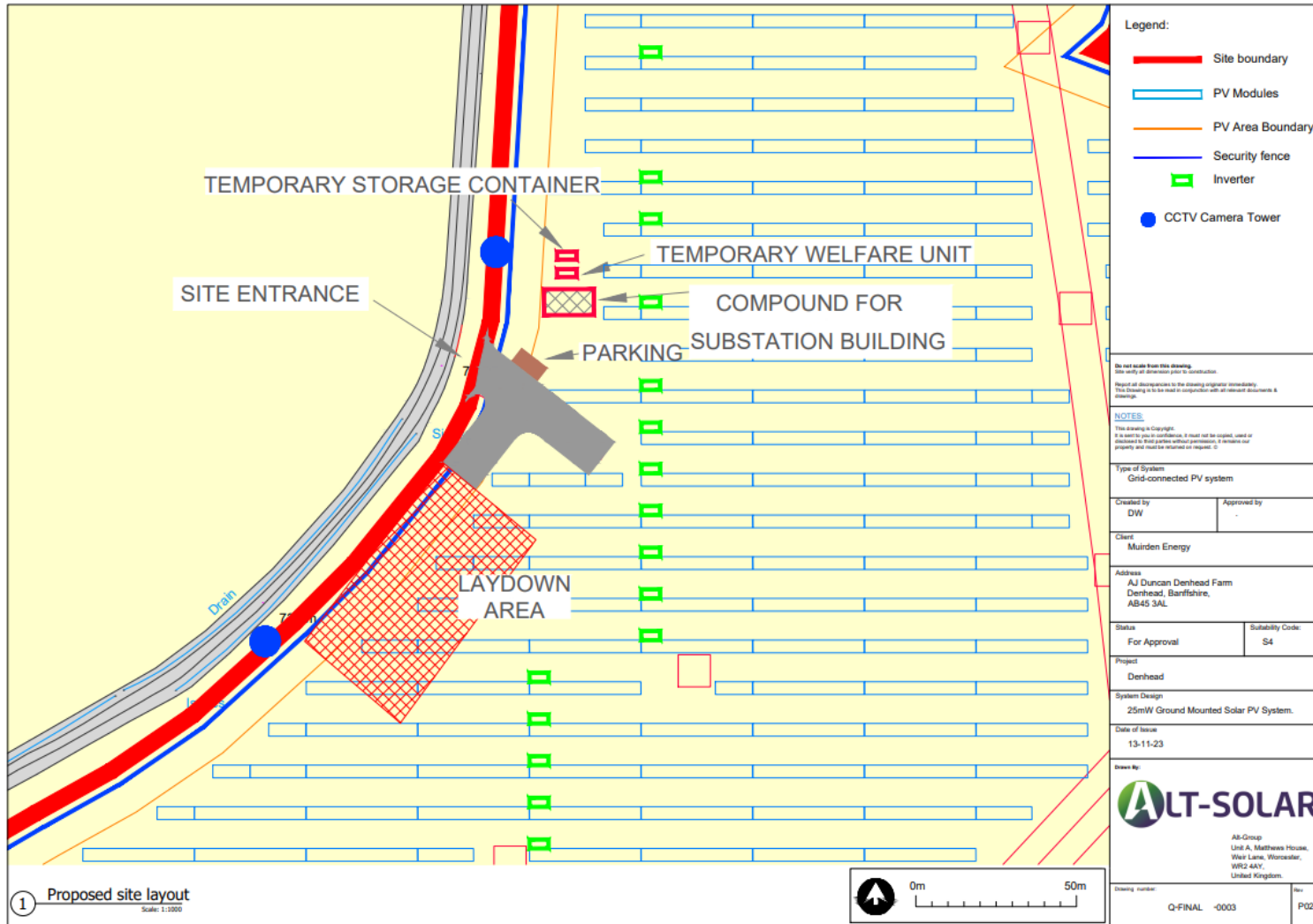
Drawn By:



Drawing number: Q-FINAL -0002

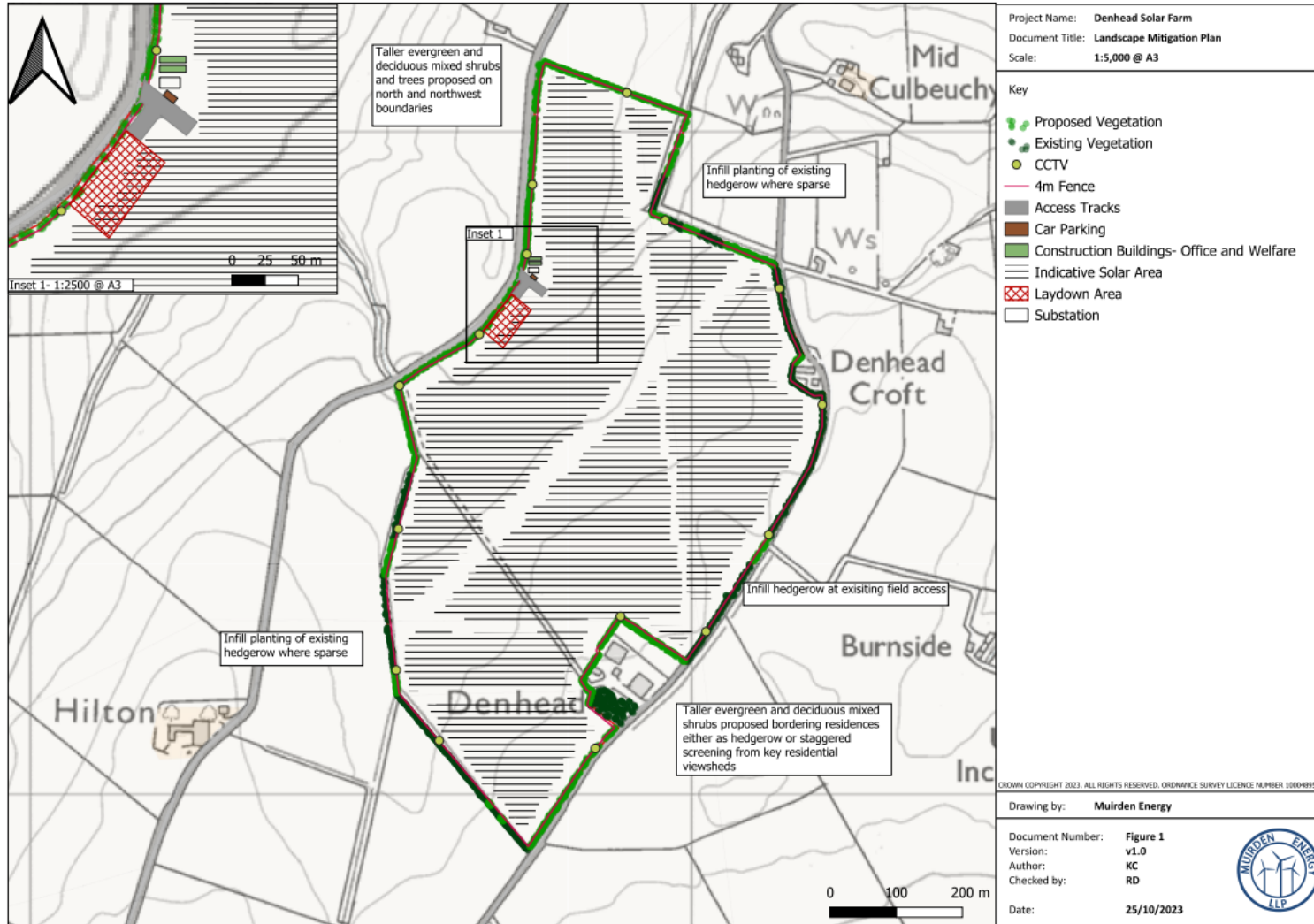
Rev: P02

Appendix 3 Site Layout

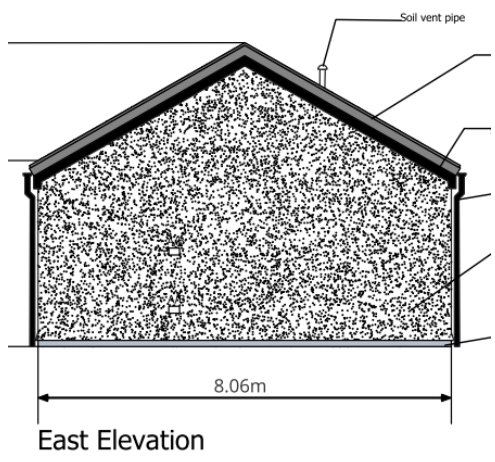
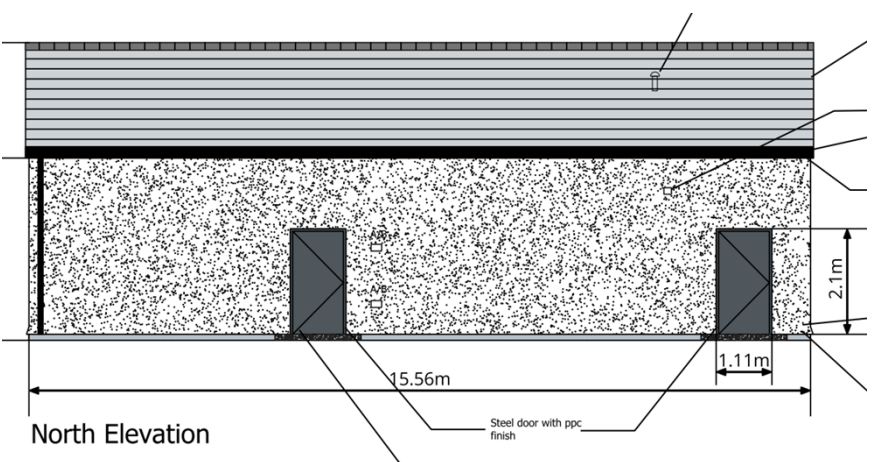
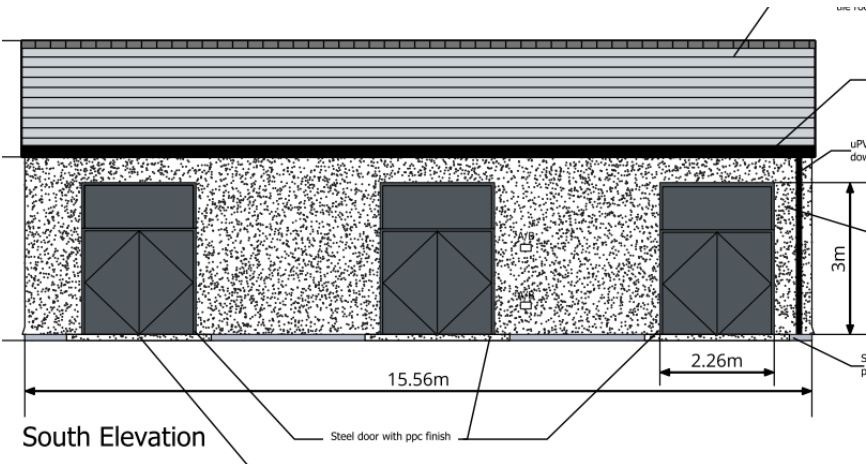
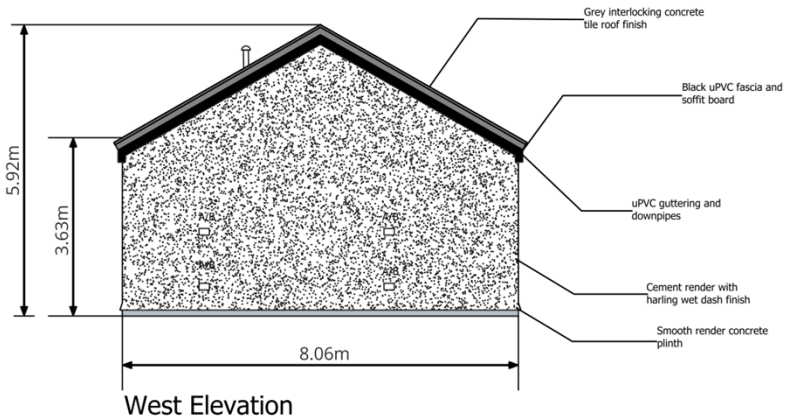


