



## ASSET TRANSFER REQUEST

### IMPORTANT NOTES

You do not need to use this form or the Scottish Government form to make an asset transfer request, but using this form will help you to make sure you include all the required information. You should read the [asset transfer guidance](#) provided by the Scottish Government before making a request. Further information is also available from Moray Council at [www.moray.gov.uk/CAT](http://www.moray.gov.uk/CAT).

You are strongly advised to contact the Council's Asset Transfer Team by telephone on 01343 563915 or by email to [CAT@moray.gov.uk](mailto:CAT@moray.gov.uk) to discuss your proposal prior to making an asset transfer request.

Please complete all sections of this form (if a question is not applicable please mark with NA) and, where possible, submit the form electronically to [CAT@moray.gov.uk](mailto:CAT@moray.gov.uk).

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

***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**

<b>1. Details of Community Transfer Body (CTB)</b>	
<b>Name of CTB</b>	Action Marine Park
<b>Registered address (inc postcode)</b>	Marine Park , Stotfield Road, Lossiemouth, Moray. IV31 6QR

<b>2. Details CTB Contact Information</b>	
<b>Contact name</b>	[REDACTED]
<b>Position in CTB</b>	Chairperson
<b>Postal address (inc postcode) If different from above</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Contact telephone no.</b>	[REDACTED]
<b>Contact email address</b>	[REDACTED]

**We agree that correspondence in relation to this asset transfer request may be sent by email to the address given above.**  
*(Please tick to indicate agreement)*



*You can ask us to stop sending correspondence by email, or change the email address, by telling us at any time, please give 5 working days' notice.*

<b>3. No of people involved in the organisation</b>	
<b>Management Committee / Board</b>	8
<b>Total Membership</b>	28
<b>Paid staff (no of FTEs)</b>	0

**NB:** *Please supply a full list of the current membership (including names and full address).*

<b>4. Please tick the corresponding box below to confirm the type of CTB and its official number, if it has one:</b>		
Company and its company number is.....	<input type="checkbox"/>	
Scottish Charitable Incorporated Organisation (SCIO), and its charity number is SCO43530	<input checked="" type="checkbox"/>	
Community Benefit Society (BenCom), and its registered number is.....	<input type="checkbox"/>	
Unincorporated organisation (no number)	<input type="checkbox"/>	<b>LEAVE BLANK</b>

<b>5. Please tick the corresponding box below to confirm which documents accompany this asset transfer request:</b>	
Constitution	<input checked="" type="checkbox"/>
Articles of Association	<input type="checkbox"/>
Registered Rules	<input type="checkbox"/>
Financial Statements	<input checked="" type="checkbox"/>
Membership List - already seen by Council	<input type="checkbox"/>

<b>6. Has the organisation been individually designated as a community transfer body by the Scottish Ministers?</b>	
Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

<b>7. Does the organisation fall within a class of bodies which has been designated as community transfer bodies by the Scottish Ministers?</b>	
Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

<b>If yes, what class of bodies does it fall within?</b>
<b>If yes, please give the title and date of the designation order:</b>
SCO 43530

**Section B:****Information about the land and rights requested**

**1. You should provide a street address or grid reference and any name by which the land or building is known as. If you have identified the land via the Council's register of land, please enter the details we have listed.**

Name of Asset	Marine Park and Tennis Courts Lossiemouth
Name Asset otherwise known by	
Asset Address	Stotfield Road Lossiemouth IV31 6SR
Grid Reference of Asset	E323116 N870961
Asset UPRN (Unique Property Reference) as listed on Council Register	000133056780

**2. A map or drawing showing the boundaries of the land requested is required. If you are requesting part of a piece of land or part of a building, you must explain clearly your requirements. (Please tick the below corresponding box to confirm which documents accompany this asset transfer request).**

Map attached	<input checked="" type="checkbox"/>
Site drawing attached	<input checked="" type="checkbox"/>

**Section C:  
Type of Request**

**1. Please indicate below what type of request is being made:**

For ownership (section 79(2)(a)) of the Act – go to question 2	✓
For lease (section 79(2)(b)(i)) of the Act – go to question 3	
For other rights (section 79(2)(b)(ii)) of the Act – go to question 4	

**2. Request for ownership**

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

Proposed Price:	£0
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**Please attach a note setting out any terms and conditions you wish to apply to the request.**

**3. Request for lease**

What is the length of the lease you are requesting?

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

Proposed Rent: £	Per: month / year
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**Please attach a note setting out any other terms and conditions you wish to be included in the lease, or to apply to the request in any other way.**

#### 4. Request for other rights

What are the rights you are requesting?

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Do you propose to make any payments for these rights?

Yes	
No	

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

Proposed Payment: £	Per: month / week / day
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Please attach a note setting out any other terms and conditions you wish to apply to the request.

**Section D:  
Reasons for Request**

**1. Community Proposal**

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

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

It is understood that the Laird of Pitgaveny sold the park area to the Provost and Burgh of Lossiemouth in 1933 in order that the community could look after this area as 'dedicated in all time coming for public recreation'. The intention then, and still is, that the people of Lossiemouth and the local area and those visiting the area should all be able to enjoy this wonderful outdoor space as they always had done, from the early days when it was used for drying the fishermen's nets through to the development of the park when the bowling green, tennis courts, Pavilion and putting green were established.

The Action Marine Park group, AMP with the support of the local community are committed to reinstating facilities and activities that have been neglected or removed. At the moment Marine Park is an underutilised space. There is great potential to regenerate this as a safe and enclosed environment to add value to the lives of the residents of Lossiemouth and surrounding area. Thus the overarching objective is to restore Marine Park to its former glory but also to go beyond that to establish facilities, resources and activities which whilst accessible to all, meet the needs of particular groups. AMP group believe that this is entirely in keeping with the original purpose of deed of sale and conditions therein.

Community support for the project continues to grow and many can recall the busy social atmosphere in Marine Park when it was home to family friendly facilities and activities not too long ago. These voices are delighted to look forward with AMP to the regeneration of Marine Park, joined by a whole new generation of the community who are excited about new facilities that they can enjoy and make use of as families, as local group members and as local residents to share with friends and visitors.

Phase 1 of the AMP aims for Marine Park was to refurbish the tennis courts. This has been a huge success. This phase of the project was managed very ably by the AMP committee, employing quality products and reputable companies to clean, repaint and re fence the tennis Courts. Further details are provided in section 5 of this application.

Clear evidence of the need for the delivery of the AMP project is set out in Appendix 5

which spells out the community's views on what it would like to see in Marine Park , with most favouring Toilets and a Pavilion as initial Infrastructural projects. Many potential activities were also supported including a putting green and 5 a side football pitch fenced in appropriate ball park fencing. One focus will be on creating a play park designed specifically to meet the needs of children with additional support needs. As consultation with the Ladybird Group has made clear there is a demonstrable need for such a facility -"As a parent of a child with additional needs I am so excited at the prospect of this play park. Currently there is no park suitable to access in Moray". It is also the intention to introduce a sensory garden and appropriate and accessible outdoor seating.

The trustees are committed to supporting the development of facilities which are sustainable and fundable on a recurrent basis.



## 2. Benefits

Please set out the benefits that you consider will arise if the request is agreed to.

*(This should explain how the project will benefit your community, and others. Please refer to the Scottish Government Guidance documents on how the Council will consider the benefits of the request.)*

The assessment of benefits is set in the context of government guidelines on benefits expected from Community Asset Transfer<sup>1</sup> and specifically focuses on regeneration, which itself will lead to enhanced public health, social and mental well-being as well as, in particular respects, ensuring wider access to reduce disadvantage. It is suggested that regeneration will also lead to environmental improvement.

As a 'public good'<sup>2</sup> Marine Park has the characteristic that it is non-excludable (i.e. no one can be excluded from benefiting from it) and non-rivalrous (i.e. one person's consumption does not reduce its availability to others). This is important in the context of disadvantage in that all groups irrespective of socio-economic background will have access to the park and any facilities, which it has to offer.

In terms of regeneration the intention, in a phased manner, is to restore and extend resources and facilities, which existed in the past and which it is considered would now benefit the community as a whole, whilst also catering for the needs of particular groups

Consultation on what members of and groups within the community would like to see in Marine Park is outlined in Section 4 and in the attached report (Marine Park; A document based on an extended period of consultation including a structured survey to elicit people's views on the re-development of Marine Park, Lossiemouth for the benefit of the community, June, 2016).

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<sup>1</sup> Asset Transfer under the Community Empowerment (Scotland) Act 2015  
Guidance for Community Transfer Bodies, Scottish Government, January, 2017<sup>1</sup> Housing &  
Regeneration Economics Team, Communities Analytical Services, Scottish Government, Feb. 2011

<sup>2</sup> Housing & Regeneration Economics Team, Communities Analytical Services, Scottish Government,  
Feb. 2011

As well as the wonderful refurbished Tennis Courts there is a large area of ground which is grassed. This grassy area was home to putting and bowling in previous years. It is the intention to landscape aspects of the park thus leading to environmental improvement as well as to introduce a sensory garden, which whilst it will benefit everybody is considered to be a feature to support the needs of older people e.g. clients in the Whinnybank Nursing Home.

A sensory garden can have various components e.g. tactile panels and tubular bells. These types of gardens are popular with and beneficial to both children and adults especially those who have sensory processing issues including autism and other disabilities.

There is also an intention to create a play park (with features outlined in the report), which will give primacy to the developmental needs of children with disabilities and additional support needs e.g. children from the Ladybird Group, which supports pre-school children. This chimes with wider access in that often children with disabilities are denied access to facilities, which the able-bodied access on a routine basis.

As an example a wheelchair swing will allow for a swing experience whilst staying in a wheelchair and can have a powerful impact on the brain's ability to process and use sensory information.

Whilst other parks may allow disabled access the difference here is that the overall design will be based on the needs of those with disability with able-bodied also being able to use.

The potential recreational facilities in the park e.g. 5 a side football will contribute to public health and should militate against increasingly sedentary lifestyles. Walking football is now a national initiative inspiring an older generation to participate in a slower paced game and ideal for this smaller football area.

One of the features of c21st life is social isolation whether this is for young parents, people living alone or others in an increasingly privatised society. It is considered that the park will play an important part in creating social integration for all groups – this would contribute to public health and social and mental well-being.

The work already undertaken by AMP through open Family Fun days, coffee mornings and other activities has evidenced the potential for community cohesion.

Regeneration of Marine Park as a safe and enclosed environment will add value to health and wellbeing of the lives of the residents of Lossiemouth and surrounding area. AMP are passionate that through achieving the proposed project aims Marine Park will once again meet the needs of the local 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.

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

As an amenity ground in terms of the original transfer from the Laird – any construction/infrastructure would need to underpin the effort to provide amenities, events and recreational facilities for the community.

To the best of our current knowledge and understanding there are no restrictions on the use of the land that would adversely impact on the delivery of the AMP project. The project aims of the AMP group are entirely within the desired use of the Marine Park area as detailed in the original transfer document.

#### **4. Negative consequences**

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

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

It is considered that there are no negative consequences. This has been concluded as none have surfaced over the past 5 years when AMP have been involved in organised activities taking place in the Marine Park and Tennis Courts.

However the group are aware that use of this park area, out with the AMP activities , has caused one neighbour to complain about unattended youths and young adults using the football area. The complaint to Moray Council was regarding the use of foul language and ball retrieval from this neighbours garden. This neighbour has always had a keen interest in football and has stated in conversations with members of AMP that otherwise he has no objections to the playing of football in Marine Park. It appears that since the increased usage of the tennis courts , through Lossiemouth Tennis Club , Moray council active schools and AMP run tennis sessions, this has become less of an issue for this neighbour.

