

Community Empowerment (Scotland) Act 2015

Asset Transfer Request

This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015.

Section A – Information about the community transfer body (CTB) making the request

1. Name and registered address of the CTB making the asset transfer request

PlayAberlour

[Redacted address]

2. Contact details.

[Redacted] Co-Chair

(address above)

[Redacted]

[Redacted]

We agree that correspondence in relation to this asset transfer request may be sent by email to the email address given above.

3. Number of people involved in the organisation

- a. Management Committee / Board: 4
- b. Total Membership (list attached): 27
- c. Paid staff: 0

4. Type of CTB and its official number, if any: SCIO SC047670

5. Attach a copy of the CTB's constitution, articles of association or registered rules. Attached

6. Has the organisation been individually designated as a CTB by the Scottish Ministers? No

7. Does the organisation fall within a class of bodies which has been designated as CTBs by the Scottish Ministers? Yes

If yes what class of bodies does it fall within? Scottish Charitable Incorporated Organisations

Section B – Information about the land and rights requested

1. Identify the land to which this asset transfer request relates.

Alice Littler Park
Broomfield Square
Aberlour
AB38 9QP

UPRN 000133002306

This is the entirety of the area delineated in the lease between the Trustees of the Alice Littler Memorial Trust and Moray District Council, recorded by the Registers of Scotland, General Register of Sasines, County of Banff (Fiche 21, Frame 26), presented and recorded on 20 February 1991, comprised of *“two areas of ground extending to five hundred and eighty-two decimal or one-thousandth parts of an acre or thereby and four acres and nineteen decimal or one-hundredth parts of an acre or thereby in Aberlour in the District of Moray of Grampian Region and for registration purposes in the County of Banff particularly described in and disposed by and delineated in black and coloured pink and marked respectively ‘Plot Number One’ and ‘Recreation Ground’ on the plans annexed and subscribed as relative to the Disposition by the said Sydney Littler in favour of the Landlords dated the Ninth day of July and recorded in the Division of the General Register of Sasines for the County of Banff on the Twenty-seventh day of August both in the year Nineteen Hundred and Eighty together with the whole buildings, erections and others in and upon the subjects of the Lease”*.

Map attached.

Section C – Type of request, payment and conditions

1. This Asset Transfer Request is for ownership under section 79(2)(a) of the Community Empowerment (Scotland) Act 2015
2. Terms of the request

What price are you prepared to pay for the land requested? £0

Attach a note setting out any other terms and conditions you wish to apply to the request. None

Section D – Reasons for request

1. Community Proposal – Reasons for making the request and how the land will be used.

Introduction

PlayAberlour SCIO was formed as a direct result of the Planning For Real process undertaken by the community of Aberlour in 2016. The process revealed the overwhelming wishes of local people that our beloved Alice Littler Park be brought back from its current neglected state, as publicised in the resulting Aberlour Community Action Plan (attached).

Alice Littler Park, in its spectacular setting by the River Spey, has long been enjoyed by locals and visitors alike. Sadly, maintenance in recent years has been done to a bare minimum standard, and the general condition of the entire park has deteriorated. Memorial benches are in disrepair, weeds and molehills cover large areas, broken tree branches are left on the ground.

Most troubling is the condition of our once brilliant playpark, which has been the responsibility of the Aberlour Community Association for more than 20 years. Much of the equipment has already been removed by Moray Council for safety violations and will not be replaced. Swings, roundabout, balance course... all gone. The few items remaining are at end-of-life and fit to be removed. Crumbling log borders and obsolete wood chip surfaces have always been a barrier to people with impaired mobility, and unpleasant for everyone.

What is needed is a complete renewal of the entire park, including a reimagining of the playpark, to meet the needs of all people—of all ages and abilities, locals and tourists alike—for fun and recreation in Aberlour. Our community has spoken clearly, and PlayAberlour was founded specifically to listen to their voices and bring these changes. We are eager to get started.

History

PlayAberlour was founded by [REDACTED] and [REDACTED] in 2016, following their participation in the Aberlour Planning for Real process. [REDACTED] owns the local filling station on Aberlour High Street, and years before fought to become the first female RAF Nimrod pilot; she is passionate about creating a wonderful, inclusive park that her three young children and their friends, families, neighbours and visitors can all enjoy. [REDACTED] is CEO of a Silicon Valley technology company, with degrees in architecture, planning and law, including expertise in disabled access; he is determined to transform the park into a destination fitting for the beautiful Speyside, where he can spend time with his children, their grandparents, and new friends.

In November 2016, [REDACTED] and [REDACTED] presented the Action Plan results to the Alice Littler Memorial Trust (then thought to be the owners of the park), shared a vision of how Alice Littler Park could be brought back to life, and sought permission and approval from the Trustees to undertake further research and develop a detailed proposal. PlayAberlour's intention and commitment was to undertake the entirety of the research, design, funding, construction and management tasks required.

The response from the Trust was sharply and disappointingly limited. They supported only the installation of a small fence around the toddler area, and minor improvements to existing equipment and grounds. The Trust specifically rejected any changes designed to increase the inclusion of people from a wider range of ages, abilities, interests and backgrounds, whether local or visitors, and anything at all outwith the existing playpark area.

PlayAberlour also gave a copy of the Trust presentation to the Aberlour Community Association ("ACA"), which has owned the current playpark equipment and held the lease on the playpark area since 1998. Equipment upgrades were generally supported, but anything beyond that was not.

While we were considering our options, it became known in 2017 that the Trust did not, in fact, own the park, as it had been caught completely unaware of a major change in Scottish land law, despite an unusually extended grace period. Under the new law, the park became the property of Moray Council, and the Aberlour community gained an unexpected opportunity to see its vision come true. PlayAberlour made the effort to gain charity (SCIO) status and then filed an Expression of Interest for a Community Asset Transfer.

As PlayAberlour progressed its plans, we were expressly directed by Moray Council to try again to work with ACA, and they with us. Through this period we made multiple attempts to arrange meetings, but ACA refused. In May 2018 ACA filed their own Expression of Interest to acquire part of the park, vastly complicating the CAT process. Insensibly, their interest was originally only in the northern half of the park (in front of the station), but not the part they already had a lease on and responsibility for (the playpark itself). In April 2019, we finally made a detailed presentation to the ACA trustees and agreed in principle on several areas for further discussion. ACA then refused to follow through on any such discussions. At our final attempt to work with ACA this past summer, we were nonsensically asked to leave a meeting that had been specifically arranged for the purpose of discussing cooperation. ACA then filed a CAT application for the entire park in September.

It is important to note that ACA has rejected the outcomes of the Planning for Real process, withdrawing before the final Prioritisation Event. For whatever part of the park they want, ACA has stated they would only seek to maintain current conditions, regardless of the wishes of the entire community as reported in the Action Plan.

PlayAberlour is 100% committed to the National Standards for Community Engagement, the Planning for Real process, the resulting Action Plan, and future outcomes which grow from these. In this spirit, on behalf of our community, we are proud to present this Asset Transfer Request to Moray Council.

Focus on the playpark...

The playpark is our initial focus. PlayAberlour has done extensive research, made contact with many equipment providers, and seen an incredible array of ideas that will bring fun and fitness for all.

Our new playpark will be a thrill for toddlers and older kids, and as inclusive as possible for people of all ages and physical abilities. It will have a mix of replacements for the obsolete or missing equipment, other traditional items, and brilliant new amenities—new play equipment that reaches all age groups and abilities. Not just a traditional playpark, but something for everyone including a fitness gym, musical and sensory equipment, and potentially even sand and water play.

As a very high priority, the community identified the need for a fence to keep young children away from the river and to keep unleashed dogs out of the play area. We will look into the much-requested option of creating a separate doggy play area.

The addition of appropriate seating, tables and shelter will further broaden the appeal of the facility. All new equipment, furniture, landscaping, etc., will be selected to fit attractively in the Speyside setting and be made from suitable materials.

In support of its core function as a playpark and broader function as place for everyone to enjoy outdoor recreation, an array of amenities will be reviewed for inclusion:

- Spinning, swinging, balancing, moving, hiding, seeking, laughing and playing. We'll bring our poor playpark back to life with a great selection of the things everyone wants.
- Ziplines are the priority request, and there might even be room for a double.

- Inclusivity will not be an afterthought. Every decision will be made with everyone in mind. Not everything can be made accessible to everyone, but amazing things are possible.
- An attractive, appropriate fence around the play area, high enough to keep dogs out and small children in and away from the water.
- Teens have not been well served at the park in the past, and equipment that is known to be of interest for this age group will be in the plan, as requested.
- Fitness equipment and/or fitness trail for adults, including some designed especially for our many seniors, placed strategically alongside the new accessible pathway surface to the play area.
- Musical, sensory and other creative items to encourage imagination and discovery, tastefully and naturally placed within the trees near the play area.
- Seating within the play area so parents and other guardians can be close at hand, as part of a real picnic area, possibly partly covered, adjacent to the play area for parties and days out.

(The Planning For Real process registered a keen interest in a dedicated place to skateboard, roller skate, scooter and cycle, with the majority of relevant flags positioned in or near the park. Parents identified that it is a perfect potential location as it would allow children of the same family group to play in one area with older ones having the freedom to use the skatepark whilst remaining in view of their siblings. Space and surfaces for these will take further thought and discussion, and will be looked into as a separate initiative or future phase of the project. We intend to respect the very strong interest noted in a skatepark and hopefully locate a potential suitable location, but it is a project for the future, not part of this application.)

... and improving the whole of Alice Littler Park

The people of Aberlour clearly expressed they want Alice Littler Park to be cleaned, tidied and made as inclusive as possible, while preserving the things everyone loves.

The entire rest of the park needs work and care—pathways, surfaces, furniture, grassy areas, trees, landscaping, signage and more. The memorial benches that are such an important part of the history of the village need respectful attention. The holes on our putting green are still there, but the beautifully manicured individual "fairways" have disappeared. The patchy sand-covered area near the recent drainage project could be transformed into a proper attraction for games like boules and petanque, as people have already been doing informally.

To keep it all visually harmonious, the materials, colours, finishes, details and other visible aspects will be kept calm and modest in respect of the spectacular setting. For play equipment and other structures, wood is perfect, where possible, whether in its natural tones or a gentle brown or green varnish, but we have to accept the realities of weather and heavy usage. Stainless steel seems to be an obvious choice for certain structural elements, and would look fine with wood. Powder-coated steel in compatible muted hues is less preferred but could work. Some plastic parts and bright colours may be suitable if used sparingly.

Our magnificent trees will be inspected and attended to, making sure they stay healthy and green for decades to come. PlayAberlour members who are already involved with the village flowers are ready to sow lively seasonal colour. We will repair (we already have done some) or replace any memorial benches needing attention at the preference of the donors, and maybe we can add a few more. Our traditional Highland games ground will be preserved and protected, and we will work hard to turn our putting green back into the fun and photogenic showpiece we all remember.

We know we can count on the people of Aberlour to come up with more great ideas for their park. They already have. And when decisions need to be made, or a new opportunity arises, all we have to do is ask them.

Celebrating our history and connections

We have a unique opportunity to add a further historical overlay to Alice Littler Park, something that will surely be of great interest to locals and visitors alike—a tribute to the Strathspey Railway line, which operated through the park until 1965. This rich theme offers a family-friendly connection to a fascinating part of our heritage, complementing the familiar Speyside "whisky and fishing" story.

Working closely with our local historians and naturalists, we can create displays to show how all these themes come together in Aberlour, plus ask equipment providers to include thoughtful rail-related elements into the play areas, and look for more good opportunities to embellish the story. It all ties in perfectly with the educational exhibits in our award-winning Speyside Visitor Centre, and will bring friendly faces—both familiar and new—into the Old Station Tearoom and throughout the village.

Saving Victoria Bridge

The bridge is owned by a private charity, Victoria Bridge Aberlour Limited, which is in the process of winding up its affairs. Typically, an asset like this would need to be disposed of before the charity can dissolve, but no organisation has stepped forward to take over responsibility. **PlayAberlour will.**

Only three other possible organisations have been identified for this role:

- Moray Council, which is not in a financial position to do so. The fact that the bridge is part of the Moray Core Path network was not indicated to be a sufficient basis for the Council to take it over.
- Aberlour Community Association, the Chair of which, we are told, has repeatedly declined to consider the matter.
- Crown Estate, which, when queried, stated they would not take over an asset of this type.

The stages of abandonment of the bridge are troubling in the extreme. It is our understanding there has been no insurance on the bridge since November 2018. With no insurance, the bridge should probably already be chained off, or at a minimum display signage stating "pass at your own risk".

While a relatively recent inspection has been done, it is our understanding that neither further inspections nor regular maintenance are now scheduled or planned. The nature of a complex structure like this is that regular minor maintenance is needed to avoid major expenses that can come very quickly down the road.

The basic annual costs of the bridge are not dramatic, only on the order of £1500 to £2000 per year. These expenses have been covered by private donations over the years. PlayAberlour has received assurance from a group of these donors they will continue for several years more in order to help us get off to a good start. However, as none of the current donors are residents of Aberlour, it is their feeling it is high time for the village to take over this responsibility. We agree.

The bridge needs a responsible party immediately to manage insurance, inspections and maintenance. PlayAberlour will take this responsibility on behalf of the village, folding these tasks into management of the park, if, and only if, it is awarded Alice Littler Park.

Consultation

PlayAberlour is 100% committed to assuring everyone in the Aberlour community always has the opportunity to have their say. We will continue to use well-designed consultation methods inspired by the techniques used in the **Planning for Real** process, and always strive to uphold the spirit of the **National Standards for Community Engagement**.

The members of PlayAberlour will do our best to carry forward the most popular ideas that are really wanted and fitting for the park, taking into consideration realistic limitations that inevitably arise, and research multiple providers to ensure we respect and fulfil the expectations of the community.

Conclusions

- Aberlour desperately needs a new and inclusive playpark, and the rest of the park is in urgent need of maintenance and upgrades. This proposal represents a direct path to accomplishing those goals.
- PlayAberlour is supported by volunteers and the wider community, and our board and members have the skills and ability to carry the project through to completion.

2. Benefits of the proposal – Benefits that you consider will arise if the request is agreed to.

PlayAberlour will undertake a renewal of the entire park, including a reimagining of the playpark, to meet the needs of all people—of all ages and abilities—for fun and recreation in Aberlour.

The community wants the playpark to be:

"Usable by every generation through careful selection of equipment"

"Inclusive for everyone, including those who have impaired mobility or extra needs"

"A place that will attract people from the village, the surrounding Speyside, and beyond"

(Aberlour Planning for Real event participant quotes)

Upgrading Alice Littler Park is our chance to fulfil what the village and surrounding community want to see in their park—an inclusive recreation area truly for all—and help make Aberlour an even more wonderful place to be for locals and visitors alike.

Fun and fitness for all

Currently the park does not meet current standards for inclusive play, has limited access for prams or wheelchairs, and lacks fitness, play and social opportunities for teens, adults and seniors. PlayAberlour's plan is an opportunity to turn this around. Sympathetic modifications will allow better utilisation of the space, and specialised pieces of equipment can be incorporated. All this will elevate the park to be a destination location fitting for both today's and future needs.

Bringing Aberlour together

We will work with Moray Council and Transport Scotland to improve the visual links between the centre of the village, the Old Station building, and the playpark. Suitable signage and landscaping will enable visitors to find the playpark and other amenities. Thankfully the dilapidated sign that disgraced our High Street for many years has finally been removed, but the replacement is uninspiring. We will look into an upgrade more fitting with the character of the village.

Making the park a destination

This asset transfer will enable PlayAberlour to create an amazing, well-designed playpark and renew our beautiful park overall. The park, in turn, will raise the visibility and appeal of Aberlour as a true destination for fun and recreation, giving the whole village a boost, and supporting the health and economy of Aberlour and Speyside.

This proposal will benefit the community in many important ways

1. Economic development
2. Regeneration
3. Public health
4. Social wellbeing
5. Environmental wellbeing

1, 2 & 4) Economic development, regeneration & social wellbeing benefits

Children's play is crucial to Scotland's wellbeing; socially, economically and environmentally. By investing in all our children and young people now we can strengthen their ability to achieve their full potential.

– Play Strategy for Scotland, Scottish Government, 2013

Investment is critical to Scotland competing both for visitors and for wider investment into the economy. There is an increasing need to focus on improvements to the public realm ... to combat the challenges arising from the changing nature of shopping. Funding mechanisms need to continue to evolve to ensure that the place attractiveness of Scotland continues to be delivered.