Appendix 4

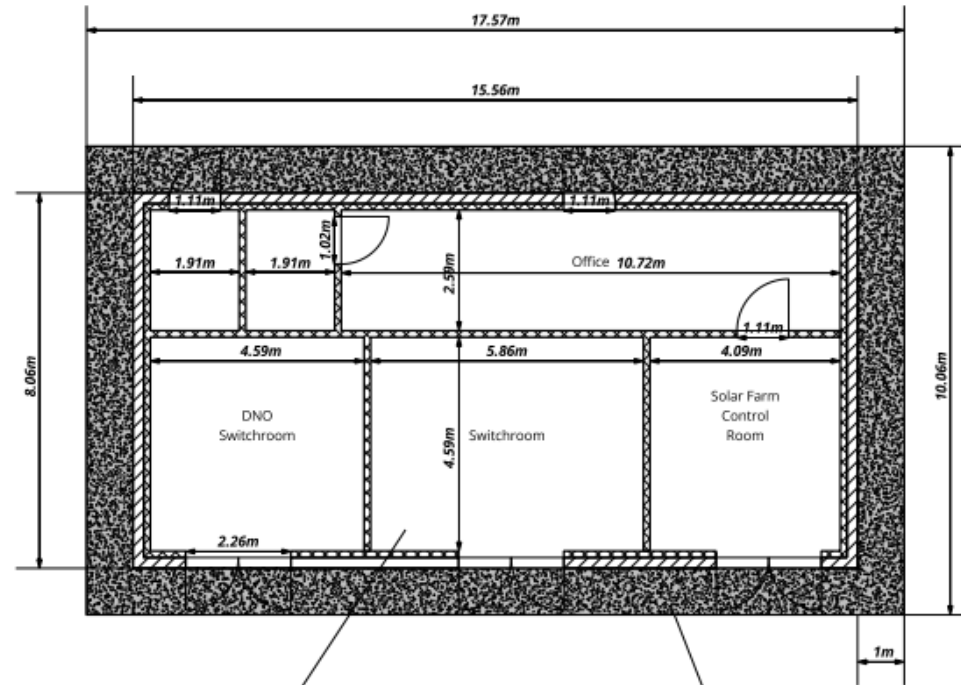
Landscape Mitigation Plan



Appendix 5 Substation Elevations



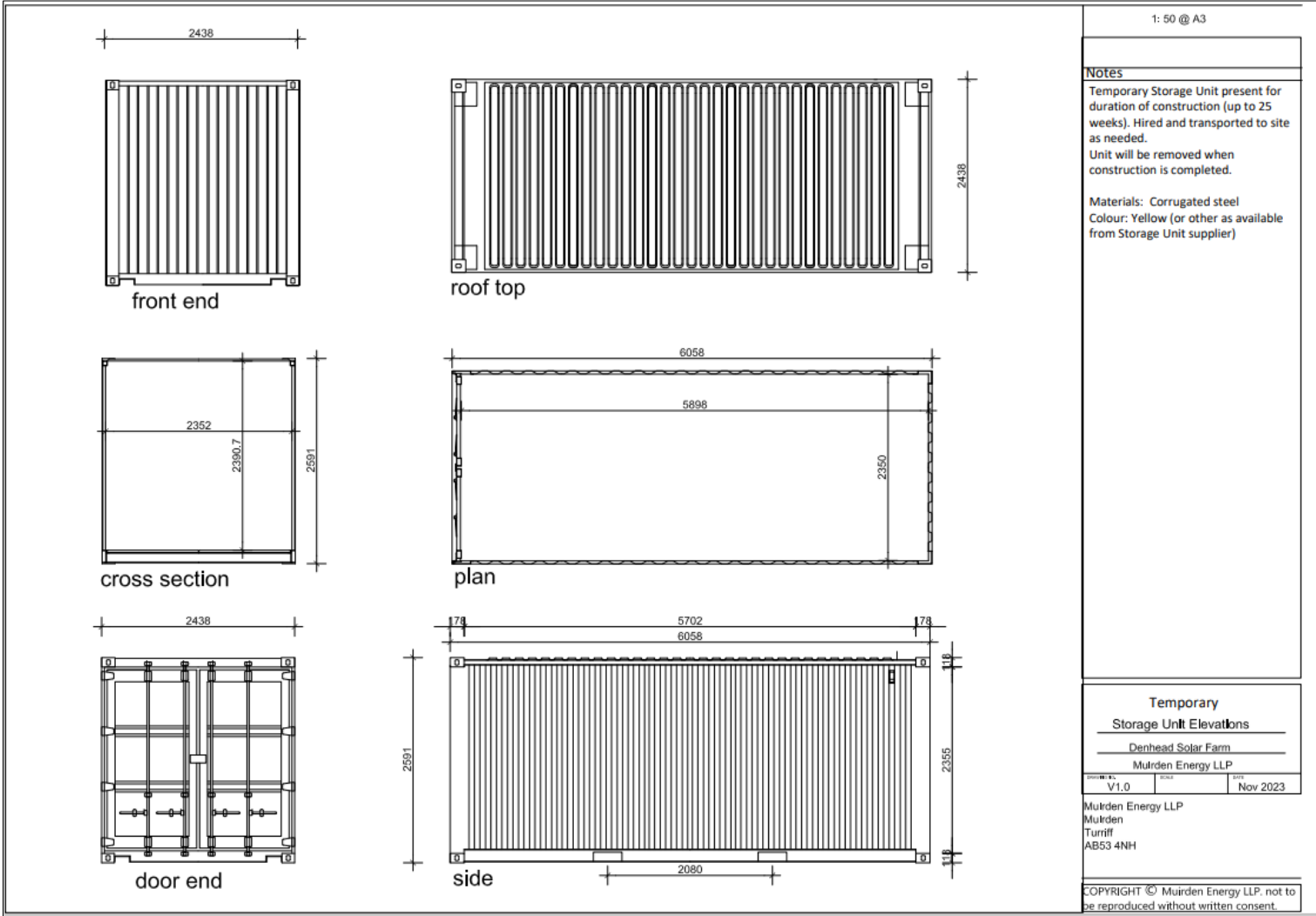
Appendix 6
Substation Floor Plan



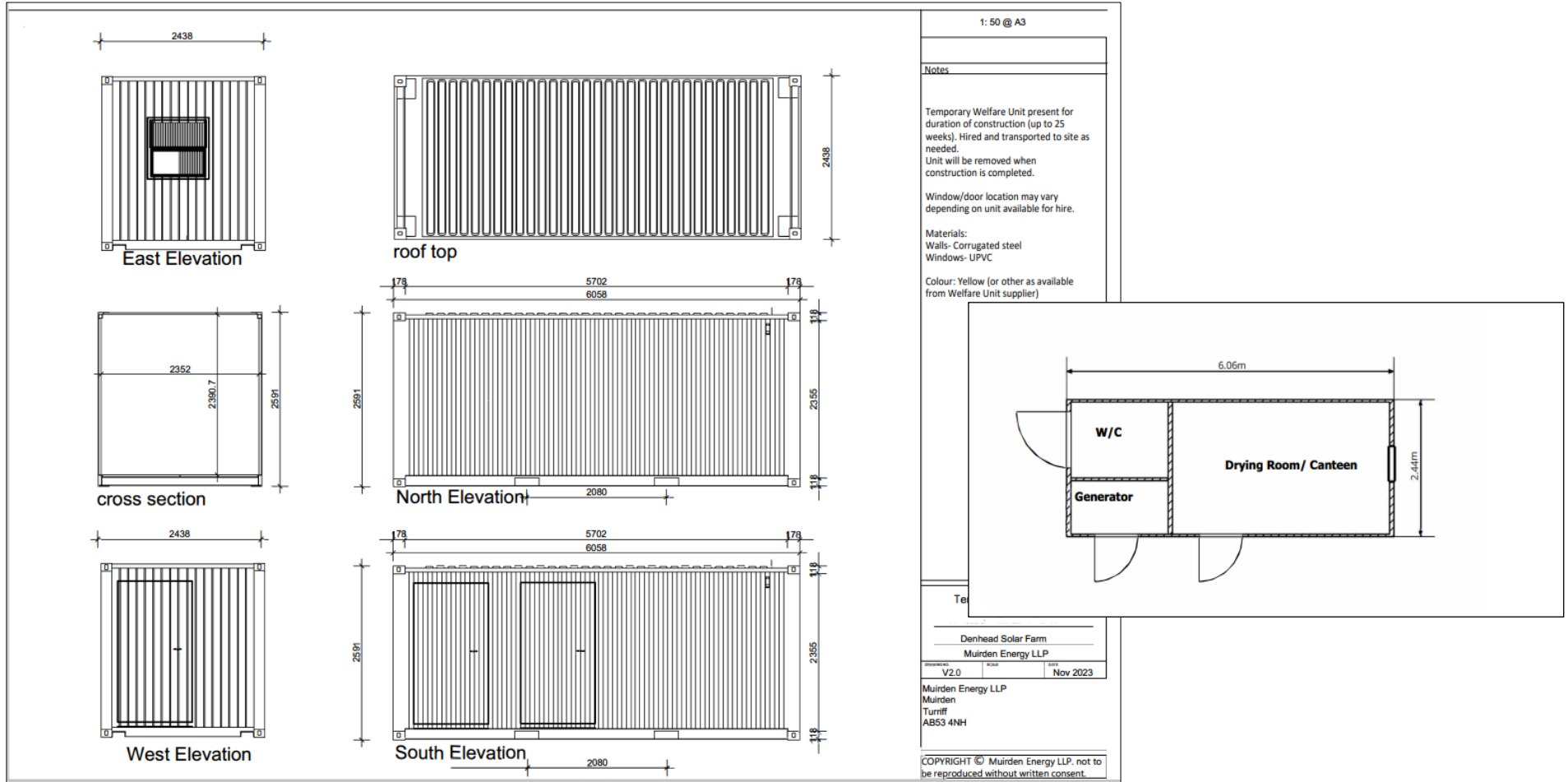
Concrete flooring throughout

Gravel round edge of building with concrete plinths at doors

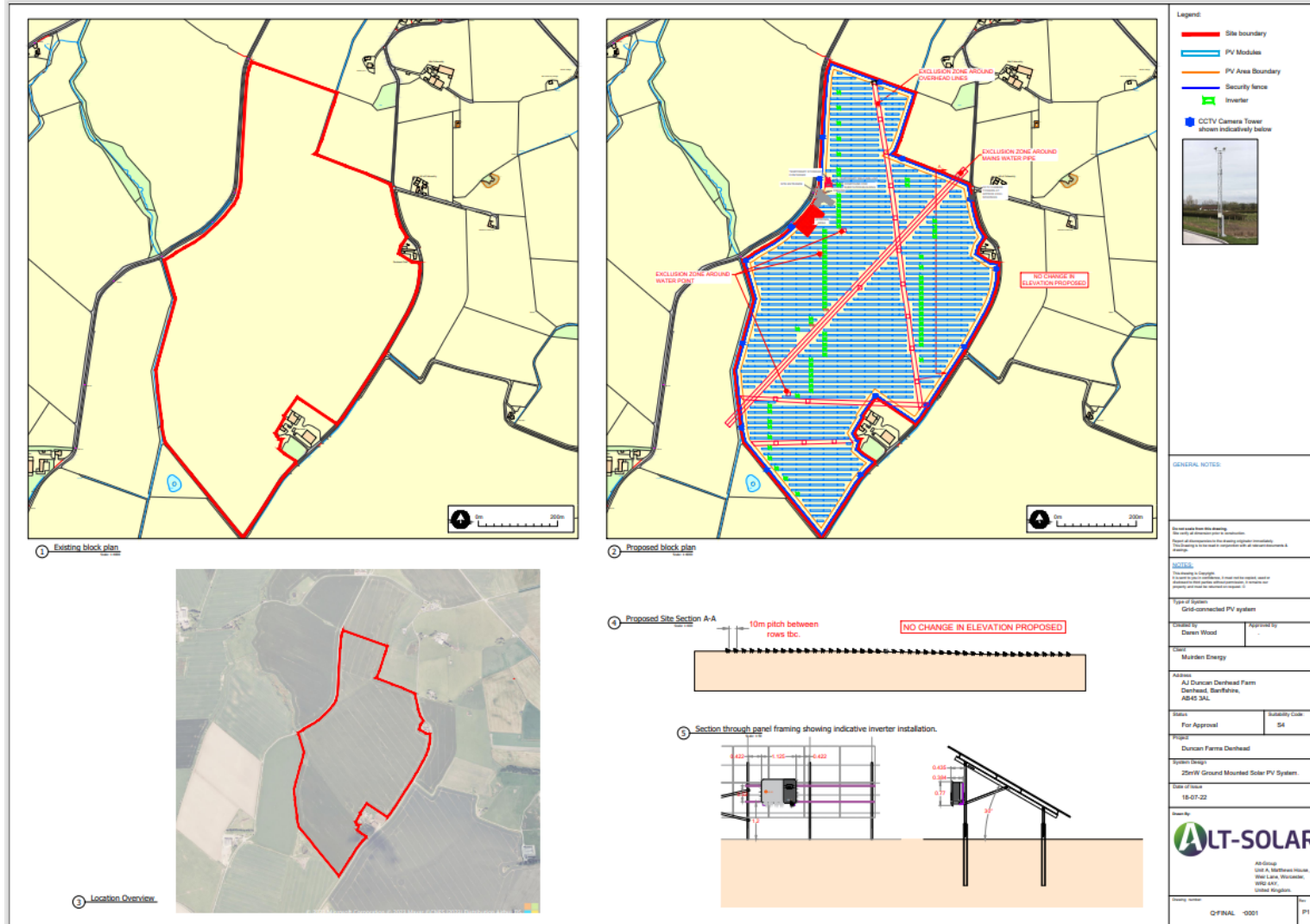
Appendix 7 Storage Unit Plan



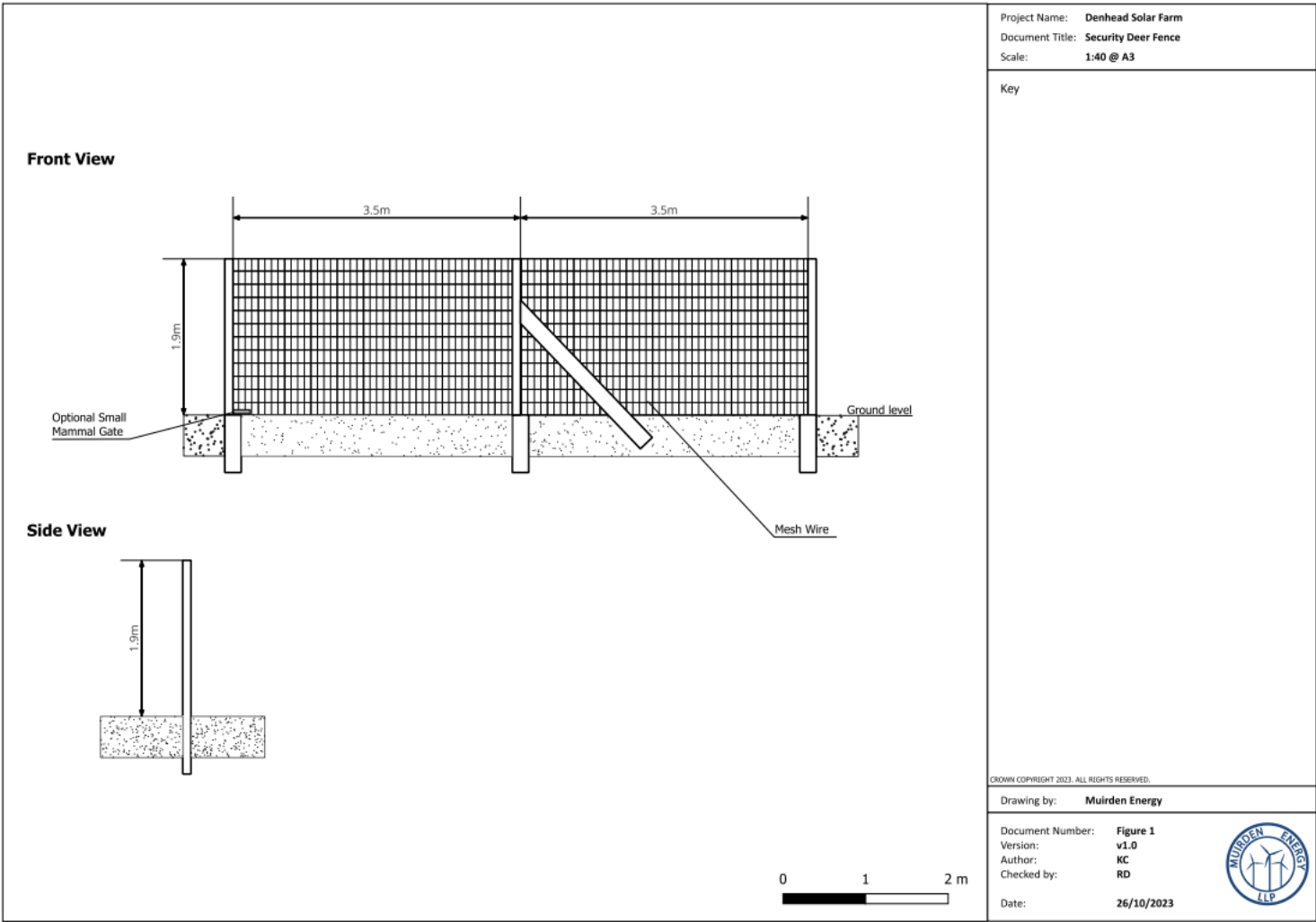
Appendix 8 Welfare Unit Plans



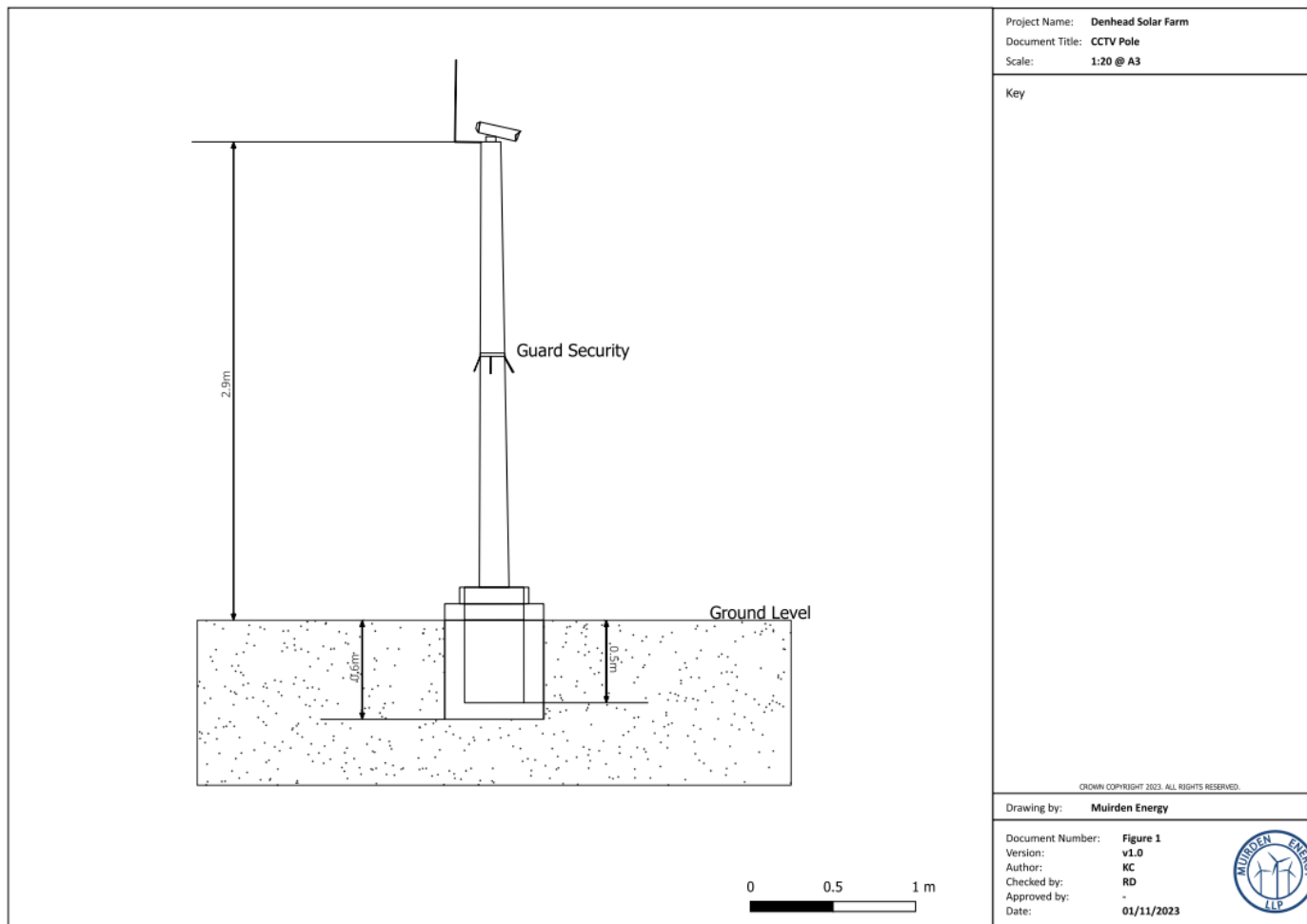
Appendix 9 Solar Elevations



Appendix 10
Security Deer Fence



Appendix 11 CCTV Poles



Comments for Planning Application APP/2023/2040

Application Summary

Application Number: APP/2023/2040

Address: Denhead Banff Aberdeenshire AB45 3AL

Proposal: Formation of 25MW Solar Farm, Siting of Substation, CCTV, Erection of Security Fencing, Formation of Access and Associated Infrastructure

Case Officer: Timothy Xu

Customer Details

Name: Mr Chris Dall

Address: Glenesk Cottage Turriff

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I fully support this project and hope that Aberdeenshire Council will grant it permission. Renewable Energy in all its forms should be embraced.

Comments for Planning Application APP/2023/2040

Application Summary

Application Number: APP/2023/2040

Address: Denhead Banff Aberdeenshire AB45 3AL

Proposal: Formation of 25MW Solar Farm, Siting of Substation, CCTV, Erection of Security Fencing, Formation of Access and Associated Infrastructure

Case Officer: Timothy Xu

Customer Details

Name: Mr Kenneth Watson

Address: 9 Riddoch Lane Turriff

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: All forms of renewable energy are important if we are to hit the climate change targets set by this country this application will go some ways to achieve this. As such I believe this application should be approved.

REPORT TO BANFF AND BUCHAN AREA COMMITTEE 16 APRIL 2024

DRAFT ABERDEENSHIRE COMMUNITY RESILIENCE FRAMEWORK

1 Executive Summary/Recommendation

1.1 Following the Winter Storms of 2021/22 and other emergency responses which have followed, the resulting debriefing exercises recommended that Aberdeenshire Council develop a Community Resilience Strategy that sets out the need for individual, household, family, and community resilience, and what can be expected of the Council, Communities and other Emergency Responders. A draft Aberdeenshire Community Resilience Framework has been developed to provide this clarity. It is this draft Framework which is before Committee today for consideration and comment.

1.2 The Committee is recommended to:

1.2.1 consider, discuss and provide comments on the draft Aberdeenshire Community Resilience Framework at Appendix 1 to the Communities Committee.

2 Decision Making Route

2.1 Following the winter storms of 21/22 a key recommendation which came out of the debrief and Community Engagement Report was as follows:
'It is recommended that Aberdeenshire Council develop a Community Resilience Strategy that sets out the need for individual, household, family, and community resilience, what can be expected of the Council and Communities'

2.2 The proposal for the development of a Community Resilience Framework went to Full Council on 29th September 2022 and was accepted. The draft Aberdeenshire Community Resilience Framework is the resulting document.

2.3 The draft Aberdeenshire Council Resilience Framework is the product of extensive engagement with community resilience groups in Aberdeenshire, input from a cross-service working group that encompassed representatives from emergency responders, feedback from the Community Resilience Conference which took place on 2nd October 2022 and best practice identified elsewhere.

2.4 The draft Framework went to Communities Committee on [8th February 2024](#) where it was agreed that the document could go forward to Area Committees for consultation, along with consultation with Community Councils led by Area Teams.

3 Discussion

- 3.1 Committee is invited to consider and comment on the draft Aberdeenshire Community Resilience Framework which is attached as Appendix 1 to this Report.
- 3.2 Area Officers will consult with Community Councils for their views on the draft Framework, as per minute of Communities Committee [8th February 2024](#). Their responses will also be fed back to the Communities Committee.
- 3.3 It is proposed that the draft Aberdeenshire Community Resilience Framework is then taken back to the Communities Committee, where consultation comments will be brought back to Committee for consideration and approval.
- 3.4 The purpose of the draft Aberdeenshire Council Community Resilience Framework is to collectively enhance resilience by:
- Defining the role of Aberdeenshire Council and Responders before, during and after an emergency.
 - Developing a strategic set of objectives to enhance community resilience.
 - Fostering stronger partnerships between community groups, practitioners, and responders.
 - Developing the capability and capacity of individuals, households, families, and communities to be more resilient.
 - Increase connectedness between individuals, households, neighbours, and families.
 - Guiding future resilience-thinking and practice for Aberdeenshire.
- 3.5 When the draft Framework has been finalised and approved it will be supported with Advice and Guidance Notes which are accessible to Council staff, responders and communities including:
- Community Councils – Insurance FAQ's
 - Community Resilience Plan Advice Note and Template
 - Emergency Household Plan Advice Note and Template
 - Funding
 - Generators
 - Telecoms Resilience Document
 - Individual Preparedness
 - Setting up a resilience Group
 - Ideas for resilience activities
 - How to set up a community hub
 - Supporting vulnerable people
 - Flooding – roles and responsibilities.

4 Council Priorities, Implications and Risk

4.1 This report helps deliver the Strategic Priority ‘Resilient Communities’ within the Pillar ‘Our Environment’.

Pillar	Priority
Our People	Learning for Life Health & Wellbeing
Our Environment	Climate Change Resilient Communities
Our Economy	Economic Growth Infrastructure and public assets

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

Subject	Yes	No	N/A
Financial			x
Staffing			x
Equalities and Fairer Duty Scotland			x
Children and Young People’s Rights and Wellbeing			x
Climate Change and Sustainability	IIA attached as Appendix 2		
Health and Wellbeing			x
Town Centre First			x

4.3 There are no staffing or financial implications.

4.4 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 there are two positive impacts (Community and Council Resilience).

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

- [ACORP010](#) Environmental challenges e.g. extreme weather events, climate change – The Aberdeenshire Community Resilience Framework helps to mitigate the impacts to this risk on communities by increasing individual and community resilience.

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

- [BSSR002](#) Communities are confident, resilient and inclusive. Individuals feel secure and in control of their circumstances.

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.1.2 of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to considering and providing comments to Services and any other appropriate Committee on any matter or policy which impacts its Area.

Rob Simpson
Director of Business Services

Report prepared by Aimi Blueman, Community Resilience Project Officer and Neil Cameron, Emergency Planning Officer
Date: 20th March 2024

List of Appendices

Appendix 1 – Draft Aberdeenshire Community Resilience Framework
Appendix 2 – Integrated Impact Assessment

Aberdeenshire Community Resilience Framework



Aberdeenshire in common with many communities across the country has faced several significant crisis events over the last decade where our collective response has been challenged; Storms Desmond and Frank in late 2015 and early 2016, our response to significant global events such as COVID-19, the tragic train derailment in August 2020 and most recently the winter storms of 2022/2023.

While each event is different, they all share common factors, which can happen with or without warning, Emergency services, and the Council can be stretched with competing demands for resources and a willingness by many people, be they volunteers or responders to step forward to help is vital.

This Framework document is designed to set out how we can collectively enhance resilience in Aberdeenshire over the next five years.



WHAT IS RESILIENCE?

Following the winter storms of 2022/23 there were excellent examples of resilience across Aberdeenshire both at an individual level and at a community level. There were examples where individuals or communities may have wanted to do more but weren't sure how they could best contribute.

Traditionally resilience has been viewed through the lens of services that the council, other responders, or community groups can provide.

However, the winter storms of 2021/2022 taught us that responders can also be affected by an emergency and as individuals and households we may need to be resilient ourselves.

Reflecting on those emergency events we recognise that across Aberdeenshire we need to collectively enhance resilience at Individual, Household, Family and Community levels.

Resilience can be thought of as the rungs of a ladder. The bottom rung is having individuals who are resilient, who have the basics skills and knowledge to manage on their own until help arrives, or the emergency is resolved. Those who live together can use their shared skills to make their home more resilient and using networks of friends and families to help each other manage. Finally, resilient individuals, households and families can come together with others to be resilient communities.

The Scottish Government¹ define resilience as:

“ Communities and individuals harnessing resources and expertise to help themselves prepare for, respond to and recover from emergencies, in a way that complements the work of the emergency responders”.



PURPOSE

The purpose of the Aberdeenshire Council Community Resilience Framework is to collectively enhance resilience by:

- Defining the role of Aberdeenshire Council and Responders before, during and after an emergency
- developing a strategic set of objectives to enhance community resilience
- fostering stronger partnerships between community groups, practitioners and responders
- developing the capability and capacity of individuals, households, families and communities to be more resilient
- increasing connectedness between individuals, households, neighbours and families
- guiding future resilience thinking and practice for Aberdeenshire.

BENEFITS

By having a Community Resilience Framework for Aberdeenshire, we will be able to:

- clarify the role of responders and their scope in developing resilience activities
- having a clear set of engagement principles for the Council
- develop policies and programmes that specifically enhance resilience activities in Aberdeenshire, offering opportunities for communities to influence emergency related outcomes
- lay the groundwork for an effective response and a strong and rapid recovery after an emergency event.

LINKS TO EXISTING PLANS OR FRAMEWORKS

Improving resilience is already identified by partners across Aberdeenshire as a key area of concern.