Part of the AMP vision and project aims are to promote organised group use of the park and to encourage supervised football game sessions within a football specific enclosed area. In addition to this the eventual appointment of a Park keeper will maintain a regular daily presence in Marine Park.

Whilst the purpose of fencing the football area in Marine Park would be primarily to keep the football in the play area for continued play, this would also alleviate any issues of stray balls affecting any other activities in the park and also entering any neighbouring gardens.

AMP are regularly conversing with neighbours , many of whom have children who currently use the open park space on a daily basis for healthy outdoor fun. The local support is overwhelmingly positive.

## 5. Capacity to deliver

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

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

The collective range of skills and experience of the AMP trustees will be of great benefit throughout the delivery of the AMP project.

Please see appendix 3 for detailed information on the skills of the AMP Trustees.

AMP successfully secured a lease of the tennis courts from the local council 3 years ago after running numerous family events on the courts and reviving the local Lossiemouth Tennis Club. AMP completely refurbished the courts which were in a very poor state of disrepair and neglect. The surface was covered with moss and algae and what little fencing remained was broken and jagged, with rusted fence supports collapsing in on the courts. The tennis courts are now totally fenced around providing a modern safe environment for the sport, with clean, repaired and repainted court surface , new net posts and tennis nets.

The courts are very well used by Lossiemouth Tennis Club, LTC , with busy weekly coaching and club playing sessions attracting a growing membership from Lossiemouth , Hopeman, Elgin and the surrounding area. LTC also run many open day events in conjunction with AMP, for free tennis taster sessions , also supported by the Lawn Tennis Association ,LTA, and Tennis Scotland. The courts are available to book for play by the public via an online booking system which is very successful, using a solar powered panel to power the

~~electronic gate system. This well running access system has now been replicated in other~~ areas in Scotland by Tennis Scotland. The Moray Council also now use the courts regularly to deliver council run tennis sessions, the Lossiemouth sessions are one of the Council's top attended tennis sessions. Lossiemouth High School have enjoyed using the courts this year as a term of tennis incorporated into their PE calendar. Three local Primary schools were also invited to enjoy the tennis facility , free of charge with equipment and tennis coaches provided to experience as part of their health week education. In addition to this our group have invited other clubs, and schools from the local area, including the Social , Emotional and Behavioural Needs group, SEBN, and The Boys Brigade to enjoy free tennis sessions

throughout the year. These free tennis sessions are also promoted at our two big Family Fun Days in Marine Park each June and August. We also host free tennis sessions in support of the Seafest week in July in Lossiemouth, run by Lossiemouth Community Development Trust.

The complete transformation of the tennis courts and the popularity of their use is testament to the dedication and commitment of the AMP group, with unwavering support from the local community. This clearly demonstrates the demand for safe active outdoor activities for the whole family in Marine Park. Our committee are dedicated to this project and are delighted with the accomplished management of the Tennis Courts, which was phase 1 of our initial project aims. This has been a great success story.

Within our group we have expertise relating to other areas within our project aims (See Appendix 3) and we are confident that along with the assistance and support that we have from other key people that we can deliver successful recreational and sporting areas within the Marine Park to the same high standard as we have done with the Tennis Courts.

It is the intention to engage other groups in these additional areas that will be revitalised and with this support from within the community their success and longevity will be assured. We have already sought advice and input from professional services of NB Planning, CM Design , Swan Designs, Mackenzie Consulting and S.Lyons.

CM Design have produced maps of the park area and impressions of the proposed improvements

MacKenzie Consulting have completed and compiled the results of a very in depth consultation for AMP appendix 5

NB Planning has been working closely with AMP and has been commissioned to complete a framework study.

**Section E:**  
**Level and nature of support**

Please provide details of the level and nature of support for the request, from your community and, if relevant, from others and describe any consultation carried out.

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

AMP actively engage with the community at every open Family Fun Day in Marine Park and at all fundraising events throughout the year. We have used display boards, laminated information sheets, a5 leaflets and more recently professionally printed trifold leaflets to communicate the goals and aims of AMP. We also use our facebook page and website. We have encouraged feedback at every opportunity including writing comments on our Graffiti wall, using blank notelets and suggestion boxes, verbally engaging with the wider community and noting their comments, the use of a felt suggestion board where many popular comments or suggestions were noted and others were blank for open input and through direct survey. We have surveyed the immediate neighbourhood with a paper questionnaire which we also then continued at fundraising events, this was extremely valuable in gathering comments of support and encouragements through the community. More recently we employed Mackenzie consulting to carry out a more detailed survey of the wider community, the results of these are attached in appendix5. This survey was on paper copy and also online using survey monkey, inviting a wider audience to respond.

**Please see appendix 5**

The aims of AMP are supported by The Lossiemouth Community Development Trust, particularly with regard to its second objective ie to investigate the opportunity and viability of various community led initiatives<sup>3</sup> and to develop the Marine Park as an accessible local facility for all ages. This also links to the Moray Development Plan with regard to maintaining the areas of built and natural environment which contribute to the character of the town.<sup>4</sup>

AMP has received support in the form of 'in kind' contributions from a variety of local organisations including [REDACTED] (Digital Routes) , [REDACTED] (Paterson & Campbell), The Gospel Hall and donations from major local employers such as Walkers of Aberlour and Baxters of Speyside, Moray Golf Club and Windswept Brewery. Ongoing consultancy support is provided by Mackenzie Consulting.

A storage container was donated and refurbished by [REDACTED]

To date, the success of the tennis activities has allowed other local tennis clubs to visit Marine Park Tennis courts for friendly games of tennis and also to play League matches as part of Highland Tennis League. This has attracted visitors from the wider community. Judy Murray has been involved in instructing coaches and helpers of Lossiemouth Tennis Club in areas to improve delivery of tennis at Marine Park Tennis Courts and has been greatly encouraging for future development.

The Walking football national initiative is attracting walking football teams from the local communities to participate in events in Marine Park. This is being supported by Sports development officers from Moray Council. The Walking Football Group are part of a national recognised Walking Football Organisation.

The proposed development of an inclusive and accessible small children's play area is strongly supported by The Ladybird Developmental Group which aims to meet the additional support needs of pre-school children. For letters of support see appendix 5.

<sup>3</sup> Lossiemouth Community Development Trust Community Action Plan 2015-2020

<sup>4</sup> Moray 2023 Plan-Priority areas 1,2 &3



**Other local groups have stated an interest in utilising facilities that AMP are dedicated to providing in the park. These groups deliver activities such as Yoga, Pilates, Walking, Running, Junior cycling, events for Boys Brigade, Scouts, Guides and Brownies, Youth Fellowships, Youth clubs, Young Mothers, Senior Citizens, Fitness Boot camp etc**

## **Section F: Funding**

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

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

*Where a transfer at less than full market value is being sought, your business case should include a cash flow forecast covering the first full year of operation, together with an indicative budget for at least the following 2 years.)*

### **Finance**

The trustees of AMP have agreed a financial strategy which will help them enable their vision for the regeneration of Marine Park and the Tennis Courts to be realised. The financial strategy of AMP is made up of several elements as set out in section 1 to 5 below

#### **1 Securing a community asset transfer of the ownership of Marine Park and Tennis Courts at zero cost**

Securing an asset transfer of the ownership of Marine Park and the Tennis Courts will enable the AMP project to take advantage of a number of significant benefits that come with ownership such as:

- \*Gaining greater control and certainty over the long-term future of Marine Park and Tennis Courts**
- \*Enabling longer term planning of the regeneration work that needs to be carried out**
- \*Providing AMP with access to additional sources of funding as owners of Marine Park**
- \*Better stewardship of assets**
- \*Increased community identity , cohesion and confidence.**

Securing an asset transfer of ownership at zero cost will help AMP to develop a

sustainable business model. By not having to purchase ownership of the asset AMP will be able to use the funds it has in hand at the date of the asset transfer to meet the recurrent revenue expenditure costs that it will incur in the first year of operation post asset transfer and to contribute to the initial phases of regeneration either directly or as match funding.

2 Securing an agreement with the Moray Council for grass cutting in Marine Park to continue to be done by the Moray Council at nil cost to AMP

Currently AMP does not have a budget earmarked for grass cutting within Marine Park, neither does it have its own grass cutting machinery/equipment nor a place to store such machinery/equipment and is working on the assumption that the Moray Council will continue with all grass cutting within Marine Park at no cost to AMP for at least three years following the asset transfer. After this period of time it is hoped that if AMP is in a position to do so then it will take on the responsibility and costs of the grass cutting.

3 An annual program of fundraising events underpinned by appropriate marketing

The financial year of AMP runs from 1st April to 31st March. By 31st December each year the trustees of AMP will agree a program of fundraising events to take place during the next financial year. Events likely to be part of this program will include among others coffee mornings, ceilidhs, tombola, family fun days, charity auction, charity golf day, sportsman's dinner, race night, quiz night, 'Lossie does Strictly Come

Dancing', raffles, et cetera.

Some of these events will be organised by AMP trustees and members with support from volunteers whilst others will be organised and delivered by friends of AMP ie members of the community who want to raise funds for and but do not wish to be involved with the ongoing organisation and management of AMP. During the last two years good examples of this type of event have been 'Lossie does Strictly Come Dancing' and The Alex Flett Fisher League charity golf competition , with the money raised being

ring fenced as funding to help with the development of a small playpark within Marine Park which will give primacy to the development of children with disabilities and additional support needs.

There will also be an AMP presence with a fundraising stall at events organised by other local community organisations such as the Lossiemouth Community Development Trust, LCDT, the Lossiemouth Millennium Association, LMA, and Lossiemouth Business Association, LBA.

The money raised from events will be used to meet at the recurrent revenue expenditure costs of the second and subsequent years post asset transfer and to contribute to the ongoing regeneration program either directly or in the form of match funding as part of funding applications to grant awarding bodies.

4 Ongoing development of income generating opportunities underpinned by appropriate marketing.

The AMP trustees will repeatedly examine the potential for income generation offered by Marine Park as the regeneration of the park takes place on a phased basis. The successful completion of phase 1 of the AMP project -the refurbishment of the existing tennis courts-has produced an income generating asset in the form of the tennis courts themselves. During the last two years income has been generated for and from the use of the tennis courts by Lossiemouth Tennis Club for coaching and activities, and from the use of the courts by Moray Council for weekly after-school tennis coaching sessions. In June 2016 AMP also set up a 'pay to play' system via its website [www.marineparklossie.org](http://www.marineparklossie.org) to enable members of the public to book and pay for the use of the courts this is a very successful system which is growing in use and contributes to the income generated naturally by usage of the tennis courts, enhancing the longer term sustainability of this facility.

The success of this electronic online access system has been replicated in other areas of Scotland by Tennis Scotland, in conjunction with their own software.

As the regeneration work continues on a phased basis the AMP trustees will work continuously towards using the new resources, assets, facilities and activities creatively

to generate income. Many of these new resources, assets, facilities and activities will be available on a pay to play/ pay to use basis thereby enabling them to make a contribution to income generation and the longer term financial stability of the park.

During financial years 2018/19 AMP should begin to receive modest amounts of income from the walking football and foot golf activities in the park. When a new pavilion is built in the park, in addition to its main functions it will also provide additional income generation opportunities e.g. it will be available for hire by local community groups, especially park user groups, for meetings and activities, hire to families for children's parties is expected to be very popular, following the model of success in this area in Hopeman. The pavilion will also be used to hire out equipment for some of the park activities, it could be used for the sale of refreshments and promotional merchandise eg t-shirts sweatshirts pens pencils et cetera which could be very helpful in terms of the promotion of Marine Park as well as contributing to income generation.