– Tourism Development Framework for Scotland, Visit Scotland, 2013

Supporting Community Sustainability: Additional spend from visitors supports many community facilities, such as shops, cafes, pubs and village halls

– Tourism in Scotland: the economic contribution of the sector, Scottish Government, 2018

Our community clearly expressed its opinion on redeveloping our park by the placement of thousands of pins during our Planning for Real project. What was clearly wanted was a major upgrade from the status quo, and a plan to secure the future of the park in a way that reflects the wishes of the entire community, not just a small, private subcommittee. It is absolutely clear that a revitalized Alice Littler Park will make a huge contribution to the economic life of the village and surrounding areas.

PlayAberlour was formed specifically to bring these changes while valuing the opinion and seeking the participation of **every member of the community**, and its sole purpose is to promote the park, manage it well, and gather expertise and resources as needed. With a single purpose, we are confident in our ability to succeed.

Redevelopment phase

Local contractors, tradespeople, equipment providers, materials suppliers and others will benefit from the significant investment resulting from our fundraising efforts, as they are best placed to provide cost effective services. These contracts will in turn help boost the local economy. The village of Aberlour would directly see an increase in footfall and spending in our shops and cafes.

On completion

Investment in the park will directly improve the quality of life on our community. High quality parks and recreation play a pivotal role in attracting and retaining businesses, influencing business expansion decisions, and attracting new residents to the community. Aberlour's lovely rural location, Speyside Way, famous fishing and whisky attractions, nearby castles and historic sites, plus excellent food options, contribute to its appeal for tourists and locals alike. Along with our excellent schools, community centre, care home, medical practice, high street businesses, a mix of tidy existing and new housing, and long-standing international companies already located here, only our neglected and forlorn park is out of place.

Businesses of all sizes are far more likely to invest in Aberlour and our local area where employees will enjoy opportunities for excellent park and recreational facilities, which is a more desirable outcome than would be likely with bare minimal investment in the park. Small- to medium-sized entrepreneurial or family-owned companies in particular often seek to locate in places that reflect the founders' ideals and the company culture, and will find having a park with which reflects these values attractive, encouraging investment.

Companies specifically involved with outdoor recreation can align themselves with the image of Aberlour's endless active lifestyle options. Our recreational redesign is a match with healthy outdoor and wellness images—green fields, thick woods, sparkling water, and now sunshine—attracting tourists. With Moray recently breaking its hours-of-sunshine records, and Aberlour ideally situated in the lee of Ben Rinnes protecting us from the full force of the weather, promotion of our invigorating regional climate is a rising opportunity that will further boost our economy.

Growth in tourism in the area leads to economic growth with new guest houses and holiday accommodation bookings, upgraded and new cafes and dining, increased spending in shops, and so forth, all consistent with Moray Council's goals, in particular the Moray Growth Deal.

With regard to inclusiveness, parks with thoughtful universal design features are rare, and people are willing to travel for miles to utilise them. Our upgraded park will be a repeat destination for visitors from throughout the region.

The missing piece in Aberlour is the existence of a park with fine recreation facilities for people of all ages and abilities, including play and recreation areas, fitness equipment and inclusive facilities.

Economic development organisations

Aberlour's redeveloped park will increase its prominence in Speyside, Moray, Northeast and Scottish tourism marketing materials:

- 72% of communities use images of parks and public spaces in economic development marketing materials.
- 70% of communities use park data to promote quality of life, such as number of parks in the region, cycle trails, outdoor fitness gyms, etc.

Having a first-class park will shine a bright spotlight on Aberlour. Economic development organisations of all kinds will focus on our improved park to showcase and promote the area.

Negatives and risks

Without our proposed work and investment, the negative results of missing this opportunity are a very real danger, with numerous examples existing. Our playpark already looks like what would be found in a depressed and neglected village. With its rotting or missing play equipment, and no consideration or understanding for inclusivity, it turns people away.

Lack of investment and foresight is an acceptance of neglect. The park risks permanent decline with corresponding impacts on health, fitness, social interactions, tourism and more. The Aberlour Community Association itself has publicly noted an increase in drug offenses, vandalism and other crime in and around the park. A downward spiral could bring reduced investment by business, decline of the high street, reduction in work force, lower house values and a generally reduced quality of life.

With Moray Council under tight financial limitations, the only hope for our park is for the community to take it over and together bring it up to the standard clearly described and asked for in the Aberlour Action Plan and our surveys, welcoming and inspiring to locals and visitors alike. It's not good enough for the park to merely be handed over to a caretaker for basic maintenance. Such a result would ignore the thousands of requests from the community through the Planning for Real Process. It is crucial the right group is given the opportunity—a group with a mission and vision that matches what the community actually wants.

3 & 5) Public health & environmental wellbeing benefits

Parks, outdoor recreation and time spent in nature benefit people of all ages, abilities, and states of health, in ways that are well known and important to all of us:

- movement, activity and exercise
- access to fresh air and sunlight; relief from indoor pollutants
- reduced stress; improved metabolic and cognitive health
- opportunities for socialization

Medical studies have concluded that every £1 spent on public health avoids £14 in health expenditures, and the National Trust estimates £36 value to the economy as a whole for every £1 spent on parks.

Our own survey found that the two favourite things to do in our park are:

- Take children to the park and playpark—40%
- Walks in the park—over 50%

Our intention is to make sure the design encourages multi-generation play, fitness, recreation and relaxation. Thoughtfully selected equipment can make it possible for grandparents to play and be active **with** their grandchildren, not just watch. Fitness equipment located near play equipment can make it possible for teens and adults to get a workout while keeping a close eye on young children.

Play and fitness equipment bring a wide array of health benefits to the community:

- strong muscles and bones
- agility, flexibility, balance and coordination
- calories burned

Major health issues of the day are linked to less active lifestyles. Obesity, in particular, is a growing health problem for people of all ages. Excess body mass stresses joints, and increases risk of high blood pressure and type-2 diabetes. Play, exercise and activity lead directly to better health.

For children especially, play and outdoor recreation bring a wide array of health and developmental benefits. Expending energy can reduce fidgeting and improve concentration in school. Creative play builds motor skills, social skills, problem solving and creative thinking. Running and jumping burn calories and strengthen hearts and lungs. Overhead reach and climbing equipment develop arm strength, coordination, flexibility, endurance, agility, and balance. Every piece of equipment contributes to the health of our children.

Exposure to nature is proven to help everything from surgical patient recovery, to levels of concentration by people with ADHD. When even a poster of trees has been proven to make a difference, a walk along the Spey is the best medicine. A great park that includes a beautiful environment plus appropriate equipment for people of all ages and abilities will have huge benefits for the health and environmental wellbeing of our community.

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

The park is itself covered or adjoins land covered by an array of designations, including Public Park, Open Spaces, Special Scientific Interest, Special Conservation, Special Landscape, etc. PlayAberlour is proposing no changes to the park that are likely to conflict with these designations, and would always seek to mitigate or eliminate impacts if legitimate concerns are raised.

4. Negative consequences – What negative consequences (if any) may occur if your request is agreed to? How would you propose to minimise these?

The negative already exists. Aberlour's playpark is in a shocking state of neglect, and the rest of the park urgently needs attention. This proposal seeks to correct these deficits as quickly as possible. We will do everything in our power to move it the initial redevelopment along effectively, while building an organisation and connections in the community able to maintain the park long-term.

5. Capacity to deliver – Please show how your organisation will be able to manage the project and achieve your objectives.

PlayAberlour was purposely formed for the task of accepting responsibility for Alice Littler Park, including the redevelopment of its playpark, and the improvement and maintenance of its grounds, trees, paths and other assets.

The project is large, but manageable, and we have already taken several steps along the way. Generally, the process is as follows:

- Review input gained through the Planning for Real Process.
- Extensive research, plus further inputs and refinements from Members of PlayAberlour.
- Confirm the elements of the plan with the community.
- Develop the preliminary general plan, subject to ongoing refinement through consultation with the community.
- Apply for and obtain the park through Community Asset Transfer.
- Finalize the array of options for equipment, amenities, landscaping, etc.
- Determine final specific financial requirements.
- Undertake fundraising to meet the goals.
- Liase with relevant departments at Moray Council, including Land and Parks, Planning, etc.
- Apply for permits and schedule construction.

PlayAberlour's outreach to the community has resulted in a great deal of interest. Our members are patiently waiting for the CAT awarding and their opportunity to help us get the real project underway. The PlayAberlour trustees have felt it unreasonable to ask people to put in substantial time and efforts whilst the park's status remains uncertain, and so we have limited our "ask" through this extended paperwork phase.

Even so, our Facebook page is very active, has over 200 friends, and our posts receive lively discussion and many likes. Readers may wish to have a look: [facebook.com/aberlourplayskate](https://www.facebook.com/aberlourplayskate)

Our leaders are highly qualified and experienced, and have demonstrated ability to conceive, execute and manage projects of this size and complexity.

Here are our stories:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

E – Level and nature of support

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

1) Planning for Real and the Aberlour Community Action Plan

Over the winter and spring of 2016, a working group of seven community members plus many other volunteers took the **Planning for Real** process forward in Aberlour. The centrepiece was a dramatic, 12-foot-long, 1:300 scale 3D map of the community used to gather comments—in the form of small flags on toothpicks—from as many people as possible. The working group also carried out a buildings survey, designed, delivered leaflets and posters, undertook a services audit, promoted the process locally through newspaper articles and Facebook. The peak of the activity took place at the launch event and "map visits" before culminating in the Prioritisation Event in mid-June.

The community was consulted extensively, starting with a public Launch Event which over 150 local residents attended, and then map visits with an array of local organisations including:

- BALL (Be Active Life Long; older residents of Aberlour)
- Speyside High School pupils
- Messy Church
- Aberlour Parent and Toddler Group
- Walkers of Aberlour (the village's major employer)
- Aberlour Primary School parents and pupils
- Aberlour & Speyside Rotary
- Aberlour Parish Church (during a well-attended visit by the Moderator of the Church of Scotland)
- About Aberlour (business group)
- ...and more
- Visitors to Aberlour had the opportunity to comment in the Speyside Visitor Centre for four days during the Whisky Festival.

As a result, a total of 2272 flags were used by the public to indicate their issues and priorities. **Over 1000 of the flags—nearly half—were for improvements and changes within the park.**

Every flag and comment made was entered onto a database, which was then analysed for themes and priorities. Top themes and priorities were taken forward to the Prioritisation Event on the 11th June 2016 where they were discussed by the public and the relevant Moray Community Planning Partners and relevant agencies, including:

- Moray Council (various departments)
- NHS Grampian
- Police Scotland
- Rural Environmental Action Project (REAP)
- BEAR Scotland
- Alice Littler Memorial Trust
- (But, notably, **not** Aberlour Community Association, which had pulled out of the project at this point.)

Moray Council staff converted this data into the **Aberlour Community Action Plan** (attached) which summarised and indicated the priorities of the top wishes, with most of the recreation and park-related issues rated as "high" priority.

Out of 22 issues identified as "Top Priorities", 8 specifically mention Alice Littler Park and a 9th expresses interest in a skatepark:

- Dog poop scoop bins to be provided (Alice Littler Park)
- Dog mess problem (various locations, mainly Alice Littler Park)
- Do it UP! (Alice Littler Park play park / Park in general)
- Litterbins needed (mainly Alice Littler Park)
- Drainage / Flooding / Erosion (Alice Littler Park / Speyside Way / Riverbank)
- Skateboard / Rollerblade park (behind / adjacent to Cemetery)
- Adventure playground for age 6-12yrs (Alice Littler Park)
- Signposts to facilities and attractions (Alice Littler Park)
- Safety Fence / Rail / Barrier (mainly Alice Littler Park)

2) PlayAberlour Recreation Survey

In April 2018, PlayAberlour completed an extensive survey to confirm our analysis of the Action Plan. It was delivered through every mail slot in Aberlour and we received responses from almost 1/4 of village households—an amazing result!

Unsurprisingly, the survey results closely tracked the data that had been tabulated by Moray Council for the Action Plan. A copy of the survey, charts showing some of the results, and a public follow-up letter are attached. These results and reactions were used to develop the plan for the park and playpark described in this document.

3) Aberlour & Speyside Rotary

PlayAberlour has a close relationship with the Aberlour & Speyside Rotary Club (██████████ President; ██████████ member), which strongly supports our plan and has agreed to help us in three important ways.

- As a long-established organisation with clubs across Scotland and around the world, Rotary has a vast network of expertise in community organizing, volunteerism, charity governance and many other areas essential to proper and efficient operation. We will be able to access these resources via local and regional connections.
- The local club has an impressive track record of fundraising and community engagement. They have agreed to both joint-sponsor and help us put together our own events.
- Respecting their many years of experience in charity operations, we have asked Rotary if they would consider providing a backup or shadow administrative function for PlayAberlour as we build our capabilities. We are very grateful they have agreed to do so.

4) Letters of support / patronage

- Commitment of patronage from a prominent local figure.
- Commitments of support from political figures.
- Letters of support from national organisations and bodies in the areas of play and recreation.
- Letters of support from many local businesses.

Section F – Funding

Outline how you propose to fund the price you are prepared to pay for the land, and your proposed use of the land.

PlayAberlour - Funding Strategy 2020-22

It is the intention of PlayAberlour to raise approximately £300,000 from major funders for the re-development of the playground in Aberlour plus other upgrades throughout Alice Littler Park, which includes certain long term sustainability costs.

PlayAberlour proposes the following in our initial plan:

- rebuild the children's and toddler play area;
- agility area for older kids;
- outdoor community gym;
- picnic gazebo, tables, and BBQs;
- upgraded paths, bins and benches;
- professional grass cutting;
- professional gardener and/or community volunteers regularly maintaining hedges, flower beds, sensory and sporting areas;
- insurance, inspections and minor routine maintenance on the playpark, park and bridge.

Future wider fundraising achievements identified as of interest to the community but NOT in the scope of this application include:

- skatepark;
- Changing Places inclusive accessible toilet and changing room;
- maintenance and possible modifications in the carpark, particularly with regard to community wishes around improving and/or limiting accommodation for visitors with caravans;
- non-routine maintenance of the play areas, equipment, park and bridge; and
- other benefits and amenities in accordance with the wishes and priorities of the community as indicated in the Aberlour Action Plan, PlayAberlour surveys, or other methods consistent with the principles of the National Standards for Community Engagement. .

PlayAberlour has obtained initial costs in order to facilitate the compilation of financial projection (see table attached). Most of these estimates were sourced from Scotland. During the next phase, quotes will be necessary and PlayAberlour will focus on quality and durability as well as location and cost.

It is proposed to raise the bulk of the money (over 50%) from a main grant from a major donor such as the Heritage Lottery Community Fund and meet the rest of the required costs with donations sourced from corporates, trusts and foundations, community fundraising and events. Statutory and third sector involvement may offer access to specific funds that will cover individual specialist costs.

Major donors and grant-making bodies

The main funding must come from a major donor or grant-making agency. Once this funder is on board, it will be much easier to secure support from other donors. PlayAberlour will approach Heritage Lottery or Big Lottery immediately upon awarding of the CAT.

Corporates

It is crucial to involve local businesses in the fundraising process. This can be accomplished by a mixture of corporate sponsorship and match funding, joint events and employee volunteering. Corporates enjoy profile-raising, and such a prominent and visually compelling site as Alice Littler

Park provides extensive opportunities for highly positive public relations materials. For a semi-rural area, Speyside has a rare abundance of high-visibility Corporates, all of which are ideal partners for PlayAberlour. Among the distilleries, Aberlour (Pernod Ricard) and Macallan (Edrington) are within sight of the park, while several more would benefit from improvements to the local recreational infrastructure, both for visitors and employees.

Any larger companies in the immediate area would have a similar interest in improvements at the park, including: Speyside Cooperage, Glenfiddich, Walkers, McPhersons and others. Grocery and other big-box chains are known for contributing to local environmental and social benefit projects, as Co-op and Tesco have done in Aberlour. Regional companies large and small that benefit from tourist visits will be given opportunities to become involved, whether they are as widely known as Johnston's of Elgin, involved with tourism directly such as hotels and restaurants in the area, or the businesses on Aberlour's high street. Many local businesses have already pledged support and some have offered to quote work at a reduced rate or as a donation.