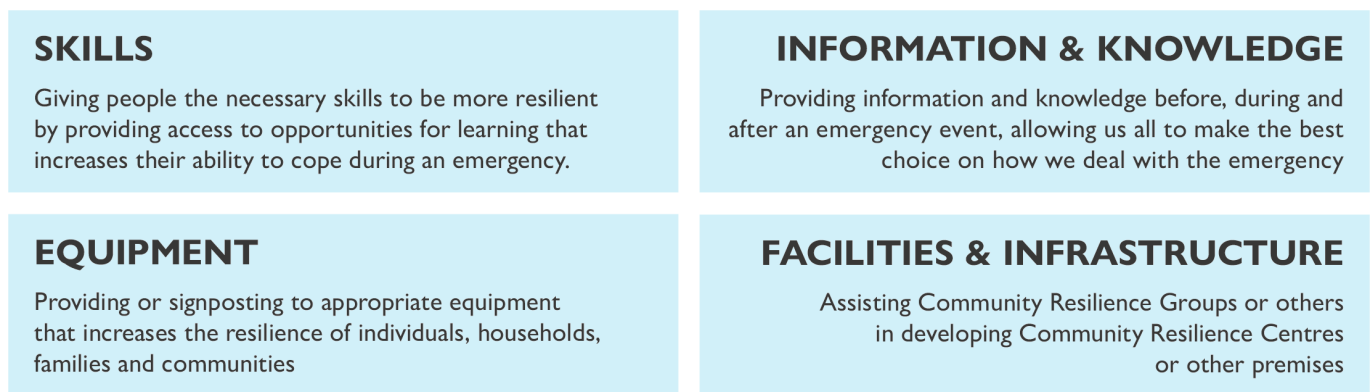
- Aberdeenshire Council Plan
 - Resilient Communities
 - Health & Wellbeing
 - Climate Change
- Aberdeenshire Local Policing Plan 2020/23
- Community Planning Partnership
 - Connected and cohesive communities
- SFRS Aberdeenshire Local Plan 2021
- NHS Grampian Strategic Plan 2022-2023
- Aberdeenshire H&SCP Strategic Plan 2020 to 2025
- Your area | Scottish Fire and Rescue Service (firescotland.gov.uk)

OUR PRINCIPLES

We recognise that in most emergencies Community Resilience is delivered by those closest to the event and our role as responders is to give individuals and groups the tools, they need to be most effective and operate as enablers. We will do this by:



We will deliver this across Aberdeenshire by focusing on Skills, Information & Knowledge, Equipment, Facilities & Infrastructure



ONE SIZE DOESN'T SUIT ALL

A CONTINUUM OF ENGAGEMENT

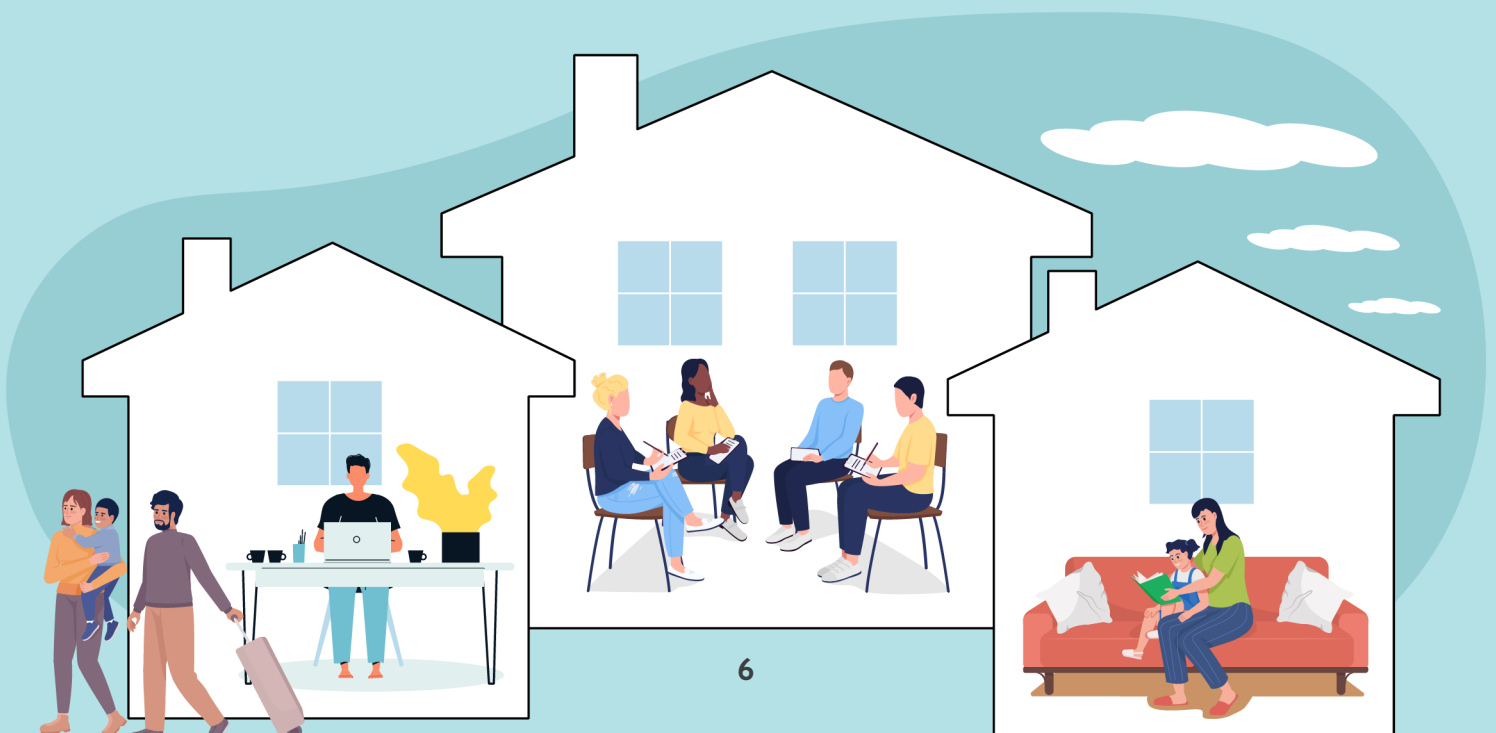
Individuals, Households, Families and Communities have competing priorities for their time, money, and energy and planning for something that may never happen isn't high on most people's list of personal priorities. Families also have differing levels of financial resources.

Consequently, one of the principles behind this Strategy is to enable individuals, households, families, and communities undertake as much preparation and preparedness as they are comfortable with. It will support everyone to take small steps towards preparedness. As people become increasingly engaged, they can access many other opportunities to connect with their community and enhance their resilience.

By facilitating a range of opportunities, some of which are entirely driven by the community, Aberdeenshire Council can connect with diverse interests and build resilience with different individuals and groups at different levels. By enabling individuals and organisations to decide what resilience solution is best for them, greater ownership of the outcome is produced. To achieve this, we will use existing networks as well as seeking out new partnerships.

Some people will have an affinity towards preparedness and will engage in activities that require significant time or money such as joining a Community Resilience Group or investing in strengthening their home. Others, perhaps the majority, will have minimal interest in preparedness and simply follow social media pages or sign up for warning alerts.

Volunteer time is precious, and this strategy is designed to support each person's preferred level of engagement as being right for them. The responsibility of Aberdeenshire Council and our partners is to provide a way for everyone to engage in a way that is appropriate for their interest and needs.

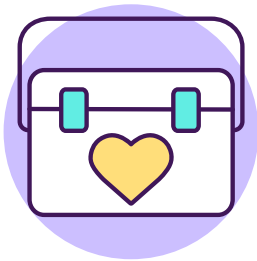


COMMUNITY RESILIENCE TOOLS

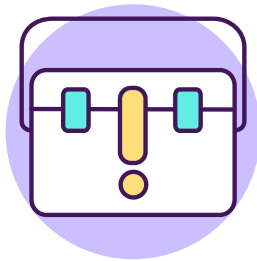
WHAT WE ARE ALREADY DOING

TOOLS FOR BUILDING CAPABILITY

When starting their resilience journey individuals, households, families and groups often feel overwhelmed. There can be many challenges and difficulties. In Aberdeenshire we have begun work to simplify the approach to resilience by producing a suite of documents that make it easy to develop resilience arrangements at any level. In addition to accessing information, we will instigate the following:



Household Emergency Packs for distribution in an emergency



Community Resilience Packs for use by Council and Community Responders



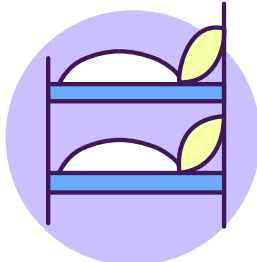
Develop Technical Communications Solutions



An example of already established resilience projects is the Publicly Accessible Defibrillator Scheme which is supported by Aberdeenshire Council. These devices are commonplace on Council buildings across Aberdeenshire and allow the public access to life saving equipment in an emergency.



Develop a series of guidance documents to help Community Groups set themselves up to be Resilient



Review our approach to the provision of council Rest Centres



Explore a Facilities Improvement Project to improve resilience infrastructure across Aberdeenshire

TOOLS FOR BUILDING CAPACITY

Building Capacity is about supporting anything that increases the knowledge, skills, resources and abilities of individuals and groups to develop resilience activities. In partnership with SSEN, Aberdeenshire Council has earmarked funding to allow Community Groups to bid for funds to establish resilience projects. Following Community Feedback, we are establishing a Skills Development Project as individuals may be more resilient during an emergency if they had basic skills in the following:



Digital skills for
Community Groups



Winter Driving



First Aid



Interpreting weather
warnings



Flood Prevention
Workshops



Basic Household
Maintenance



Sharing information
on other training
opportunities, which
would improve resilience

TOOLS FOR INCREASING CONNECTEDNESS & CO-OPERATION

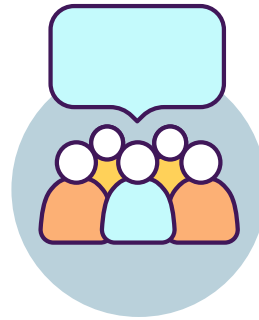
Through our post 2021 and 2022 Winter Storms engagement we established that while there was lots of good resilience practice many groups were unaware the experiences of their neighbours. We know that volunteer time is precious so we will:



Develop ways of sharing good resilience practice on a regular basis



Develop a dedicated resilience website for Aberdeenshire



Host an annual Resilience Conference to make it easier for individuals and groups to be active.



	Informed	Involved	Collaborative	Shared Leadership
Increasing Capability	Sign up to your local Community Resilience Social Media Page	Attend a skills development course e.g. winter driving	Set up a Community Resilience Group	
Increasing Capacity	Seek Emergency Preparedness Info Sign up for emergency text alerts	Purchase an Emergency Kit	Work with neighbouring community groups to increase the reach of projects	
Increasing Connectedness and Co-operation		Attend Resilience Briefing Conference	Groups have established Welfare Hubs	Present at a Resilience Conference

WHAT CAN YOU EXPECT FROM ABERDEENSHIRE COUNCIL?

When an emergency occurs help will first be provided to those who need it most. Most of us will be prepared and able to cope on our own for some time. The better prepared we are as individuals, households, and families the greater the opportunity we will have to help others that do not have the same ability to cope.

Before an emergency we will:

- Provide consistent, easily accessible guidance on how to prepare for and be more resilient during an emergency
- Suggest reasonable ways where you can take steps to protect your home
- Work with Community Groups to help them develop their Resilience Plans for local areas
- Where possible provide information in advance of an emergency occurring particularly in relation to weather events
- Publish our Plans

During an emergency we will:

- Warn and inform those affected by the emergency
- Focus our response on the most vulnerable
- With partners prioritise where resources will go
- Establish Rest Centres for individuals displaced by an emergency
- Support Community Resilience Groups who choose to assist in the response
- Support the Emergency Services

Following and emergency we will:

- Learn from the collective experiences of all those involved
- Share the learning
- Promote recovery



THE EMERGENCY SERVICES (Police Scotland, Scottish Fire & Rescue Service, Scottish Ambulance Service) WILL

Roles and Responsibilities – Police

- Protect life
- Co-ordinate the multi-agency response in the absence of alternative co-ordination arrangements being agreed
- Protect and preserve the scene and investigate the incident
- Prevent crime and disorder
- Collate and disseminate casualty information

Roles and Responsibilities – Fire

- Save Life
- Protect the Environment
- Provide assistance in support of local communities
- Render humanitarian aid

Roles and Responsibilities – Ambulance

- Save Life and prevent further suffering
- Facilitate Patient Triage
- Provide casualty treatment and transport to the most appropriate facility
- Co-ordinate all health resources supporting the incident



WHAT CAN I EXPECT FROM UTILITY COMPANIES

All utility companies have arrangements in place to support communities when disruption occurs. Like other responders it can take time for supplies to be restored or help to arrive. We strongly suggest that those who consider themselves vulnerable register as 'Priority Services Customers' with SSEN, Scottish Water and SGN.

You can register for all three PSR Schemes at one place 'Psrscotland.com'. Individuals can, households can, families can, communities can:

- Sign up for alerts from the Met Office, SEPA and Aberdeenshire Council
- Prepare a basic household resilience kit
- Improve your understanding of resilience
- Prepare a Home Emergency Plan
- Learn new skills to aid you in an emergency
- Prepare a Community Resilience Plan



WHERE CAN I FIND OUT MORE?

Fire Safety Advice – including how what to do in a power cut

Register as a Priority Services Customer with your utility companies

Developing an Emergency Plan

SEPA Flood Advice

APPENDIX 2

Aberdeenshire Council

Integrated Impact Assessment

Community Resilience Framework

Assessment ID	IIA-001793
Lead Author	Aimi Blueman
Additional Authors	Neil Cameron, Vicky Morris
Service Reviewers	Susan Donald
Subject Matter Experts	Claudia Cowie
Approved By	Mary Beattie
Approved On	Wednesday April 03, 2024
Publication Date	Thursday April 04, 2024

1. Overview

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

Assess Aberdeenshire Council Community Resilience Framework which is designed to collectively enhance resilience by:

- Defining the role of Aberdeenshire Council and Responders before, during and after an emergency
- developing a strategic set of objectives to enhance community resilience
- fostering stronger partnerships between community groups practitioners and responders
- developing the capability and capacity of individuals, households, families and communities to be more resilient
- increasing connectedness between individuals, households, neighbours and families
- guiding future resilience thinking and practice for Aberdeenshire

During screening 1 of 10 questions indicated that detailed assessments were required, the screening questions and their answers are listed in the next section. This led to 1 out of 5 detailed impact assessments being completed. The assessments required are:

- Sustainability and Climate Change

In total there are 2 positive impacts as part of this activity. There are 0 negative impacts, all impacts have been mitigated.

A detailed action plan with 0 points has been provided.

This assessment has been approved by mary.beattie@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?	No
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?	No
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?	Yes
Does the activity / proposal / policy have the potential to affect the environment, wildlife or biodiversity?	No
Does the activity / proposal / policy have an impact on people and / or groups with protected characteristics?	No
Is this activity / proposal / policy of strategic importance for the council?	No
Does this activity / proposal / policy impact on inequality of outcome?	No
Does this activity / proposal / policy have an impact on children / young people's rights?	No
Does this activity / proposal / policy have an impact on children / young people's wellbeing?	No

3. Impact Assessments

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

4. Sustainability and Climate Change Impact Assessment

4.1. 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		

4.2. 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		

4.3. Positive Impacts

Impact Area	Impact
Council resilience	Council Resilience improves as Community Resilience increases, More resilient communities reduce the impact on Council Resources enabling more effective resilience where needed and enabling cost efficiencies
Community resilience	Aberdeenshire Community Resilience Framework is designed to improve personal and community resilience. It offers support and advice on resilience structures and how community resilience fits into this bigger picture. The Supporting documents offer Community Groups advice on how to improve community resilience

4.4. Evidence

Type	Source	It says?	It Means?
Internal Consultation	Working Group	How to improve clarity on roles and responsibilities	Role and responsibilities are clarified which improves resilience overall

Type	Source	It says?	It Means?
External Consultation	Consultation with Community Groups	Clarity needed on Roles and Responsibilities; support/training/advice needed on improving community resilience	Framework and supporting documents developed clarifies roles and responsibilities, supporting documents will help improve community (and individual) resilience.

4.5. Overall Outcome

No Negative Impacts Identified.

All outcomes are either neutral or positive

REPORT TO BANFF & BUCHAN AREA COMMITTEE – 16 APRIL 2024

DRAFT HEATING POLICY

1 Executive Summary

- 1.1 This report provides an update to the Area Committee on progress with the development and implementation of Aberdeenshire Council's new Heating Policy. It contains the latest version of the policy document, with comments incorporated from the recently completed consultation exercise, as well as an implementation programme.

2 Recommendations

The Committee is recommended to:

- 2.1 **consider and comment on the progress with development and implementation of the proposed Aberdeenshire Council Heating Policy; and**
- 2.2 **provide comments on the draft Heating Policy document for Business Services Committee.**

3 Decision Making Route

- 3.1 On 29 September 2022 the Aberdeenshire Council Route Map to 2030 and Beyond was approved by Full Council ([Item 14](#)). In order to meet a 75% reduction in emissions by 2030, this Route Map committed Officers to reporting against an annual Carbon Budget, with a Carbon Reduction Target for each Service. For the 2024/25 Carbon Budget, which was approved on 22 February 2024 ([Item 6](#)), Business Services were informed their Carbon Reduction Target would be 1,600 tCO₂e (tonnes of carbon dioxide equivalent)
- 3.2 In December 2023, when debating what to include for their Service in the 2024/25 Carbon Budget, Officers in Property and Facilities Management (P&FM) decided to explore the concept of a Council-wide Heating Policy.
- 3.3 The draft Policy was developed initially by the Engineering team in P&FM and issued for comments to the Sustainability and Climate Change team and P&FM Service Managers in late January 2024. Comments were incorporated, and the final Heating Policy document was issued for consultation to the Trade Union Joint Secretaries on 19 February 2024. The results of this consultation were received on 22 March 2024 and incorporated into the latest version of the proposed Heating Policy document which is attached as **Appendix 1**.
- 3.4 The development, governance, and implementation of this Heating Policy follows the 'Scheme of Governance Part 4B - Policy Development and

Review Framework’ document. This means the proposed Policy will need to go to the six Area Committees and then Business Services Committee for final approval. In February 2024, a programme was prepared to reflect this route – see **Appendix 2**.

- 3.5 The programme in **Appendix 2** states an intention to go to the Sustainability Committee in May 2024 but this meeting has now been cancelled. Bringing this Policy before Sustainability Committee was always an optional measure, but not required as part of the Policy Development and Review Framework process noted in paragraph 3.4 above. Therefore, no additional changes or delays are needed to the programme – the overall timeline will not be affected.

4 Discussion

- 4.1 In line with other Local Authorities, the creation and implementation of a formal Heating Policy by Aberdeenshire Council should unlock significant savings through the prevention of energy waste. Services will be supported on this focus with tools and advice, but ultimately empowered at a site level to take direct action and apply best practice.
- 4.2 Ensuring heating is being operated within the most appropriate schedules and setpoints to meet operational needs, and identifying and tackling persistent overheating, should mean the release of cost and carbon savings with minimal investment.
- 4.3 The Policy is intended to be ready for communication in June 2024 after passing appropriate approvals. The Policy will however need support from all leadership levels to deliver the forecast benefits.
- 4.4 The Energy team in P&FM have calculated the Heating Policy will provide estimated Carbon Savings of 923 tCO₂e (tonnes of carbon dioxide equivalent) in both 2024/25 and 2025/26, making it a key component of the Carbon Budget for Business Services in these years. This ties-in with the estimated timescales for development and implementation of the Heating Policy. It is likely to take until June 2024 for full approval and launch. There will then be an 18-month period for the behaviour change it formalises to take effect, which would fall equally between the two financial years.

5 Council Priorities, Implications and Risk

5.1

Pillar	Priority
Our People	<ul style="list-style-type: none"> • Learning for Life • Health & Wellbeing
Our Environment	<ul style="list-style-type: none"> • Climate Change • Resilient Communities
Our Economy	<ul style="list-style-type: none"> • Economic Growth • Infrastructure and public assets

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

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

5.3 As reported in the Carbon Budget paper to Full Council [2024 02 22](#) , the estimated Annual Cost Saving for this Heating Policy is £700,000.

5.4 There are no direct staffing implications arising from this Heating Policy,

5.5 The screening section as part of Stage One of the Integrated Impact Assessment (IIA) process has not identified the requirement for any further detailed assessments to be undertaken.

5.6 The following Risks in the [Corporate Risk Register](#) have been identified as relevant to this matter on a Corporate Level. However, it is acknowledged that working towards a 75% reduction in Council owned emissions has the potential to impact upon any number of areas across the Council risk portfolio.

- Risk ID ACORP010 as it relates to environmental challenges;
- Risk ID ACORP006 as it relates to reputation management; and
- Risk ID ACORP001 as it relates to budget pressure.

The following Risk in the [Directorate Risk Registers](#) has been identified as relevant to this matter on a Strategic Level:

- Risk ID ISSR010 as it relates to Climate Change.

The above risks could be mitigated against with sufficient communication and engagement on the progress Aberdeenshire Council is making with regards to this Heating Policy and how it relates to wider objectives on climate change mitigation and the Carbon Budget.

6 Scheme of Governance

6.1 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.

- 6.2 The Committee is able to consider this item in terms of Section B 11.1 of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to considering and commenting on proposals to amend Council policy and/or develop Council policy in line with the Policy Development and Review Framework and make recommendations to the relevant Policy Committee.

Rob Simpson
Director of Business Services

Report prepared by Iain Wylie, Engineering Services Manager
27 March 2024

List of Appendices –

Appendix 1 - Draft Heating Policy

Appendix 2 - Programme for implementation of Heating Policy

Appendix 1 – Draft Heating Policy

HEATING POLICY: GUIDANCE FOR THE APPROPRIATE USE OF HEATING AND VENTILATION IN ABERDEENSHIRE COUNCIL PROPERTIES

1 Introduction

- 1.1 Although guidance around energy use in Aberdeenshire Council properties has existed for a number of years, this Heating Policy document formalises this earlier work by providing a set of clear limits for the use of heating, to ensure overheating and energy waste is minimised, while at the same time maintaining appropriate comfort levels.
- 1.2 By 2045 Aberdeenshire Council aims to be Net Zero, and by 2030 is targeting a 75% reduction in emissions (from the baseline in 2010). A successful implementation of this Heating Policy is an important part of the Council's strategy towards meeting these targets.

2 Heating – Regulatory Framework

- 2.1 The Health and Safety Executive recommends a minimum indoor working temperature of 16°C if office based, or 13°C if work involves rigorous physical effort.
- 2.2 For most aspects of the working environment, the Workplace (Health, Safety and Welfare) Regulations 1992 lay down certain requirements. Regulation 7 deals specifically with the temperature in indoor workplaces and states that: *During working hours, the temperature in all workplaces inside buildings shall be reasonable.* The application of the regulation is dependent on the nature of the workplace, e.g. school, office, or warehouse.
- 2.3 Minimum temperatures in Education buildings are outlined in School Premises (General Requirements and Standards) (Scotland) Regulations 1967. It states teaching spaces should have a minimum temperature of 17°C.
- 2.4 While excess temperature can be as uncomfortable as low temperature there is no legal upper limit, however, for schools there is some guidance on overheating in Building Bulletin 101 (BB101): Guidelines on ventilation, thermal comfort and indoor air quality in schools, 2018.

3 Temperature Levels

- 3.1 Table 1 defines the proposed heating levels for various building types found throughout the Council's non-domestic estate. These temperatures are in accordance with legislation and are based on guidance from the Carbon Trust, the Chartered Institute of Building Service Engineers (CIBSE), and the Health and Safety Executive (HSE).