In late 2017 AMP made a successful application to the Moray Council for £2500 of developer contribution funding . This money has been used to purchase new goalposts and goal nets for football activities within Marine Park and also a large marquee tent. The marquee will be used by AMP at family fun days in the park and by other park user groups ie Lossiemouth Tennis Club and the Walking Football group. It will be made available for other local community groups to use and there may well be opportunities to generate income by hiring the marquee to other individuals or organisations. Owning a marquee will also provide AMP with opportunities to broaden the range of fundraising events that it can host in Marine Park.

One of the AMP trustees is a member of the committee of Lossiemouth Business Association (LBA) and many of the members of LBA are supporters of the AMP project. AMP will work closely with LBA to explore ways in which members can use Marine Park to help promote their individual businesses and also to identify sponsorship opportunities that will arise as the regeneration of the park progresses. Through its marketing and communication activities AMP will also be encouraging people to donate money to help with the regeneration work and/or to consider leaving

a legacy to AMP in their Will.

The availability of the resources, assets, facilities and activities within Marine Park will be appropriately marketed and the charges for their use will be such that they should be affordable to all. The combination of affordable charges and effective marketing should lead to the generation of income on a low-cost high-volume basis.

In a similar way to the money raised by fundraising events, the money raised through income generation opportunities will be used to help meet the current revenue expenditure costs of the next financial year and to contribute to the ongoing regeneration program either directly or in the form of match funding as part of funding applications to grant awarding bodies.

Within the context of revenue expenditure the aim of AMP is to have a ring fenced amount in its bank account at the beginning of each financial year which will cover the years budgeted recurrent revenue expenditure costs and a 20% contingency in respect of any unforeseen costs and or any actual costs that turn out to be greater than that budgeted for.

5 Ongoing applications to Grant awarding/funding bodies to enable the regeneration of Marine Park to be carried out on a phased basis.

The regeneration work will be carried out on a phased basis spread over several years. It will be broken down into a number of capital projects e.g. new pavilion with toilets, creation of the sensory garden area, introduction of a children's play area which focuses on the needs of children with disabilities and additional support needs, re-establishment of a putting area et cetera.

These capital projects will be funded through AMP making a large fund applications to appropriate bodies such as Big lottery Scotland, Sport Scotland, Foundation Scotland, Beatrice Forties field, Leader, Robertson Trust, Weir Trust et cetera and by raising money locally through the annual program of fundraising events income generation opportunities as set out in section 7.3 and 7.4

Additional costs

The Trustees of AMP are very aware that post asset transfer as the regeneration work begins and continues that there will be very significant capital expenditure costs and increasing recurrent revenue expenditure costs that will have to be met. However the trustees are confident that they can develop and deliver an ongoing program of fundraising events/income generation activities that will provide the finance for the regeneration programme. Additional financial advice and expertise will be sought particularly during the initial years.

#### **Annual Accounts**

AMP has prepared annual accounts on a receipts and payments basis for the last five years. A copy of these accounts is provided at appendix 3

During this period receipts include the proceeds from a range of fund raising events and activities, donations from 'friends of AMP' such as Lossie Does Strictly. Two large grants have also been received – one of £10,000 from the Moray Four Towns Partnership and one of £13,210 from the European Fisheries Fund – MEFF.

During the last two years money has also been received from the Lossiemouth Tennis Club and from Moray Council for the use of the courts.

Payments made over the last five years include insurance, hire of Lossiemouth Town Hall, fund raising expenses and fees. More significant payments include £6,828 for painting the surface of the tennis courts, £28,365 for new tennis court fencing, £1,020 for historic signs to be affixed to the new tennis courts fencing. In June, 2016 £1460 was paid in respect of a solar powered coded security lock for access to the courts.

The major payments made in recent years provide evidence of AMP's ability to fund the transformation of Marine Park and Tennis Courts.

#### **Post Asset Transfer Ownership**

By the third year of operation after transfer of ownership AMP hope to assume responsibility for meeting a number of costs for which it wasn't previously liable.

One such cost will be in respect of grass cutting of Marine Park. Moray Council have advised AMP that in the financial year 2015/16 they recorded a charge of £4,856 for the ground maintenance of Marine Park. AMP aim to assume responsibility for this work by year 3 after transfer of ownership.

Another cost is in respect of rates. In financial year 2016/17 the rateable value of Marine Park was £3,700 with rates payable of £1,790 had AMP been responsible. However, as the owner of Marine Park AMP would become liable for the payment of rates although AMP has been advised there are a number of ways rate liability could be reduced given its status as a Scottish Charitable Institution Organisation (SCIO). The Trustees of AMP are aware that there will be additional recurrent costs as the phased regeneration is implemented. However, the Trustees are confident that they can develop and deliver a continuing annual programme of funding events/ income generating activities that will:

- meet the recurrent costs of the next financial year and provide a contingency fund.
- contribute to the ongoing regeneration of Marine Park either directly or in the form of match funding as part of funding applications to grant awarding bodies.

The Trustees also believe they they have the knowledge, skills and experience to make regular successful applications for funding to grant awarding bodies.

#### **Cash Flow Projections**

Cash Flow projections for the next three financial years are provided in **Appendix 3**



**Section G:  
Declarations**

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 A, 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]		
Position:	AMP Trustee		
Signature:		Date:	09/05/18

Name:	[REDACTED]		
Address:	[REDACTED]		
Position:			
Signature:	AMP Chairperson and Trustee	Date:	09/05/18

Please send the completed form, together with all accompanying plans and documentation, to:

**By Post:** Asset Transfer Team, Moray Council, High Street, Elgin IV30 1BX

**By Email:** [CAT@moray.gov.uk](mailto:CAT@moray.gov.uk)

**If you have any queries regarding the filling in of this form, please contact the Asset Transfer Team on telephone 01343 563915**

**Section H:****Checklist of accompanying documents**

To check that nothing is missed, please list any documents which you are submitting to accompany this asset transfer request: (please tick)

Constitution	✓
Articles of Association	
Registered Rules	
Financial Statement	✓
Map / Site drawing of asset request	✓
Ownership request: Note of terms and conditions you wish to apply	
Lease request: Note of terms and conditions you wish to apply	
Other Rights request: Note of terms and conditions you wish to apply	
Business Case	✓
Membership List	

Please note any additional supporting documents that are not listed above:


**Office Use only:**

Reference:	038
Date Received:	29/05/18
Date Acknowledged:	31/05/18
Validation Date:	29/05/18

## **Appendix 5 Community Consultation**

Strong evidence of community support for the development of Marine Park is available from the findings of several community consultations carried out during recent years by Lossiemouth Community Council, Lossiemouth Community Development Trust and Action Marine Park.

### **5.1 Lossiemouth Community Council**

In late 2013 Lossiemouth Community Council initiated plans for all interested organisations, groups and businesses in the town to form a single body to represent and promote plans for residents and tourism. Representatives from over 40 groups and organisations gathered at two community meetings to discuss a wide range of issues affecting the town, with ideas on forming a joint approach towards improving facilities for the benefit of everyone in the community.

### **5.2 Lossiemouth Community Development Trust**

Lossiemouth Community Development Trust became a registered company on 25<sup>th</sup> November 2014. The Trust identified a list of actions from two community meetings held in 2013 and in March 2015 held a 'Meet and Greet' coffee morning and open event, as well as providing an online survey, to ask the community to help prioritise these actions and inform the development of an Action Plan. The Trust's questionnaire used at the 'Meet and Greet' event was also distributed to pupils at Lossiemouth High School as well as being made available online using Survey Monkey.

The results from these three surveys completed in March and April 2015 informed Lossiemouth Community Development Trusts top five priorities for both short and long term projects until 2020. The development of Marine Park was identified as a long term project which was included in the Lossiemouth Community Development Trust's Community Action Plan 2015 – 2020, an extract from which is shown below.

#### **Action**

**Development of Marine Park**

**What needs to be done?**

Continue to develop to ensure this is an accessible local facility for all ages

**Who needs to be involved?**

Action Marine Park committee and members; The Moray Council; interested members of the community

**Linked Policies and Strategies**

**Moray Tourism Development Plan - tourism potential, maintain the areas of built and natural environment which contribute to the character of the town**

**Moray 2023 Plan - Priority areas 1, 2 and 3**

### **5.3 Action Marine Park**

**In addition to the work carried out by Lossiemouth Community Council and Lossiemouth Community Development Trust a number of community consultation initiatives have been carried out by Action Marine Park including the following survey.**



## **Marine Park**

**A document based on an extended period of consultation including a structured survey to elicit people's views on the re-development of Marine Park, Lossiemouth for the benefit of the community.**

Research collated and document drafted by Mackenzie Consulting on behalf of Action Marine Park, June 2016

### **A resource for the community**

---

In 1933 Captain James Brander Dunbar passed the ground known as Marine Park to the Town "in consideration of the sum of TWO HUNDRED AND SEVENTY POUNDS FIVE SHILLINGS sterling now paid to me by the PROVOST, MAGISTRATES AND COUNCILLORS of the Burgh of Lossiemouth and Branderburgh incorporated under Act of Parliament as Local authority ..." Apart from specifying the precise boundaries of the area and outlining various other conditions the deed of transfer indicated that the "said piece of ground ... is dedicated and shall be held by the said Town Council and their successors in all time coming for the purpose of a playing field for public recreation for behoof of the inhabitants of the said Burgh and the public generally, and they shall be entitled to lay out the ground in such way as may be necessary for these purposes ...".

Action on Marine Park is keen to honour this legacy and restore it as a resource for the benefit of all members of the community.

Consultation goes back over a 5 year period and has been linked to a series of events and activities. On a graffiti wall July, 2011 the following view was expressed "what a shameful waste of what was once obviously a fantastic facility – bring it back for adults and children".

Members of the community were also asked to 'sign here to support Marine Park' as well as being asked what they would like to see in the Park – through this time with public support the tennis courts were restored In 2013 tennis coaching sessions were promoted and Lossiemouth Tennis Club was reformed.

In June 2015 feedback was garnered on the community's priorities for Marine Park and this has informed the most recent survey.

Various letters of support have also been received. In late June and July 2015 representation was received from 38 youngsters asking for provision of posts for 5 a side football

In March 2013 a Sports Development Officer for Moray Council offered support and observed that "The Marine Park Action Group was set up following requests from the local community to improve facilities at the Park as it has great potential to benefit Lossiemouth and the wider community The Marine Park Action Group have already organised a range of open days ... where they offered a range of taster sport sessions for all ages and abilities and they consulted with the local community on the type of activities/facilities they would like developed at the park".

Subsequently an Active Schools Coordinator noted that "at the moment there are fewer sporting facilities in Lossiemouth compared with many of the other towns in Moray, which can mean there are fewer opportunities for children in the area to take part in sport and regular physical activity. By improving the facilities at Marine Park ... would help to increase

the number and variety of opportunities available. ... From an Active Schools perspective, I can see a number of uses of a new and improved Marine Park." It is further noted that both Hythehill and St Gerardine's Primary schools would benefit from facilities at Marine Park.

In April 2013 the North of Scotland Tennis Development Manager suggested "that if the facilities at Marine Park were improved it would enable adults and children of all ages and abilities to play tennis, which would improve community safety, health and wellbeing for the people of Lossiemouth and wider community" It was further suggested that "Moray Sports Development are keen to establish tennis activity programmes during term time and holiday periods for both children and adults if the Park facilities were improved." This has been achieved.