Trusts and foundations

Significant amounts of funding can be secured from local and national trusts or foundations. These resources are usually identified through a search of their funding criteria and priorities and then an application process. From our research, it is plain that funders are very interested in supporting parks and outdoor recreation.

Among the many we have found with specifically complementary goals, our highest priority to approach include: The Gordon & Ena Baxter Foundation, SITA Trust, FCC Scottish Action Fund, Co-op Membership Community Fund, Hunter Foundation, Bond, Chrysalis Trust, Wood Foundation, Money for Moray, Robertson Trust, Gannochy Trust, Carnegie Trust, Esme Fairburn Trust, Albert Hunt Trust, Foundation Scotland, Clothworkers Foundation, Canni wi'Cash, WM Mann Foundation, Whirlwind Charitable Trust, STV, Anton Jurgens, Henry Smith, Children in Need, Weir Charitable Trust (potential funder for accessible toilets), Berry Burn Wind Farm Community Fund, Paul's Hill Wind Farm Community Fund, SSE Community Funds, Cattanach Charitable Trust, etc.

Community events and involvement

Direct support by and from the users of the park will be sought for things like seasonal cleanups, unforeseen costs, or items that are essential but not likely to be of interest to outside sponsors (dog waste bins, for example). It is a primary way of ensuring community engagement and awareness, and PlayAberlour will depend on community support throughout the project.

Moray Council has already made an invaluable contribution by inspiring the people of Aberlour with the Planning for Real process. Our local Aberlour Primary School and Speyside High School will be welcome to hold events in the park, and we will work with them to find creative ways for those events to be able to help raise funds and awareness. We would encourage students, seniors, or any other interested group to carry out projects such as clearing litter, gardening, educational, or other environmental activities and duties, and we would nominate outstanding efforts for Duke of Edinburgh or John Muir awards.

Other SCIOs and charitable organisations

We will reach out and build bridges to garner support, advice and, where appropriate, funds from other charitable organisations regionally and/or close to our interests. Locally, the Aberlour Strathspey Highland Games, Aberlour & Speyside Rotary and Friends of Craigellachie Bridge are natural connections, as are all the seniors, church, sports and others community groups who will benefit from the improved park and play area. The knowledge of specialised SCIOs such as Changing Places will be key to providing advice and contacts for future accessible toilets/changing room design and funding. We have had contact with charitable organisations similar to PlayAberlour who have re-developed their own parks successfully. Despite their current curious opposition to PlayAberlour and

the community's plainly expressed wishes in the Aberlour Action Plan, we have not given up on the Aberlour Community Association, who remain a possible future partner.

Crowdfunding, pledges and legacy

These other sources of funding usually provide smaller amounts but can add up significantly. We can encourage the community to form a "Friends of Alice Littler Park" membership club, which generates income through fees or subscriptions, and offer naming rights for a bench, tree or other amenity. Legacy funding or inheritance pledges are a more sensitive topic to be approached with thought and care, but local inhabitants may want to leave some money for the benefit of Alice Littler Park. Residents of Aberlour and users of the park should be given the opportunity to be involved in a variety of different ways and at all stages of the project.

Persons interested in securing the future of Aberlour's Victoria Bridge have pledged several years of support for its insurance and maintenance. A donor has offered to cover half of the cost of several years of grass cutting in the park. A professional landscape architect has pledged to assist with evaluating condition of the greens, plantings and trees, and advise on low-maintenance grounds-keeping. These donors wish to remain anonymous at this time.

User fees

People have suggested looking into some kind of fee for certain uses of the parking area. Caravan usage in particular has been pointed out as potentially being appropriate for consideration of a fee. We will also look into the possibility of a fee for certain private uses of park areas, such as parties, weddings or other events. This would require consultation with the community to see if it's an option people find acceptable.

Patronage / significant support

We have received a commitment for patronage from a significant local figurehead, pending our obtaining the park. Going forward, this person's letters of support and the presence of their name on applications will add visibility to our cause. Our patron could host events such as charity dinner parties and invite important contacts, who could become donors. We will seek and welcome the support of other high-profile individuals who can champion our cause, donate time, grace marketing materials and make our events more widely known, encouraging community participation and the attention of the press.

Summary

PlayAberlour will be approaching the organisations and people mentioned above, and more, to fund our re-development of the playpark and an overall upgrade of Alice Littler Park. We would like to secure the majority of the funding in 2020-21 to be able to commence work in 2021-22. A team of volunteers and professionals will form a fundraising subcommittee led by the Treasurer of PlayAberlour who has professional experience in fundraising. The subcommittee will include all Trustees and form a core of members with the interest and proven capability for success.

Signature

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

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

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

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

Name [Redacted]

Address [Redacted]

Date 03 Jan 2020

Position Co-Chair

Signature [Redacted]

Name [Redacted]

Address [Redacted]

Date 03 Jan 2020

Position Co-Chair

Signature [Redacted]

Checklist of accompanying documents

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

Section A – You must attach your organisation’s constitution, articles of association or registered rules

Document attached: Constitution attached

Section B – Maps, drawings or description of the land requested

Documents attached: Map attached

Section C – Note of any terms and conditions that are to apply to the request

Documents attached: None

Section D – About your proposals, their benefits, any restrictions on the land or potential negative consequences, and your organisation’s capacity to deliver.

Documents attached: Included in application and business case

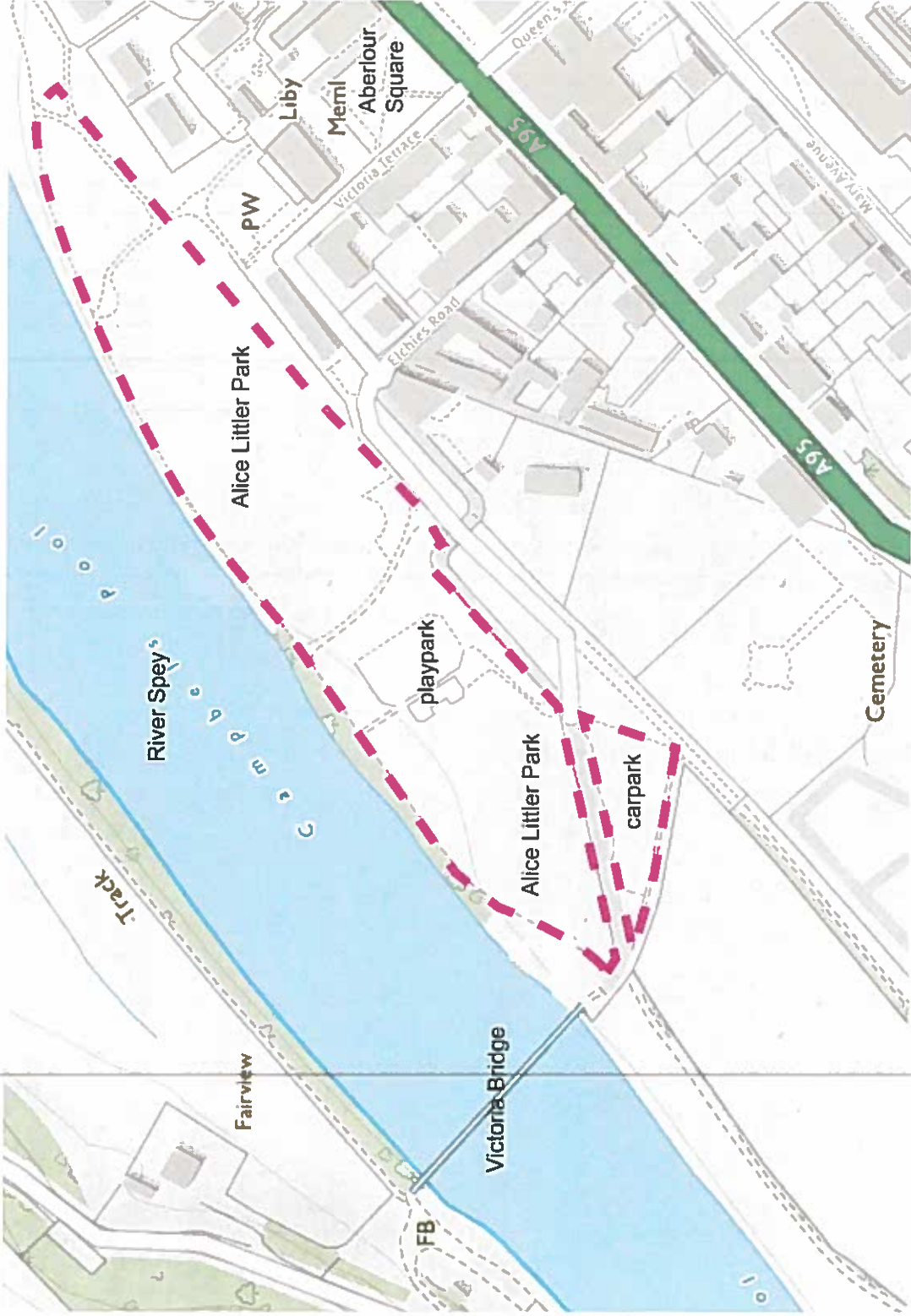
Section E – Evidence of community support

Documents attached: Included in application and business case

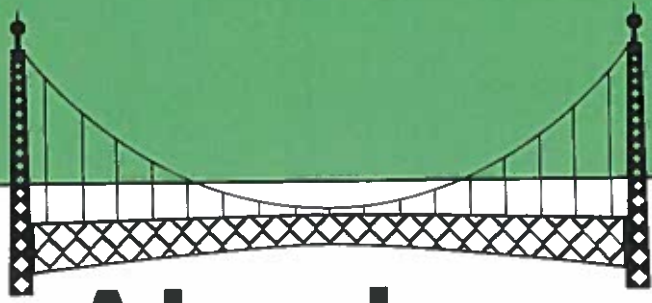
Section F – Funding

Documents attached: Included in application and business case

Alice Littler Park, Aberlour



— Approximate park boundary



Aberlour

community action plan



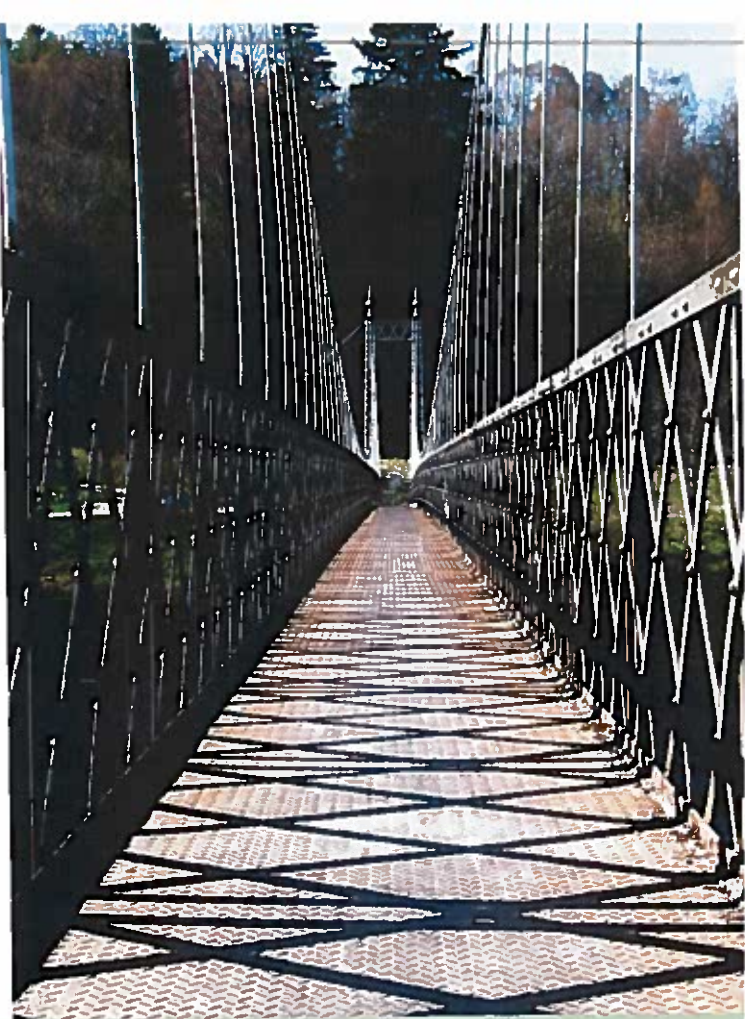
**Moray
Community Planning
Partnership**

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Introduction

This Community Action Plan has been produced by and for the community of Aberlour with the assistance of The Moray Council, Community Support Unit, Moray Health & Social Care Partnership, numerous local individuals and organisations, using the Planning for Real® methodology (www.planningforreal.org.uk/what-is-pfr/).



Why we got involved

feedback from the Planning for Real Working Group who are ALL local residents of Aberlour

I wanted to ensure Aberlour grows in the right direction and continues to improve and enhance its fabulous assets and is a place our family, friends and neighbours as well as visitors are proud of.

I went to the first meeting to see if Aberlour Planning for Real was a publicity stunt or something good for Aberlour.

Planning For Real offered a great chance for me to work closely with people from Aberlour and see first-hand their amazing local knowledge and talent. The process has given me new enthusiasm for my role and I'm confident that other communities in Moray could learn so much from Aberlour.

I joined the planning for REAL as I enjoy working with the community and wanted to enhance the facilities that we have in the village

Planning for Real is a unique opportunity for everyone in a community to get together and discuss their hopes and aspirations for the community.

I think that Planning for Real in Aberlour will deliver great results in the months and years to come. I'm looking forward to reviewing how much we have achieved and perhaps repeating the process.

Planning for Real is so much more than "where should we build some houses". It is about building bridges between old and young, and all parts of the community, and getting us all working together on practical projects that benefit us all now and hopefully for generations to come.

I got involved with planning for real as I thought it would be a good opportunity to speak to people I hadn't spoken to much before. I also got involved as it sounded like an enjoyable project that would help me to improve on and learn new skills.

How we did it!

A working group of 7 community members took forward the Planning for Real® process in Aberlour. We spent 14 weeks creating a 3D map of their community along with many volunteers who dropped in during the map making bi-weekly sessions. The sessions were held on a Wednesday evening and Thursday morning and included a visit from Aberlour Nursery.

The working group also carried out a buildings survey, designed, delivered leaflets and posters, undertook a services audit, promoted the process locally through newspaper articles and Facebook. The peak of the activity took place at the launch event and with the map visits – all 11 of them before culminating in the Prioritisation Event in mid-June.



Who we consulted with the map and flags:

- Launch Event which was open to the general public which over 150 local residents attended
- BALL group (Be Active Life Long) older residents of Aberlour invited to contribute their views
- Speyside High School pupils came along to a map visit during a lunchtime session
- Messy Church had their say
- Aberlour Parent & Toddler Group took the opportunity to have their say
- Walkers of Aberlour took up the offer of a map visit in one of the staff break out areas
- Parents of Aberlour Primary School pupils had their say on parents evening
- The members of Aberlour Rotary Club came along for a viewing and gave their views
- Visitors to Aberlour had the opportunity to comment during a 4 day visit to the Speyside Visitor Centre during the Whisky Festival
- Members of Aberlour Parish Church had their say during a visit by the Moderator of the Church of Scotland
- The map was visited a meeting of About Aberlour for comments from local business

How Aberlour got to this point – A brief history

The full name of the town is Charlestown of Aberlour. It is situated 15 miles south of Elgin on the A95. Aberlour takes its name from the Lour burn which is bridged by the main street at the south end of the town next to the Aberlour Distillery. Aberlour is in the Speyside Glenlivet Ward for local government, the Moray constituency for the Scottish Parliament, and the Moray constituency for the UK Parliament.

The local history of the area is potted with historical references of note including the first mention of “Aberlaure” being made in 618AD.

The first mention of the Church of Aberlour which was gifted to the Cathedral of Moray by the family of De Moravia – in a deed of concession by the Bishop of Andrew in 1226

Bonnie Prince Charlie crosses the River Spey at Milford on his way to Culloden – he camps for the night at Tom-na-Brack (Tombreck) in 1745. During the Industrial Revolution Charlestown of Aberlour is created with 100 x 2 acre feus in 1812, the land donated by Charles Grant of Wester Elchies. The Parish Church is also built with the road bridge over Lour Burn following in

1815. The railway arrives from the East in 1863 and a new school and orphanage follow. The founding of the Aberlour Distillery in 1879 is followed by the Fleming Hall in 1889. Aberlour soon has a basic sewage system, a public water supply and Joseph Walker relocates the business from Torphins in 1912.