Table 1: Heat levels by building type.

Building Type	Temperature
Office Space	18°C - 21°C
School Classroom / Office / Dining	18°C - 21°C
School Corridor / Gymnasium*	16°C - 18°C
Nursery School	20°C - 23°C
Additional Support for Learning School	20°C - 23°C
Toilets/Cloakrooms	18 - 20°C
Enclosed Industrial Depot/Workshop	16°C
Store	16°C
Library	20°C - 22°C
Sports Centre – Changing Room	21°C - 25°C
Sports Centre – Sports Hall	16°C - 18°C
Sports Centre – Pool Area	28°C - 30°C
Museum	20°C - 22°C
Care Home / Sheltered Housing	21°C - 23°C
Halls	18°C - 21°C
Community Centre	18°C - 22°C

* When being used for physical activity. Space may be temporarily redefined as a classroom, e.g. during exams.

- 3.2 Heating shall not normally be provided to the temperature levels stated in Table 1 where the building is solely in use by cleaners, tradespeople, and caretaking staff working outside of core hours (HSE guidance states that if work involves rigorous physical effort, the temperature should be at least 13°C).
- 3.3 It is recognised that there may at times be a requirement for some buildings, or particular zones within buildings, where specific heating or cooling requirements means temperatures are set outwith agreed ranges. When such a requirement is identified, prior engagement and approval is required with the Head of Property Services and Engineering Services Manager, in advance of altering setpoints or time schedules. Any applied variation requires definition of new settings, areas in scope, and justification, and for this detail to be recorded for future reference.
- 3.4 Table 1 indicates the range of operational temperatures during the heating season for specific categories of building. These will be applied unless subject to contractual or operational necessity. The lower temperatures defined are likely to be experienced only occasionally, particularly around opening and closing hours of buildings. Normal temperatures should be maintained around the average of the upper and lower figures.
- 3.5 If the lower limit of these temperatures is not being achieved during non-heating season, the heating may be turned on until the lower limit is achieved.

- 3.6 If a building has exceeded the upper limit of any parameter listed above and heating is still on, steps should be taken to adjust setpoint and schedules. It is not appropriate to leave heating on and solely manage high temperature through increased ventilation, such as opening windows / doors.
- 3.7 Where individual air conditioning units are installed as an addition to a building's heating and ventilation system, the lower end set point, controlling the air conditioning, should be no less than 5°C above the heating parameters in Table 1 - to ensure that both heating and cooling systems do not run in conflict.

4 Implementation

- 4.1 A building with an operational heating system should be able to achieve the parameters outlined in Table 1. Ultimate responsibility for ensuring adherence to these limits is with the Head of Service controlling the financial code which pays for the heating for the site. This is delegated to the Responsible Premises Officer (RPO) for each property, with the individual nominated by the relevant Service.
- 4.2 Although the RPO is expected to ensure the heating operates within the limits in Table 1, it does not mean that person is responsible for "pushing the buttons", rather ensuring that buttons are pushed.
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required. No schedule should continue once building occupancy ends. N.B. When unoccupied, systems should be left in "Auto" to ensure frost protection remains active.

- 5.3 For other facilities with non-standard operating patterns, e.g. Depots, Halls, and Community Centres, or parts of schools with community access, the RPO for that premises shall advise the Head of Service for P&FM and Engineering Services Manager of exceptions to core hours by emailing a completed Change Request form (format to be agreed). Where required, heating times shall reflect operational requirements. To help minimise energy wastage wherever possible a new Change Request form is required for every time an exception is requested, although a single notification can cover multiple incidences for one building or cluster.
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- 6.2 Aberdeenshire Council's maintenance partners have business continuity provisions to make appropriate full or temporary repairs. Where there is a partial or total system failure during Heating Season, this should be reported as a matter of urgency via the standard reporting channels. Where heating cannot be restored, portable heating shall be provided, based on advice from technical teams.

- 6.3 In cases where additional ventilation is required to maintain CO₂ limits, but this prevents target temperatures being reached, sites must actively manage the balance between ventilation and temperature. Guidance and procedures are available here: <https://www.gov.scot/publications/coronavirus-covid-19-ventilation-guidance/>

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- 7.1 While recommended swimming pool temperatures are identified in Table 1, these are site-specific buildings. As such, it is not appropriate to tie them to overly restrictive parameters beyond stating that attempts should be made to operate them as efficiently as possible, in line with current industry guidelines. In order to reduce the amount of energy being consumed by swimming pools, pool covers must be used at the end of each day and at weekends or holiday periods where the pool is not in use.
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- 7.4 Maintenance activities (e.g. new flooring, post-leak drying) require abnormal setpoints and schedules. These should be applied for the shortest possible period before reverting to standard settings.
- 7.5 ICT shall manage heating and cooling in areas containing their equipment in line with their technical requirements. Where possible any heating or cooling they require shall not impact beyond their spaces.

8 Severe Weather

- 8.1 Severely cold weather presents a significant risk to buildings’ operational abilities and frozen water pipes can lead to bursts, forcing sites to be closed. Therefore, it is important to maintain an appropriate level of frost protection in all buildings.
- 8.2 Where a site does not have frost protection, this needs to be identified and it may be deemed necessary to turn the heating on to manual control to override the timeclock and ensure the heating is running.

9 Logging and Reporting

- 9.1 Heating setpoints and times as detailed in Table 1 will be agreed and recorded for each property (refer Item 4.3). An estate-wide database of settings will be created and maintained as a reference point in future reviews

and assessments. Any authorised deviations will be updated to ensure an auditable record of heating times and settings exists demonstrating the appropriate level of authorisation.

- 9.2 When deviations from the levels in Table 1 are identified, and no authorisation is in place, resetting will be undertaken automatically by P&FM and/or Contractors.

10 Roles & Responsibilities

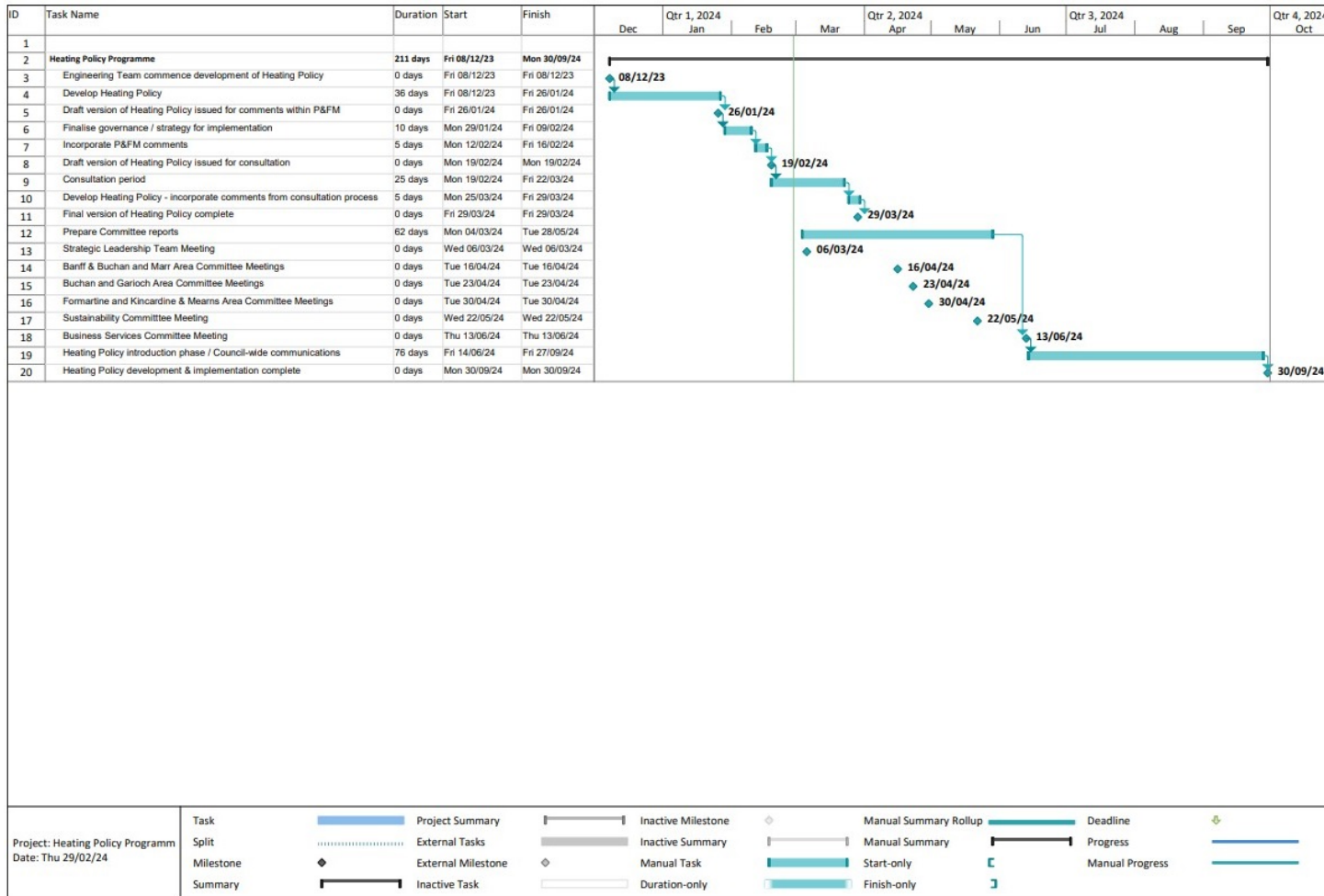
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- 10.2 Table 2: Roles and Responsibilities

Title	Roles & Responsibilities
Property & Facilities Management (P&FM)	<ul style="list-style-type: none"> • Overall responsibility for implementation and oversight of the Heating Policy • Approving changes to core hours or temperatures • Provision of support for RPO • Implementation of projects to improve energy efficiency
Energy Management Team	<ul style="list-style-type: none"> • Record changes to core hours or temperatures • Monitoring compliance with Heating Policy with associated reporting • Conducting energy audits as required with identification and development of projects to improve energy efficiency
Heads of Service (All Directorates)	<ul style="list-style-type: none"> • Ensuring that Heating Policy is being followed
Responsible Premises Officer (RPO)	<ul style="list-style-type: none"> • Local monitoring to ensure guidance being followed. • Verifying that pool covers are being used overnight and at weekends / holidays • Assisting in identifying energy efficiency opportunities • Ensuring record of heating set points and times is kept for that property
Facility Management / Janitorial Staff / Duty Officers	<ul style="list-style-type: none"> • Recording heating set points and times • Ensuring pool covers are in place • Assisting in identifying energy efficiency opportunities
All staff	<ul style="list-style-type: none"> • Following the Heating Policy and only requesting changes where absolutely necessary • Closing doors and windows at the end of the day • Not adjusting locally set thermostats unnecessarily • Reporting over- or under-heating to RPOs



Appendix 2 - Programme for implementation of Heating Policy



Appendix 1 – Draft Heating Policy

HEATING POLICY: GUIDANCE FOR THE APPROPRIATE USE OF HEATING AND VENTILATION IN ABERDEENSHIRE COUNCIL PROPERTIES

1 Introduction

- 1.1 Although guidance around energy use in Aberdeenshire Council properties has existed for a number of years, this Heating Policy document formalises this earlier work by providing a set of clear limits for the use of heating, to ensure overheating and energy waste is minimised, while at the same time maintaining appropriate comfort levels.
- 1.2 By 2045 Aberdeenshire Council aims to be Net Zero, and by 2030 is targeting a 75% reduction in emissions (from the baseline in 2010). A successful implementation of this Heating Policy is an important part of the Council's strategy towards meeting these targets.

2 Heating – Regulatory Framework

- 2.1 The Health and Safety Executive recommends a minimum indoor working temperature of 16°C if office based, or 13°C if work involves rigorous physical effort.
- 2.2 For most aspects of the working environment, the Workplace (Health, Safety and Welfare) Regulations 1992 lay down certain requirements. Regulation 7 deals specifically with the temperature in indoor workplaces and states that: *During working hours, the temperature in all workplaces inside buildings shall be reasonable.* The application of the regulation is dependent on the nature of the workplace, e.g. school, office, or warehouse.
- 2.3 Minimum temperatures in Education buildings are outlined in School Premises (General Requirements and Standards) (Scotland) Regulations 1967. It states teaching spaces should have a minimum temperature of 17°C.
- 2.4 While excess temperature can be as uncomfortable as low temperature there is no legal upper limit, however, for schools there is some guidance on overheating in Building Bulletin 101 (BB101): Guidelines on ventilation, thermal comfort and indoor air quality in schools, 2018.

3 Temperature Levels

- 3.1 Table 1 defines the proposed heating levels for various building types found throughout the Council's non-domestic estate. These temperatures are in accordance with legislation and are based on guidance from the Carbon Trust, the Chartered Institute of Building Services Engineers (CIBSE), and the Health and Safety Executive (HSE).

Table 1: Heat levels by building type.

Building Type	Temperature
Office Space	18°C - 21°C
School Classroom / Office / Dining	18°C - 21°C
School Corridor / Gymnasium*	16°C - 18°C
Nursery School	20°C - 23°C
Additional Support for Learning School	20°C - 23°C
Toilets/Cloakrooms	18 - 20°C
Enclosed Industrial Depot/Workshop	16°C
Store	16°C
Library	20°C - 22°C
Sports Centre – Changing Room	21°C - 25°C
Sports Centre – Sports Hall	16°C - 18°C
Sports Centre – Pool Area	28°C - 30°C
Museum	20°C - 22°C
Care Home / Sheltered Housing	21°C - 23°C
Halls	18°C - 21°C
Community Centre	18°C - 22°C

* When being used for physical activity. Space may be temporarily redefined as a classroom, e.g. during exams.

- 3.2 Heating shall not normally be provided to the temperature levels stated in Table 1 where the building is solely in use by cleaners, tradespeople, and caretaking staff working outside of core hours (HSE guidance states that if work involves rigorous physical effort, the temperature should be at least 13°C).
- 3.3 It is recognised that there may at times be a requirement for some buildings, or particular zones within buildings, where specific heating or cooling requirements means temperatures are set outwith agreed ranges. When such a requirement is identified, prior engagement and approval is required with the Head of Property Services and Engineering Services Manager, in advance of altering setpoints or time schedules. Any applied variation requires definition of new settings, areas in scope, and justification, and for this detail to be recorded for future reference.
- 3.4 Table 1 indicates the range of operational temperatures during the heating season for specific categories of building. These will be applied unless subject to contractual or operational necessity. The lower temperatures defined are likely to be experienced only occasionally, particularly around opening and closing hours of buildings. Normal temperatures should be maintained around the average of the upper and lower figures.
- 3.5 If the lower limit of these temperatures is not being achieved during non-heating season, the heating may be turned on until the lower limit is achieved.

- 3.6 If a building has exceeded the upper limit of any parameter listed above and heating is still on, steps should be taken to adjust setpoint and schedules. It is not appropriate to leave heating on and solely manage high temperature through increased ventilation, such as opening windows / doors.
- 3.7 Where individual air conditioning units are installed as an addition to a building's heating and ventilation system, the lower end set point, controlling the air conditioning, should be no less than 5°C above the heating parameters in Table 1 - to ensure that both heating and cooling systems do not run in conflict.

4 Implementation

- 4.1 A building with an operational heating system should be able to achieve the parameters outlined in Table 1. Ultimate responsibility for ensuring adherence to these limits is with the Head of Service controlling the financial code which pays for the heating for the site. This is delegated to the Responsible Premises Officer (RPO) for each property, with the individual nominated by the relevant Service.
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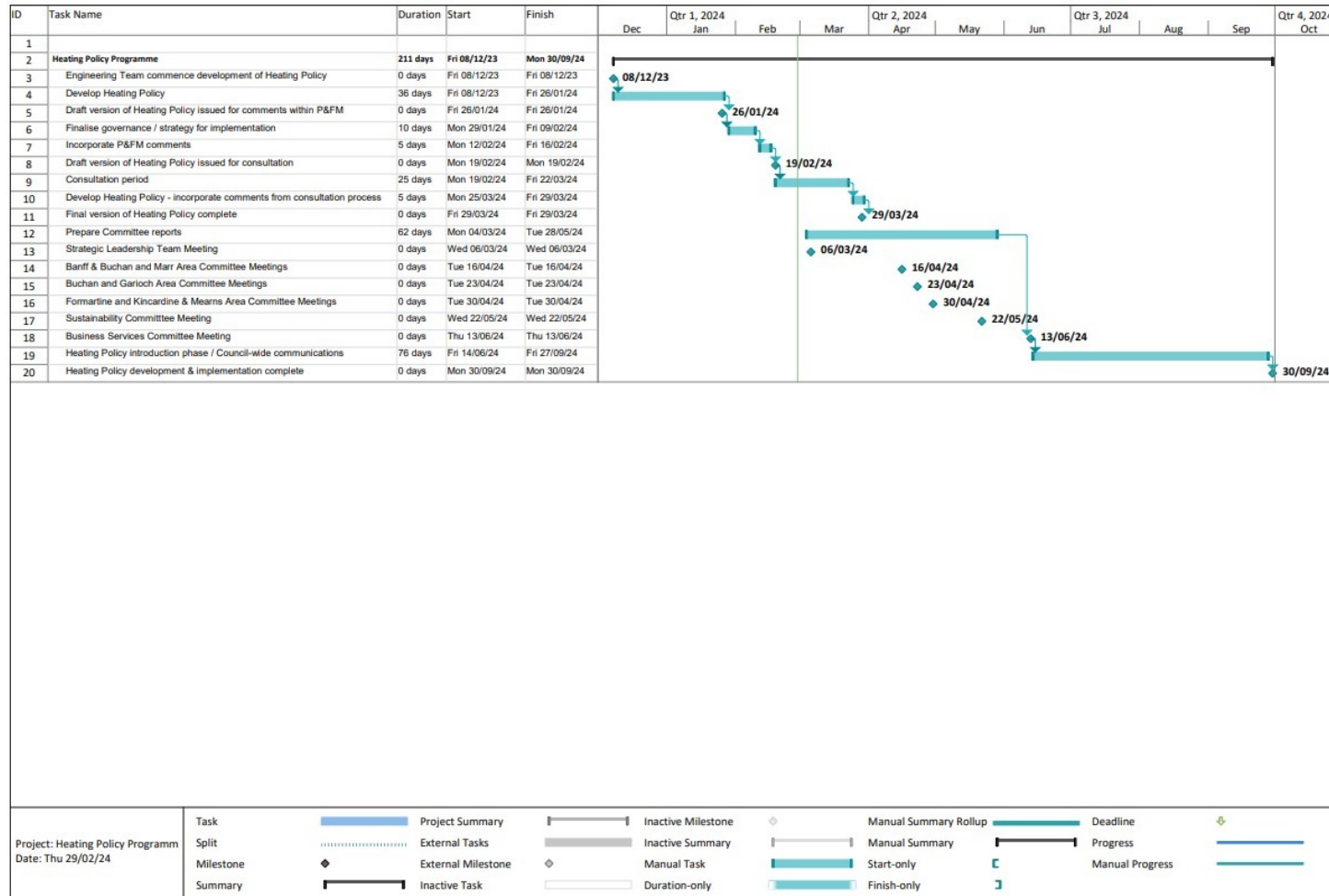
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Appendix 2 - Programme for implementation of Heating Policy



REPORT TO BANFF AND BUCHAN AREA COMMITTEE – 16 APRIL 2024

BANFF AND BUCHAN AREA COMMITTEE BUDGET 2023/2024 – AREA INITIATIVES FUND: YEAR END UPDATE AND OUTCOMES

1 Executive Summary/Recommendations

1.1 The purpose of this report is to (a) seek Members' consideration of the 2023/24 application of the Area Initiatives Fund (AIF), including feedback from the projects, as part of the Area Committee budget; and (b) confirm the project criteria.

1.2 **The Committee is recommended to:**

1.2.1 consider the outcomes of the 2023/24 Area Initiatives Fund, including details of the projects undertaken in Appendix 1; and

1.2.2 confirm the project criteria, as detailed in Appendix 2.

2 Decision-Making Route

2.1 The report seeks the consideration of the Banff and Buchan Area Committee the outcomes of the Area Initiatives Fund 2023/24, which had initially been set at £81,200, being the full amount of the Area Committee budget allocation.

2.2 At its meeting on 28 March 2022, (Item 7), the Area Committee agreed to allocate the Banff and Buchan Area Committee Budget 2023/2024 of £81,200, to the Banff and Buchan Area Initiatives Fund, in line with the eligibility criteria outlined in the report, to promote the development of community-based initiatives supporting the delivery of the following themes:

- Changing Aberdeenshire's relationship with alcohol
- Reducing child poverty
- Connected and cohesive communities
- Improving the appearance and maintenance of towns and villages within Banff and Buchan
- Stronger communities
- Safer communities
- Supporting health and active communities
- Tackling poverty and inequality
- Transport and connectivity

The recommendations within this report are in line with the criteria for the use of the funds as agreed by the Policy and Resources Committee on 19 April 2007.

2.3 At its meeting on 12 September 2023, (Item 12), the Area Committee agreed to allocate a proportion of the Banff and Buchan Area Committee Budget 2023/2024 of £81,200, to two other new grant streams: Towns and Villages Improvements and Amenities Fund, and The Green Space and Food Growing fund. In total, these two new funds were allocated £24,820, but monies were subsequently reallocated from the Food Growing and Green Spaces budget in order to fully approve the third tranche of the Area Initiatives Fund. These schemes were approved in principle for 2023/24 and 2024/25. The total budget available for Area Initiatives Funding in 2023/24 was therefore £56,380, but this changed when funds were underspent, or monies reallocated from other funds.

3 Discussion

3.1 The total AIF amount allocated in 2023/24 was £66,084.17. In total, the Committee approved 23 projects from 17 groups. Paid invoices submitted total £54,820.66. As per instruction from Senior Leadership Team on 27 March 2024, anything not paid through the ledger by 31st March is an underspend. Community groups/ projects will have to reapply for 2024/25 funding.