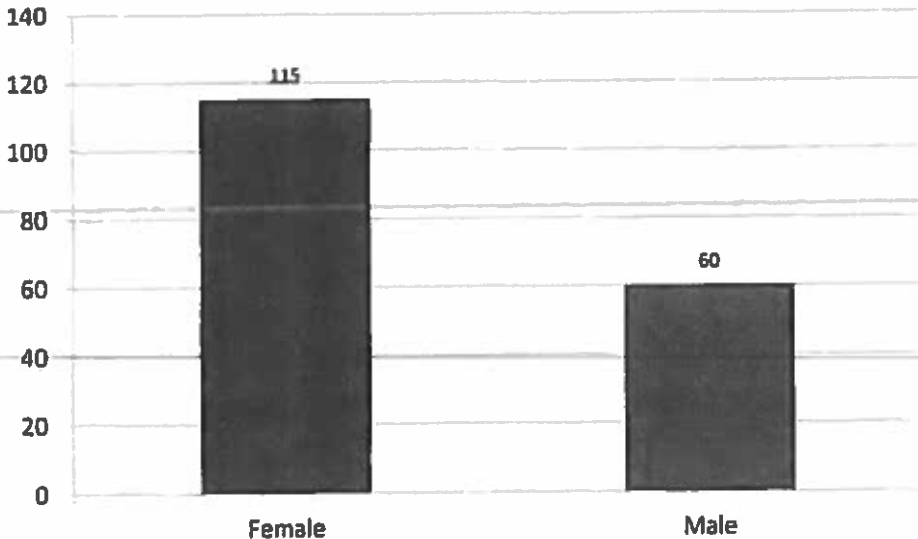
**A survey to elicit the community's view**

Whilst widespread support for the redevelopment of Marine had become clear it was considered (following some feedback) that more systematic research could usefully complement previous and less structured consultation. Thus a questionnaire was designed to collect responses from all groups throughout the community. Most of the responses were to a paper based questionnaire but the online research resource Survey Monkey was also used. Data was subsequently collated in an Excel spreadsheet.

Responses were collected between March and the middle of June 2016 using a survey instrument (see Annex 1).

**Gender:**

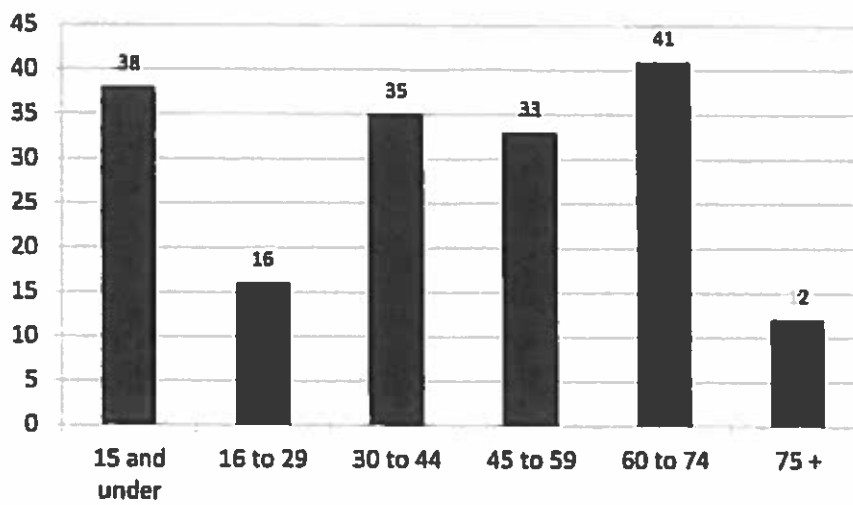
**Table 1: Gender of Respondents**



Of 176 respondents 115 were Female and 60 Male. One respondent did not specify. Males were under-represented in the sample in terms of their proportion in the Moray population.

## Age group:

**Table 2: Age Group of Respondents**



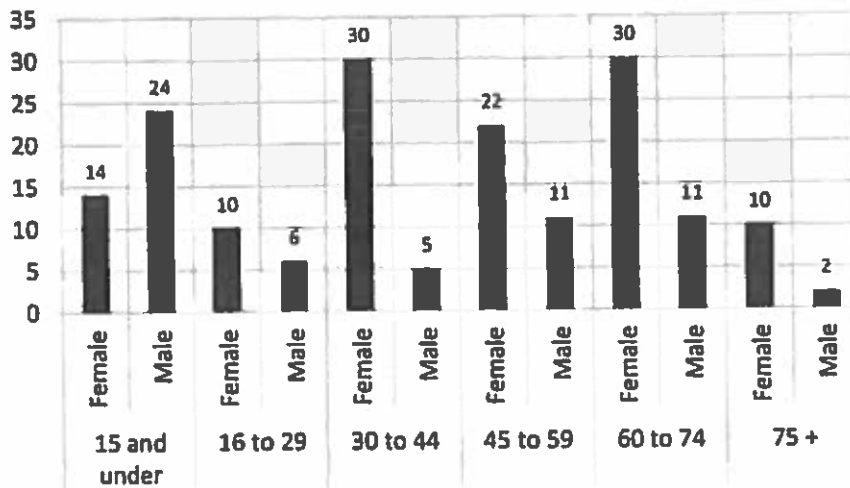
- 1 15 and under
- 2 16 to 29
- 3 30 to 44
- 4 45 to 59
- 5 60 to 74
- 6 75 and over

51% of respondents were 44 and under, which is representative in terms of the age profile for Moray<sup>5</sup> where the percentage is 54.

There is some variation when one sets age against gender with females being the largest proportion in every age group except the 15 and under where males outnumber females.

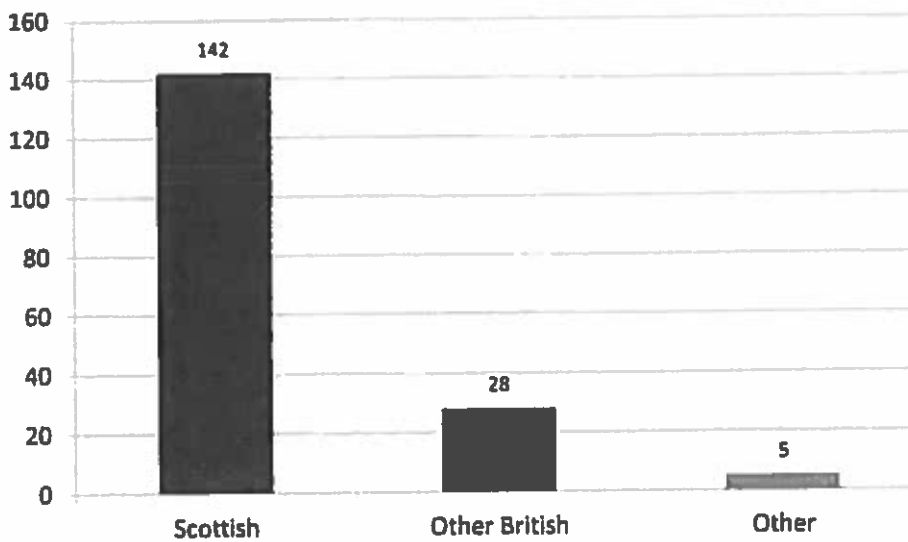
<sup>5</sup> Moray Area Profile, May 2014, Highlands and Islands Enterprise, [www.hie.co.uk](http://www.hie.co.uk)

**Table 2: Age Group of Respondents by Gender**



**Ethnic Background:**

**Table 3: Ethnic Background of Respondents**



Of 175 respondents who identified their ethnic background 142 described themselves as Scottish, which amounts to 81% of all those completing this section. Combining Scottish with Other British amounts to 97% of all respondents. Two of those describing themselves as Other British also described themselves as Cornish. Of the five indicating other ethnic background one specified German another Canadian and another Orcadian – the other two did not specify. The proportions above are broadly in line with the population for Moray as a whole.



## Geographical Location

Annex 2 shows the location of all respondents with each red square corresponding to a completed survey. Whilst the highest concentration of responses comes from those in close proximity to Marine Park most of the remainder are resident throughout Lossiemouth – interest in the ‘revival’ of the Park thus extends through the whole town. There were 17 respondents from other locations. The park would be an attraction to visitors to Lossiemouth. 169 (96%) of respondents indicated their location.

**Figure 1: Proximity to Marine Park**

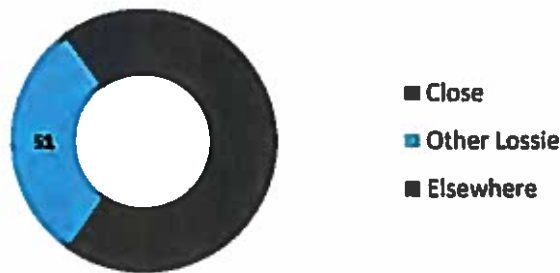


Figure 1 indicates that about 60% of respondents who gave their location reside within 10 minutes walking distance of Marine Park and that a further 30% reside in other parts of Lossiemouth.

## Disability and Mobility

6 % of respondents stated that they had a disability whilst 4 % stated that they had issues with mobility. These limited responses indicated use of walking sticks and some visual impairment. In order to ensure accessibility and more adequate representation for all groups a more focused consultation was undertaken.

In early March a meeting was held with the Ladybird Group<sup>6</sup> to evaluate how Marine Park could be developed to support the children’s specific needs. Subsequently ideas were put forward – these were not intended to be exhaustive but rather to illustrate how the Park could be developed to provide support to the children. These included:

**Nest swing** – useful in developing a sense of balance, improved posture, muscle control and coordination.

**Sunken trampoline** – ease of access and no risk of fall from a height. Rebound therapy is used to facilitate movement, promote balance, increase muscle tone and to aid relaxation and sensory integration.

**Wheelchair swing** – allows for a swing experience whilst staying in a wheelchair and can have a powerful impact on the brain’s ability to process and use sensory information.

<sup>6</sup> A group supporting the development of pre-school children with additional support needs.

**Sensory garden – this can have various components e.g. tactile panels and tubular bells. These types of gardens are popular with and beneficial to both children and adults especially those who have sensory processing issues including autism and other disabilities.**



**Tactile Wall**



**Planter**

**Most of the above meet the needs of children generally but would also allow the community to assure itself that it was making 'reasonable adjustments' to meet the needs of groups with additional support needs.**

**Other groups will also benefit. Having access to an enjoyable outdoor space can meet many needs for people with dementia and also those that care for them. A carefully thought out garden can provide exercise and a space for reflection, a different social environment and provide additional stimulation with colours, smells and sounds.**

**A spokesperson for the Ladybird Group in support of the aspirations to revitalise Marine Park added**

**..."All children benefit greatly from outdoor play, in terms of their well-being, which includes general health, physical skills, communication skills and social interaction with others ... The number of children living with impairments is higher than ever before and growing, because medical advances have led to improved survival rates.**

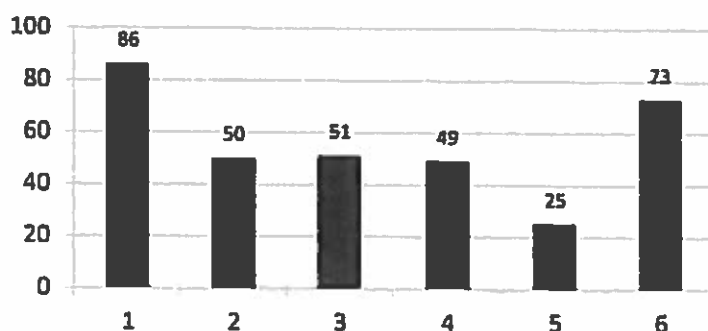
**Children who are disadvantaged through disability are less likely to have opportunities to develop these skills through using standard playpark equipment as they are often inaccessible to them. Yet the enjoyment they experience is tremendous, when playing on accessible equipment such as adapted swings, trampolines, slides etc. Children with disabilities love to feel "included" and have the same opportunities as their peers. A rich play environment provides a wide range of sensory experiences, access to other children, and opportunities to extend capabilities and explore possibilities.**

**Inclusive play is a legal requirement: The Children Act 1989 says 'A primary aim should be to promote access for all children and young people to the same range of services.'**

The Children Act 2004 sets out five outcomes which all services for children should work towards: to be healthy, stay safe, enjoy and achieve, make a positive contribution and achieve economic wellbeing. Play is integral to the 'enjoy and achieve' outcome."