Aberlour has a long history of community involvement in the development of recreational and leisure activities with the formation of Aberlour Villa Football Club in 1923.

Within living memory Aberlour continued to mark its place in both industrial and community involvement with Walkers Shortbread Ltd opening the first factory at Fisherton for shortbread production in 1978 and the opening of The Alice Littler followed by the construction of the Suspension Bridge over the burn, replacing the former railway bridge a few years later.

Industry again progresses when Aberlour Distillery start bottling its own Single Malt in 1986 and the Aberlour Community Association take on management of the Fleming Hall with 25 year Lease from The Moray Council in 2001.



What did you say about Aberlour? – The themes and priorities identified by you

As a result of the map visits and the Launch event a total of 2272 flags were used by the public to indicate their issues and priorities. Every flag and comment made was entered onto a database. The database was then analysed for themes and priorities. The top five themes and priorities for Aberlour are listed below.

For each theme identified, the top four or five priorities were taken forward to the prioritisation event on the 11th June 2016 where they were then discussed by the public and the relevant Moray Community Planning Partners and relevant agencies.

The 5 main themes (and top priorities) identified were:

Theme 1: Traffic, Transport & Access Total 664 flags

Light controlled / zebra crossing / Pelican crossing
Location High Street

Traffic to be slowed down / One way system introduced
Location Mary Avenue

Road surface to be improved / Grit box / Ice hazards
Location Mary Avenue

Bus service to be improved
Additional parking required
Location off High Street

Theme 2: Environment & Sustainability Total 514 flags

Dog poop scoop bins to be provided
Location Alice Littler Park

Dog mess problem
Location Various locations, mainly Alice Littler Park

Do it up
Location Alice Littler Park play park / Park in general

Litterbins needed
Location Mainly Alice Littler Park

Drainage / Flooding / Erosion
Location Alice Littler Park / Speyside Way / Riverbank

Theme 3: Leisure & Tourism Total 449 flags

Opening Hours at Swimming Pool, Community Centre, Gym
Location Speyside Community Centre

Skateboard / Rollerblade park
Location behind / adjacent to Cemetery

Adventure playground for age 6-12yrs
Location Alice Littler Park

Signposts to facilities and attractions
Location Alice Littler Park

School clubs (after hours)
Location Primary School / Fleming Hall



Theme 4: Facilities & Services

Total 278 flags

Youth club
Shops / Restaurants – local
Location High Street

Farmers market
Location Christmas Market/Farmers The Square

Disabled Access / Toilets /Facilities
Location Scout Hall

Community notice board
Location Local info visitors and locals various locations

NHS dentist
Location Aberlour/Stephen Hospital

Theme 5: Crime & Safety

Total 187 flags

Safety Fence / Rail / Barrier
Location mainly Alice Littler Park

Speeding/Dangerous driving
Location High Street / A95

Police – more foot patrols needed / station
Location Aberlour

On the 11th June at the Prioritisation Event held in the Fleming Hall these themes with their priorities were discussed by the public and the relevant Moray Community Planning Partners and other agencies.

Attending Moray Community Planning Partners:

- Moray Council (various departments)
- NHS Grampian
- Police Scotland

Other agencies:

- Rural Environmental Action Project (REAP)
- BEAR Scotland
- Alice Littler Trust



Prioritisation Event Results

Issue	Priority	Timescale	What needs to happen?	Who takes this forward?	Potential Partners
Traffic, Transport & Access – Priority 1					
Controlled road crossing on High Street	High	Long (36 month plus)	Road Crossing be installed Lobby MP/MSPs Transport Scotland identify budget Lobby Government Ministers Request road survey (every 15 mins over 24 hours) Share P4R results with Transport Scotland Raise Profile Involve local/national media	Research and evidence Working in Partnership Help and advice Creating a short life working group	Aberlour Community Association Local Parent Councils BEAR Scotland The Moray Council NHS Police Scotland Senior Citizen Group Transport Scotland
Traffic, Transport & Access – Priority 2					
Slow down traffic / one way on Mary Ave	High	Medium (24 months)	Speed surveys Dialogue with Community Safety Partnership (Budget) Road Traffic Order (?)	Working in Partnership	Safety Camera Partnership Haulage Association Under remit of short life working group (Priority 1)
Traffic, Transport & Access – Priority 3					
Road surface to be improved (pot holes)	Medium	Ongoing	Establish the level of TMC priorities Education regarding reporting Poster campaign	A bit of training and advice	Roads Department (TMC) Aberlour Community Association
Traffic, Transport & Access – Priority 4					
Grit bins to be provided	High	Short (4 months)	Request grit bins Establish ownership Lobby owners	Land owners	Aberlour Community Association
Improved road surface (Bank / Co-op)	Medium	Unknown	Identify local sites suitable		
Traffic, Transport & Access – Priority 5					
Improve bus service Timed out					

Issue	Priority	Timescale	What needs to happen?	Who takes this forward?	Potential Partners
Environment & Sustainability – Priority 1, 2 & 4					
Lack of dog bins Dog mess Lack of litter bins	High	Short (periodically)	Public awareness (any bin, bye laws, how to report, £ fine) Better signage Identify relevant areas for siting bins Enforcement required Education of owners Right locations	A bit of advice and guidance In partnership	Aberlour Primary School Community wardens Animal Welfare Team (TMC) Local business (Vet Practices)
Environment & Sustainability – Priority 3					
Do it UP! – Alice Littler Park / Play Park	High	Medium – Long	Drainage issues fixed Park redesigned New play surfaces A park for everyone	A lot of funding Help/advice Permission Maintenance Community support	Alice Littler Trust Community Association Parent/Toddlers group Pensioners Club Disability Forum
Environment & Sustainability – Priority 5					
Drainage / Flooding / Erosion	Medium	Medium – Long	BEAR Scotland & Scottish Water take responsibility for issues with drainage / flooding Redesign of Park Removal of bark from Play Park Research/ Evidence gathering	Help & Advice A lot of funding	BEAR Scotland Scottish Water Land & Parks (TMC) Alice Littler Trust



Issue	Priority	Timescale	What needs to happen?	Who takes this forward?	Potential Partners
Leisure & Tourism – Priority 1					
Swimming Pool and Community Centre Sunday Opening	High	Short (Jan – March 17)	Research/evidence from community Report to Cllrs with community request Trial period of 3 months (if approved) Report back to Cllrs with findings	Help and advice on evidence gathering Working in partnership Creating a short life working group	Community Schools NHS Local organisations
Leisure & Tourism – Priority 2					
Sign posts to facilities / attractions	Medium	Medium	Visitor research Identify relevant attractions Identify relevant sites Legislation/permission Funding	Advice and help Permissions from land owners A bit of funding and good will	Speyside Visitor Centre Community support Unit (TMC) About Aberlour
Leisure & Tourism – Priority 3					
Skate board and Roller blade Park	Low	Long	Identify interested parties Identify suitable site A lot of funding	A lot of funding In partnership Help and advice	Dirt Track Group Individuals Landowners
Leisure & Tourism – Priority 4					
6-12 Adventure Playground	High	Medium – Long	Discuss concept Permission Funding Research and design	Funding/sponsors Help and advice Partnership project Sponsorship	Alice Littler Trust Community Aberlour Primary School Businesses



Issue	Priority	Timescale	What needs to happen?	Who takes this forward?	Potential Partners
Facilities & Services – Priority 1					
Youth Club and specialist businesses	Low	Short (6 months)	Identify relevant premises Attract businesses Establish relevant help and support available	Help and advice	About Aberlour
	Medium	Short (6 months)	Identify, train and support volunteers	Help and advice	Rotary Club Early Intervention Team (TMC) Speyside Youth Ltd
Facilities & Services – Priority 2					
Markets: Christmas Farmers	Medium	Medium (18 months)	Various research to be undertaken Licences and permissions Identify suitable location	Testing the water Combine as part of other activities i.e. Whisky Festival	About Aberlour REAP Fairtrade Group
Facilities & Services – Priority 3					
Scout Hall	Medium	Short – Long	Upgrade of the facility Active committee Additional use to be identified	Contact other scouting groups	Aberlour Scout Group Community
Facilities & Services – Priority 4					
Community Noticeboard for visitors and locals	Medium – High	Short (12 months)	Aberlour Community Association looking at short term fix Use alternative media	No additional help or support	About Aberlour Aberlour Community Association Transport Scotland 3rd Sector St. Margaret's Church
Facilities & Services – Priority 5					
NHS Dentist	High	Short (3 months)	National Change Identify premises/ commission Lobby MP/MSPs Approach current dental providers Expansion of service	Establish Speyside need	About Aberlour

Issue	Priority	Timescale	What needs to happen?	Who takes this forward?	Potential Partners
Crime & Safety – Priority 1					
Safety fence, rail or barrier	High	Medium (18 months plus)	Consent Permission Research Planning? Design/consultation Funding Installation Maintenance	Help and advice A bit of funding	Environmental Services (TMC) Aberlour Community Association Alice Littler Trust Community
Crime & Safety – Priority 2					
Police Foot patrols	Low	Ongoing	Focussed presence at appropriate times Education regarding reporting	Partners need to take this forward	Community Wardens (TMC) Speyside High (litter issue)



What services are currently available in Aberlour?

Below is a list of the community amenities available in Aberlour at the time the public were posting their flags in the map of Aberlour. They have been listed so that if a need for a service has been raised, but it is already available, the volunteers taking "Planning for Real" forward know that more publicity and awareness is needed.

Location	Services available	Times
Aberlour Library	Free Internet access Book Group (adults) Book sales Fax Gallery/Display area Storytime Requests E-books E-audio Essential Skills Job Club Computer Classes DVDs Spoken Word Local Heritage Collection Web Group Earthtime – story time	Monday 10.00am - 12noon Tuesday 2.30pm – 5.00pm & 5.30pm - 8.00pm Wednesday 10.00am - 12noon Thursday 2.30pm – 5.00pm & 5.30pm - 8.00pm Friday Closed Saturday 10.00am - 12noon Mondays 10.00am
Post Office within S. Cattanach Newsagents		Monday – Saturday 7am – 5.30pm Sunday 8am – 1pm
Fleming Hospital	Minor Injuries Unit Occupational Therapy Physiotherapy Speech and Language Therapy Podiatry Dietetics X-ray	24 hour service
Aberlour Pharmacy	Minor Ailments Service Prescription Request & Collect Service Flu Vaccinations Stoma Service Test & Treat for UTI ID Photos for Blue Badges, etc. Emergency Hormonal Contraception & Free Condoms Palliative Care Smoking Cessation	Monday - Friday 9:00am – 1.00pm 2.00pm – 6.00pm Saturday 9:00am – 1:00pm

Location	Services available	Times
Aberlour Medical Centre	General Practitioner Services Community Nursing Primary Care Services	Monday – Friday 08.00 – 18.00 Consulting times 08.40 – 12.40 14.00 – 17.20
Aberlour Primary School	Eco School Active School Parent Council 2-3 Group Nursery Aberlour & Craigellachie Preschool Nursery	School Teaching Day: 8.55am – 3.05pm Monday to Thursday 12.45-14.45 Monday to Friday 8.50-12.00 Monday to Friday 07.30-08.45 14.50 – 18.00 3-5 yrs: Weekdays 9-11.30am 2-3 yrs: Tues/Wed/Thurs 1pm – 2.45pm
Speyside High School	Active School Eco School	School Teaching Day 8.40 – 3.20pm
Speyside Community Centre (shared site with Speyside High School)	Swimming Pool Fitness Suite (Gym) Climbing wall Junior Football Sports Hall Astro turf Bowling Club TaekwonDo Metafit Archery Badminton Aberlour Jog Scotland Private Hires	See Community Centre leaflet or moray.gov.uk search for Speyside Community Centre Timetable
Recycling Centre, Elchies Lane, past the Mash Tun Bar, towards the foot bridge and car park.	Cans Glass Plastic Paper & Cardboard Textiles	
Aberlour Parish Church	Sunday Services	Craigellachie Parish Church 9.45am Aberlour Parish Church 11.15am
	Prayer & Coffee Bible Study Messy Church Church of Scotland Guild	Wednesday, 10.00am
St. Margaret's Episcopal Church	Sunday Services	Sunday 10am
The Sacred Heart Roman Catholic Church	Vigil	

Location	Services available	Times
The Scout Hall	Cubs Scouts Beavers Explorers	Monday 6.30 - 8pm Monday 6.30 – 8.30pm Tuesday 5.30 – 6.30pm Friday 7-9pm
Aberlour Tennis Club	Ladies Tennis Club Nights	Wednesday 10.00 – 11.30am Mondays & Fridays 6pm to dark
Aberlour Bowling Club		Daily Seasonal, end of April to end of September
Old Station Tearoom	Drinks and home-baking by local volunteers, raising funds for the Aberlour Community Association.	Seasonal, June to end of September Daily 10.00 – 12.00 & 2.00- 4.30 Sunday 2-4.30pm
Speyside Visitor Centre (adjacent to the Old Station Tea Room)	Visitor Information Centre run by local volunteers	Seasonal, April to end of September 10.00 – 5.00pm, 7 days a week
The Aberlour Hotel	The Rotary Club of Aberlour & Speyside	Tuesday 7pm
Fleming Hall	Be Active Life Long Group (BALL) Active Start (pre 5yrs) Aberlour Pipe Band Pilates Highland Dancing Senior Citizens Toddler Group Exercise Group Pilates Group	Monday 10.00 – 12.00 midday 1.30 – 2.30pm 7.00 – 9.00pm Tuesday 9.30 – 10.30am 2.45 – 5.30pm 1st Tuesday of month Wednesday 9.30 – 12 5.30 – 8.45pm Friday 9.30 – 10.30





Aberlour Now

Celebrations for the Bi-centenary took place in 2012 along with the formation of the Aberlour Community and District Pipe Band the previous year and in 2015 Moray Council agree in principle to the Community Asset Transfer for Old Station Building to Aberlour Community Association.

Overall Aberlour's population is growing and it has a higher percentage of older people in comparison with the rest of Moray with the population growing by 24% in the ten years between the 2001 and 2011 censuses.

Aberlour also has a high percentage of older people living alone. 35% of households have only members who are over 65 years old. With more older-people public expenditure to support Aberlour will increase into the future.

71% of homes in Aberlour are owner occupied which is more than Moray (66%) and which, in turn, is more than Scotland (62%). 15% of homes are social-lets which are well below Moray and National levels. 12% are private-lets which is similar to both Moray and Scotland.

A positive note for Aberlour is that there is low unemployment unfortunately many of the jobs are low-skill jobs with 36% of residents have no formal qualifications and this is shown in that many school leavers opt for employment rather than continue their education although the attainment of Aberlour pupils is much better than the Moray average but fewer continue their education and go on to university.

Health statistics for Aberlour show a high prevalence of smoking, hypertension, obesity, diabetes, hypothyroidism and cancer to be the main causes of ill health.

Planning Objectives for Aberlour

This page lists all the planning guidelines as identified in the Local development Plan for Aberlour which are also indicated in the map on the next page. Planning Objectives are reviewed every couple of years to ensure consistency with current needs and policies.

Hierarchy Status / Objectives / Issues

Aberlour is a third tier settlement* and an important centre for Speyside

Aberlour has been identified for growth given its strategic role locally (secondary school; employment; trunk road). The lie of the land restricts options for development land and a shortage of land for employment purposes.

Infrastructure

Water and Drainage

Developers are advised to contact Scottish Water to confirm that there is sufficient drainage capacity and water supply available to accommodate proposals.

Roads

A number of potential roads improvements have been identified.

Layout and Design

High quality design and layouts in any new development is an important aspect for “placemaking”, in order to achieve an attractive and interesting living environment.

Housing (see map)

5 potential housing sites have been identified at:

R1 Chivas Field for 30 houses

R2: Braes of Allachie for 40 houses

R3: Tombain for 12 houses

R4: Speyview for 100 houses

Braes of Allachie (Phase 2) 5 for 50 houses

Opportunity Sites

OPP1 (see map) Mary Avenue

Industrial

Existing Industrial Sites

1. Aberlour

The existing industrial estate which accommodates McPherson’s transport depot and Walker’s Shortbread Factory is at capacity and cannot be reasonably expanded. A detailed Flood Risk Assessment will be required for any planning application.