3.2 Fordyce, Sandend and District Community Council, having submitted multiple applications, which were approved, have been unable to progress all projects so will not be claiming the funds allocated for two projects, at a total cost of £7,299.14. The first project was for Water Safety Equipment and Notice Board (£6571.46) and the second benches (£727.68).

3.3 Appendix 1 details the committed projects and breaks down the funding initially awarded, the amount claimed and the resulting underspend which amounted to £11,263.51.

3.4 As part of the award, recipients are required to provide an update on the progress of the works and identify the benefits. These will be reported to Committee in August 2024.

3.5 The criteria is appended with suggested updates, and it is proposed that this be adopted for the financial year 2024/25.

4 Council Priorities, Implications and Risk

4.1 The projects supported will help to deliver the following Council Priorities:

Pillar	Priority
Our People	Health & Wellbeing
Our Environment	Resilient Communities

Underpinning the Priorities are a number of key principles. They are: right people, right places, right time; responsible finances; climate and

sustainability; Community Planning Partnership Local Outcome Improvement Plans; human rights and public protection; tackling poverty and inequalities; digital infrastructure and economy.

The range of applications submitted for Members' consideration contribute, to varying extents, to the delivery of these priorities and principles.

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

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

- 4.3 As previously advised, the criteria for Following the Public Pound (FPP) have been altered. The current threshold is now £10,000. Officers will continue to be alert to cumulative grants, which would include any new funding options detailed above. No award will be released until, and unless, the applications are confirmed as complying with any requirements.
- 4.4 The screening section as part of Stage One of the Integrated Impact Assessment has not identified the requirement for any further detailed assessments to be undertaken as the proposed awards are for projects outwith the Council's management and conform with the Council's criteria for the award of monies to the area committees for which no discriminatory impacts have been identified. The Council's budget setting on 22 February 2024, (Item 4) was supported by appropriate IIAs, but no negative impact was identified relating to the Area Committee Budgets.
- 4.5 The following Risks have been identified as relevant to this matter on a Corporate Level:
ACORP001 Budget Pressures;
ACORP005 Working with Other Organisations (Link to [Corporate Risk Register](#)).

No risks have been identified as relevant to this matter on a Strategic Level. ([Link to risk register page on website](#))

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 have been incorporated. They 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.6.3 of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to the authorisation of expenditure from the Area Committee Budget.

LAURENCE FINDLAY
DIRECTOR OF EDUCATION AND CHILDREN'S SERVICES

Report prepared by: Angela Keith
Area Manager (Banff and Buchan)
Date: 27 March 2024

Appendix 1: Report of Projects Undertaken
Appendix 2: Proposed Revised Criteria 2024/25

Banff and Buchan Area Initiative Fund 2023 –2024: Funds Awarded/Spent

Aberchirder & District Community Association	Self-Watering flower planters	Awarded £2,970.00	Spent £2,970.00
Aberchirder Men's Shed	Replace polytunnel cover	Awarded £2,986.56	Spent £2,752.32 (underspend £234.22)
Banff & Macduff Men's Shed	Purchase and installation of woodburning stove	Awarded £4,450.00	Spent £4,450.00
Boyndie Trust	Kitchen Equipment	Awarded £5,000.00	Spent £5,000.00
Banff Castle Community Association	Kitchen Equipment	Awarded £5,000.00	Spent £5,000.00
Broch Skate Club	Purchase Defibrillator, cabinet, and responder kit	Awarded £1,300.00	Spent £1,300.00
Fordyce, Sandend & District Community Council	Resilience Equipment	Awarded £3,658.75	Spent £3,469.00 (Underspend £189.75)
Fordyce, Sandend & District Community Council	Water Safety Equipment & Notice Boars	Awarded £6,571.46	Spent £0 Full amount returned
Fordyce, Sandend & District Community Council	Benches	Awarded £727.69	Spent £0 Full amount returned

Fraserburgh & District Men's Shed	Purchase fridge freezer and floor covering for kitchen	Awarded £751.00	Spent £751.00
Fraserburgh & District Men's Shed	Upgrade electrical system	Awarded £864.00	Spent £864.00
Fraserburgh Community Council Resilience Group – Food Larder	Signage and promotional items	Awarded £635.50	Spent £635.50
Fraserburgh Golf Club	Purchase and installation of defibrillator and box	Awarded £1,302.71	Spent £1,302.71
Fraserburgh Sea Cadets	Purchase and fitting of floor coverings for HQ	Awarded £5,000.00	Spent £5,000.00
Fraserburgh South Links Sports Development Trust	Refurbish toilets at South Links	Awarded £4,157.00	Spent £4,157.00
Invercairn Juniors Football Club	Feasibility study and architect's fees	Awarded £1,440.00	Spent £1,440.00
Ladysbridge Village Community Group	Pavilion Equipment	Awarded £4,997.00	Spent £4,972.35 (underspend of £24.65)
New Aberdour, Tyrie & Pennan Community Council	Repair of existing and purchase 2 planters, compost and fixing	Award £363.94	Spent £190.38 (underspend £173.56 which was reallocated to the third tranche)
New Aberdour, Tyrie & Pennan Community Council	Planters and picnic benches	Awarded £1,900.00	Spent £1,334.14 (underspend £565.86)

Portsoy & District Community Council	Purchase Notice Board	Awarded £1,246.93	Spent £1,246.93
Portsoy & District Community Council	Purchase and installation of defibrillator	Awarded £1,575.20	Spent £1,575.20
Portsoy Community Enterprise	Repair and restore toilets at Links Bay	Awarded £6,960.00	Spent £4,010.13 (underspend £2,949.87)
Rotary Club of Banff	Purchase 4 benches and plaques	Awarded £2,400.00	Spent £2,400.00

APPENDIX 2

Criteria for Applications to the Banff and Buchan “Area Initiatives Fund”

1. Projects must be aligned to at least one of the Community Planning/Local Outcome Improvement Plan priorities listed below:
 - Changing Aberdeenshire’s relationship with alcohol
 - Reducing Child Poverty
 - Connected and Cohesive Communities
 - Improving the appearance and maintenance of towns and villages within Banff and Buchan
 - Stronger communities
 - Safer communities
 - Supporting health and active communities
 - Tackling poverty and inequality
 - Transport and connectivity
2. The budget will contribute up to 80% of the total cost of a project to a maximum of £5,000, or a maximum of £10,000 where the work has been identified and prioritised by the community itself through a Community Action Plan, or Local Place Plan, or equivalent).
3. All money awarded must be spent within the Banff and Buchan Area.
4. Funding for core activities such as staffing, or overheads will **not** be eligible.
5. In accordance with a decision taken by the Area Committee, at its meeting on 13 June 2023, the following shall apply in relation to funding for Christmas lights:
 - Applications should be for new lights only, unless, on advice from the Council’s energy team, repair would be supported as the better option, in terms of sustainability. Maintenance, installation and storage costs will **not** be supported.
 - Groups can source up to 50% of the total cost of the purchase of new lights from this fund to a maximum of £1,500.
 - Groups can only access this fund once every two years.
 - Support will only be given for displays which use energy efficient technology and focus on town centres or the main village thoroughfares.
6. The Council is required to ensure that there is proper accountability for public funds used in delivering services. Therefore, in order to comply with the “Follow the Public Pound” procedures applicants will be required to submit a copy of their most recent, independently examined set of accounts, including

a copy of their three most recent bank statements, and provide detailed information on any funds which have been ring-fenced for other projects. All information received may be considered in the decision-making process.

7. Applicants will be required to provide information on related funding applications, whether they have been successful and, if so, how much funding they have received.
8. Groups require to be properly constituted and submit a copy of their Constitution or Memorandum and Articles and any necessary and relevant qualifications, affiliations, and insurances.
9. Applications which are solely or substantially for individual benefit will **not** be considered.
10. Groups must be able to give an assurance that they will be able to complete their projects have receipts before **15 March 2025**. **PLEASE DO NOT APPLY FOR AREA INITIATIVE FUNDING UNLESS YOU ARE CONFIDENT THAT YOU CAN WORK WITHIN THIS TIMESCALE**. Groups will be expected to provide regular feedback on progress, to the Area Manager's Office, when requested.
11. Payment will be made retrospectively on receipts or other confirmation that the money has been spent in accordance with the proposals applied for. Payment will be made by BACS transfer to a group's bank account.
12. Applications for supporting core Council services will **not** be supported.
13. The use of the budget must **not** commit the Council to recurring expenditure or maintenance.
14. Successful applicants will be required to provide a short progress report after the funding has been received and the project is completed or well underway.

The Committee will consider each individual application on its own merits, and Members may wish to consider applications which do not accord completely with the above guidelines. For example:

- Certain groups may not have been constituted for a long enough period to be able to provide copies of their accounts but, with the agreement of the internal auditor, may be able to be considered.
- Members may choose not to consider applications from groups who have had previous, recent funding from the budget, even although their project complies with the above criteria.



REPORT TO BANFF AND BUCHAN AREA COMMITTEE – 16 APRIL 2024

BANFF AND BUCHAN AREA COMMITTEE BUDGET 2023/2024 TOWNS AND VILLAGES AMENITY AND IMPROVEMENT FUND: YEAR END UPDATE AND OUTCOMES

1 Executive Summary/Recommendations

1.1 The purpose of this report is to (a) seek Members' consideration of the 2023/24 application of the Towns & Villages Improvement and Amenity Fund, including feedback from the projects, as part of the Area Committee budget; (b) consider and comment on the revised project criteria; and (c) confirm the continuation of the scheme in 2024/25.

1.2 The Committee is recommended to:

1.2.1 consider the outcomes of the 2023/24 Towns & Villages Improvement and Amenity Fund, including feedback from the projects as detailed in Appendix 1;

1.2.2 confirm the project criteria, as detailed in Appendix 2; and

1.2.3 continue to support the provision of this fund in 2024/25.

2 Decision-Making Route

2.1 The recommendations within this report are in line with the criteria for the use of the funds as agreed by the Policy and Resources Committee on 19 April 2007.

2.2 At its meeting on 12 September 2023, (Item 12), the Area Committee agreed to allocate a proportion of the Banff and Buchan Area Committee Budget 2023/2024 of £81,200, to two other new grant streams: Towns and Villages Improvements and Amenities Fund, and The Green Space and Food Growing fund. The Towns and Villages Improvements and Amenities Fund scheme was allocated £14,820, based on a pro rata consideration of three categories of settlement size.

3 Discussion

3.1 As was known at the time of making the monies available to community councils and other community groups, the mid-year allocation, out of kilter with the growing seasons, caused some groups difficulties in being able to take up the funds on offer.

The monies were intended:

- to be for the benefit of all, to assist communities in maintaining the appearance of their towns and villages.
- to support initiatives by each community,
- to encourage the promotion of team working to develop stronger communities.
- to encourage on-going works (maintenance or 'revenue works') rather than one-off specific projects ('capital works').
- to be used to offer an honorarium to a dedicated individual within the village or town through a constituted body, such as a Community Association or Community Council, and/or to provide materials for the worker and volunteers.

- 3.2 The process allowed, to assist with any cash flow issues, that funds be released to the allocated settlement on the identification of appropriate projects, which were to be advised to the Area Manager for approval.
- 3.3 From the 22 communities which were identified, six were unable to take up the offer of funding: Cortes/Rathen, Crovie, Gardenstown, King Edward, Memsie, and New Byth. Their share of the fund totalled £3,000 and so was returned to the Area Committee budget.
- 3.4 Fordyce, Sandend & District Community Council were unable to progress with their planned work at Sandend, so the allocation of £500 has been returned.
- 3.5 Year-end spend totalled £10,600, as £4,250 of the original budget was not taken up. These funds were returned to the overall Area Committee budget and used to support Area Initiatives Fund applications.
- 3.6 One Community Council, unable to progress with its original distribution of funds, either for their own direct spend, or to assist with third party or other community projects, made awards to other projects which do not conform with the criteria of the fund. As the funding had been released on the original application proposals, and at no point had the specific details of the replacement projects been advised to the Area Manager, we were unable to assess the propriety of the spend. When details became available, in the project update report, it was noted that one project did not fully meet the criteria and so could not be funded. This is being pursued with the Community Council for a return of the money, as it is for each successful organisation to ensure that the monies are being spent in line with the scheme criteria.
- 3.7 As part of the award, recipients are required to provide an update on the progress of the works and identify the benefits. Updates from most of the groups are attached as Appendix 1 for consideration. Some groups have not yet been able to report on the conclusions of their projects so these will be reported to a future meeting of the Committee.
- 3.8 The criteria are appended with suggested updates, and it is proposed that this be adopted for the financial year 2024/25.

4 Council Priorities, Implications and Risk

4.1 The projects supported will help to deliver the following Council Priorities:

Pillar	Priority
Our People	Health & Wellbeing
Our Environment	Resilient Communities

Underpinning the Priorities are a number of key principles. They are: right people, right places, right time; responsible finances; climate and sustainability; Community Planning Partnership Local Outcome Improvement Plans; human rights and public protection; tackling poverty and inequalities; digital infrastructure and economy.

The range of applications submitted for Members' consideration contribute, to varying extents, to the delivery of these priorities and principles.

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

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

4.3 As previously advised, the criteria for Following the Public Pound (FPP) have been altered. The current threshold for is now £10,000. Officers will continue to be alert to cumulative grants, which would include any new funding options detailed above. No award will be released until, and unless, the applications are confirmed as complying with any requirements.

4.4 The screening section as part of Stage One of the Integrated Impact Assessment has not identified the requirement for any further detailed assessments to be undertaken as the proposed awards are for projects outwith the Council's management and conform with the Council's criteria for the award of monies to the area committees for which no discriminatory impacts have been identified. The Council's budget setting on 22 February 2024, (Item 4), was supported by appropriate IIAs, but no negative impact was identified relating to the Area Committee Budgets.

4.5 The following Risks have been identified as relevant to this matter on a Corporate Level:
ACORP001 Budget Pressures;

ACORP005 Working with Other Organisations (Link to [Corporate Risk Register](#)).

No risks have been identified as relevant to this matter on a Strategic Level. ([Link to risk register page on website](#))

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 have been incorporated. They 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.6.3 of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to the authorisation of expenditure from the Area Committee Budget.

LAURENCE FINDLAY
DIRECTOR OF EDUCATION AND CHILDREN'S SERVICES

Report prepared by: Angela Keith
Area Manager (Banff and Buchan)
Date: 27 March 2024

Appendix 1: Feedback Report of Projects Undertaken
Appendix 2: Proposed Revised Criteria 2024/25

Towns & Villages Amenity & Improvement Fund 2023 – 2024 – Update on Projects

Aberchirder Community Association – Aberchirder – Self Watering Planters	Award £750.00
<p>The funds will be put towards the purchase of 8 self-watering black planters to be situated in different areas within the village. We currently have 30 of these planters but at least 8 are in desperate need of replacement. Plants to fill these planters are supplied by Aberdeenshire Council and local residents to add colour and beauty to the general appearance of the village. An order costing a total of £4,564.09 has been placed with Amberol Ltd, a specialised company in Derbyshire on 8th January.</p> <p>In October 2023 a successful application was made to Aberdeenshire Council's Area Initiative Fund to assist with any shortfall in this purchase. The Association is expecting further funds of £2,970 on producing the relevant invoices/receipts once they become available. The remaining £844 will stem from general fundraising from within the Association.</p>	
Banff & Macduff Community Council – Banff and Macduff – Various Projects	£2,400.00
<p>Banff and Macduff in Bloom have repaired the bowser brakes for the watering of the hanging baskets and purchased two additional planters.</p> <p>New brackets have been purchased to hang the Christmas lights on to the streetlamps.</p> <p>Funding was provided to Home-start, to purchase outside play equipment such as wheelbarrows, and gardening materials to encourage the children and also their parents to grow vegetables alongside the Men's Shed.</p> <p>All the projects cover Banff and Macduff.</p>	
Fordyce, Sandend & District Community Council - Sandend	£500.00
<p>The fund was returned as their original project could not take place.</p>	
Fraserburgh Community Council - Fraserburgh - Various Projects	£1,200.00
<p>Compost for the planters and plaques for the "adopt a planter" initiative have been purchased. The Community Council continue to look at further projects for the fund.</p>	
Invercairn Community Council – Inverallochy and Cairnbulg – Purchase of Tools ad Equipment for Upkeep of area	£750.00
<p>Various tools and equipment purchased to better enable the upkeep of the area in and around Cairnbulg and Inverallochy.</p>	

Equipment to be used either by volunteers or those given a small stipend from the remaining funds.
Additional equipment may be purchased as a need presents itself. For example, good quality garden waste bags or small gardening tools.

Given that it is the winter months and that the weather, there has been very little opportunity to put things into actual practice/ use.

New Aberdour, Tyrie & Pennan Community Council – New Aberdour – New Bin

£500.00



The village car park in New Aberdour has been done up by Aberdeenshire Council with improved surfacing and edging. We decided it needed a new bin as part of the regeneration of the area. It helps our future plan for getting a noticeboard and seating for the area as we try and make it more inviting for members of the public.

New Aberdour, Tyrie & Pennan Community Council – Tyrie – Noticeboard and Planters

£500.00

Tyrie members decided they would replace the noticeboard at Boyndlie Hall with a sustainable composite made one. One of our community councillors made it and a few helped install it.

The second item was made for putting plants in for Tyrie School. Again, the Community Council made composite planters and presented them to the school.

New Aberdour, Tyrie & Pennan Community Council member, Brian Irvine, kindly made new planters for our school using funds awarded to the Council. We will also receive plants for these once the better weather arrives.

We cannot thank Brian and the Community Council enough for the support they show us. These will really brighten up our playground. 🌸🌺🌻🌼
Many thanks!!



New Aberdour, Tyrie & Pennan Community Council – Pennan – Historical Interpretation Board

£500.00

Pennan used to have a historical interpretation board located at the harbor that provided images and text for visitors to learn more about the village and its long history. Sadly, this board became weathered and was ultimately removed in the early 2000's. Our Community Council thought that it was time that there was a new board designed, manufactured, and placed at the harbour once again. As you know, Pennan is a major visitor destination for this area, and it only seems appropriate that our community tell the long and rich history that Pennan provides.

The timing of the Towns and Villages Amenities and Improvement Grant from Aberdeenshire Council was perfect for this project which enabled us to research, design and ultimately manufacture the historical interpretation board for Pennan.

On behalf of our Community Council and the volunteers behind the research and development of the board, we would like to thank Aberdeenshire Council for all their support of this project.

Sandhaven & Pitullie Harbour Trust – Improvements to Beach Area

£750.00

I am delighted to share the improvement made to the beach area. With the £750 we have been able to clear the beach of boulders and rocks, leaving a safer sandy beach. The introduction of small rockery at the upper end, allows any wash or sea motion energy to be dispersed, reducing erosion and potential for wash to reach the road.

The works completed was at low water, so the area and sand under the water in these photos was cleared too, we cleared roughly 12T of rock and rubble from the area. We completed this work in conjunction with a local contractor who will crush and reuse the rock, meaning it was also a sustainable project. The ability to crush and resell what was removed, allowed us to do so much with the £750 budget.

The great results from the clearance allows the whole width of the inner beach now being family friendly. This will increase the harbour footfall, increase opportunity for family memories and social experiences to be created at the harbour, continuing to put community at its heart.



Whitehills & District Community Council - Whitehills

£750.00

Whitehills (Project 1) – Whitehills Harbour to steps to Grant Street.

This project is completed. Local specialist contractor Colin Smith moved first to re-grade an area of raised bank that had slipped, and then dug out and filled with new gravel stones an area of path from Grant Street to the village's flag pole, including a popular viewpoint area. Volunteers supplemented this work with weeding and tidying, plus maintained the viewpoint seat. An extension of the project saw the stone plinth of the flagpole repaired. The pole was one of those chosen to display the new Banffshire Flag.

In the spring/summer, the 'Green Fingers' group will look at adding some decorative plants, although it is challenging in such an exposed spot.

Whitehills (Project 2) – The Red Well

This project has progressed, but can't yet be completed due to adverse weather conditions. Work has been completed by volunteers to weed and tidy the exterior, and a long-running issue with a blocked field drain was resolved by the landowner after negotiation with the CC.

Jet-washing and maintaining drains within the well building has now been completed by specialist contractor, Stanley Smith.

A meeting was held mid-February with the contractor appointed to re-paint the building's interior. It is a historic lime-mortared structure. The extraordinary amount of recent rain coupled with low temperatures, mean the fabric of the structure is way too wet for the special paint required to stick. Higher temperatures are required too. The contractor is geared-up to check the moisture level of the stone regularly and complete the work as soon as possible.

Whitehills & District Community Council – Boyndie - Visitor Centre to former RAF site**£500.00**

This project has been completed. Local specialist contractor, Ewen Fraser, worked with volunteers and Boyndie Trust's garden team, to do a major cutting and pruning exercise along the full length of the path, which has widened it considerably and should future-proof it for some time to come.

A small number of potholes were found and addressed and volunteers have pruned and shaped more sensitively some of the better trees and bushes along the length of the path. Public feedback has been extremely good.

Later in the year, an extra project will be undertaken to renovate an old bird spotting hide that is sited at the start of this popular walk.

APPENDIX 2

Town and Village Amenity and Improvement Fund Criteria

The “Towns and Villages Amenity and Improvement Fund” is intended to be for the benefit of all, to assist communities in maintaining the appearance of their towns and villages. These monies are to support initiatives by each community, and we would encourage the promotion of team working to develop stronger communities.

Where possible, the purpose of this fund is to encourage on-going works (maintenance or 'revenue works') rather than one-off specific projects ('capital works').

It can be used to offer an honorarium to a dedicated individual within the village or town through a constituted body, such as a Community Association or Community Council, and/or to provide materials for the worker and volunteers.

It cannot be used for works in areas which cannot be publicly accessed, or for works in private properties. It would be expected that all works will be outside.