### Marine Park Events

**Table 4: Attendance at Marine Park events**



- 1 Open Fun Day in Marine Park
- 2 Tennis Coaching Events
- 3 Open Use of the Tennis Courts
- 4 Coffee Morning in Lossiemouth Town Hall
- 5 Ceilidh in Lossiemouth Town Hall
- 6 Bingo Night at Lossiemouth Football Club

The organisation of this series of events over an extended period provides evidence of the commitment of a core group to the development of Marine Park as a resource for the community and for visitors. Many people attended these events the numbers above merely reflect those who have attended an event and simultaneously or subsequently completed a questionnaire.

Further Open Fun Days were held in June and August

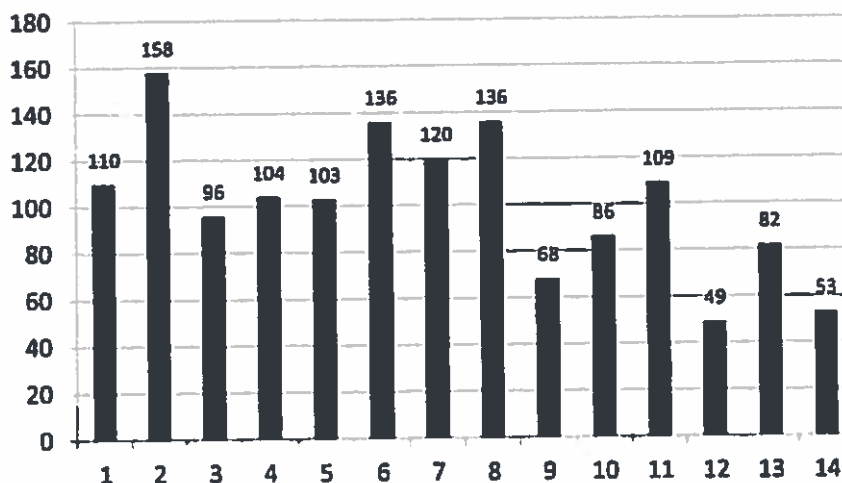
## Marine Park Fun Day

Come and join us for fun and activities



What should be developed/provided in Marine Park?

Table 5: Respondents views on what is needed/desirable



1. Pavilion, 2. Toilets, 3. Putting, 4. Crazy Golf, 5. 5 a side pitch, 6. Children's Play Area,

7. Accessible Seating, 8. Picnic Benches, 9. Outdoor Gym, 10. Climbing Wall, 11. Café, 12. Indoor Tennis Court, 13. Bicycle Stand, 14. Archery Area.

Respondents were allowed to agree with as many or as few as they wished. 90% agreed that Toilets were needed, and a Children's Play area and Picnic Benches were both nominated by 77% of respondents. Least popular were an Indoor Tennis Court and an Archery Area where people were less likely to see the point.

### Other Activities, Facilities or Services

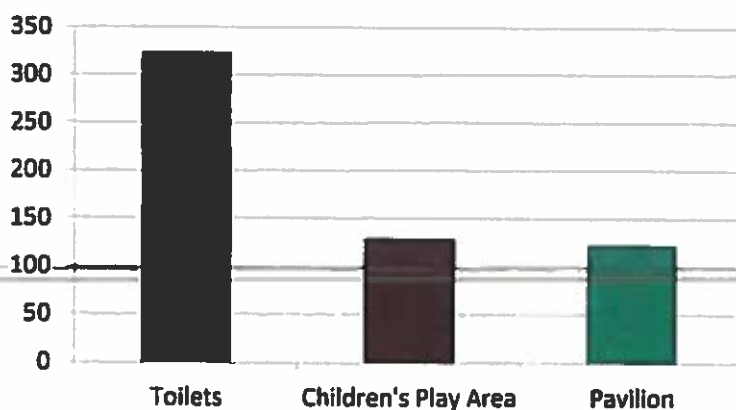
Respondents were also asked to indicate any other facilities or services which they would like to see in Marine Park. There were limited responses including landscaping with disabled access, something to create a sensory experience and sensory area and/or equipment for disabled children and adults, a bicycle lane for children to practise cycling proficiency a skate park and as a venue for team building events for local businesses and for additional coaching for children. One respondent asked for a walkable path from James Street to Moray Golf Club, which possibly comes under the heading of landscaping of what is undoubtedly an under-developed area. Another wanted security cameras. An indoor gym and bicycle ramps were also mentioned as were Go-Karts.

The relatively limited number of alternative ideas is undoubtedly a function of all the suggestions that respondents were asked to agree with. In order to focus on ideas other than those presented to respondents (ideas, however, which came from previous consultation) other groups with particular needs have been consulted e.g. Ladybird Group (see previous section on **Disability and Mobility**).

### Priorities

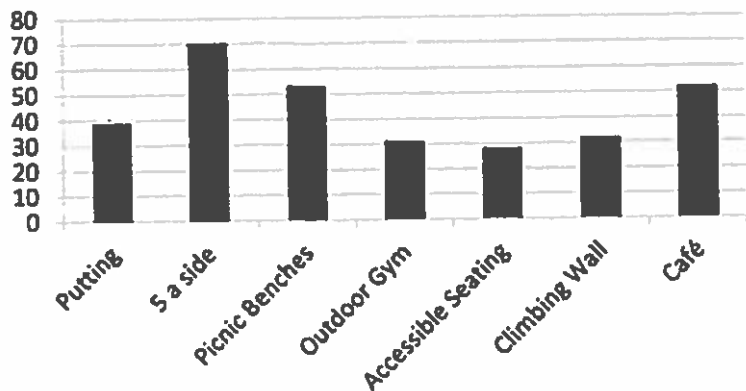
Respondents were also asked to rank their top three priorities – 129 respondents did so. Where a facility or activity was ranked at 1 it was given 5 points, 3 points for 2 and 1 point for 3. On this basis Toilets, Pavilion and a Children’s Play Area were well above the rest.

**Table 6: First ranked priorities**



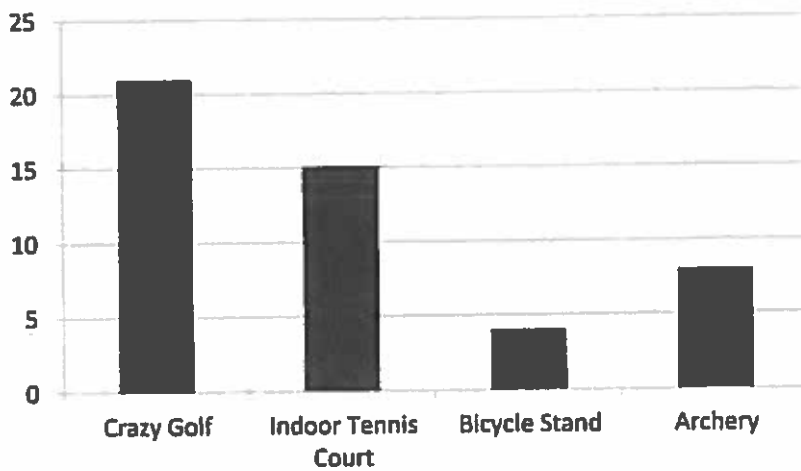
The following facilities/activities whilst somewhat behind the main three attracted significant support.

**Table 7: Second ranked priorities**



Finally, interest in the following facilities was much less strong.

**Table 8: Third ranked priorities**



## Annex 1 Marine Park Survey



# Marine Park<sup>7</sup> Survey

A group was formed 4 years ago with a view to restoring Marine Park to its former glory for the benefit of the whole community. So far the tennis courts have been restored and the Lossiemouth Tennis Club re-established.

In this section the questions are intended to ensure that we get a representative sample of views as well as being able to assure ourselves that we have a broad view of people's needs.

A prize draw will be held for those who respond to the survey. Many thanks for your co-operation.

What is your sex?

Female

Male

Which is your age group?

15 and under

16 to 29

30 – 44

45 to 59

60 to 74

75 and over

What is your ethnic group?

Scottish

Other British

Irish

Polish

Other

<sup>7</sup> Marine Park sits next to St Gerardine's Road between Stotfield Road and James Street in Lossiemouth

If other please describe

Do you have a disability or disabilities?

Yes

No

If 'Yes' please describe e.g. visual impairment

Do you have problems with mobility?

Yes

No

If 'Yes' please describe e.g. wheelchair user

This next section of the survey is intended to ascertain any previous involvement with Marine Park events as well as eliciting your ideas on potential facilities and services that the park could offer

Have you attended any of these Marine Park events in the last 3 years? Please tick all that apply

Open Fun Day in Marine Park

Tennis Coaching events

Open use of the Tennis Courts

Coffee Morning in Lossiemouth Town Hall

Ceillidh in Lossiemouth Town Hall



Previous consultation has identified the need and desire for the following in Marine Park. Please tick all of those that you agree with (Column A) and then in Column B prioritise your top three 1, 2, 3.

	A	B
Pavillion		
Toilets		
Putting		
Crazy Golf		
5 a side football pitch		
Children's play area		
Accessible seating		
Picnic benches		
Outdoor gym		
Climbing wall		
Café		
Indoor tennis court		
Bicycle stand		
Archery area		

Please indicate below any other activities, facilities or services you would like to see in Marine Park

In which street (or other location) do you live?

What is your post code?