2. Aberlour / Glenlivet Distillery Area

Reserved for the use of the distillery and related business uses.

3. Mary Avenue

No additional capacity for development.

4. Fisherton

New developments must respect the site’s sensitive location at the entrance to Aberlour and may be required to screen or landscape the frontage to the main road

Transportation Improvements (TSP)

A number of potential road improvements have been identified in association with the development of sites. In addition to individual site requirements, these take account of the cumulative impact on the road network.

Environment

The following sites are identified as open spaces which contribute to the environment and amenity of Aberlour. The over-riding policy E5 – Open Spaces applies to each of these sites.

See map for specific location of the following environmental designations

ENV1 Public Parks and Gardens Alice Littler Park

ENV2 Private Gardens or Grounds West Lynne

ENV3 Amenity Greenspace Field at St. Margaret’s church, Mary Avenue

ENV5 Sports Areas Speyside High School, Charlestown Bridge

Wider Environmental Designations for Aberlour

ENV6 Green Corridors/Natural/Semi Natural Greenspaces:

Linn Braes; Mary Avenue; Dowans Hotel; Braes of Allachie/School; Mary Avenue; Braes of Allachie; Woodlands; Braes of Allachie TPO and Tombain

ENV7 Civic Space The Square

ENV11 Cemeteries Cemetery

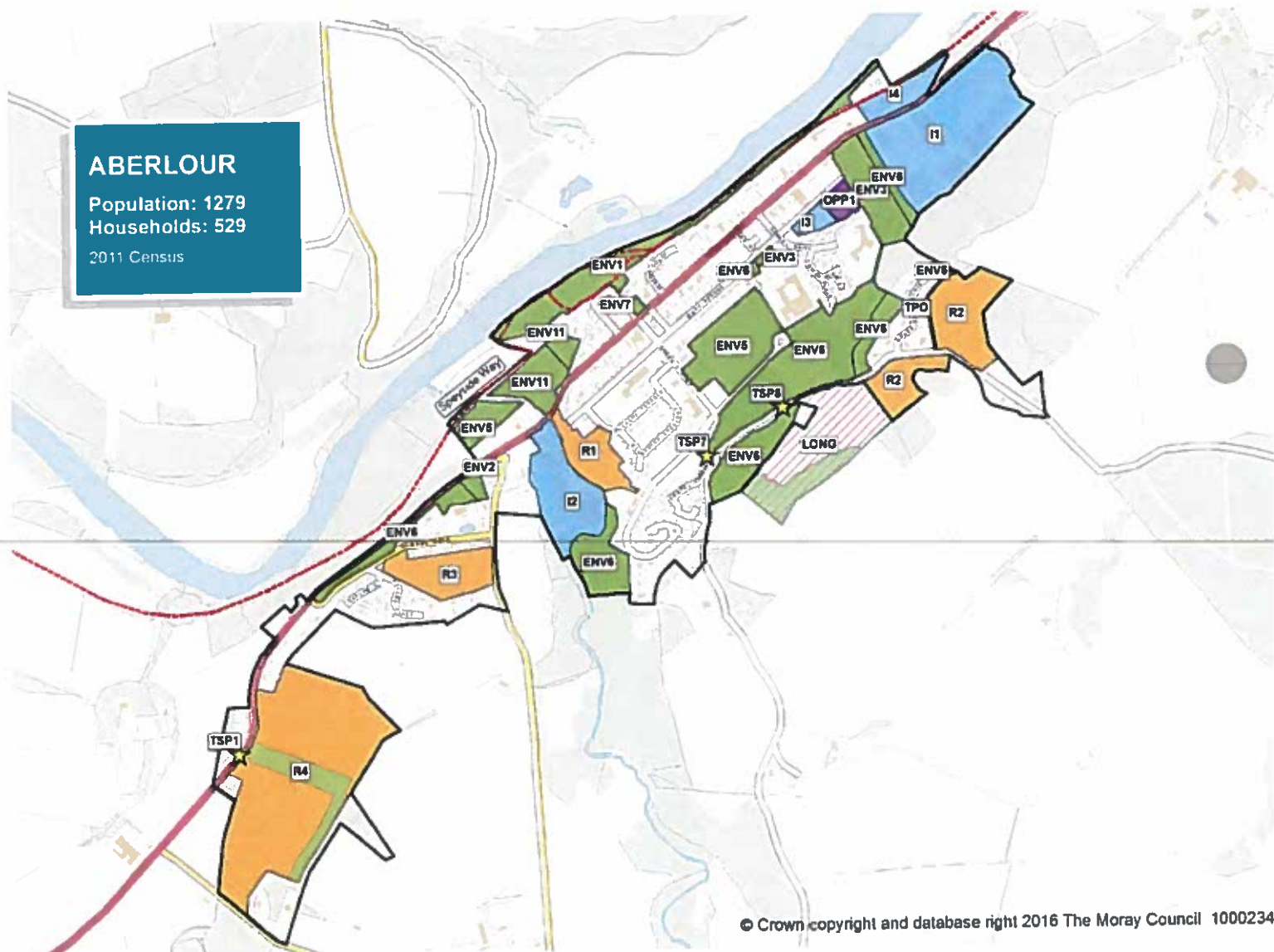
TPO Tree Preservation Order Braes of Allachie

AGLV: The whole area out with the town boundary, is designated as an Area of Great Landscape Value covering the Spey Valley

Speyside Way: The Speyside Way follows the line of the old railway through the town. New development which abuts the Speyside Way must not impair its attractiveness to walkers

SSSI: The River Spey is a designated Site of Special Scientific Interest

SAC: The River Spey is a designated Special Area of Conservation



Where does the Aberlour Community Action Plan fit within Moray 2026?

What is Moray 2026?

Moray 2026 is the strategic document from The Moray Community Planning Partnership which is made up of:

- HIE Moray
- HITRANS
- Moray College UHI
- Moray Integration Joint Board
- NHS Grampian
- Police Scotland
- Scottish Fire and Rescue
- Scottish Government
- Skills Development Scotland
- The Moray Council
- tsiMORAY

The community of Aberlour have identified priorities based on themes which align with Moray 2026.

The Partnership has identified 5 priorities which are:

Aberlour Community Action Plan

1. A growing, diverse and sustainable economy

1. Traffic, Transport access

2. Healthier Citizens

2. Environment & sustainability

3. Ambitious and confident young people

3. Leisure & Tourism

4. Adults living healthier, sustainable independent lives safe from harm

4. Facilities & Services

5. Safer communities

5. Crime & Safety



What happens next with Planning for Real?

The members of the Aberlour Planning for Real Working Group have agreed to facilitate the next stage of the process which is to bring together the potential partners identified by the community to take forward the issues identified. This will include keeping the public up to date with developments as projects progress particularly through Facebook (check out Aberlour Planning for Real fb page). Local groups, possibly new groups and Aberlour Community Association are likely to be looking for new members to help develop and deliver projects, this won't mean you have to become a trustee to get involved though.

The Working Group have also agreed to come together periodically to review the Community Action Plan and get the map back out in the future to identify further themes and priorities.

Members of the Working Group also facilitated a shared learning event with representatives from the communities of Lhanbryde and Portgordon who are looking to take forward Planning for Real in their communities.

Aberlour Planning for Real has been developed and delivered locally by:

- Emma Winchester
- Pamela Winchester
- Charlie Watson
- Shuna Dicks
- Hugh Fraser
- Sandy Henderson
- Jane Crowther
- Greg Sareb

Aberlour 3D map was made with help from:

- Janice
- George
- Charlotte
- Lorraine
- June
- Charlie G
- Mabel
- Carolyn
- Davey
- Corbin
- Blane
- Karen

With help from:

- Aberlour Primary – Lunchtime group
- Aberlour Scouts and Cubs



Your Notes







PlayAberlour



Aberlour Recreation Survey March 2018

PlayAberlour is a new local charity formed directly from last year's very successful Planning for Real process. The people of Aberlour clearly wished for Alice Littler Park to be improved and made accessible for all, and for places to be found for other kinds of recreational and social activities.

Members of the community have volunteered to help make these wishes come true, and now we're ready for more input from you on exactly how you want it. This survey is the first step as we work to re-design and re-create our community recreation facilities.

We are keen to hear from locals (and visitors too) about your highest hopes and dreams for play and fun in our village. Please pass this message along to your friends and family.

Survey online at playaberlour.org

If you would prefer to use a paper version, it is on the reverse of this flyer. Please return it to the Aberlour Library, **deadline March 15th**. For a large-print version, ask at the library.

Please consider joining PlayAberlour to receive regular updates on our progress.

Thank you for your participation!

PlayAberlour PlayAberlour SCIO SC047670

Our playpark needs help...



**Working together, we can
make our playpark great again!**

... barriers removed, a fence for safety, and more.



1. Email address

About yourself and how you use the park...

2. Age group (tick one)

- 0 to 5
- 6 to 12
- 13 to 18
- 19 to 24
- 25 to 44
- 45 to 64
- 65 +

3. Location (tick one)

- Aberlour
- Speyside (outwith Aberlour)
- Moray (outwith Speyside)
- Scotland (outwith Moray)
- UK (outwith Scotland)
- Europe (outwith UK)
- Earth (outwith Europe)

4. How often do you use Alice

Littler Park (weather permitting?)

- Almost every day
- A few times a week
- A few times a month
- A few times a year
- Rarely or never

5. If you answered "rarely or never"

to the previous question and are willing to share the reason, please do:

6. Who do you go with? (tick all that apply)

- Infant(s)
- Young child / children
- Teen or adult family / friends / visitors
- Dog(s) or other animals (cat? cockatoo? lizard? llama?)
- Alone
- Other:

7. What times of day do you go?

- (tick all that apply)
- Morning
 - Afternoon
 - Evening
 - Middle of the night

8. What seasons? (tick all that apply)

- Spring
- Summer
- Autumn
- Winter

What you would like in the park...

The Planning for Real process

identified a long list of things people were interested in. Please confirm the things you would like.

9. Play (tick all you'd like)

- Fenced play area with equipment for young children
- Play area and equipment for kids 6 to 12
- Equipment and furniture oriented to teens

Sensory and musical features for all ages

- Sand and/or water play area
- Fix up the putting green
- Areas for boules / petanque / bocce and/or other sand / lawn games
- Other:

10. Fitness (tick all you'd like)

- Exercise equipment
- Exercise equipment specially designed for seniors
- Improved pathways
- Other:

11. Seating / shelter / amenities (tick all you'd like)

- Seating in play areas
- Seating outwith play areas
- Covered seating areas - a few, separated
- Picnic tables
- Larger covered seating area with picnic tables
- Game tables
- Bandstand
- Barbeques
- Drinking water
- Other:

12. Wheels (tick all you'd like)

- Skateboard
- Roller skating
- Scooter
- Bicycle
- Beginner zone
- Other:

13. Dogs (tick all you'd like)

- Fenced dog zone
- Bin and bags
- Seating in dog area (for humans)
- Drinking water (for dogs)
- Other:

14. Anything else? Be specific. Don't be shy, now's your chance!

If the park were upgraded with all the things you've ticked...

15. How often WOULD you use Alice

- Littler Park + possible other new recreation areas (weather permitting?) (tick one)
- Almost every day
 - A few times a week
 - A few times a month
 - A few times a year
 - Rarely or never

16. If you still answered "rarely or never" and are willing to share the reason, please do. Is there something that WOULD get you out to the park?

17. Who WOULD you go with? (tick all that apply)

- Infant(s)
- Young child / children
- Teen or adult family / friends

Dog(s) or other animals (cat? cockatoo? lizard? llama?)

- Alone
- Other:

18. What times of day WOULD you go? (tick all that apply)

- Morning
- Afternoon
- Evening
- Middle of the night

19. What seasons WOULD you go? (tick all that apply)

- Spring
- Summer
- Autumn
- Winter

That's it! Thank you!

20. Have we left anything out? One more chance!

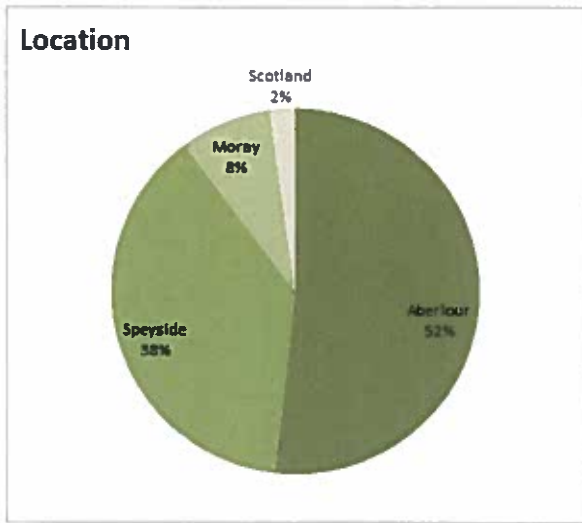
21. What are you most excited about?

22. Any other comments?

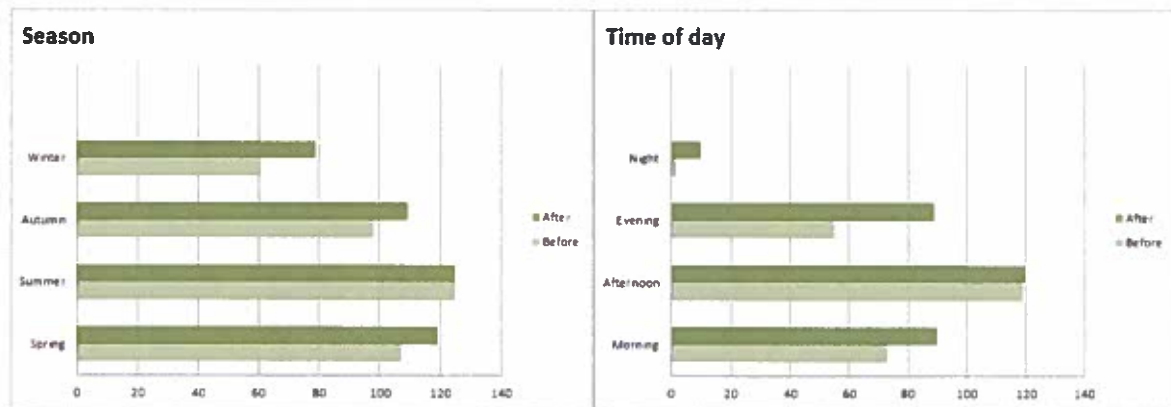
23. Would you like to become a member of PlayAberlour? If yes, tell us your name and we'll contact you at the email address you gave above. If you'd rather we mailed you a paper form, give us your name / address here.

PlayAberlour Recreation Survey

March 2018



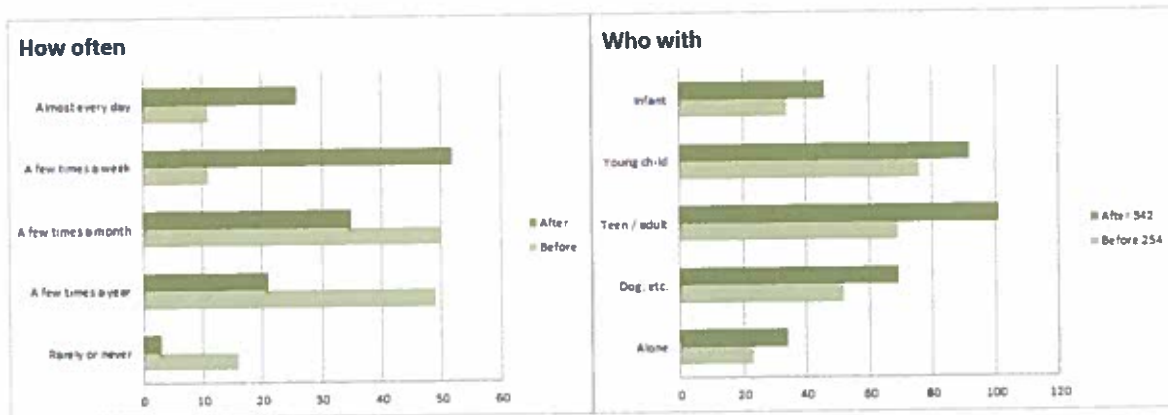
Where respondents live.