The following communities would be entitled to grant of **£500**.

Boyndie	Cornhill,	Cortes/Rathen
Crovie	Fordyce	Gardenstown
King Edward	Memsie	New Aberdour
New Byth	Pennan	Sandend
Tyrie		

The following communities are entitled to a grant of **£750**:

Aberchirder,	Inverallochy and Cairnbulg	Portsoy
Rosehearty	Sandhaven	Whitehills

In recognition of their larger size, the following settlements are entitled to a grant of **£1,200**:

Banff	Macduff	Fraserburgh
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There are, as you are aware, certain conditions attached to the grants. These are broadly:

- A proposal of how the funds will be used must be submitted to the Area Office. **This should be submitted by 31 May 2024.** If there is no response by this date, it will be assumed that the funds are not required, and they will be redistributed within the Committee budget. If you have any issues in submitting your proposals by this date, please contact the Area Manager’s Office as soon as possible.

- Funds must be used for the purpose they are awarded, that is to improve the amenity or maintain the appearance of the village/town/community to which they are awarded. Broadly speaking maintenance covers such activities as:
 - An honorarium for a village 'orderly' or similar role to undertake routine maintenance such as sweeping, litter picking, weeding, repairs etc. - noting that Community Councils should not 'employ' anyone;
 - Grass cutting or other ongoing maintenance work, including that contracted out; or
 - Equipment for the undertaking of the same, including paint, or other materials for repairs.
- There is also an explicit prohibition on anyone contracted as an orderly from using mechanical equipment such as a strimmer etc, unless your Community Council insurance covers this use.
- Funds will be paid directly to Community Councils who may distribute funds to Amenities Associations, or other appropriate bodies, to manage works and support projects within their area based firmly in line with the criteria. However, the responsibility for the use of the funds and the insurance for any orderlies lies with the Community Council.
- Communities looking to contract an Orderly are encouraged to consider contacting their local Academy, especially the Duke of Edinburgh Coordinator, if there is one, as they can be useful sources of people who will undertake an Orderly type position either over the summer or throughout the year.
 - Fraserburgh Academy fraserburgh.aca@aberdeenshire.gov.uk
Tel: 01346 417400
 - Banff Academy banff.aca@aberdeenshire.gov.uk
Tel. 01261 455600

Although not within the Banff and Buchan Area, these schools may be closer geographically.

- Meldrum Academy - meldrum.aca@aberdeenshire.gov.uk
Tel. 01651 871300
 - Ellon Academy - ellon.aca@aberdeenshire.gov.uk
Tel. 01358 720715
 - Turriff Academy - turriff.aca@aberdeenshire.gov.uk
Tel. 01888 563216
- A report on how the funds were used must be submitted by June 2025
Communities who do not submit a report will not be eligible for any future round of funds.

- There is no time limit within the year for use of the funds, so, for instance, you might offer an honorarium to someone to be an orderly for a whole year, rather than just the summer season, although all funds should be used by **14 March 2025**. We may ask for evidence that funds have been spent, and in accordance with the scheme.
- Any publicity arising from works carried out in accordance with the “Towns and Villages Amenity and Improvement Scheme” should take cognisance of the funding provided by the Banff and Buchan Area Committee.

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REPORT TO BANFF AND BUCHAN AREA COMMITTEE – 16 APRIL 2024

BANFF AND BUCHAN AREA COMMITTEE BUDGET 2023/2024 – FOOD GROWING AND GREEN SPACES FUND: YEAR END UPDATE AND OUTCOMES

1 Executive Summary/Recommendations

1.1 The purpose of this report is to (a) seek Members' consideration of the 2023/24 application of the Food Growing and Green Spaces Fund, as part of the Area Committee budget; (b) consider and comment on the revised project criteria; and (c) have the continuation of the scheme confirmed.

1.2 The Committee is recommended to:

1.2.1 consider the outcomes of the 2023/24 Food Growing and Green Spaces Fund as detailed in paragraph 3.2 below;

1.2.2 confirm the project criteria, as detailed in Appendix 1; and

1.2.3 continue, as previously agreed, to support this fund in 2024/25.

2 Decision-Making Route

2.1 The recommendations within this report are in line with the criteria for the use of the funds as agreed by the Policy and Resources Committee on 19 April 2007.

2.2 At its meeting on 12 September 2023, (Item 12), the Area Committee agreed to establish the Green Space and Food Growing Fund. The scheme was approved in principle for 2023/24 and 2024/25. The initial allocation was to have been £10,000, but at the meeting Members agreed to vire money from this new fund to pay in full all Tranche 3 Area Initiative Fund applications. The residual amount for Green Space and Food Growing for 2023/24 was therefore £4,515.83, with the proviso that any funds returned unspent, or savings from Area Initiative Fund projects coming in under budget, would revert in the first instance to the Green Space and Food Growing pot.

3 Discussion

3.1 The total amount allocated in 2023/24, once funds had been moved to pay all Tranche 3 AIF applications, was £4,515.83. Since then, although active applications have been received from six groups, only one has been able to provide confirmed costings allowing the release of funds.

3.2 Funds of £930 have been paid to Doocot View's Food Growing project. This leaves a fund underspend of £3,585.83.

- 3.3 As per instruction from Senior Leadership Team on 27 March 2024, anything not paid through the ledger by 31st March will be an underspend. Community groups/ projects will have to reapply for 2024/25 funding.
- 3.4 If the Committee do not alter their previous decision that the scheme runs in 2024/25, there are five projects worked up, waiting for the receipt of quotations, to which the funding could be released in early course. It should also be noted that the timing of any funding allocation in April fits more appropriately with growing seasons which may facilitate the advancement of projects.
- 3.5 A suggested revised criteria is appended, and it is proposed that this be adopted for the financial year 2024/25.

4 Council Priorities, Implications and Risk

- 4.1 The projects supported will help to deliver the following Council Priorities:

Pillar	Priority
Our People	Health & Wellbeing
Our Environment	Resilient Communities

Underpinning the Priorities are a number of key principles. They are: right people, right places, right time; responsible finances; climate and sustainability; Community Planning Partnership Local Outcome Improvement Plans; human rights and public protection; tackling poverty and inequalities; digital infrastructure and economy.

The range of applications submitted for Members' consideration contribute, to varying extents, to the delivery of these priorities and principles.

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

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

- 4.3 As previously advised, the criteria for Following the Public Pound (FPP) have been altered. The current threshold for is now £10,000. Officers will continue to be alert to cumulative grants, which would include any new funding options detailed above. No award will be released until, and unless, the applications are confirmed as complying with any requirements.

- 4.4 The screening section as part of Stage One of the Integrated Impact Assessment has not identified the requirement for any further detailed assessments to be undertaken as the proposed awards are for projects outwith the Council's management and conform with the Council's criteria for the award of monies to the area committees for which no discriminatory impacts have been identified. The Council's budget setting on 22 February 2024, (Item 4) was supported by appropriate IIAs, but no negative impact was identified relating to the Area Committee Budgets.
- 4.5 The following Risks have been identified as relevant to this matter on a Corporate Level:
ACORP001 Budget Pressures;
ACORP005 Working with Other Organisations (Link to [Corporate Risk Register](#)).

No risks have been identified as relevant to this matter on a Strategic Level. ([Link to risk register page on website](#))

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 have been incorporated. They 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.6.3 of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to the authorisation of expenditure from the Area Committee Budget.

LAURENCE FINDLAY DIRECTOR OF EDUCATION AND CHILDREN'S SERVICES

Report prepared by: Angela Keith
Area Manager (Banff and Buchan)
Date: 27 March 2024

Appendix 1: Proposed Food Growing and Green Space Criteria / Guidance

APPENDIX 1

GUIDANCE NOTE FOR FOOD GROWING AND GREEN SPACE FUND

PLEASE READ CAREFULLY WHEN COMPLETING YOUR APPLICATION

1. CONTACT DETAILS

Name of Organisation –

Please ensure you add the **full** name of the organisation as it appears on the Bank Account. ie if the bank account is “Happy Play Group Amenities Fund” do not just put “Happy Play Group”.

Treasurer and bank details -

Please complete with the group’s Treasurer contact details, and Bank details.

2. DESCRIPTION OF PROJECT

Please give a short description of the project including the aims, objectives and outcomes the project hopes to achieve.

3. PROJECT PLAN

Please provide details of the person(s) responsible for managing the project, if different from the contact details in Section 1 above, the start and finish date, key milestones such as when the project is likely to be operational and key risks such as what will happen if additional funds cannot be secured.

Please ensure that all or any necessary licences, planning permission, building warrants, owner permission, etc., are in place before any application is submitted.

4. MAINTENANCE ARRANGEMENTS

Please confirm that this project will not incur any financial or time cost to the Council in future and identify who will be responsible for any maintenance.

5. PROJECT COST

Please provide the total expected cost of the current phase of the project and the amount requested. Please provide a breakdown of the total cost showing the VAT amount, where applicable. Please provide quotations, invoices or receipts for items or works planned when submitting the application form.

Please remember to enclose, with your application, provide a copy of your :

- Quotations for proposed works;
- Constitution, or Memorandum of Association;
- Insurance documents;
- Most recent verified accounts; and
- Three most recent bank statements,

Please give details of any funds which have been earmarked for other projects.

Payment will be made on the award of funding and successful applicants must be able to give an assurance that they will be able to provide receipts for the purchases as detailed on the application form no later than **14 March 2025**.

Successful applicants must also provide a brief report on the progress of their project and describe the local benefit, including photographs, if available, by **30 June 2025**

Please ensure that you return the application form and supporting documents **by email** to banffandbuchanamo@aberdeenshire.gov.uk

If any additional assistance or guidance is required, please contact:

Telephone: 01467 530700

Email: banffandbuchanamo@aberdeenshire.gov.uk

REPORT TO BANFF AND BUCHAN AREA COMMITTEE 16 APRIL 2024

BANFF AND BUCHAN COASTAL COMMUNITIES FUND 2022/23 – YEAR END UPDATE

1. Executive Summary/Recommendations

The purpose of this report is to (a) update Members on the Coastal Communities Fund Spend Profile for 2022/23 from Crown Estate, Marine Scotland funding; (b) report on two applications, (Aberdeenshire Council, on behalf of Portsoy Harbour and a revised application by Broch Businesses Together) approved under delegated powers; (c) advise that not all projects approved for 2022/23 have been successfully concluded by 31 March 2024 as is required; and (d) seek Members' consideration of a proposed revised set of funding criteria.

1.2 The Committee is recommended to:

1.2.1 note the 2022/23 spend profile to date, as detailed in Appendix 1;

1.2.2 note the application detailed in Appendix 2 from Aberdeenshire Council, towards the improvements at the boat storage area of Portsoy Harbour, in the sum of £8,944.20, approved under delegated powers;

1.2.3 note the revised application in Appendix 3 by Aberdeenshire Council Economic Development on behalf of Broch Businesses Together, for funds toward the updating of a town centre map and its production, with revised costs of £1,236.00, approved under delegated powers;

1.2.4 consider the feedback on project outcomes as detailed in the report at paragraphs 3.3-3.5 below; and

1.2.5 consider and approve the proposed revised criteria as detailed in Appendix 4; and

1.2.6 in all other respects note the updates provided.

2 Decision-Making Route

2.1 In January 2020, the Scottish Government awarded the first tranche of funding from the Scottish Crown Estate (Marine) Coastal Communities Fund to local authorities. Aberdeenshire Council was awarded £328,314 for 2019/2020.

- 2.2 Infrastructure Services Committee, (ISC), at its meeting on 20 August 2020 (Item 11), noted the amount of funding awarded in 2019/20 and 2020/21, and that a further £25,000 was to be awarded to the four Area Committees which had coastal communities. Subsequently the Scottish Government confirmed that local authorities could extend the financial flexibility of this funding to the end of the financial year 2021/22. This pattern of extended spend time has followed with all subsequent awards, so funding allocated for the financial year 2022/23 must be spent by 31 March 2024.
- 2.3 Following year-end reconciliation for 2022/23, an additional £11,121.59 was added to the Banff and Buchan Area allocation.
- 2.4 At its meeting on 19 December 2023, [\(Item 6\)](#), Members delegated authority to the Area Manager, in consultation with the Chair, Vice-Chair, and Opposition Spokesperson to approve applications submitted, in order to facilitate the approval of projects to be delivered by March 2024. Since then, the application from Aberdeenshire Council on behalf of Portsoy Harbour, and a revised application from Aberdeenshire Council on behalf of Broch Business Together, have been approved under this delegation.

3. Discussion

- 3.1 The residual Banff and Buchan allocation of Crown Estate funding for 2022/23 spend profile to date is attached as Appendix 1.
- 3.2 The applications approved under delegated powers, attached for Members' information and transparency, are detailed in Appendices 2 and 3.
- 3.3 All awards have for the 2022/23 allocation have been paid in full, with the exception of 2 projects: The Seaweed Project, Phase 2 (approved on 3 October 2023, Item 7) and The Coastal Pathworks Project, (approved on 22 August 2023, Item 11).
- 3.4 In respect of the Seaweed Project, Phase 2, an award of £17,405.00 was made. Officers advise that some questions from the Marine Coast Guard Agency about SAMS, the appointed contractor, had necessitated additional work to be undertaken, with an attendant delay. At time of writing this report, funds of £4,351.05, (being 90% of the residual project costs of £4,834.50) have still to be drawn down. As the work is considered substantially complete, and relates to external funding, if paid in early course these sums can be accrued into the financial year 2023/24. An oral update will be provided at Committee.
- 3.5 In respect of the Coastal Pathworks, where an award of £25,000 was made, the project has been unable to deliver what was agreed. One of the elements, works to the Glasshaugh Steps, Sandend, has been completed, but the allocation of funding for this specific work, as approved by Committee, is £3,000. The remaining £22,000 could have been subject to a request to the Area Committee for variation, but this is no longer possible. The funds will therefore be returned to the central Coastal Communities pot, where the Head

of Planning and Economy has delegated power to consider reallocations. Any reallocations done would be cognisant of the source of the return.

- 3.6 The proposed revised criteria, as detailed in Appendix 4, is intended to remove any ambiguities.

4 Council Priorities, Implications and Risk

- 4.1 The approved application will assist in delivering the Economy Pillar of the Council priorities, as detailed below:

Pillar	Priority
Our People	• Health and Wellbeing
Our Environment	• Resilient Communities
Our Economy	• Economy and Enterprise

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

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

- 4.3 Planned projects may have financial and staffing implications, but the management of the budget will be undertaken within existing Area Management resources.
- 4.4 An IIA (IIA-000323) was carried out as part of developing the framework for the use of Crown Estate funding previously approved by the Infrastructure Services Committee. This assessment identified a positive impact for disability and age-related protected characteristics.
- 4.5 The following risks have been identified as relevant to this matter on a [Corporate Level](#)

ACORP001 – budget pressures – there is a risk that the Scottish Government may not allow the fund to be carried forward to future years.

ACORP005 – working with other organisations (e.g., partnership working).

This will be mitigated by ensuring that all parties are clear on the objectives of the funding and that deliverables and timescales are agreed, and robustly monitored, through the grant/service level agreement process.

The following Risks have been identified as relevant to this matter on a [Strategic Level](#):

ISSR002 – regeneration – action plans depend on how effectively the Development Partnerships engage with the local communities and are able to deliver their vision for each area. Projects included in this tranche of Crown Estate funding will contribute to the delivery of Regeneration Action Plans in Banff, Fraserburgh, Macduff, and Peterhead. In future years, investment through this funding stream in regeneration priorities will continue to be an objective.

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. Any comments are incorporated within the report, and they are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 5.2 The Committee is able to consider this item in terms of Section B.1.1 of the List of Committee Powers in Part 2A of the Scheme of Governance as this is a matter specific to the Banff and Buchan Area which is not otherwise properly delegated to any other Committee.

LAURENCE FINDLAY DIRECTOR OF EDUCATION AND CHILDREN'S SERVICES

Report prepared by: Angela Keith
Date: 1 April 2024

- Appendix 1 Spend Profile 2022/23 Funding
- Appendix 2 Application approved under Delegated Powers – Portsoy Harbour
- Appendix 3 Application approved under Delegated Powers – Revised Award, Broch Businesses Together
- Appendix 4 Proposed Revised Criteria

APPENDIX 1 – PROJECT SPEND

Project	Date applied	Date Approved	Amount Awarded	Amount Paid as 31 March 2024
Macduff Shipyard (10m cradle) Phase 2	13/01/23	14/02/23	£25,000.00	£25,000
Coastal Aberdeenshire Project	28/02/23	22/08/23	£25,000.00	£3,000
Seaweed Project	19/09/23	03/10/23	£17,405.00	£13,053.75
Macduff Aquarium - Costed Interpretation Plan	14/11/23	28/11/23	£4,500.00	£4,500.00
Broch Businesses Together (Via Ecc Dev)	03/12/23	19/12/23 and 19/3/24	£1,236.00	£1,236.00
Vessel Dry Berth, Portsoy Harbour	23/01/24	30/01/24	£8,944.20	£8,944.00
			£82,524.52	
		TOTAL FUND 2022/2023	£82,524.52	



BANFF AND BUCHAN AREA COMMITTEE COASTAL COMMUNITIES FUND
(Grants between £1000 and £10000)
Application for Assistance

Name of organisation:	Aberdeenshire Council
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Contact name:	Simon Jessel
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Position in organisation:	Principal Officer Harbours
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Address (including postcode):	Woodhill House, Westburn Rd, Aberdeen AB16 5GB
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Telephone number:	01467 537105
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Applicants are encouraged to discuss their project with **the Banff and Buchan Area Manager prior to submitting the application form.**

Tell us about your group's aims and purposes (include details of your membership and evidence that the organisation has the right level of resources, skills, and capacity to deliver the project):

Aberdeenshire Council Harbours Service is applying for this grant on behalf of the Portsoy Harbours Advisory Committee. This committee is made up of Local Councillors, Officers and harbours and community stakeholders.

Highland Pathways, who are conducting work on behalf of the Portsoy Community Council in the town, have been approached to provide a quote for the works and have agreed that the work can be completed before March 31st 2024.

Tell us what you would like to do and describe the need and support for the project? Include an explanation of how your project will be sustained in the future and also how any risks will be managed (e.g. shortfalls in funding).

You must include the site or location of your project.

A request has been made through the harbour stakeholders' group at Portsoy to upgrade the Vessel dry berthing and storage facilities at Portsoy Harbour to assist in both the Harbour upgrade and general condition and look of the town.

Harbour stakeholders have presented their wishes at the annual Harbours Advisory Committee meetings over the past two years.

The area of concern is a piece of tarred ground adjacent to the Salmon Bothy area, reserved for Harbour users to store their vessels over the winter months and at any other time for vessels repairs and maintenance. Currently this ground has little delineation from the surrounding area and this has caused confusion and sometimes dangerous storage of vessels where they have been placed too close together or overlapping each other, which is a health and safety issue for those trying to manoeuvre, or work on their vessels.





The upgrade will consist of resurfacing the storage area grounds and applying kerbing to mark out the perimeter and mark the individual storage bays to make it easier to identify individual storage allocations.

The kerbing will also provide a clear and tangible tyre stop to prevent reversing trailers from travelling too far and running off the ground and down onto the rocky foreshore or into the embankment on the other side, causing damage to stakeholder vessels and the surrounding area through any recovery efforts.

It will make it safer to use and will also improve the image of the site by presenting a professional finish to the zone.

Please explain how your project has to tangible link to the coast and/or the sea and how it will deliver positive benefits including leverage of investment, economic growth, regeneration and rural or community development:

The area is immediately adjacent to the Salmon Bothy and Drying green within the harbour grounds and is for the sole use of Harbour stakeholders and their vessels. It is off the Links road leading directly from the new harbour to the Links caravan park within Portsoy.

By providing these better facilities it uplifts the general area and provides keen incentive to prospective stakeholders to operate their vessels from Portsoy and provides a better experience for existing stakeholders.

The cosmetic change will also uplift the general area particularly impacting the Salmon Bothy and road leading into the caravan park. This investment in landscaping the facility will positively impact the economy of the area by providing a cleaner more kept look within the community and encourage users and visitors to the area by investing in the area.

There is no roads consent or planning permission required to conduct this work.

What is the total project cost? (The cost of everything related to your project, even the items or activities you aren't asking us to fund)	£9938.00 +VAT
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Please tell us the costs of each item or activity you would like us to fund:		
Item/Activity	Total Cost	Amount Requested from Coastal Communities Grant
Surface dress 180m2 Place 46m 8"x5" kerbs Place 48m of 4"x4" centre curb stones Backfill edge curb stone with top soil	£9938+VAT	£8944.20
Total	£9938+VAT	

Total funds raised to date and the amounts raised (including grants, your own fundraising activities and donations):		
Source	Amount	Date confirmed
Harbours Revenue budget	£993.80	24/01/2024
Total	£993.80	

Other funding applied for (give details of the amount(s) and source(s) as appropriate – in particular, Aberdeenshire Council sources):		
Source	Amount	Date confirmed
Total	£0	

Will your project be completed by 31st March 2024?	Yes
If you answered no, can your project be delivered in phases and if so please explain how this can be done?	
Aberdeenshire Council Priorities	
Tick the Council Priorities your project helps to deliver? (you must tick at least one)	
A strong, sustainable, diverse and successful economy	<input checked="" type="checkbox"/>
Have the best possible transport and digital links across our communities	<input type="checkbox"/>
Provide the best life chances for all our children and young people by raising levels of attainment and achievement	<input type="checkbox"/>
Work with parents and carers to support children through every stage of their development	<input type="checkbox"/>
Encourage active lifestyles and promote well-being with a focus on obesity & mental health	<input type="checkbox"/>
Have the right mix of housing across all of Aberdeenshire	<input type="checkbox"/>
Support the delivery of the Health & Social Care Strategic Plan	<input type="checkbox"/>
Work to reduce poverty and inequalities within our communities	<input type="checkbox"/>
Deliver responsible, long-term financial planning	<input type="checkbox"/>
Have the right people, in the right place, doing the right thing, at the right time	<input type="checkbox"/>
Protect our special environment, including tackling climate change by reducing greenhouse gas emissions	<input type="checkbox"/>

Give details of how your project meets the requirements of the Equality Act 2010 ensuring that it will be inclusive and not discriminate against any members of your community:
Aberdeenshire Council adheres to the requirements of the Equality Act 2010 in all aspects of its activities. The Council's contract manager will ensure that equalities legislation and policies are specifically followed during the implementation of this project.