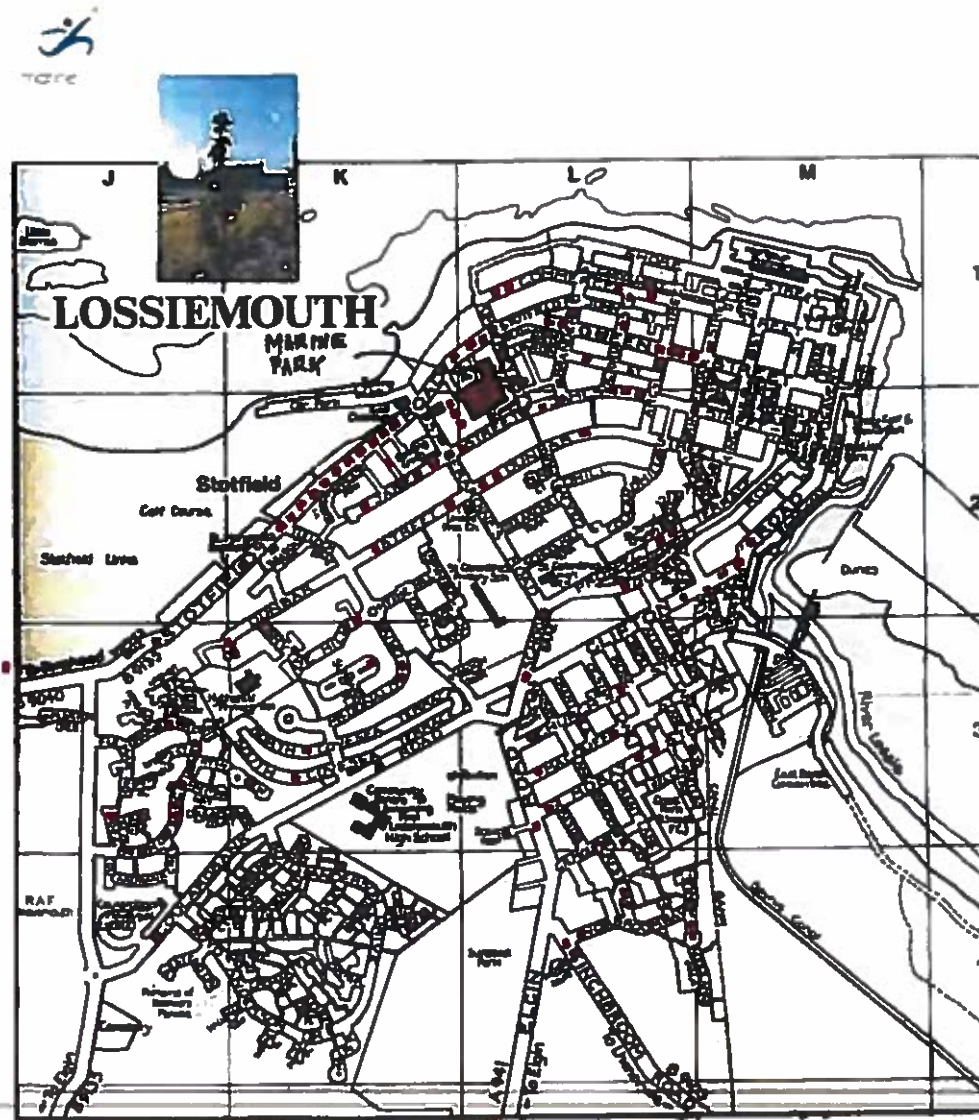
If you would like to be entered into the Prize Draw please indicate your e-mail address and/or your telephone number

NB Your e-mail address and/or telephone number will not be shared with any other individual or organisation

If you would like to be updated on the development of Marine Park please tick here

If you have any queries about this survey or about Marine Park in general please e-mail [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)

## Annex 2 Marine Park Survey – location of respondents



### Respondents from other locations:

Elgin (9), Duffus (2), Mosstodloch, Mildenhall, Aberdeen, Hopeman, Longstanton, Easter Covesea

**Appendix 3 Background of Trustees/Consultant**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**Appendix 2 AMP Audited Accounts  
and Cash Flow Projection**

**AMP Cash flow projection**

	31st March	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>INCOME</b>										
Fund raising events		2260	3460	4750	2839	8705	6500	10000	8000	10000
Donations		100		1355	1620	250	1200	1500	1400	1200
Fund Applications				10994	13210		80000	150000	250000	100000
Loan				15000						
Lease of Tennis Courts				500	500	540	800	800	1200	1250
Other										
Lease of football area						450				6000
Lease of new Pavilion										
<b>Total</b>		<b>2360</b>	<b>3460</b>	<b>17099</b>	<b>33169</b>	<b>9945</b>	<b>88500</b>	<b>162300</b>	<b>260600</b>	<b>107450</b>
<b>EXPENDITURE</b>										
Signage		374	72	51	1020	216	500	300	800	100
Hire of hall		80		110	50	50	120	120	80	80
Costs for fundraising		105	150	100	622	222	1300	1800	1450	1500
Purchase of tables			152							1500
Re Fencing of Tennis Courts					28365					
Re Painting of Tennis Courts				6828					8000	
Insurance					111	270	480	480	1600	1650
Repay Loan					15000					
Cost to build pavilion										380000
Equipment for pavilion										10000
Additional Planting costs								5500	5500	5750
Playpark installation								4500		
Outdoor gym installation								8000		4000
Additional seating							1250	500	500	
Surface&Fence Football Area										
Tennis Courts access system										
Maintenance access system										



**Total**

559 374 7089 45168 2217

**Bank Balance at year end**

1800 4887 14898 2899 10627

## **Appendix 4 Marketing & Communication**

### **The Importance of Marketing and Communication**

Marketing and Communication will play a very important role in helping AMP to achieve its objectives in relation to the transformation and regeneration of Marine Park. Through a range of planned marketing and communication activities AMP will be able to:

- raise the profile of Marine Park by raising the awareness of the local community in Lossiemouth and the wider community of Moray and beyond of the ongoing developments within Marine Park and of what is available within the park in terms of outdoor sports, leisure and recreation opportunities.
- promote and publicise the ongoing work of AMP
- persuade local people and those within a reasonable travelling distance of Marine Park to come and use the facilities of the park and perhaps try out new activities for the first time
- persuade visitors to Moray to come and use the facilities of the park
- encourage people who don't usually take part in physical activities to become more actively involved
- promote a range of annual fundraising events and income generating activities- e.g. coffee mornings, tombola evenings, quiz nights, ceilidhs, etc. - which will be essential in helping to raise money to meet annual running costs and to contribute to the ongoing regeneration activities either directly or as an element of match funding in relation to applications made to external funding/grant awarding bodies for capital development funding
- encourage and persuade local people of all ages and backgrounds to become involved with the work of AMP either as trustees or volunteers thereby providing them with an opportunity to play a more active role in the community. This will help AMP to attract 'new blood' and will contribute to trying to always have the right number of people with an appropriate mix of skills, experience and qualifications as part of AMP... New blood involvement will also help to retain the long term involvement of existing trustees and volunteers.
- promote family fun days at Marine Park. These currently take place in June and August each year to provide families with an enjoyable day out and to show people what Marine Park has to offer in relation to outdoor sporting, leisure and recreation opportunities.
- promote an AMP presence at other events in the local community such as those organised by the Lossiemouth Community Development Trust, the Lossiemouth Community Sports Hub and the Lossiemouth Millennium Association
- help to persuade local tradesmen to become involved with regeneration work in the park through donations of time and/ or materials
- help to persuade local businesses to consider sponsorship opportunities that may become available through the Park

- help encourage local people to consider leaving a legacy to AMP in their will
- help to encourage local people to donate money to AMP under a Gift aid scheme whereby AMP could possibly reclaim any tax previously paid on the amount donated

### **Promotional Mix**

A concerted effort will be made to promote Marine Park and Tennis Courts to the local community of Lossiemouth and the wider community of Moray and beyond in an efficient and effective manner. Although AMP will try as far as possible to use 'free/no cost' promotional channels it will also make use of paid for promotion as and when necessary and appropriate. The AMP promotional mix will include among other things:

### **Internet marketing**

This will be achieved by making regular use of AMPs own website [www.marineparklossie.org](http://www.marineparklossie.org)

This website was developed free of charge by a local business person who owns their own digital communications business. This is another good example of community support for the AMP project. One of the AMP trustees has got the appropriate knowledge and skills to update the website on a regular basis. The website also has an online booking system for hire of the tennis courts on a pay to play basis and over time this will be developed to allow online booking of other pay to play activities in the park.

AMP will also arrange to get information published on a regular basis on other community information websites serving Lossiemouth and/or Moray such as:

- Lossiemouth Community Development Trust – [www.lossietrust.org](http://www.lossietrust.org)
- The Lossie Local – [www.thelossielocal.co.uk](http://www.thelossielocal.co.uk)
- Spotlight on Lossie, Elgin and District – [www.spotlighton.co.uk](http://www.spotlighton.co.uk)
- Inside Moray– [www.insidemoray.com](http://www.insidemoray.com)
- The Forres Focus – [www.forresfocus.co.uk](http://www.forresfocus.co.uk)
- Sport in Moray – [www:sportinmoray.com](http://www:sportinmoray.com)

### **Social Media**

Over time the use of social media will become increasingly important to help AMP keep in touch with a wide range of people wanting to use Marine Park. Social media is a free marketing and communications tool that can reach a large audience very quickly.

AMP has its own facebook page [www.facebook.com/actionmarinepark](http://www.facebook.com/actionmarinepark) which will be updated regularly.

Use will also be made of the Lossiemouth Tennis Club Facebook page, the Moray Sports Hub Facebook page and the Macmillan Move More Moray facebook page

[www.sportinmoray.co.uk/mosh/macmillan-move-more](http://www.sportinmoray.co.uk/mosh/macmillan-move-more)

The Macmillan Move More Moray facebook page will help to promote relevant activities in Marine Park to people who have cancer or who are recovering from cancer. This is a new initiative which has recently been rolled out across Moray to help encourage people who have, or have had, cancer to help their recovery by engaging in activities that will make them move more.

### **Marine Park Blog**

Use of a blog could be a great way for potential customers to get a feel for the Marine Park environment and the Lossiemouth area. The blog could be updated by a volunteer on a weekly basis to showcase topical information such as ongoing developments, events, outdoor sports and leisure activities, competitions, etc. The blog could also feature guest blogs from users of Marine Park thereby giving a real insight into the user experience of the Park's activities, resources and facilities.

### **Lossiemouth Community Sports Hub Plasma Screen**

As a member of the Lossiemouth Community Sports Hub, AMP will be able to promote Marine Park through power point presentations on a plasma screen located beside the reception area in Lossiemouth Community Centre. This can be updated easily on a regular basis and will help to promote Marine Park and Tennis courts to the many users of the Lossiemouth Community Centre.

### **Email**

Email will provide an effective means of promoting Marine Park and Tennis Courts to the many clubs and organisations who are members of the Lossiemouth Community Sports Hub and to all of the Moray Council's Active Schools Co-ordinators and Sports Development Officers who work closely with school pupils and staff... It will also be used to communicate with individuals who have given AMP their email address to enable AMP to keep them up to date with ongoing developments.

### **Media/ Press Releases**

Moray is very well covered by an excellent range of local/ community newspapers and the editors of these publications are always looking for local community news stories to publish to inform readers and to help local community organisations... This being the case' regular media/press releases will be sent to the Northern Scot, Press and Journal and the relevant local community newspapers published by the Scottish Provincial Press (SPP) and where appropriate to Moray Firth Radio and Keith Community Radio.

### **Free Listings/What's on Listings in Local Publications**

Regular use will also be made of the 'free listings/ what's on listings' provided in local publications such as the Lossie Local, Spotlight on Moray, Lifestyle Magazine, etc. This is a good way to regularly remind people of forthcoming AMP events, etc.

### **Advertising**

Paid for advertising will be used when necessary and appropriate in local publications such as the Lossie Local, Spotlight on Moray, Lifestyle Magazine and possibly the Knock News. Such advertising is normally accompanied by 'free' editorial. Combining an advert and editorial into an 'advertorial' can often prove to be a very effective promotional tool. Using paid for advertising in this way will also help AMP to help itself whilst at the same time helping with the sustainability of these local publications

### **Promotional Merchandise**

Consideration will be given to the production of a range of promotional merchandise such as T shirts, sweatshirts, pens, pencils, mouse mats, etc. This could be helpful in promotional terms and could also contribute to income generation.

### **Promotional Literature**

A range of promotional literature such as A3/A4/A5 notices, posters and leaflets will be designed and produced for display in locations such as public libraries, schools, community centres, supermarkets, shops, health centres, the Health Information Point in Dr Gray's Hospital and on external noticeboards within the community..