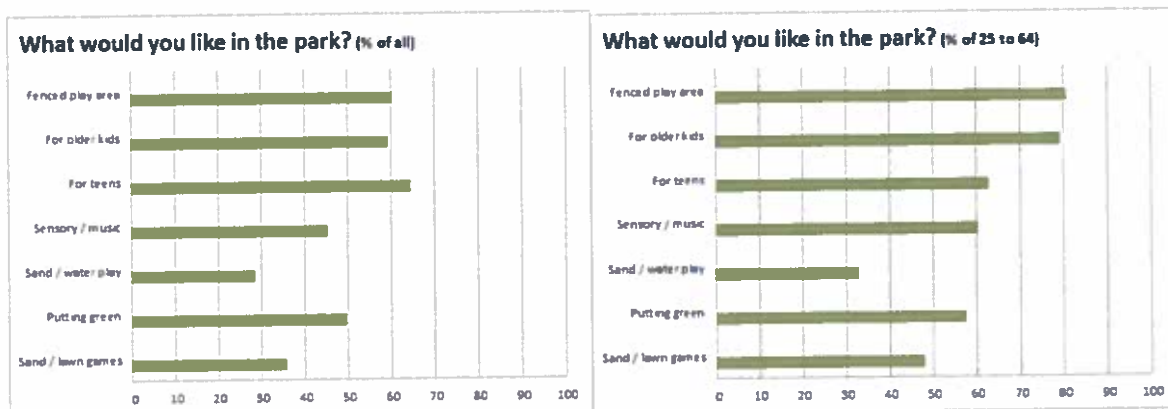
What season and time of day they go to the park now, and when they would be likely to use it after renovation.

PlayAberlour Recreation Survey

March 2018



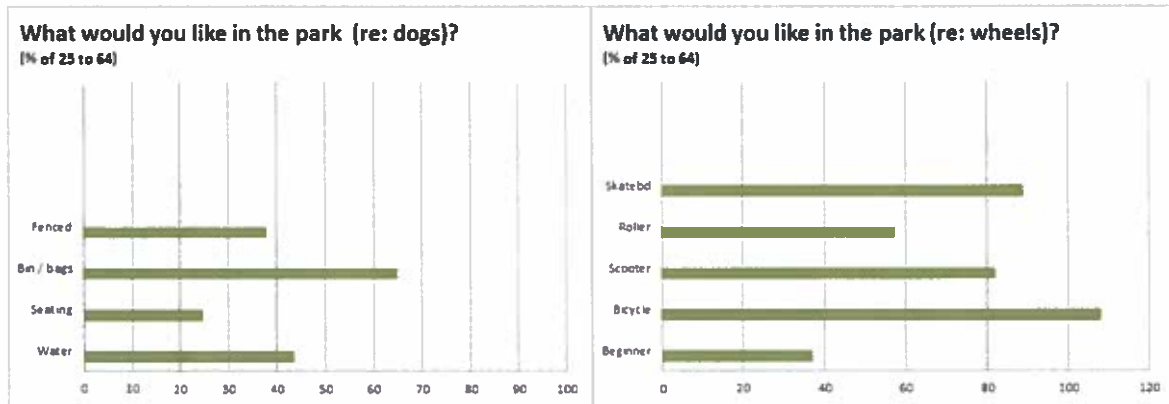
How often they go to the park now and who they go with.
 How often they would be likely to use it, and who with, after renovation.



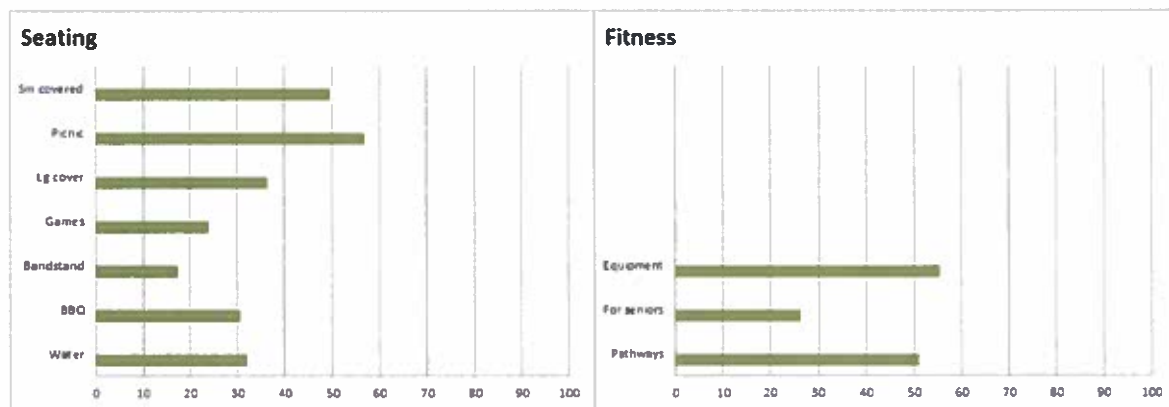
Percentages of all people looking for particular items in the park,
 and percentages of those generally of parenting age.

PlayAberlour Recreation Survey

March 2018



Percentages of adults supporting features for dogs and wheeled activities.



Percentages of all people supporting particular rest and fitness options.

Your Vision for Alice Littler Park November 2018

This is a follow-up to the PlayAberlour Recreation Survey of a few months ago, and is our next step towards renewing Aberlour's beautiful Alice Littler Park. Huge thanks to all who responded—almost 1/4 of village households—amazing!

Unsurprisingly, the survey results closely tracked the data from Aberlour's Planning for Real process. **Remember the huge map?** All those flags were tabulated by Moray Council staff and turned into the Aberlour Community Action Plan, and it is precisely these park and recreation wishes from the Action Plan that PlayAberlour was formed to promote. **Our sole purpose is to make these priorities happen,** and we will continue to engage with the entire community to be sure we are on track.

Thanks, also, for your patience. A Community Asset Transfer through Moray Council takes time, and while it may not always seem like much is happening, we have been diligent, making steady progress.

On behalf of all the members of PlayAberlour, and for the benefit of everyone who lives in or visits Aberlour, **we are delighted to present this outline plan for Alice Littler Park.**

Say goodbye to our old playpark

Our playpark is in its last days. Equipment that has already been removed by the Council will not be replaced. Everything remaining in the toddler area and most of what's in the older kids area is at its end-of-life and fit to be removed, although the long slide, climbing rope structure, and rock climbing arch can possibly be refurbished. The crumbling log borders and obsolete wood chip surfaces are a barrier to people with impaired mobility and unpleasant for everyone.



Say hello to our new playpark

PlayAberlour has made preliminary contact with equipment providers, and we have seen an amazing array of ideas that will bring **fun and fitness for all**. Our new playpark will be a thrill for toddlers and older kids, and as inclusive as possible for people of all physical abilities. It will have a mix of replacements for the existing equipment, other traditional items, and brilliant new attractions.

- A major priority will be an attractive, appropriate **fence around the play area**, high enough to keep dogs out and small children in and away from the water.
- **Zipline!** This is also a high priority addition, and there might even be room for a double.
- **Teens** have not been well served at the park in the past, and equipment that is known to be of interest for this age group will be in the plan, as requested.
- **Fitness equipment** for adults, including some designed especially for our many seniors.
- Musical, sensory and other **creative** items to encourage imagination and discovery.
- Many respondents asked for places to skateboard, roller skate, scooter and cycle. Space and surfaces for these will take further thought and discussion, likely as a separate initiative or phase of the project. If these activities are especially important to you, contact us to discuss creating a subgroup. With focused energy, you can make it happen.

(there's more, please turn over)

Not just the playpark, the entire park

The playpark needs the most work, but that's not the whole park. Paths, benches, signs, fences, landscaping and more, all need attention. Overall, people clearly expressed they want Alice Littler Park to be cleaned, tidied and made as inclusive as possible, while **preserving the things everyone loves**.

To keep it all **visually harmonious**, the materials, colours, finishes, details and other visible aspects will be kept calm and modest in respect of the spectacular setting. For play equipment and other structures, wood is perfect, where possible, whether in its natural tones or a gentle brown or green varnish, but we have to accept the realities of weather and heavy usage. Stainless steel seems to be an obvious choice for certain structural elements, and would look fine with wood. Powder-coated steel in compatible muted hues is less preferred but could work. Some plastic parts and bright colours may be suitable if used sparingly.

Our magnificent **trees** will be inspected and attended to, making sure they stay healthy and green for decades to come. PlayAberlour members who are already involved with the **village flowers** are ready to sow lively seasonal colour. We will repair or replace any **memorial benches** needing attention at the preference of the donors, and maybe we can add a few more. Our magnificent **Highland games** ground will be preserved and protected, and we will work hard to turn our **putting green** back into the fun and photogenic showpiece we all remember.



Celebrating our history and connections

We have a unique opportunity to add a further historical overlay to Alice Littler Park, something that will surely be of great interest to locals and visitors alike—a tribute to the **Strathspey Railway** line, which operated through the park until 1965. This rich theme offers a family-friendly connection to a fascinating part of our heritage, complementing the familiar Speyside "whisky and fishing" story. Working closely with our local historians and naturalists, we can create displays to show how all these themes come together in Aberlour, plus ask equipment providers to include thoughtful rail-related elements into the play areas, and look for more good opportunities to embellish the story. It all ties in perfectly with the educational exhibits in our award-winning Speyside Visitor Centre, and will bring friendly faces—both familiar and new—into the Old Station Tearoom and throughout the village.

Next steps

PlayAberlour is in the process of completing our business case for-submittal to Moray Council, and then we will await their decision on awarding the Community Asset Transfer. It's been a long process, with a few delays along the way, and we are eagerly pressing forward as this milestone comes into view.

Thank you to everyone who has given us the input to make sure we stay on the right track. We'll keep you posted!



PlayAberlour SCIO SC047670

Join us at playaberlour.org

PlayAberlour

Member List – Dec 2019

- 1) [REDACTED]
- 2) [REDACTED]
- 3) [REDACTED]
- 4) [REDACTED]
- 5) [REDACTED]
- 6) [REDACTED]
- 7) [REDACTED]
- 8) [REDACTED]
- 9) [REDACTED]
- 10) [REDACTED]
- 11) [REDACTED]
- 12) [REDACTED]
- 13) [REDACTED]
- 14) [REDACTED]
- 15) [REDACTED]
- 16) [REDACTED]
- 17) [REDACTED]
- 18) [REDACTED]
- 19) [REDACTED]
- 20) [REDACTED]
- 21) [REDACTED]
- 22) [REDACTED]
- 23) [REDACTED]
- 24) [REDACTED]
- 25) [REDACTED]
- 26) [REDACTED]
- 27) [REDACTED]



Constitution of **PlayAberlour** SCIO

CONTENTS (Clauses)

General (1-6) – Definitions, Name, Office, Community Definition and Purposes, Powers, General Structure

Members (7-17) – Membership, Application for membership, Membership Subscriptions, Re-Registration of Members, Liability, Cessation, Register of Members, Associates

Decision-making by Members (18-28) – General Meetings, Chairperson, Quorum, Voting, Proxy, Resolutions, Adjournment

Charity Trustees (29-44) – Management by the Board, Interim Board, Composition, Elected, Appointed and Co-opted Charity Trustees, Vacancy, General Duties, Code of Conduct, Register of Trustees, Termination

Decision-making by Charity Trustees (45-53) – Chairperson, Board Meetings, Voting, Sub-committees

Administration; Finance (54-67) – Constraints on payments, Personal interests, Office Bearers, Finances and Accounts, Notices, Records of meetings, Indemnity, Alteration to Clauses, Dissolution

DEFINITIONS

The following definitions apply throughout (words in the singular include the plural and *vice versa*):

- **2005 Act** means the Charities and Trustee Investment (Scotland) Act 2005 and every statutory modification and re-enactment thereof for the time being in force
- **AGM** means an Annual General Meeting
- **Board** means the Board of Charity Trustees
- **Charity** means a body entered in the Scottish Charity Register as defined under section 106 of Charities and Trustee Investment (Scotland) Act 2005
- **Charity Trustees** means the persons having general control and management of the Organisation
- **Clear days**, in relation to notice of a meeting, means a period excluding the day when notice is given and the day of the meeting.
- **Community** has the meaning given in Clause 4
- **GM** means a General Meeting
- **Group** means those other Organisations (incorporated or not) that are not this Organisation
- **Individual** means a human/person
- **Members** means those individuals and groups who have joined this Organisation
- **Organisation** means the SCIO whose constitution this is
- **OSCR** means the Office of the Scottish Charity Regulator
- **Property** means any property, assets or rights, heritable or moveable, wherever situated
- **SCIO** means Scottish Charitable Incorporated Organisation
- **them and their** refer to individuals or groups (either he, she or they)

NAME; CHARITABLE STATUS

1. The name of the Organisation is PlayAberlour (also referred to herein as “the Organisation”).
2. PlayAberlour will, upon registration, be a Scottish Charitable Incorporated Organisation (SCIO).

REGISTERED OFFICE

3. The principal office of the Organisation will be in Scotland (and must remain in Scotland).

DEFINITION OF COMMUNITY AND PURPOSES

4. The Organisation has been formed to benefit the community of Aberlour in particular and Moray as a whole (“Community”), with the following purposes (“Purposes”):
 - 4.1. To provide recreational facilities and activities, by undertaking an upgrade to existing facilities and or creating new recreational areas within the village of Aberlour

POWERS

5. The SCIO has power to do anything which is calculated to further its purposes or is conducive or incidental to doing so. In particular, (but without limiting the range of powers available under the 2005 Act), the SCIO has power:
 - 5.1. to encourage and develop a spirit of voluntary or other commitment by, or co-operation with, individuals, unincorporated associations, societies, federations, partnerships, corporate bodies, agencies, undertakings, local authorities, unions, co-operatives, trusts and others and any groups or groupings thereof willing to assist the Organisation to achieve the Purposes;
 - 5.2. to promote and carry out research, surveys and investigations and to promote, develop and manage initiatives, projects and programmes;
 - 5.3. to provide advice, consultancy, training, tuition, expertise and assistance;
 - 5.4. to prepare, organise, promote and implement training courses, exhibitions, lectures, seminars, conferences, events and workshops, to collect, collate, disseminate and exchange information and to prepare, produce, edit, publish, exhibit and distribute clauses, pamphlets, books and other publications, tapes, motion and still pictures, music and drama and other materials, all in any medium;
 - 5.5. to purchase, take on lease, hire, or otherwise acquire any property suitable for the Organisation;
 - 5.6. to construct, convert, improve, develop, conserve, maintain, alter and demolish any buildings or erections whether of a permanent or temporary nature, and manage and operate (or arrange for the professional or other appropriate management and operation of) the Organisation's property;
 - 5.7. to sell, let, hire, license, give in exchange and otherwise dispose of all or any part of the property of the Organisation;
 - 5.8. to establish and administer a building fund or funds or guarantee fund or funds or endowment fund or funds;
 - 5.9. to employ, contract with, train and pay such staff (whether employed or self- employed) as are considered appropriate for the proper conduct of the activities of the Organisation;
 - 5.10. to take such steps as may be deemed appropriate for the purpose of raising funds for the activities of the Organisation;

- 5.11. to accept subscriptions, grants, donations, gifts, legacies and endowments of all kinds, either absolutely, conditionally or in trust;
- 5.12. to borrow or raise money for the Purposes and to give security in support of any such borrowings by the Organisation and/or in support of any obligations undertaken by the Organisation;
- 5.13. to set aside funds not immediately required as a reserve or for specific purposes;
- 5.14. to invest any funds which are not immediately required for the activities of the Organisation in such investments as may be considered appropriate, which may be held in the name of a nominee Organisation under the instructions of the Board of Trustees, and to dispose of, and vary, such investments;
- 5.15. to make grants or loans of money and to give guarantees;
- 5.16. to establish, manage and/or support any other charity, and to make donations for any charitable purpose falling within the purposes;
- 5.17. to establish, operate and administer and/or otherwise acquire any separate trading Organisation or association, whether charitable or not;
- 5.18. to enter into any arrangement with any Organisation, government or authority which may be advantageous for the purposes of the activities of the Organisation and to enter into any arrangement for co-operation, mutual assistance, or sharing profit with any charitable Organisation;
- 5.19. to enter into contracts to provide services to or on behalf of others
- 5.20. to effect insurance of all kinds (which may include indemnity insurance in respect of Trustees and employees);
- 5.21. to oppose, or object to, any application or proceedings which may prejudice the interests of the Organisation;
- 5.22. to pay the costs of forming the Organisation and its subsequent development;
- 5.23. to carry out the Purposes as principal, agent, contractor, trustee or in any other capacity

GENERAL STRUCTURE OF THE ORGANISATION

6. The Organisation is composed of:
 - 6.1. **Members**, who have the right to attend members' meetings (including any annual general meeting) and have important powers under the constitution; in particular, the members appoint people to serve on the board and take decisions on changes to the constitution itself;
 - 6.2. **Junior Members**, who have the right to attend members' meetings (including any annual general meeting). Junior members can form a Junior Committee and present proposals to the Board; and
 - 6.3. **Charity Trustees** composed of Elected Charity Trustees, Appointed Charity Trustees; and Co-Opted Charity Trustees, following the first GM.