Applicant Declaration:

I certify that the information contained in this application is correct, and that I am authorised to make the application on behalf of the above group. I understand that decisions made by the Banff and Buchan Area Committee are final.

Name (Please print)	Simon Jessel
Signature	Simon Jessel
Date	23/01/2024

Checklist – please attach the following items:

- Constitution or Memorandum & Articles of Association
- Your most recent verified accounts
- Two most recent bank statements
- Quotes/specifications

The application should be emailed to – banffandbuchanamo@aberdeenshire.gov.uk

Please note that successful applicants will require to provide a short report on the project by no later than 31st March 2024.



BANFF AND BUCHAN AREA COMMITTEE COASTAL COMMUNITIES FUND
(Grants between £1000 and £10000)
Application for Assistance

Name of organisation:	Aberdeenshire Council & Broch Businesses Together
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Contact name:	David McCubbin
Position in organisation:	Project officer Town Centres

Address (including postcode):	Town House, 34 Low Street, Banff, AB45 1AY
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Telephone number:	01467 468643
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Applicants are encouraged to discuss their project with the Banff and Buchan Area Manager prior to submitting the application form.

Tell us about your group's aims and purposes (include details of your membership and evidence that the organisation has the right level of resources, skills, and capacity to deliver the project):
<p>Broch Business Together (BBT) serves as Fraserburgh's business association, established to provide a unified voice for local businesses within the community and collaborate with various groups, including the tourist board. All business owners in Fraserburgh and its surrounding villages are welcome and encouraged to join, offering their thoughts and feedback for the overall improvement of the area.</p> <p>BBT boasts a membership of over 400 businesses, supported by an engaged board that convenes for monthly meetings, as well as quarterly 'open' meetings to which all members and invited guests from third-party organisations are welcome. The active board oversees and supports numerous projects and events throughout the year, such as 'Boo in the Broch' and Christmas Lights Switch On events. Additionally, they spearhead an annual shop-local campaign initiative designed to boost foot traffic in the town centre through extensive social media activity and work with Aberdeenshire Council's Town Centres team to participate and benefit from Aberdeenshire wide town centres activity.</p>

Tell us what would you like to do and describe the need and support for the project? Include an explanation of how your project will be sustained in the future and also how any risks will be managed (e.g., shortfalls in funding).

You must include the site or location of your project.

Broch Businesses Together (BBT) recognises the crucial need to reverse the decline in footfall within Fraserburgh's town centre, in order to support high street retailers, food and beverage providers, and hospitality businesses. The initiative is driven by a positive and proactive approach to address this decline.

The project's objective is to take tangible steps to increase town centre footfall, benefiting local businesses and the overall economy of Fraserburgh. This involves further enhancing the Fraserburgh map, originally funded by the Fraserburgh Development Partnership, and putting in place a targeted distribution plan. The map was initially designed to showcase the offerings of the town centre, aligning with the beach and harbour. Currently available as a PDF for digital sharing and printing, as well as displayed on signage at key locations like the beach and bus station, BBT aims to update the map for use in 2024 and beyond.

The project entails a straightforward update, utilising existing artwork to eliminate outdated content and incorporate additional and missing information and the addition of a front and back cover. The allocated budget covers map printing for local distribution by businesses to their customers and extends to collaborating with a leaflet distribution company to enhance reach and promotion across the northeast.

The updated PDF and printed maps will be distributed to various organisations, including Fraserburgh Harbour and Moray East Wind Farm, facilitating enhanced promotion to visitors staying for short or extended periods. Digitally, the map will be shared on business websites, social media, and relevant channels, reaching organizations like Discover Fraserburgh Tourism Group, Visit Fraserburgh, VisitAberdeenshire, VisitScotland, and the Aberdeen and Grampian Chamber of Commerce.

The overarching goal is to effectively promote the town's offerings to residents, organisations, and visitors—both leisure and business—with the aim of increasing footfall for the benefit of the town's economy. This promotion also extends to highlighting the town's coastal connections, including walking routes, sports, the harbour, and the beach.

To accomplish this, BBT plans to leverage Coastal Communities Funding to update existing artwork, building on the legacy of the original Fraserburgh Development Partnership project. The group is actively exploring sponsorship options with BBT business members and other third-party businesses and organisations to secure funding for future updates, reprints, and distribution, ensuring the sustained promotion of Fraserburgh beyond 2024.

Please explain how your project has to tangible link to the coast and/or the sea and how it will deliver positive benefits including leverage of investment, economic growth, regeneration and rural or community development:

Fraserburgh town centre, situated adjacent to the harbour and a brief walk or drive from the beach, boasts physical connections showcased on the existing map. The upcoming revision and updates aim to enrich and emphasise these linkages, ensuring that visitors comprehend walking times and distances between each site and the diverse offerings across the town.

The beach and coastline serve as major attractions for visitors to Fraserburgh, and the recently approved Beach Masterplan will further amplify these attractions, reinforcing connections between locations for the benefit of all.

The project's objective is to elevate awareness on a business-to-business, and business to consumer level, regarding what Fraserburgh has to offer. This allows businesses to mutually promote each other,

providing a valuable print and digital resource. This resource serves as a means to reach new audiences, contributing ideas and efforts to counter the decline in overall town centre footfall.

It's crucial not to assume that the different communities in Fraserburgh and its surroundings are fully aware of the offerings in Fraserburgh. This project plays a pivotal role in raising awareness. Through collaborative efforts, Broch Businesses Together (BBT) members and third-party organizations aim to drive economic growth and an increase in visitor numbers. Fraserburgh businesses stand to gain traction, and the group will attain a higher profile, recognised not only locally but regionally and beyond, serving as a best practice case study for a thriving business association.

What is the total project cost? (The cost of everything related to your project, even the items or activities you aren't asking us to fund)	£1400.00
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Please tell us the costs of each item or activity you would like us to fund:

Item/Activity	Total Cost	Amount Requested from Coastal Communities Grant
1. Update by designer of Map and design of front and back cover	£600.00	£600.00
2. Print of 7,500 copies	£300.00	£300.00
3. Distribution of 5000 copies across NE Scotland by Landmark Press Ltd	£336.00	£336.00
4. Collation of updates, extras to add to map and approval of draft artwork and collection of leaflets from printers for distribution, distribution of 2,500 in Fraserburgh	£164.00	£0.00
Total	£1400.00	

Total funds raised to date and the amounts raised (including grants, your own fundraising activities and donations):

Source	Amount	Date confirmed
In-kind time contribution by BBT Board and members time to deliver item 4 activity above.	£164.00	n/a
Total		

Other funding applied for (give details of the amount(s) and source(s) as appropriate – in particular Aberdeenshire Council sources):		
Source	Amount	Date confirmed
n/a		
Total		

Will your project be completed by 31st March 2023?	Yes
If you answered no, can your project be delivered in phases and if so please explain how this can be done?	

Aberdeenshire Council Priorities	
Tick the Council Priorities your project helps to deliver? (you must tick at least one)	
A strong, sustainable, diverse and successful economy	x <input type="checkbox"/>
Have the best possible transport and digital links across our communities	<input type="checkbox"/>
Provide the best life chances for all our children and young people by raising levels of attainment and achievement	<input type="checkbox"/>
Work with parents and carers to support children through every stage of their development	<input type="checkbox"/>
Encourage active lifestyles and promote well-being with a focus on obesity & mental health	<input type="checkbox"/>
Have the right mix of housing across all of Aberdeenshire	<input type="checkbox"/>
Support the delivery of the Health & Social Care Strategic Plan	<input type="checkbox"/>
Work to reduce poverty and inequalities within our communities	<input type="checkbox"/>
Deliver responsible, long-term financial planning	<input type="checkbox"/>
Have the right people, in the right place, doing the right thing, at the right time	<input type="checkbox"/>
Protect our special environment, including tackling climate change by reducing greenhouse gas emissions	<input type="checkbox"/>

Give details of how your project meets the requirements of the Equality Act 2010 ensuring that it will be inclusive and not discriminate against any members of your community:
<p>The project will be managed in a fair and transparent manner that will be inclusive, representative of the business community and will not discriminate against any members of the community.</p> <p>All those persons and organisations with an interest in this project and updates to the map will be given an opportunity to share their ideas and input to be considered by the BBT Board and Fraserburgh Town Centre Project Officer.</p>

Applicant Declaration:	
<p>I certify that the information contained in this application is correct, and that I am authorised to make the application on behalf of the above group. I understand that decisions made by the Banff and Buchan Area Committee are final.</p>	
<p>Name (Please print)</p>	<p>David McCubbin</p>

Signature	
Date	13.03.2023

Checklist – please attach the following items:

- Constitution or Memorandum & Articles of Association
- Your most recent verified accounts
- Two most recent bank statements
- Quotes/specifications

The application should be emailed to – banffandbuchanamo@aberdeenshire.gov.uk

Please note that successful applicants will require to provide a short report on the project by no later than 31st March 2023.

APPENDIX 4

Proposed Revised Criteria for the Banff and Buchan Coastal Communities Fund

Fund Eligibility:

- The site of the project or the community is within one mile of Aberdeenshire's coastline.
- Eligible settlements are; Sandend, Fordyce, Portsoy, Whitehills, Boyndie, Banff, Macduff, Gardenstown, Crovie, Pennan, New Aberdour, Rosehearty, Sandhaven, Fraserburgh and Inverallochy/Cairnbulg.
- As **sites** are specifically included, it is possible that applications will be received for projects taking place at coastal locations outwith any settlement.
- Such applications may come from groups or organisations representing communities of interest as well as of place (for example wildlife or environmental, arts or well-being groups).
- Projects must be led by public or third sector parties and have a tangible link to the coast and/or the sea.

This is subjective but, for example, it has been indicated that town centre public realm improvements will not be eligible unless they can be demonstrated to improve access to the foreshore, beach or harbour.

Examples of what is meant by a tangible link to the coast or sea are:

- > Projects that help people to develop skills related to coastal or seafaring pursuits, activities or enterprises, for example sailing, fishing, or boatbuilding
 - > Projects that celebrate the heritage of coastal and seagoing communities of place and interest. For example, a coastal or fishing village or township, historic boatbuilding, or relevant clubs or organisations
 - > Projects that improve access to coastal areas. For example, paths and viewpoints
 - > Projects that improve the coastal environment. For example, applications to establish and support community groups looking after their coastline
 - > Projects that improve community-controlled infrastructure such as harbours, boathouses and buildings.
- Projects must contribute to **at least** one of Aberdeenshire Council's priorities:

Pillar	Priority
Our People	Health and Wellbeing
Our Environment	Resilient Communities
Our Economy	Economy and Enterprise

- Grants must be a minimum of £1,000 and a maximum of £25,000.
- There must be a minimum of 10% match funding, which can be in-kind. Funding of up to 90% of projects will support deliverability within the timescale.
- Applications from organisations with an annual turnover of more than £250,000 will not be considered, **unless applications are being submitted by the Council on behalf of community groups, or by other bodies whose annual turnover is not directly related to the local initiative under consideration.**
- Funding for core activities such as staffing, and overheads will not be eligible. **In some instances, funding for consultancy work, or for seasonal posts, may be considered.**
- **Third party** applicants will be required to submit a copy of their most recent, independently examined set of accounts, including their current bank balance, **demonstrated by three most recent bank statements**, and **identify** any funds therein which have been ringfenced for other projects.
- Applicants will be required to provide information on related funding applications, whether they have been successful and, if so, how much funding they have received.
- Groups require to be properly constituted and submit a copy of their Constitution or Memorandum of **Understanding/ Articles of Association**. **(This may not apply when Aberdeenshire Council is making applications on behalf of others).**
- **Groups will be expected to provide, for the purposes of Following the Public Pound, copies of their insurance documents.**
- Applications which are solely, or substantially, for individual benefit will not be considered.

- Groups must be able to give an assurance that they will be able to complete their projects and have receipts submitted in time for the end of the financial year (31st March).
- Payment will be made retrospectively on receipt of invoices or other confirmation that the money has been spent in accordance with the proposals applied for. Payment will be made by BACS transfer to a group's bank account, **or, where the Council is acting on behalf of a group, by internal transfer.**
- The use of the budget or project must not commit the Council to recurring expenditure or maintenance.

REPORT TO BANFF AND BUCHAN AREA COMMITTEE – 16 APRIL 2024

BANFF AND BUCHAN AREA COMMITTEE BUDGET 2024/25

1 Executive Summary/Recommendations

1.1 The purpose of this report is to seek Members' consideration of the allocation of Area Committee Budget for 2024/2025.

1.2 **The Committee is recommended, having considered the separate reports on the current three grant schemes as included on this agenda to:**

1.2.1 **note the confirmed Area Committee Budget of £71,200 for the financial year 2024/25;**

1.2.2 **consider whether a mechanism could be developed to allow applicants greater and more realistic timescale to implement any grant awarded projects; and**

1.2.3 **consider the officers' proposal that the Area Committee Budget be split as follows:**

Area Initiatives Fund	£46,920
Food Growing and Green Space Fund	£10,000
Towns & Villages Improvement & Amenity Fund	£14,280

2 Decision-Making Route

2.1 The report seeks the agreement of the Banff and Buchan Area Committee for the allocation of the Banff and Buchan Area budget for 2024/25 which has been set at £71,200.

2.2 The recommendations within this report are in line with the criteria for the use of the funds as agreed by the Policy and Resources Committee on 19 April 2007.

2.3 At the meeting of 12 September 2023, (Item 12) , Committee agreed a mid-year split in allocation of the funding, which had previously been awarded to community projects via the Area Initiatives Fund. Two new streams were added, a Food Growing and Green Spaces fund, (£10,000) and a Towns & Villages Improvement & Amenities scheme (£14,280).

2.4 At Council on 22 February 2024 (Item 4), the Area Committee budget for 2024/25 was confirmed as £71,200.

3 Discussion

- 3.1 In order to assist the Area Committee consider how the budget of £71,200 should be structured in 2024/25, update reports have been added to the agenda on each of the funding streams: Area Initiatives Fund, Food Growing and Green Spaces, and Towns & Villages Improvement & Amenity Fund.
- 3.2 It should be noted that, for the latter two schemes, the mid-year start impacted on ability of groups to progress successful applications, or even take up the funding allocated. It is thought that a complete year would be more effective.
- 3.3 At the meeting on 12 September 2023, (Item 12), the Committee agreed in principle that the Food Growing and Green Spaces and Towns and Villages Improvement and Amenity Fund would be in place for 2023/24 and 2024/25, to allow the schemes to become established.
- 3.4 Given the evidence that some communities are struggling to progress grant work at present, with the current requirement of financial in-year completion and invoicing, Members may wish to consider, and instruct officers to investigate, whether an extended period of completion could be established, or whether any awards should be completed a calendar year from their award, and disconnected from the financial year.
- 3.5 Officers propose that the £71,200 be split as follows:

Area Initiatives Fund	£46,920
Food Growing and Green Space Fund	£10,000
Towns & Villages Improvement & Amenity Fund	£14,280

4 Council Priorities, Implications and Risk

- 4.1 The project supported will help to deliver the following Council Priorities:

Pillar	Priority
Our People	Health & Wellbeing
Our Environment	Resilient Communities

Underpinning the Priorities are a number of key principles. They are: right people, right places, right time; responsible finances; climate and sustainability; Community Planning Partnership Local Outcome Improvement Plans; human rights and public protection; tackling poverty and inequalities; digital infrastructure and economy.

The range of funding schemes submitted for Members' consideration contribute, to varying extents, to the delivery of these priorities and principles.

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

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

- 4.3 All applications for any award of Area Committee funding will be shared with colleagues in Strategic Finance in order to assess conformity, where required, with the principles of Following the Public Pound (FPP). The requirements of FPP having been reviewed means that this may no longer apply to lower-level grants; although attention will be paid to the cumulative effect of successful funding applications across the Council. No award will be released until, and unless, the applications are confirmed as complying with any requirements.
- 4.4 The screening section as part of Stage One of the Integrated Impact Assessment has not identified the requirement for any further detailed assessments to be undertaken as the proposed funding schemes are for projects outwith the Council's management and will conform with the criteria for each project, which Members will have considered in the separate reports on today's agenda, for which no discriminatory impacts have been identified. The Council's budget setting on 22 February 2024, (Item 4), was supported by appropriate IIAs but no negative impact was identified relating to the Area Committee Budgets.
- 4.5 The following Risks have been identified as relevant to this matter on a Corporate Level:
ACORP001 Budget Pressures;
ACORP005 Working with Other Organisations (Link to [Corporate Risk Register](#)).

No risks have been identified as relevant to this matter on a Strategic Level. ([Link to risk register page on website](#))

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 have been incorporated. They 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.6.3 of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to the authorisation of expenditure from the Area Committee Budget.

LAURENCE FINDLAY
DIRECTOR OF EDUCATION AND CHILDREN'S SERVICES

Report prepared by: Angela Keith
Area Manager (Banff and Buchan)
Date: 28 March 2024



REPORT TO BANFF AND BUCHAN AREA COMMITTEE 16 APRIL 2024

BANFF AND BUCHAN COASTAL COMMUNITIES FUND 2023/24

1. Executive Summary/Recommendations

The purpose of this report is to (a) update Members on the Coastal Communities funding for 2023/24 from Crown Estate, Marine Scotland funding; (b) request Members' consideration of applications for the funds; and (c) consider the establishment of a delegation to the Area Manager, in consultation with the Chair, Vice-Chair, and Opposition Spokesperson, to respond to applications in emergency and to facilitate the prompt release of funds in the later part of the financial year.

1.2 The Committee is recommended to:

1.2.1 note that the Banff and Buchan 2023/24 funding allocation from the Crown Estate has been confirmed as £94,404;

1.2.2 consider the applications from (a) Crovie Preservation Society (CPS) in the sum £13,709.52 for car park repairs at Crovie; and (b) for Aberdeenshire Council, Outdoor Access & Countryside Team, in the sum of £25,000 for coastal path works from Sandend to Findlater Castle Viewpoint;

1.2.3 note the above applications, if approved in full, will leave a balance of funding from the 2023/24 financial year, to be spent by 31 March 2025, of £45,694.48;

1.2.4 note amended criteria for the scheme as detailed in Appendix 3; and

1.2.5 consider the delegation to the Area Manager, in consultation with the Chair, Vice-Chair, and Opposition Spokesperson, to respond to applications in emergency and to facilitate the prompt release of funds in the later part of the financial year.

2 Decision-Making Route

2.1 In January 2020, the Scottish Government awarded the first tranche of funding from the Scottish Crown Estate (Marine) Coastal Communities Fund to local authorities. Aberdeenshire Council was awarded £328,314 for 2019/2020.

2.2 Infrastructure Services Committee, (ISC), at its meeting on 20 August 2020 (Item 11), noted the amount of funding awarded in 2019/20 and 2020/21, and that a further £25,000 was to be awarded to the four Area Committees which had coastal communities. Subsequently the Scottish Government confirmed

that local authorities could extend the financial flexibility of this funding to the end of the financial year 2021/22.

- 2.3 At its meeting of 11 October 2022, (Item 8), the Area Committee considered the criteria and funding limits for the Coastal Community Fund, agreeing the increase of grant limit to £25,000.
- 2.4 At the meeting of 19 December 2023, (Item 6), it was reported that funding for 2023/24 was likely to be £94,404, subject to the application of the established formula for sharing funds across Aberdeenshire.
- 2.5 On 12 March 2024, (Item 10), it was confirmed that Banff and Buchan's share of funding for 2023/24 would be £94,404.
- 2.6 At today's meeting, the Committee will have considered and approved a revised set of criteria for the scheme.

3. Discussion

- 3.1 The current Banff and Buchan allocation of Crown Estate funding for 2023/24 has been confirmed to be £94,404. Scottish Government have agreed to extend this funding to March 2025.
- 3.2 At the meeting 12 March 2024, (Item 10), £10,000 was awarded to the Foyer for the installation of storage at the Vinery, Banff, leaving £84,404 to be allocated from the 2023/24 funding, to be spent by 31 March 2025.
- 3.3 The application, detailed in Appendix 1 hereto, from Crovie Preservation Society (CPS) seeks funding of £13,709.52 for works to the car park, including repairs to a deteriorating current surface, slippery in wet weather; the replacement of a perimeter fence, acting as a safety barrier preventing people from falling over the cliff; and the installation of erosion protection to maintain the integrity of the car park.
- 3.4 The application, detailed in Appendix 2, submitted by Aberdeenshire Council's Outdoor Access & Countryside Team, is for a contribution of £25,000 towards the delivery of construction works to upgrade the coastal path from Sandend to Findlater Castle Viewpoint, including realignment of the path to maximise accessibility and make the path sustainable and easier to maintain.

It should be noted that on 22 August 2023, (Item 11), the Committee agreed funding for coastal path works including "Findlater to Sandend – upgrade, re-route and design of the coastal and core path – in particular produce path specification; undertake procurement process; manage construction contract; and issue communications to relevant stakeholders on the progress of the works. (£5,000)".

This part of the previously agreed project has not been able to be delivered as yet.

4 Council Priorities, Implications and Risk

- 4.1 The approved application will assist in delivering the Economy Pillar of the Council priorities, as detailed below:

Pillar	Priority
Our People	• Health and Wellbeing
Our Environment	• Resilient Communities
Our Economy	• Economy and Enterprise

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

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

- 4.3 Planned projects may have financial and staffing implications, but the management of the budget will be undertaken within existing Area Management resources.
- 4.4 An IIA (IIA-000323) was carried out as part of developing the framework for the use of Crown Estate funding previously approved by the Infrastructure Services Committee. This assessment identified a positive impact for disability and age-related protected characteristics.
- 4.5 The following risks have been identified as relevant to this matter on a [Corporate Level](#)

ACORP001 – budget pressures – there is a risk that the Scottish Government may not allow the fund to be carried forward to future years.