### **Events**

Events organised by AMP such as Family Fun Days, Coffee Mornings, Ceilidhs, Tombola Evenings, etc. , will provide excellent opportunities for the promotion of AMP and Marine Park and Tennis Courts as will an AMP presence at events organised by other local organisations e.g. switching on of the Xmas lights – organised by the Lossiemouth Millennium Association

Seafest – organised by the Lossiemouth Community Development Trust

### **Temporary Roadside Signage/Promotional Banners**

Occasionally, temporary roadside signage on the roads leading into Lossiemouth from Elgin, Hopeman and Lhanbryde will be used as promotional tools. This can be a very effective way to promote fundraising activities and events in the week leading up to such activities and events. Weatherproof rectangular banners affixed to fences and or walls will also be used in this way as and when appropriate.

### **Personal Contact/Networking**

Personal contact with, and networking through, established local community organisations and groups will also be a much used and important marketing and communications tool. AMP is a member of the Lossiemouth Community Development Trust, Two of its trustees are regular attenders at meetings of the Lossiemouth Community Sports Hub whilst other trustees also represent other local groups such as the youth club, the tennis club, the Lossiemouth Business Association, football groups, the Moray Golf Club, the local nursery group and various local church organisations.

### **13.3 Marketing Plan**

By 31<sup>st</sup> December each year, the AMP trustees will agree a marketing and communications plan for the next business year starting on the following 1<sup>st</sup> April. This will help to underpin the programme of fundraising events/income generation activities for the next business year as well as help AMP to achieve its other objectives.

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**From:** AMP Committee [REDACTED]  
**Sent:** 21 May 2018 09:24  
**To:** CAT  
**Subject:** AMP CAT application

[REDACTED]

it has always been the position that the Action Marine Park group requires Moray Council to continue to cut the grass in Marine Park at its own expense for a minimum of three years following the transfer, this is a condition that we wish to apply to the asset transfer request. The Action Marine Park Group are currently excluded from applying for funding support for the Marine Park Area as we do not have any lease or ownership of the park to support applications. Sadly we have found this out the hard way . After spending time meeting with funders and then completing substantial application forms we have been refused funding that otherwise the Marine Park Project is perfect for.

The lengthy time the CAT procedure has taken has meant that we have missed out on many perfect opportunities to secure funding support to improve the Marine Park facilities. This is a very frustrating situation and we hope that now the process with our application for a community asset transfer is progressing, that we will very shortly be able to access financial support that is intended to enable projects like AMP to fulfil goals and aims, making a better community facility for the enjoyment of all.

kind regards

[REDACTED]

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SCIO Constitution (two tier) for asset transfer

# CONSTITUTION OF

# Action Marine Park SCO SCIO 43530



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action  
marinepark  
lossiemouth

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# CONSTITUTION OF

## Action Marine Park SCIO 43530

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Charities and Trustee Investment (Scotland) Act 2005

**Constitution**  
**of**  
**Action Marine Park SCIO 43530**

In this constitution, the following definitions apply throughout:

- "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 the general control and management of the Organisation.
- "Clauses" means any clause.
- "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 in the world.
- "SCIO" means Scottish Charitable Incorporated Organisation.
- "them" and "their" refer to individuals or groups (either he, she or they).

Words in the singular include the plural and words in the plural include the singular.

These Clauses supersede any model clauses. Any words or expressions defined in the 2005 Act shall, if not inconsistent with the subject or context, bear the same meanings in the Clauses

The Schedule to these Clauses is deemed to form an integral part of these Clauses.

	<b>NAME</b>
1	The name of the organisation is "Action Marine Park" SCIO ("the Organisation").
2	The Organisation will, upon registration, be a Scottish Charitable Incorporated Organisation (SCIO).
	<b>REGISTERED OFFICE</b>
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 Lossiemouth and its environs (the "Community"), with the following purposes (the "Purposes"):

4.1 The organisations purposes are to promote to the benefit of the inhabitants of Lossiemouth and its environs without distinction of sex, sexuality, political, religious or other opinions by associating the local statutory authorities, voluntary organisations and inhabitants in a common effort to advance education, health and to promote facilities or to assist in the provision of facilities, in the interest of social welfare for recreation and other leisure time occupation so that their conditions of life may be improved and to advance public participation in sport. In furtherance of which but not otherwise the group shall seek

4.2 To improve the Tennis, football, basketball, putting and other similar outdoor activities in the Lossiemouth area

4.3 To create or enhance a facility which can be used by anybody wishing to pursue such sports regardless of age or gender.

4.4 To further progress the activities of the group, it will purchase, lease, hire, take in or exchange any property should it become available and be of advantage to the group.

4.5

4.6

**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.

	<b>GENERAL STRUCTURE OF THE ORGANISATION</b>
6	The organisation is composed of:
6.1	<b>Members (composed of Ordinary Members and Junior Members);</b>
6.2	
6.3	Charity Trustees (composed of Elected Charity Trustees, and Co-Opted Charity Trustees, following the first GM).
	<b>MEMBERSHIP</b>
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 are 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.
	<b>APPLICATION FOR MEMBERSHIP</b>
10	No Individual or Group may become a Member unless that Individual or Group has submitted a written application for membership in the form prescribed by the Charity Trustees and the Charity Trustees have approved the application. An application submitted by a Group must be signed on behalf of that Group.
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.
	<b>MEMBERSHIP SUBSCRIPTIONS</b>
12	Members shall not be required to pay an annual membership subscription.

**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 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;

16.3 in the case of an individual, that individual has died (membership of the Organisation not being transferable);

16.4 in the case of a group, that group goes into receivership or liquidation, or is dissolved or otherwise ceases to exist (membership of the Organisation not being transferable);

16.7 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) the 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.

**ASSOCIATES**

18	Individuals and Groups wishing to support the Purposes who are not members of the Community may become associates of the Organisation ("Associates"). Associates may attend and speak at GMs but may not participate in such meetings for voting or quorum purposes.
18.1	No Individual or Group may become an Associate unless that Individual or Group has submitted a written application to become an Associate in the form prescribed by the Charity Trustees and the Charity Trustees have approved the application. An application submitted by a Group must be signed on behalf of that Group.
18.2	The Charity Trustees shall consider applications for associateship promptly. The Charity Trustees shall assess each application to determine whether the applicant meets the criteria for becoming an Associate.
19	The Charity Trustees shall cause a register of associates to be maintained containing: (a) the name and address of each Associate; (b) the date on which each Individual or Group was registered as an Associate; and (c) the date at which any Individual or Organisation ceased to be an Associate.
20	An Associate shall cease to be an Associate if:
20.1	that Associate sends a written notice of resignation to the Organisation;
20.2	that Associate becomes a member of the Community;
20.3	a resolution that that Associate be expelled from being an Associate (where that Associate's conduct, in their capacity as Associate, 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 Associate is entitled to be heard);
20.4	in the case of an Individual: (a) that Individual becomes insolvent or apparently insolvent or makes any arrangement with their creditors; or (b) that Individual has died; or
20.5	in the case of a Group, that Group goes into receivership or liquidation, or is dissolved or otherwise ceases to exist.



	<b>GENERAL MEETINGS (Meetings of the Members)</b>
21	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.
	<b>Annual General Meeting</b>
22	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.
22.1	The business of each AGM shall include: <ul style="list-style-type: none"> <li>(a) a report by the Chairperson on the activities of the Organisation;</li> <li>(b) the election of Elected Charity Trustees;</li> <li>(c) the fixing of annual subscriptions;</li> <li>(d) consideration of the accounts of the Organisation;</li> <li>(e) a report of the auditor if applicable; and</li> <li>(f) the appointment of the auditor if applicable.</li> </ul>
	<b>Notice of General Meetings</b>
23	Subject to the terms of clause 67, notice of a GM shall be given as follows:
23.1	At least 14 Clear Days' notice must be given of any GM.
23.2	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 <ul style="list-style-type: none"> <li>(a) in the case of a resolution to alter the constitution, must set out the exact terms of the proposed alteration(s); and</li> <li>(b) in the case of any special resolution (as defined in clause 30) must set out the exact terms of the resolution.</li> </ul>
<del>23.3</del>	<del>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.</del>
	<b>CHAIRPERSON OF GENERAL MEETINGS</b>
24	<ul style="list-style-type: none"> <li>(a) The Chairperson of the organisation shall act as Chairperson of each GM.</li> <li>(b) If the Chairperson is not present or willing to do so the Vice-Chairperson of the organisation shall act as Chairperson of the GM.</li> <li>(c) 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.</li> </ul>

## QUORUM AT GENERAL MEETINGS

- 25 The quorum for a GM shall be the greater of:
- (a) eleven Members; or
  - (b) 10% of the Members,
- present either in person or by proxy.
- No business shall be dealt with at any GM unless a quorum is present.

- 25.1 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.

- 25.2 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 (or their proxies) may vote during the meeting. A Member or proxy participating remotely by such means shall be deemed to be present in person at the GM.

## VOTING AT GENERAL MEETINGS

- 26 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.

- 26.1 Each Member shall have one vote, to be exercised in person or by proxy, by a show of hands

- 26.2 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.

- 27 Whilst the attendance of Members at GMs is encouraged, a Member may appoint a proxy to attend a GM on behalf of that Member. A proxy appointed to attend and vote at a GM on behalf of a Member need not be a Member and shall have the same rights as the Member who appointed them to speak and vote at the GM.

- 27.1 The form appointing the Proxy shall be in the form set out in Schedule 1 annexed to these Clauses;

- 27.2 The form appointing a proxy and the power of attorney or other authority (if any) under which it is signed, or a certified copy thereof, shall be lodged at the Registered Office not less than 48 hours before the time of the GM at which the proxy is to be used; and

- 27.3 No form of proxy shall be valid more than 12 months from the date it was granted.

- 28 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.

	<b>Resolutions</b>
29	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 or by proxy).
30	<p>Certain resolutions must be passed as Special Resolutions, including resolutions:</p> <ul style="list-style-type: none"> <li>a) to alter the name of the Organisation; or</li> <li>b) to amend the Purposes; or</li> <li>c) to amend these Clauses; or</li> <li>d) to wind up the Organisation in terms of clause 72.</li> </ul> <p>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 or by proxy).</p>
31	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.
31.1	An Ordinary Resolution may be passed in writing if signed by a simple majority of all the Members.
31.2	A Special Resolution to wind up the Organisation may be passed in writing if signed by all the Members.
31.3	Any other Special Resolution may be passed in writing if signed by not less than two thirds of all the Members.
31.4	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.
31.5	<p>Written resolutions must be accompanied by a statement informing the Member:</p> <ul style="list-style-type: none"> <li>(a) how to signify agreement to the resolution;</li> <li>(b) how to return the signed resolution to the Organisation (in hard copy (posted or hand-delivered) or electronic form (faxed or e-mailed));</li> <li>(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</li> <li>(d) that they will not be deemed to have agreed to the resolution if they fail to reply.</li> </ul>
31.6	A written resolution may consist of several documents in the same form, each signed by or on behalf of one or more Members.
31.7	Once a Member has signed and returned a written resolution in agreement thereto, that Member's agreement is irrevocable.
31.8	The Members may require the Organisation to circulate a written resolution.

31.8.1	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.
31.8.2	The Board may reject the resolution but must provide reasons for doing so to the members requesting the resolution.
31.8.3	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.
<b>MEETING ADJOURNMENT</b>	
32	The Chairperson of the GM may, with the consent of a majority of the Members voting (in person or by proxy), adjourn the General Meeting to such time, date and place as the Chairperson may determine.
<b>ORGANISATION MANAGEMENT</b>	
33	The affairs, property and funds of the organisation shall be directed and managed by a Board of Charity Trustees. The Board:
33.1	shall set the strategy and policy of the Organisation;
33.2	shall, where no employees or managers are appointed, be responsible for the day-to-day management of the Organisation;
33.3	shall hold regular meetings between each AGM, meeting as often as necessary to despatch all business of the Organisation;
33.4	shall monitor the financial position of the Organisation;
33.5	shall direct and manage the affairs and Property of the Organisation;
33.6	shall generally control and supervise the activities of the Organisation;
33.7	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);
33.8	may exercise the powers of the Organisation; and
33.9	may not also be paid employees of the Organisation.