MEMBERSHIP

7. The members of the Organisation shall consist of those individuals who made the application for registration of the Organisation and such other individuals and groups as are admitted to membership under the following clauses.
8. The Organisation shall have not fewer than 20 members at any time; and

- 8.1. In the event that the number of members falls below 20 the Board may conduct only essential business other than taking steps to ensure the admission of sufficient Ordinary Members to achieve the minimum number.
9. Membership of the Organisation is open to:
 - 9.1. Individuals aged 16 or over who members of the Community (“Ordinary Members”); and
 - 9.2. Individuals aged between 12 and 15 who are members of the Community (“Junior Members”) (such Members not being eligible to serve as Charity Trustees).
 - 9.3. If an Individual or group ceases to fulfil the criteria within clause 9.1 or 9.2, that Individual or group must inform the Organisation. The Organisation may choose to reclassify a Junior Member as an Ordinary Member.

APPLICATION FOR MEMBERSHIP

10. No Individual may become a Member unless that Individual has submitted a written application for membership in the form prescribed by the Charity Trustees and the Charity Trustees have approved the application.

[**Note:** Per Board resolution adopted at the 16 September 2018 AGM, Members shall agree to the following specific terms: 1) The purpose of PlayAberlour is to provide recreational facilities and activities by undertaking an upgrade to existing facilities and/or creating new recreational areas within the village of Aberlour. 2) PlayAberlour has emerged expressly from the Planning for Real process. Members agree to support the community’s wishes as expressed in the Aberlour Community Action Plan (viewable online), as well as the results of surveys and other community consultation activities undertaken by PlayAberlour.]

- 10.1. The Charity Trustees shall consider applications for membership promptly. The Charity Trustees shall assess each application to determine whether the applicant meets the criteria for becoming an Ordinary Member or Junior Member.
11. Membership of the Organisation may not be transferred by a member.

MEMBERSHIP SUBSCRIPTIONS

12. No Membership subscription shall be payable.

RE-REGISTRATION OF MEMBERS

13. The Board may, at any time, issue notices to the members requiring them to confirm that they wish to remain as members of the Organisation, and allowing them a period of 28 days (running from the date of issue of the notice) to provide that confirmation to the Board.
 - 13.1. If a member fails to provide confirmation to the Board (in writing or by e-mail) that they wish to remain as a member of the Organisation before the expiry of the 28-day period referred to in clause 13, the Board may expel them from the membership.
 - 13.2. A notice under clause 13 will not be valid unless it refers specifically to the consequences (under clause 13.1) of failing to provide confirmation within the 28-day period.

LIABILITY OF MEMBERS

14. The members of the Organisation have no liability to pay any sums to help to meet the debts (or other liabilities) of the Organisation if it is wound up; accordingly, if the Organisation is unable to meet its debts, the members will not be held responsible.
15. The members and Charity Trustees have certain legal duties under the Charities and Trustee Investment (Scotland) Act 2005; and clause 14 does not exclude (or limit) any personal liabilities they might incur if they are in breach of those duties or in breach of other legal obligations or duties that apply to them personally.

CESSATION OF MEMBERSHIP

16. A member shall cease to be a member if:
- 16.1. that Member sends a written notice of resignation to registered office of the Organisation; they will cease to be a member as from the time when the notice is received by the Organisation;
 - 16.2. that Member has failed to respond to any re-registration request under clause 13;
 - 16.3. a resolution that that Member be expelled (where that Member's conduct, in their/its capacity as a Member, has been detrimental to the effective functioning of the Organisation) is passed by special resolution at a GM (notice of which shall state: a) the full text of the resolution proposed; and b) the grounds on which it is proposed) at which the Member is entitled to be heard;
 - 16.4. in the case of an Individual, that Individual has died (membership of the Organisation not being transferable);
 - 16.5. where the Member is a Charity Trustee of the Organisation, that Member has failed to comply with the code of conduct for Trustees in a manner which would result in them ceasing to be a Trustee and a member.

REGISTER OF MEMBERS

17. The Board must keep a register of members, setting out for each current member: a) their full name; b) their address; and c) date on which they were registered as a member of the Organisation.
- 17.1. Where any member is not an individual, the register must also contain: a) any other name by which the member is known; b) the principal contact for the member; c) any number assigned to it in the Scottish Charity Register, if it is a charity; and d) any number with which it is registered as a company, if it is a company.
 - 17.2. For each former member the register must set out, for at least six years from the date on they ceased to be a member: a) their name; and b) the date on which they ceased to be a member.
 - 17.3. The Board must ensure that the register of members is updated within 28 days of receiving notice of any change.
 - 17.4. If a member or Charity Trustee of the Organisation requests a copy of the register of members, the Board must ensure that a copy is supplied to them within 28 days, providing the request is reasonable. If the request is made by a member (rather than a Charity Trustee), the Board may provide a copy which has the addresses blanked out.

GENERAL MEETINGS (Meetings of the Members)

18. General Meetings – The Board may call a GM at any time and must call a GM within 28 days of a valid requisition. ~~To be valid, such requisition must be signed by at least 5% of the Members, must clearly state the purposes of the meeting, and must be delivered to the registered office of the Organisation.~~ The requisition may consist of several documents in like form each signed by one or more of the Members.
19. Annual General Meeting – The Board shall convene one GM a year as an AGM. An AGM need not be held during the calendar year during which the Organisation is incorporated, provided an AGM is held within 15 months of the date of incorporation. Thereafter, not more than 15 months shall elapse between one AGM and the next.
20. The business of each AGM shall include: a) a report by the Chairperson on the activities of the Organisation; b) the election of Elected Charity Trustees; c) the fixing of annual subscriptions; d) consideration of the accounts of the Organisation; e) a report of the auditor if applicable; and f) the appointment of the auditor if applicable. Notice of General Meeting – Subject to the terms of clause 62, notice of a GM shall be given as follows:
- 20.1. At least 14 Clear Days' notice must be given of any GM.

20.2. The notice must specify the place, date and time of the GM, the general nature of business to be dealt with at the meeting; and a) in the case of a resolution to alter the constitution, must set out the exact terms of the proposed alteration(s); and in the case of any special resolution (as defined in clause 26) must set out the exact terms of the resolution.

20.3. Notice of every members' meeting must be given to all the members of the Organisation, and to all the Charity Trustees; but the accidental omission to give notice to one or more members will not invalidate the proceedings at the meeting.

CHAIRPERSON OF GENERAL MEETINGS

21. The Chairperson of the Organisation shall act as Chairperson of each GM. If the Chairperson is not present or willing to do so the Vice-Chairperson of the Organisation shall act as Chairperson of the GM. If neither the Chairperson nor the Vice-Chairperson is present or willing to act as Chairperson of the GM within 15 minutes after the time at which it was due to start, the Charity Trustees present shall elect from among themselves one of the Elected Charity Trustees who will act as Chairperson of that GM.

QUORUM AT GENERAL MEETINGS

22. The quorum for a GM shall be the greater of: 5% of the membership; present in person. No business shall be dealt with at any GM unless a quorum is present.

22.1. If a quorum is not present within 15 minutes after the time at which the GM was due to start (or if, during a GM, a quorum ceases to be present) the GM shall be adjourned until such time, date and place as may be fixed by the Chairperson of the GM.

22.2. The Board may make arrangements in advance of a GM to allow members (or their proxies) to fully participate remotely, so long as all those participating in the meeting can communicate with each other; and all Members may vote during the meeting.

VOTING AT GENERAL MEETINGS

23. The Chairperson of the meeting shall endeavour to achieve consensus wherever possible but, if necessary, questions arising shall be decided by being put to the vote.

23.1. Each Member shall have one vote, to be exercised in person by a show of hands

23.2. A secret ballot may be demanded by: a) the chairperson of the GM; or b) at least two Members present at the GM, before a show of hands and must be taken immediately and in such manner as the chairperson of the GM directs. The result of a secret ballot shall be declared at that GM.

24. There shall be no proxy voting

24.1. In the event of an equal number of votes for and against any resolution, the Chairperson of the meeting shall have a vote in their capacity as a member of the Organisation.

25. At any GM an Ordinary Resolution put to the vote of the meeting may be passed by a simple majority of the Members voting (in person).

26. Certain resolutions must be passed as Special Resolutions, including resolutions: a) to alter the name of the Organisation; or b) to amend the Purposes; or c) to amend these Clauses; or d) to wind up the Organisation in terms of clause 67. At any GM a Special Resolution put to the vote of the meeting may be passed by not less than two thirds of the Members voting (in person).

27. Ordinary and Special Resolutions may be passed in writing, rather than at a General Meeting, and shall have effect as if they had been passed at a GM, provided the terms of this Clause are followed.

27.1. An Ordinary Resolution may be passed in writing if signed by a simple majority of all the Members.

27.2. A Special Resolution to wind up the Organisation may be passed in writing if signed by all the Members.

27.3. Any other Special Resolution may be passed in writing if signed by not less than two thirds of all the Members.

- 27.4. Written resolutions must be sent to all Members at the same time (the "Circulation Date") in hard copy (posted or hand-delivered) or electronic form (faxed or e-mailed), or by means of a website.
- 27.5. Written resolutions must be accompanied by a statement informing the Member: a) how to signify agreement to the resolution; b) how to return the signed resolution to the Organisation (in hard copy (posted or hand-delivered) or electronic form (faxed or e-mailed)); c) the date by which the resolution must be passed if it is not to lapse (that is, the date which is 28 days after the Circulation Date); and d) that they will not be deemed to have agreed to the resolution if they fail to reply.
- 27.6. A written resolution may consist of several documents in the same form, each signed by or on behalf of one or more Members.
- 27.7. Once a Member has signed and returned a written resolution in agreement thereto, that Members' agreement is irrevocable.
- 27.8. The Members may require the Organisation to circulate a written resolution.
- 27.8.1. The resolution must be requested by at least 5% of the Members. Requests must be in hard copy (posted or hand-delivered) or electronic form (faxed or e-mailed), must identify the resolution and may be accompanied by a statement not exceeding 1,000 words which the Organisation will also be required to circulate.
- 27.8.2. The Board may reject the resolution but must provide reasons for doing so to the members requesting the resolution.
- 27.8.3. If accepted, the Organisation must circulate the resolution and any accompanying statement within 21 days, and may require the requesting Members to cover the expenses it incurs circulating the resolution.

MEETING ADJOURNMENT

28. The Chairperson of the GM may, with the consent of a majority of the Members voting (in person), adjourn the General Meeting to such time, date and place as the Chairperson may determine.

ORGANISATION MANAGEMENT

29. The affairs, property and funds of the Organisation shall be directed and managed by a Board of Charity Trustees. The Board:
- 29.1. shall set the strategy and policy of the Organisation;
- 29.2. shall, where no employees or managers are appointed, be responsible for the day-to-day management of the Organisation;
- 29.3. shall hold regular meetings between each AGM, meeting as often as necessary to despatch all business of the Organisation;
- 29.4. shall monitor the financial position of the Organisation;
- 29.5. shall direct and manage the affairs and Property of the Organisation;
- 29.6. shall generally control and supervise the activities of the Organisation;
- 29.7. may, on behalf of the Organisation, do all acts which may be performed by the Organisation (other than those required to be performed by the Members at a GM);
- 29.8. may exercise the powers of the Organisation; and
- 29.9. may not also be paid employees of the Organisation.

INTERIM BOARD

30. Upon incorporation of the Organisation, the individuals who signed the Charity Trustee declaration forms which accompanied the application for incorporation of the Organisation shall be deemed to have been appointed by the members as Charity Trustees with effect from the date of incorporation of the Organisation.

- 30.1. The Interim Board shall retire at the first GM, which shall be held as soon as practicable following incorporation, but shall remain eligible for re-election (the period of office between the date of incorporation and the date of the first GM not being regarded as a “term of office” for the purposes of clause 33.6).

COMPOSITION OF THE BOARD OF CHARITY TRUSTEES

31. The number of Charity Trustees shall be not less than 3 and the total number of Charity Trustees shall not be more than 12.

APPOINTMENT OF CHARITY TRUSTEES

32. From and after the first General Meeting of the Organisation, the Board shall comprise the following individual persons (a majority of whom shall always be Elected Charity Trustees):
- 32.1. A minimum of 3 individual persons elected as Charity Trustees by the Members in accordance with clause 33 (“the Elected Charity Trustees”), who must themselves be Ordinary Members; and
- 32.2. up to 5 individual persons co-opted in accordance with clause 39 (“the Co-opted Charity Trustees”), so as to ensure a spread of skills and experience within the Board (the combined total of Appointed Charity Trustees and Co-opted Charity Trustees must not outnumber the total number of Elected Charity Trustees).
- 32.3. Employees of the Organisation may not be nominated as or become Charity Trustees.

ELECTED CHARITY TRUSTEES

33. At the first General Meeting of the Organisation, the Members shall elect up to 12 (minimum of three) individual Ordinary Members as Elected Charity Trustees.
- 33.1. Elected Charity Trustees must be nominated in writing by at least two Members. Such nominations must contain confirmation from the nominee that they are willing to act as an Elected Charity Trustee and must be delivered to the registered office of the Organisation at least seven days before the GM.
- 33.2. Each Member has one vote for each vacancy in the Elected Charity Trustees on the Board.
- 33.3. Provided the first GM is not also the first AGM, there shall be no changes in the Charity Trustees at the first AGM (except to fill any vacancies left following the first GM or caused by retirements since the first GM).
- 33.4. At the second and subsequent AGMs, one-third of the Elected Charity Trustees (rounding upwards if this is not a whole number) shall retire from office at the close or adjournment of that meeting.
- 33.5. The Elected Charity Trustee(s) to retire at an AGM shall be those who have been longest in office since their election/re-election (unless other Elected Charity Trustee(s) have agreed to retire at that AGM). As between Individuals who were appointed as Elected Charity Trustees on the same date, the Elected Charity Trustee(s) to retire shall be agreed between the Individuals appointed on the same date or determined by lot.

CO-OPTED CHARITY TRUSTEES

34. Subject to clause 35, the Charity Trustees may appoint Individuals as Charity Trustees to ensure a spread of skills and experience within the Board (“Co-opted Charity Trustees”) and may remove a Co-opted Charity Trustee at any time.
- 34.1. A Co-opted Charity Trustee shall retire at the AGM following their appointment unless re-appointed by the Charity Trustees.
- 34.2. A Co-opted Charity Trustee can be removed from office at any time by a simple majority of the Board.
- 34.3. For the avoidance of doubt, a Co-opted Charity Trustee may participate fully in at all Board meetings which they attend, and is eligible to vote at them.

VACANCY

35. The Board may from time to time fill any casual vacancy arising as a result of the retiral (or deemed retiral for any reason) of any Elected Charity Trustee from or after the date of such retiral or deemed retiral until the next AGM.