ACORP005 – working with other organisations (e.g., partnership working).

This will be mitigated by ensuring that all parties are clear on the objectives of the funding and that deliverables and timescales are agreed, and robustly monitored, through the grant/service level agreement process.

The following Risks have been identified as relevant to this matter on a [Strategic Level](#):

ISSR002 – regeneration – action plans depend on how effectively the Development Partnerships engage with the local communities and are able to

deliver their vision for each area. Projects included in this tranche of Crown Estate funding will contribute to the delivery of Regeneration Action Plans in Banff, Fraserburgh, Macduff, and Peterhead. In future years, investment through this funding stream in regeneration priorities will continue to be an objective.

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. Any comments are incorporated within the report, and they are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 5.2 The Committee is able to consider this item in terms of Section B.1.1 of the List of Committee Powers in Part 2A of the Scheme of Governance as this is a matter specific to the Banff and Buchan Area which is not otherwise properly delegated to any other Committee.

LAURENCE FINDLAY DIRECTOR OF EDUCATION AND CHILDREN'S SERVICES

Report prepared by: Angela Keith
Date: 2 April 2024

- Appendix 1 Crovie Preservation Society: Application for consideration
Appendix 2 Aberdeenshire Council, Outdoor Access & Countryside Team:
Application for consideration
Appendix 3 Revised Criteria



**BANFF AND BUCHAN AREA COMMITTEE COASTAL
COMMUNITIES FUND**

(Grants between £1,000 and £25,000)

Application for Assistance

Name of organisation:	Crovie Preservation Society (CPS)
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Contact name:	James Penman
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Position in organisation:	Secretary
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Address (including postcode):	
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Telephone number:	
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	croviecps@outlook.com
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Applicants are encouraged to discuss their project with **the Banff and Buchan Area Manager prior to submitting the application form. Tel: 01467 537131**

Tell us about your group's aims and purposes (include details of your membership and evidence that the organisation has the right level of resources, skills, and capacity to deliver the project):

The CPS is a Society that was set up in 1963 to preserve and restore Crovie after it was destroyed in the 1953 storm. Its objectives are to

**“Preserve the architectural character of the village” and
“To protect, maintain and improve the environment of Crovie”.**

We currently have a membership of 98 people, most from the UK but some from as far away as Canada.

Our skills are numerous but we plan to employ a contractor more suited to do the work. We have already obtained quotes and are ready to proceed with the work.

Tell us what would you like to do and describe the need and support for the project? Include an explanation of how your project will be sustained in the future and also how any risks will be managed (e.g. shortfalls in funding).

You must include the site or location of your project.

The CPS own a car park which is used by thousands of tourists every year when they come to visit the village. This car park is in urgent need of repair as the current surface is now severely deteriorated and extremely muddy and slippery in wet weather. Also, the perimeter fence which provides a safety barrier to stop people from falling over the cliff, is rotting and needing replaced, Erosion protection also needs to be installed to maintain the integrity of the car park.

Visitors are inspired to visit Crovie all year round, due to the promotional work of Visit Scotland that exists around the world. The dramatic sight of a single line of 19th Century cottages located on a narrow strip of land between the North Sea and the Cliffs is a very unusual one and can be seen nowhere else in the UK. It is also reputed to be the best kept Heritage village and is registered as a Conservation Area.

The village is located in an isolated rural coastal position with no public transport which means visitors must park their vehicles in one of two small car parks on the approach road to the village: either in the car park at the top of the hill which is owned by Aberdeenshire Council and provides 11 car parking spaces or the car park in question, lower down the hill, nearer to the village, which covers an area of 350 sq. metres and can accommodate 15 vehicles.

This car park is more popular than the Council one as it is nearer to the village and has been extremely well used. Despite some maintenance work over the years by the cottage owners, the surface has deteriorated badly due to the high usage, requiring much needed reinstatement and improvement.

There is no vehicular access through the village which has just a narrow path for access so there is no other option but to park their cars.

The two car parks combined only offer 26 car parking spaces, and without those facilities visitors would not be able to visit Crovie unless they parked in the adjacent village of Gardenstown which would then involve a walk of approximately 1.7 miles along roads, most of which have no walkway. There is no parking on the access road to Crovie as it is a single-track road.

The village sits directly on the Coastal Path which is well-used by both local people and visitors from further afield and is advertised in many hiking literature. Walkers are often particularly interested in the bird and sea-life which is evident when using the Coastal Path, and its unspoiled nature encourages visitors to return multiple times.

A BPL community minibus also uses the car park as a turning point for residents requiring transport in the absence of a local bus service.

In terms of risks, the Crovie Preservation Society is in a position to provide 10% of the total costs as required by the Coastal Communities Fund. We have not applied for any other funds for this project. We enquired as to whether we would qualify for the Rural Tourism Infrastructure Fund but that is not the case, unfortunately.

Please explain how your project has to tangible link to the coast and/or the sea and how it will deliver positive benefits including leverage of investment, economic growth, regeneration and rural or community development:

Crovie is the single reason most visitors drive to this out-of-the-way area of North Aberdeenshire and as there are no commercial facilities or public transport, they must drive to visit this heritage site.

The nature of the village is historically significant and demonstrates the way people lived and made a living from the sea for many years. (Pictures and documents recording this can be seen in the Heritage Centre on the Harbour in Gardenstown or online by simply searching for "Crovie").

The reinstatement and improvement of the car park will mean tourists and visitors can park safely and securely and not block the access road to the village. It will also accommodate increases in tourism by ensuring car parking is available as, without parking, visitors would just pass it.

Crovie remains the only village of this kind in the UK and is a very striking image, reminding visitors about the cultural history of our area and how people lived and made a living from the sea for many years.

What is the total project cost? (The cost of everything related to your project, even the items or activities you aren't asking us to fund)

£16,000

Please tell us the costs of each item or activity you would like us to fund:

Item/Activity	Total Cost	Amount Requested from Coastal Communities Grant
The following is a quote from the Contractor		
Resurface with Hard Core, Provide New Timber Car Parking Logs, Remove rotten timber fencing and replace like for like with new timbers	£11,333	£10,200
Stabilisation of Erosion	£3,900	£3,510
Total	£15,232.80	£13,709.52

Total funds raised to date and the amounts raised (including grants, your own fundraising activities and donations):

Source	Amount	Date confirmed
We have raised the 10% of funds necessary to complete this project, mainly from visitors' donations.	£1,523.28	8/3/24
Total	1523.28	

Other funding applied for (give details of the amount(s) and source(s) as appropriate – in particular Aberdeenshire Council sources):

Source	Amount	Date confirmed
None		
Total		

Will your project be completed by 31st March 2025?	Yes/No YES
If you answered no, can your project be delivered in phases and if so please explain how this can be done?	
Aberdeenshire Council Priorities	
Tick the Council Priorities your project helps to deliver? (you must tick at least one)	
A strong, sustainable, diverse and successful economy	<input type="checkbox"/>
Have the best possible transport and digital links across our communities	<input checked="" type="checkbox"/>
Provide the best life chances for all our children and young people by raising levels of attainment and achievement	<input type="checkbox"/>
Work with parents and carers to support children through every stage of their development	<input type="checkbox"/>
Encourage active lifestyles and promote well-being with a focus on obesity & mental health	<input checked="" type="checkbox"/>
Have the right mix of housing across all of Aberdeenshire	<input type="checkbox"/>
Support the delivery of the Health & Social Care Strategic Plan	<input type="checkbox"/>
Work to reduce poverty and inequalities within our communities	<input type="checkbox"/>
Deliver responsible, long-term financial planning	<input type="checkbox"/>

Have the right people, in the right place, doing the right thing, at the right time	<input type="checkbox"/>
Protect our special environment, including tackling climate change by reducing greenhouse gas emissions	<input checked="" type="checkbox"/>

Give details of how your project meets the requirements of the Equality Act 2010 ensuring that it will be inclusive and not discriminate against any members of your community:

There are no restrictions or fees to the use of the car park and it is available to any and all tourists and visitors to use when visiting the area.

Applicant Declaration:

I certify that the information contained in this application is correct, and that I am authorised to make the application on behalf of the above group. I understand that decisions made by the Banff and Buchan Area Committee are final.

Name (Please print)	J. Penman
Signature	
Date	14 th March 2024

Checklist – please attach the following items:

- Constitution or Memorandum & Articles of Association
- Your most recent verified accounts
- Three most recent bank statements
- Quotes/specifications

The application should be emailed to – banffandbuchanamo@aberdeenshire.gov.uk

Please note that successful applicants will require to provide a short report on the project by no later than 31st March 2025.



BANFF AND BUCHAN AREA COMMITTEE COASTAL

COMMUNITIES FUND

(Grants between £1,000 and £25,000)

Application for Assistance

Name of organisation:	Aberdeenshire Council
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Contact name:	Malcolm White
Position in organisation:	Team Leader (Outdoor Access & Countryside Team)

Address (including postcode):	Gordon House, Blackhall Road, Inverurie, AB51 3WA
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Telephone number:	01467 534417
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Applicants are encouraged to discuss their project with [the Banff and Buchan Area Manager](#) prior to submitting the application form. Tel: 01467 537131

Tell us about your group's aims and purposes (include details of your membership and evidence that the organisation has the right level of resources, skills, and capacity to deliver the project):
<p>Aberdeenshire Council – Local Authority.</p> <p>At the Infrastructure Services Committee (ISC) meeting of 23rd January 2020, Aberdeenshire Council committed £25,000 of Coastal Communities Fund allocation to establish the Coast Aberdeenshire Project.</p> <p>The principal objectives of the overall Coast Aberdeenshire Project are to:</p>

1. Promote and enhance awareness, wider use and better integration of the Aberdeenshire coastal path corridor resource.
2. Deliver targeted local initiatives to improve some existing sections of the coastal path.
3. Explore sustainable strategies for ongoing promotion, development and management of the coastal path.
4. Assess linkage with regional long-distance routes.

The vision for the overall project is:

“An integrated community plan for the Aberdeenshire coastal path corridor which promotes and enhances the natural, built and cultural heritage whilst sustainably supporting the area’s social and economic aspirations.”

At the Infrastructure Services Committee (ISC) meeting of 15th June 2023, Aberdeenshire Council agreed that the Council would continue to repair and upgrade the existing sections of the coastal path where it has responsibility; that the Council should assist stakeholders with the identification of a potential and feasible route for the whole length of the Coastal Path Network and facilitate discussions with stakeholders to deliver the vision for the Coast Aberdeenshire Project; progress the following actions: coordinating and making available to community groups, the range of different funding schemes available which can be applied for to develop new sections of the coastal path; establish an officer forum for the project to share good practice; explore different options for identifying an overarching body which could coordinate the future management, maintenance and promotion of the coastal path; Identifying a feasible route for the full length of the coastal path between Cullen and St Cyrus, supporting and building upon the work currently being undertaken by a local interest group called MerCHaT and the previous feasibility study which was undertaken for the route between 2013 and 2015. Aberdeenshire Council employ an Environment Project Officer (Outdoor Access) on a temporary contract (based on receiving external funding), who’s main remit has been to take forward the actions outlined above which Aberdeenshire Council has a responsibility for.

Tell us what would you like to do and describe the need and support for the project? Include an explanation of how your project will be sustained in the future and also how any risks will be managed (e.g. shortfalls in funding).

You must include the site or location of your project.

It is proposed to employ a contractor to carry out works to address significant deterioration in the existing pathway from Sandend Village to Findlater Castle viewpoint. There has been significant change to the environment of the sea braes over the last 25 years. Extreme weather conditions and heavy use have contributed to a dynamic process of slippage causing land slips; in places, removal of grazing animals has allowed dense scrub to grow up. To the western end of the route, parts of the cliff and coastal slope carrying the path have already disappeared. Much of the path has narrowed and developed a steep crossfall towards the sea. Increased desiccation in summer and heavy rain in winter means that water periodically pours down the slopes, washing away structures and leaving sections of path absent or muddy and unstable. Summer or winter, some sections of the remaining path present a challenging and unnecessarily uncomfortable walk. As climate change continues, wetter winters and drier summers will inevitably contribute to further cliff falls and landslips.

The upgrading of the route will be achieved by moving the route, where necessary, on to firm ground minimising steep gradients and crossfalls, resulting in a pathway which is accessible, sustainable, and easy to maintain. It is planned to achieve a continuous accessible grass path 1.2 to 2m wide, over a distance of around 2.2km, conforming to currently accepted standards in terms of the path gradient and crossfall, while retaining the sea views and general character of the walk. Where necessary, sections of the historic route will be replaced with a more sustainable and access-appropriate

alternative. Stock fencing will be used to protect cultivated areas and livestock fields. Boardwalks and sections of steps will allow streams, wetland areas and steep slopes to be negotiated.

The proposed works will provide a safe, easily accessible maintained path which will be an asset for the future. The route will form part of the Aberdeenshire Coastal Path, a long-distance walking route along the North East Coast of Scotland.

Funding has previously been secured from the Banff & Buchan Coastal Communities Fund in financial year 2023/24 to help deliver this project. As part of a wider application to help deliver several applications, £5,000, was secured towards: producing path specification; undertaking procurement process; managing construction contract; and issuing communications to relevant stakeholders on the progress of the works. Unfortunately, as previously envisaged, the construction works for the path were not able to be completed within financial year 2023/24. This was due to negotiations between the Landowner and the Council's Engineers, taking longer than anticipated to agree a route, due to getting the balance right between locating the path too close to the coastal edge that it is more susceptible to coastal erosion, and not taking up too much of the land further in from the coastal edge which is used for agricultural purposes. Therefore, the 'managing construction contract' aspect of the funding in 2023/24 wasn't utilised, but instead was allocated towards the aforementioned negotiations. This funding application is solely towards the construction costs of the path itself which have not been applied for previously.

Please explain how your project has to tangible link to the coast and/or the sea and how it will deliver positive benefits including leverage of investment, economic growth, regeneration and rural or community development:

The Coast Aberdeenshire Project focuses not only on the coastal paths, but path linkages to the coast, associated infrastructure such as car parks, toilets and interpretation – and other assets which may benefit from repair, maintenance or interpretation up to 1 mile inland. Once complete the path will be an asset to the local community who will be able to use it to help to maintain a healthy lifestyle. The benefit of this work will be seen not only by the communities local to this route, but by users from across the wider region. Overall outcome from this long-term investment is in making and keeping the full coastal route open for the future. Potential improvements to economic and social wellbeing within communities along the route may be reasonably expected as a result of investing in enhancing the full continuous route which links many settlements and towns across Aberdeenshire. Attracting long distance path walkers could potentially lead to a demand for facilities like accommodation, camp sites, camping barns, and provision of refreshments allowing diversification of the rural economy in the local area.

The Findlater to Sandend section of the path will provide a piece of work which can be used as an example to encourage further investment in and development of the wider project. Cumulatively – the project above which when delivered – will bring improvements along the Banff & Buchan coast which will make a positive contribution to the visitor offering, particularly needed at a time of growing 'staycations' and increasing visitor numbers locally. It is hoped that these improvements, in turn, will encourage repeat visits and benefits for local businesses. Some of these may be in the regeneration towns, but others are likely to be in the smaller villages and wider rural areas along the coast which to date, have not benefitted from the regeneration investment targeted to larger settlements.

What is the total project cost? (The cost of everything related to your project, even the items or activities you aren't asking us to fund)

£45,000

Please tell us the costs of each item or activity you would like us to fund:		
Item/Activity	Total Cost	Amount Requested from Coastal Communities Grant
Construction works of Sandend to Findlater path upgrade and realignment		£25,000
Total		£25,000

Total funds raised to date and the amounts raised (including grants, your own fundraising activities and donations):		
Source	Amount	Date confirmed
Access/Environment Capital Budget Line	£20,000	22 February 2024
Total	£20,000	22 February 2024

Other funding applied for (give details of the amount(s) and source(s) as appropriate – in particular Aberdeenshire Council sources):		
Source	Amount	Date confirmed
N/A		
Total		

Will your project be completed by 31st March 2025?	Yes
If you answered no, can your project be delivered in phases and if so please explain how this can be done?	
Aberdeenshire Council Priorities	
Tick the Council Priorities your project helps to deliver? (you must tick at least one)	
A strong, sustainable, diverse and successful economy	X <input type="checkbox"/>
Have the best possible transport and digital links across our communities	<input type="checkbox"/>

Provide the best life chances for all our children and young people by raising levels of attainment and achievement	<input type="checkbox"/>
Work with parents and carers to support children through every stage of their development	<input type="checkbox"/>
Encourage active lifestyles and promote well-being with a focus on obesity & mental health	X <input type="checkbox"/>
Have the right mix of housing across all of Aberdeenshire	<input type="checkbox"/>
Support the delivery of the Health & Social Care Strategic Plan	<input type="checkbox"/>
Work to reduce poverty and inequalities within our communities	<input type="checkbox"/>
Deliver responsible, long-term financial planning	<input type="checkbox"/>
Have the right people, in the right place, doing the right thing, at the right time	<input type="checkbox"/>
Protect our special environment, including tackling climate change by reducing greenhouse gas emissions	X <input type="checkbox"/>

Give details of how your project meets the requirements of the Equality Act 2010 ensuring that it will be inclusive and not discriminate against any members of your community:

An Integrated Impact Assessment which takes into account the requirements of the Equality Act 2010 has been undertaken for these works. A summary of it can be found below:

3 positive impacts – Adaptation: investment in the route will encourage active travel; Infrastructure resilience: Upgrade will extend the life of the route and prevent closure due to integrity issues; Economic and social transition: maintaining the route supports active travel.

1 negative impact – consumption of physical resources: use of new materials in the upgrade of the path, mitigated by re-using existing materials; waste and circularity: little waste generated.

All Negative Impacts can be Mitigated. Path upgrade will be using the “as dug” technique will minimise use of new materials by re-using the current materials and any waste streams will comply with legislation and standard Council practice.

Applicant Declaration:

I certify that the information contained in this application is correct, and that I am authorised to make the application on behalf of the above group. I understand that decisions made by the Banff and Buchan Area Committee are final.

Name (Please print)	Malcolm White
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Signature	
Date	28 March 2024

Checklist – please attach the following items:

- Constitution or Memorandum & Articles of Association
- Your most recent verified accounts
- Three most recent bank statements
- Quotes/specifications

The application should be emailed to – banffandbuchanamo@aberdeenshire.gov.uk

Please note that successful applicants will require to provide a short report on the project by no later than 31st March 2025.

Proposed Revised Criteria for the Banff and Buchan Coastal Communities Fund

Fund Eligibility:

- The site of the project or the community is within one mile of Aberdeenshire's coastline.
- Eligible settlements are; Sandend, Fordyce, Portsoy, Whitehills, Boyndie, Banff, Macduff, Gardenstown, Crovie, Pennan, New Aberdour, Rosehearty, Sandhaven, Fraserburgh and Inverallochy/Cairnbulg.
- As **sites** are specifically included, it is possible that applications will be received for projects taking place at coastal locations outwith any settlement.
- Such applications may come from groups or organisations representing communities of interest as well as of place (for example wildlife or environmental, arts or well-being groups).
- Projects must be led by public or third sector parties and have a tangible link to the coast and/or the sea.

This is subjective but, for example, it has been indicated that town centre public realm improvements will not be eligible unless they can be demonstrated to improve access to the foreshore, beach or harbour.

Examples of what is meant by a tangible link to the coast or sea are:

- > Projects that help people to develop skills related to coastal or seafaring pursuits, activities or enterprises, for example sailing, fishing, or boatbuilding
 - > Projects that celebrate the heritage of coastal and seagoing communities of place and interest. For example, a coastal or fishing village or township, historic boatbuilding, or relevant clubs or organisations
 - > Projects that improve access to coastal areas. For example, paths and viewpoints
 - > Projects that improve the coastal environment. For example, applications to establish and support community groups looking after their coastline
 - > Projects that improve community-controlled infrastructure such as harbours, boathouses and buildings.
- Projects must contribute to **at least** one of Aberdeenshire Council's priorities:

Pillar	Priority
Our People	Health and Wellbeing
Our Environment	Resilient Communities
Our Economy	Economy and Enterprise

- Grants must be a minimum of £1,000 and a maximum of £25,000.
- There must be a minimum of 10% match funding, which can be in-kind. Funding of up to 90% of projects will support deliverability within the timescale.
- Applications from organisations with an annual turnover of more than £250,000 will not be considered, **unless applications are being submitted by the Council on behalf of community groups, or by other bodies whose annual turnover is not directly related to the local initiative under consideration.**
- Funding for core activities such as staffing, and overheads will not be eligible. **In some instances, funding for consultancy work, or for seasonal posts, may be considered.**
- **Third party** applicants will be required to submit a copy of their most recent, independently examined set of accounts, including their current bank balance, **demonstrated by three most recent bank statements**, and **identify** any funds therein which have been ringfenced for other projects.
- Applicants will be required to provide information on related funding applications, whether they have been successful and, if so, how much funding they have received.
- Groups require to be properly constituted and submit a copy of their Constitution or Memorandum of **Understanding/ Articles of Association**. **(This may not apply when Aberdeenshire Council is making applications on behalf of others).**
- **Groups will be expected to provide, for the purposes of Following the Public Pound, copies of their insurance documents.**
- Applications which are solely, or substantially, for individual benefit will not be considered.

- Groups must be able to give an assurance that they will be able to complete their projects and have receipts submitted in time for the end of the financial year (31st March).
- Payment will be made retrospectively on receipt of invoices or other confirmation that the money has been spent in accordance with the proposals applied for. Payment will be made by BACS transfer to a group's bank account, **or, where the Council is acting on behalf of a group, by internal transfer.**
- The use of the budget or project must not commit the Council to recurring expenditure or maintenance.

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