CHARITY TRUSTEES – GENERAL DUTIES

36. Each of the Charity Trustees has a duty, in exercising functions as a Charity Trustee, to act in the interests of the Organisation; and, in particular, must:
 - 36.1. seek, in good faith, to ensure that the Organisation acts in a manner which is in accordance with its purposes;
 - 36.2. act with the care and diligence which it is reasonable to expect of a person who is managing the affairs of another person;
 - 36.3. in circumstances giving rise to the possibility of a conflict of interest between the Organisation and any other party, put the interests of the Organisation before that of the other party; where any other duty prevents them from doing so, disclose the conflicting interest to the Organisation and refrain from participating in any deliberation or decision of the other Charity Trustees with regard to the matter in question;
 - 36.4. ensure that the Organisation complies with any direction, requirement, notice or duty imposed under or by virtue of the Charities and Trustee Investment (Scotland) Act 2005.
 37. In addition to the duties outlined in clause 36, all of the Charity Trustees must take such steps as are reasonably practicable for the purpose of ensuring:
 - 37.1. that any breach of any of those duties by a Charity Trustee is corrected by the Charity Trustee concerned and not repeated; and
 - 37.2. that any Charity Trustee who has been in serious and persistent breach of those duties is removed as a Charity Trustee.
 38. Provided they have declared their interest – and have not voted on the question of whether or not the Organisation should enter into the arrangement – a Charity Trustee will not be debarred from entering into an arrangement with the group in which they have a personal interest; and (subject to clause 58 and to the provisions relating to remuneration for services contained in the Charities and Trustee Investment (Scotland) Act 2005), they may retain any personal benefit which arises from that arrangement.
 39. No Charity Trustee may serve as an employee (full time or part time) of the Organisation; and no Charity Trustee may be given any remuneration by the Organisation for carrying out their duties as a Charity Trustee.
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40. The Charity Trustees may be paid all travelling and other expenses reasonably incurred by them in connection with carrying out their duties; this may include expenses relating to their attendance at meetings.

CODE OF CONDUCT FOR CHARITY TRUSTEES

41. Each of the Charity Trustees shall comply with the code of conduct (incorporating detailed rules on conflict of interest) prescribed by the Board from time to time.
 - 41.1. The code of conduct shall be supplemental to the provisions relating to the conduct of Charity Trustees contained in this constitution and the duties imposed on Charity Trustees under the Charities and Trustee Investment (Scotland) Act 2005; and all relevant provisions of this constitution shall be interpreted and applied in accordance with the provisions of the code of conduct in force from time to time.

REGISTER OF CHARITY TRUSTEES

42. The Board must keep a register of Charity Trustees, setting out for each current Charity Trustee: a) the name of the Charity Trustee; b) the address of the Charity Trustee; c) the date on which they were appointed as a Charity Trustee; and d) any office held by them in the Organisation.
- 42.1. Where a Charity Trustee is not an individual the register must also contain: a) Any other name by which the Charity Trustee is known; b) the principal contact for the Charity Trustee; c) any number assigned to it in the Scottish Charity Register (if it is a charity); and d) any number with which it is registered as a company, if it is a company.
- 42.2. Where the Charity Trustee is appointed by OSCR under section 70A of the 2005 Act it must be recorded in the register.
- 42.3. For each former Charity Trustee the register must set out, for at least 6 years from the date on which they ceased to be a Charity Trustee: a) the name of the Charity Trustee; b) any office held by the Charity Trustee in the Organisation; and c) the date on which they ceased to be a Charity Trustee.
- 42.4. The Board must ensure that the register of Charity Trustees is updated within 28 days of receiving notice of any change.
- 42.5. If any person requests a copy of the register of Charity Trustees, the Board must ensure that a copy is supplied to them within 28 days, providing the request is reasonable; if the request is made by a person who is not a Charity Trustee of the Organisation, the Board may provide a copy which has the name and address of any of the Charity Trustees blanked out. The name of a Charity Trustee may only be blanked out if the Organisation is satisfied that including that information is likely to jeopardise the safety or security of any person or premises.

TERMINATION OF CHARITY TRUSTEES OFFICE

43. A Charity Trustee will automatically cease to hold office if:
- 43.1. they give the Organisation a notice of resignation, signed by them;
- 43.2. they become an employee of the Organisation;
- 43.3. in the case of a Charity Trustee elected under clause 33) they cease to be a member of the Organisation;
- 43.4. (omitted)
- 43.5. in the case of a Charity Trustee co-opted under clause 34) the Board under clause 34.2 vote to end the appointment;
- 43.6. they become disqualified from being a Charity Trustee under the Charities and Trustee Investment (Scotland) Act 2005;
- 43.7. they are absent (without good reason, in the opinion of the Board) from more than three consecutive meetings of the Board - but only if the Board resolves to remove them from office;
- 43.8. they become incapable for medical reasons of carrying out their duties as a Charity Trustee - but only if that has continued (or is expected to continue) for a period of more than six months;
- 43.9. they are removed from office by resolution of the Board on the grounds that they are considered to have committed a material breach of the code of conduct for Charity Trustees (as referred to in clauses 41);
- 43.10. they are removed from office by resolution of the Board on the grounds that they are considered to have been in serious or persistent breach of their duties under sec. 66(1) or (2) of the 2005 Act;
- 43.11. they become prohibited from being a Charity Trustee by virtue of sec. 69(2) of the 2005 Act
- 43.12. they commit any offence under section 53 of the 2005 Act.

44. Clauses 43.9 and 43.10 apply only if the following conditions are met:
- 44.1. the Charity Trustee who is subject of the resolution is given reasonable prior written notice of the grounds upon which the resolution for removal is to be proposed;
 - 44.2. the Charity Trustee concerned is given the opportunity to address the meeting at which the resolution is proposed prior to the resolution being put to a vote; and
 - 44.3. at least two thirds of the Charity Trustees then in office vote in favour of the resolution.

CHAIRPERSON AND VICE-CHAIRPERSON

45. The Board shall meet as soon as practicable meeting immediately after each AGM or following the resignation of the existing Chairperson/Vice-Chairperson to appoint: a) an Elected Charity Trustee to chair Board meetings and GMs (the "Chairperson"), and b) an Elected Charity Trustee to chair Board meetings and GMs in the event that the Chairperson is not present and willing to do so (the "Vice Chairperson").
- 45.1. In the event that: a) the Chairperson is not present and willing to act within 15 minutes of the time at which the GM/Board meeting is due to start, or no Chairperson is currently appointed; and b) the Vice-Chairperson is not present and willing to act within 15 minutes of the time at which the GM/Board meeting is due to start, or no Vice-Chairperson is currently appointed, the Charity Trustees present must appoint an Elected Charity Trustee to chair the GM/Board meeting.

BOARD MEETINGS

46. The quorum for Board meetings shall be not less than 50% of all the Trustees, a majority of whom are Elected Charity Trustees. No business shall be dealt with at a Board meeting unless such a quorum is present.
- 46.1. A Charity Trustee shall not be counted in the quorum at a meeting (or at least the relevant part thereof) in relation to a resolution on which, whether because of personal interest or otherwise, they are not entitled to vote.
- 46.2. The Board may make any arrangements in advance of any Board meeting to allow members to fully participate in such meetings so long as all those participating in the meeting can clearly comprehend each other; a member participating in any such means other than in person shall be deemed to be present in person at the Board meeting.
47. 7 Clear Days' notice in writing shall be given of any meeting of the Board at which a decision in relation to any of the matters referred to in clause 30 is to be made, which notice shall be accompanied by an agenda and any papers relevant to the matter to be decided.
- 47.1. All other Board meetings shall require not less than 7 days' prior notice, unless all Charity Trustees agree unanimously in writing to dispense with such notice on any specific occasion.
- 47.2. On the request of a Charity Trustee the Chairperson shall summon a meeting of the Board by notice served upon all Charity Trustees, to take place at a reasonably convenient time and date.
48. No alteration of the Clauses and no direction given by Special Resolution shall invalidate any prior act of the Board which would have been valid if that alteration had not been made or that direction had not been given.
49. The Board may act notwithstanding any vacancy in it, but where the number of Charity Trustees falls below the minimum number specified in clause 35, it may not conduct any business other than to appoint sufficient Charity Trustees to match or exceed that minimum.
50. The Board may invite or allow any person to attend and speak, but not to vote, at any meeting of the Board or of its sub-committees.
51. The Board may from time to time promulgate, review and amend any Ancillary Regulations, Guidelines and/or Policies, subordinate at all times to these Clauses, as it deems necessary and appropriate to provide additional explanation, guidance and governance to members/Charity Trustees.

VOTING AT BOARD MEETINGS

52. The Chairperson of the Board meeting shall endeavour to achieve consensus wherever possible but, if necessary, questions arising shall be decided by being put to the vote,
- 52.1. Each Charity Trustee present (and who is eligible to vote) has one vote. In the event of an equal number of votes for and against any resolution at a Board meeting, the Chairperson of the meeting shall have a casting vote as well as a deliberative vote.
- 52.2. A resolution in writing shall be as valid and effectual as if it had been passed at a meeting of the Board or of a sub-committee. A resolution may consist of one or several documents in the same form each signed by one or more Charity Trustees or members of any relative sub-committee as appropriate.

SUB-COMMITTEES

53. The Board may delegate any of its powers to sub-committees, each consisting of not less than one Charity Trustee and such other person or persons as it thinks fit or which it delegates to the committee to appoint.
- 53.1. Any sub-committee so formed shall, in the exercise of the powers so delegated, conform to any remit and regulations imposed on it by the Board. The meetings and proceedings of any such sub-committee shall be governed by the provisions of these Clauses for regulating the meetings and proceedings of the Board so far as applicable and so far as they are not superseded by any regulations made by the Board.
- 53.2. Each sub-committee shall ensure the regular and prompt circulation of, the minutes of its meetings to all Charity Trustees.

CONSTRAINTS ON PAYMENTS/BENEFITS TO MEMBERS AND CHARITY TRUSTEES

54. The income and property of the Organisation shall be applied solely towards promoting the Purposes and do not belong to the members. Any surplus income or assets of the Organisation are to be applied for the benefit of the Community.
55. No part of the income or property of the Organisation shall be paid or transferred (directly or indirectly) to the members of the Organisation, or to any other individual, whether by way of dividend, bonus or otherwise, except in the circumstances provided for in clause 56.
56. No benefit (whether in money or in kind) shall be given by the Organisation to any member or Charity Trustee except the possibility of:
- 56.1. repayment of out-of-pocket expenses (subject to prior agreement by the Board);
- 56.2. reasonable remuneration in return for specific services actually rendered to the Organisation (in the case of a Charity Trustee such services must not be of a management nature normally carried out by a Trustee of an Organisation);
- 56.3. payment of interest at a rate not exceeding the commercial rate on money lent to the Organisation;
- 56.4. payment of rent at a rate not exceeding the open market rent for property let to the Organisation;
- 56.5. the purchase of property from any member or Charity Trustee provided that such purchase is at or below market value;
- 56.6. the sale of property to any member or Charity Trustee provided that such sale is at or above market value; or
- 56.7. payment by way of any indemnity, where appropriate in accordance with clause 70
57. Where any payment is made under clause 55, the terms of clause 56 must be observed.

PERSONAL INTERESTS & CONFLICTS OF INTEREST

58. Whenever a Charity Trustee finds that there is a personal interest, as defined in sub-clauses 63.3 and 63.4, they have a duty to declare this to the Board meeting in question.
- 58.1. A Charity trustee must not vote at a Board meeting (or at a meeting of a sub-committee) on any resolution which relates to a matter in which they has a personal interest or duty which conflicts (or may conflict) with the interests of the SCIO.
- 58.2. It will be up to the Chairperson of the meeting in question to determine: a) whether the potential or real conflict simply be noted in the Minutes of any relevant meeting, or b) whether the Charity Trustee in question, whilst being permitted to remain in the meeting in question, must not partake in discussions or decisions relating to such matter; or c) whether the Charity Trustee in question should be required to be absent during that particular element of the meeting. If a Trustee leaves, or is required to leave, the meeting they no longer form part of the quorum for that meeting.
- 58.3. An interest held by an individual who is “connected” with the Charity trustee under section 68(2) of the Charities and Trustee Investment (Scotland) Act 2005 (husband/wife, partner, child, parent, brother/sister etc) shall be deemed to be held by that Charity trustee;
- 58.4. A Charity Trustee will be deemed to have a personal interest in relation to a particular matter if a body in relation to which they are an employee, director, member of the management committee, officer or elected representative has an interest in that matter.
- 58.5. The Board shall determine from time to time what interests shall be relevant interests and shall ensure that a Register of Notices of Relevant Interests is maintained, which shall be open for inspection by both the Board and members of the Organisation and, with the express prior written approval of the Charity Trustee or employee concerned, by members of the public.

OFFICER BEARERS

59. The Board may appoint office bearers for such term and upon such terms and conditions as they think fit. Any officer bearer may be removed by the Board at any time
- 59.1. The Board may appoint a treasurer for such term and upon such terms and conditions as they think fit. The treasurer may be removed by the Board at any time. The treasurer may be required to attend Board and sub-committee meetings but: a) may not participate in such meetings for voting or quorum purposes unless they are also a Charity Trustee; b) may not attend meetings (or parts of meetings) at which their remuneration or employment is to be discussed; and c) (if the treasurer is not a Charity Trustee) may not attend meetings at which confidential matters are to be discussed.

FINANCES & ACCOUNTS

60. The Board shall determine:
- 60.1. which banks or building societies the bank accounts of the Organisation shall be opened with;
- 60.2. how bank accounts shall be maintained and operated; and
- 60.3. how cheques and other negotiable instruments, and receipts for monies paid to the Organisation, shall be signed, drawn, accepted, endorsed or otherwise executed.
61. The Board shall cause accounting records to be kept for the Organisation in accordance with the requirements of the 2005 Act and other relevant legislation.
- 61.1. The accounting records shall be maintained by the Treasurer (if there is one) and overseen by the Principal Officer (if there is one), or otherwise by, or as determined by, the Board. Such records shall be kept at such place or places as the Board thinks fit and shall always be open to the inspection of the Trustees.
- 61.2. The Board must prepare annual accounts, complying with all relevant statutory requirements, and must ensure the accounts are examined, as appropriate, by a qualified examiner.

61.3. At each AGM, the Board shall provide the members with a copy of the accounts for the period since the last preceding accounting reference date (or, in the case of the first account, since the incorporation of the Organisation), and shall be accompanied by proper reports of the Board.

61.4. Copies of such accounts shall, not less than 21 clear days before the date of the General Meeting, be delivered or sent to all members, Charity Trustees, the Office Bearers and the auditor, or otherwise be available for inspection on the website or other location of the Organisation (with all members, Charity Trustees, the Organisation Secretary and the auditor being made aware that they are so available for inspection there).

NOTICES

62. The Organisation may serve a notice on a Member in hard copy (addressed to the address given for that Member in the register of members, and posted or hand-delivered) or electronic form (faxed or e-mailed). A notice is deemed to have been served on the day following the day on which it is hand-delivered, posted faxed or e-mailed.

63. The Organisation may communicate with a Member by electronic means (including fax and e-mail) unless the Member has requested that communications from the Organisation be sent in hard copy. The Organisation may publish notifications by means of a website provided the Organisation has advised Members of this and taken reasonable steps to notify Members who have informed the Organisation that they do not have internet access.

RECORDS OF MEETINGS

64. The Board shall cause minutes to be made of all appointments of officers made by it and of the proceedings of all General Meetings and of all Board meetings and of sub-committees, including the names of those present, and all business transacted at such meetings and any such minutes of any meeting, if purporting to be signed after approval, either by the Chairperson of such meeting, or by the Chairperson of the next succeeding meeting, shall be sufficient evidence without any further proof of the facts therein stated.

INDEMNITY

65. Subject to the terms of the 2005 Act and without prejudice to any other indemnity, the Charity Trustees, or member of any sub-committee, the Organisation Office Bearers and all employees of the Organisation may be indemnified out of the funds of the Organisation against any loss or liability (including the costs of defending successfully any court proceedings) which he, she or they may incur or sustain, in connection with or on behalf of the Organisation.

ALTERATION TO THE CLAUSES

66. Subject to the terms of this clause, this constitution may be altered by a Special Resolution of the members passed in accordance with clause 26 or 27.3

66.1. Any changes to the purposes set out in clause 4 are subject to written consent from OSCR (and its successors) in terms of sec. 16 of the Charities and Trustee Investment (Scotland) Act 2005

66.2. The Board must notify OSCR (and its successors) of any changes to the constitution not relating to the purposes, in terms of section 17 of The Charities and Trustee Investment (Scotland) Act 2005

DISSOLUTION

67. The Organisation may be wound up or dissolved only on the passing of a Special Resolution for that purpose in accordance with clauses 26 and 27.3, and subject to written consent from OSCR.

67.1. If, on the winding-up of the Organisation, any property or assets remains after satisfaction of all its debts and liabilities, such property shall be given or transferred to such other community body or bodies or charitable group, which has purposes which resemble closely the purposes of the Organisation, as may be: a) determined by not less than two thirds of the Ordinary Members of the Organisation voting (in person) at a General Meeting called specifically (but not necessarily exclusively) for the purpose; and b) approved by OSCR (and its successors).