	<b>INTERIM BOARD</b>
34	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.
34.1	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 24.6).
	<b>COMPOSITION OF THE BOARD OF CHARITY TRUSTEES</b>
35	The number of Charity Trustees shall be not less than three and the total number of Charity Trustees shall not be more than 12
	<b>APPOINTMENT OF CHARITY TRUSTEES</b>
36	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):
36.1	up to 12 individual persons elected as Charity Trustees by the Members in accordance with clause 37 ("the Elected Charity Trustees"), who must themselves be Ordinary Members; and
36.2	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.
36.3	Employees of the organisation may not be nominated as or become Charity Trustees.

	<b>ELECTED CHARITY TRUSTEES</b>
37	At the first General Meeting of the Organisation, the Members shall elect up to 12 individual Ordinary Members as Elected Charity Trustees.
37.1	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.
37.2	Each Member has one vote for each vacancy in the Elected Charity Trustees on the Board.
37.3	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).
37.4	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.
37.5	A retiring Charity Trustee shall be eligible for re-election after one term of office. A retiring Charity Trustee shall not be eligible for re-election after two consecutive terms of office until a period of one year in which they have not been a Charity Trustee has passed.
37.6	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.
	<b>APPOINTED CHARITY TRUSTEES</b>
38	
38.1	
	<b>CO-OPTED CHARITY TRUSTEES</b>
39	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.
39.1	A Co-opted Charity Trustee shall retire at the AGM following their appointment unless re-appointed by the Charity Trustees.
39.2	A Co-opted Charity Trustee can be removed from office at any time by a simple majority of the Board.
39.3	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.

	<b>VACANCY</b>
40	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.
	<b>CHARITY TRUSTEES – GENERAL DUTIES</b>
41	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:
41.1	seek, in good faith, to ensure that the organisation acts in a manner which is in accordance with its purposes;
41.2	act with the care and dillgence which it is reasonable to expect of a person who is managing the affairs of another person;
41.3	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;
41.4	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.
42	In addition to the duties outlined in clause 41, all of the Charity Trustees must take such steps as are reasonably practicable for the purpose of ensuring:
42.1	that any breach of any of those duties by a Charity Trustee is corrected by the Charity Trustee concerned and not repeated; and
42.2	that any Charity Trustee who has been in serious and persistent breach of those duties is removed as a Charity Trustee.
43	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 61 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.
44	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.
45	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.

	<b>CODE OF CONDUCT FOR CHARITY TRUSTEES</b>
46	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.
46.1	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.
	<b>REGISTER OF CHARITY TRUSTEES</b>
47	The Board must keep a register of Charity Trustees, setting out for each current Charity Trustee: <ul style="list-style-type: none"> <li>a) the name of the Charity Trustee;</li> <li>b) the address of the Charity Trustee;</li> <li>c) the date on which they were appointed as a Charity Trustee; and</li> <li>d) any office held by them in the organisation.</li> </ul>
47.1	Where a Charity Trustee is not an individual the register must also contain: <ul style="list-style-type: none"> <li>a) Any other name by which the Charity Trustee is known;</li> <li>b) the principal contact for the Charity Trustee;</li> <li>c) any number assigned to it in the Scottish Charity Register (if it is a charity); and</li> <li>d) any number with which it is registered as a company, if it is a company.</li> </ul>
47.2	Where the Charity Trustee is appointed by OSCR under section 70A of the 2005 Act it must be recorded in the register.
47.3	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: <ul style="list-style-type: none"> <li>a) the name of the Charity Trustee;</li> <li>b) any office held by the Charity Trustee in the Organisation; and</li> <li>c) the date on which they ceased to be a Charity Trustee.</li> </ul>
47.4	The Board must ensure that the register of Charity Trustees is updated within 28 days of receiving notice of any change.
47.5	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**

48	A Charity Trustee will automatically cease to hold office if: -
48.1	they give the Organisation a notice of resignation, signed by them;
48.2	they become an employee of the Organisation;
48.3	in the case of a Charity Trustee elected under clause 37) they cease to be a member of the Organisation;
48.4	in the case of a Charity Trustee appointed under clause 38) they cease to be a member of the appointing group;
48.5	in the case of a Charity Trustee co-opted under clause 39) the Board under clause 39.2 vote to end the appointment;
48.6	they become disqualified from being a Charity Trustee under the Charities and Trustee Investment (Scotland) Act 2005;
48.7	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;
48.8	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;
48.9	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 46);
48.10	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 section 66(1) or (2) of the 2005 Act;
48.11	they become prohibited from being a Charity Trustee by virtue of section 69(2) of the 2005 Act
48.12	they commit any offence under section 53 of the 2005 Act.
49	Clauses 48.9 and 48.10 apply only if the following conditions are met:
49.1	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;
49.2	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
49.3	at least two thirds of the Charity Trustees then in office vote in favour of the resolution.

	<b>CHAIRPERSON AND VICE-CHAIRPERSON</b>
50	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: <ul style="list-style-type: none"> <li>(a) an Elected Charity Trustee to chair Board meetings and GMs (the "Chairperson"), and</li> <li>(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").</li> </ul>
50.1	In the event that: <ul style="list-style-type: none"> <li>(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</li> <li>(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,</li> </ul> <p>the Charity Trustees present must appoint an Elected Charity Trustee to chair the GM/Board meeting.</p>
	<b>BOARD MEETINGS</b>
51	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.
51.1	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.
51.2	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.
52	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.
52.1	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.
52.2	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.
53	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.
54	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.
55	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.

56	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.
	<b>VOTING AT BOARD MEETINGS</b>
57	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,
57.1	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.
57.2	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.
	<b>SUB-COMMITTEES</b>
58	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.
58.1	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.
58.2	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**

59	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.
60	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 61.
61	No benefit (whether in money or in kind) shall be given by the Organisation to any member or Charity Trustee except the possibility of:
61.1	repayment of out-of-pocket expenses (subject to prior agreement by the Board);
61.2	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);
61.3	payment of interest at a rate not exceeding the commercial rate on money lent to the Organisation;
61.4	payment of rent at a rate not exceeding the open market rent for property let to the Organisation;
61.5	the purchase of property from any member or Charity Trustee provided that such purchase is at or below market value;
61.6	the sale of property to any member or Charity Trustee provided that such sale is at or above market value; or
61.7	payment by way of any indemnity, where appropriate in accordance with clause 94.
62	Where any payment is made under clause 61, the terms of clause 63 must be observed.

**PERSONAL INTERESTS & CONFLICTS OF INTEREST**

63 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.

63.1 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.

63.2 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. Where a Charity Trustee leaves, or is required to leave, the meeting they no longer form part of the quorum for that meeting.

63.3 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;

63.4 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.

63.5 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**

64 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

**FINANCES & ACCOUNTS**

65 The Board shall determine:

65.1 which banks or building societies the bank accounts of the Organisation shall be opened with;

65.2 how bank accounts shall be maintained and operated; and

65.3 how cheques and other negotiable instruments, and receipts for monies paid to the Organisation, shall be signed, drawn, accepted, endorsed or otherwise executed.

66 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.

66.1 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.

66.2 The Board must prepare annual accounts, complying with all relevant statutory requirements, and must ensure the accounts are examined or audited, as appropriate, by a qualified examiner or auditor.

66.3 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). The accounts shall be accompanied by proper reports of the Board.

66.4 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**

67 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.

68 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.

	<b>RECORDS OF MEETINGS</b>
69	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.
	<b>INDEMNITY</b>
70	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.
	<b>ALTERATION TO THE CLAUSES</b>
71	Subject to the terms of this clause, this constitution may be altered by a Special Resolution of the members passed in accordance with clause 30 or 31.3
71.1	Any changes to the purposes set out in clause 4 are subject to written consent being obtained from OSCR (and its successors) in terms of section 16 of the Charities and Trustee Investment (Scotland) Act 2005
71.2	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
	<b>DISSOLUTION</b>
72	The Organisation may be wound up or dissolved only on the passing of a Special Resolution for that purpose in accordance with clauses 30 and 31.4, and subject to written consent being obtained from OSCR.
72.1	<p>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:</p> <p>(a) determined by not less than two thirds of the Ordinary Members of the Organisation voting (in person or by proxy) at a General Meeting called specifically (but not necessarily exclusively) for the purpose; and</p> <p>(b) approved by OSCR (and its successors).</p>

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SCIO Constitution (two tier) for asset transfer

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# **CONSTITUTION OF**

## **Action Marine Park SCIO**

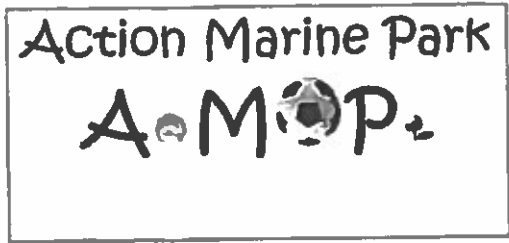
*Adopted at meeting of AMP on Monday 29<sup>th</sup> May  
2017.*

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<b>Name</b>	
	The name of the organisation is "Action Marine Park" ("the Organisation").
	The Organisation will, upon registration, be a Scottish Charitable Incorporated Organisation (SCIO).
<b>REGISTERED OFFICE</b>	
3	The principal office of the organisation will be in Scotland (and must remain in Scotland).
<b>DEFINITION OF COMMUNITY AND PURPOSES</b>	
4	The Organisation has been formed to benefit the community of Lossiemouth and its environs (the "Community"), with the following purposes (the "Purposes"):



Charity SCO43530

email [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)

30.4.13

Accounts for Financial Year to 31<sup>st</sup> March 2013

Opening balance		£0.00
Income	£2360.21	
Expenditure	<u>£ 559.48</u>	
Nett	£1800.73	<u>£1800.73</u>
as represented by bank balance on 31 <sup>st</sup> March 2013		<u>£1800.73</u>

We certify that this is a true statement of the accounts of Action Marine Park AMP

..... [Redacted Signature] Chairwoman

..... [Redacted Signature] Secretary





Charity SCO43530

email [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)

30.4.14

**Accounts for Financial Year to 31<sup>st</sup> March 2014**

Opening balance		£1800.73
Income	£3460.39	
Expenditure	<u>£ 373.96</u>	
Nett	£3086.43	<u>£3086.43</u>
as represented by bank balance on 31 <sup>st</sup> March 2014		<u>£4887.16</u>

We certify that this is a true statement of the accounts of Action Marine Park AMP

.....

[Redacted Signature]

Chairwoman

.....

[Redacted Signature]

Secretary



Action Marine Park



Charity SCO43530

email [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)

31.3.15

Accounts for Financial Year to 31<sup>st</sup> March 2015

Opening balance		£4 887.16
Income	£17 099.69	
Expenditure	<u>£ 7 088.94</u>	
Nett	£ 10 010.75	<u>£10 010.75</u>
as represented by bank balance on 31 <sup>st</sup> March 2015		<u>£14 897.91</u>

We certify that this is a true statement of the accounts of Action Marine Park AMP

..... [Redacted] Chairwoman

..... [Redacted] Secretary

..... [Redacted] Auditor

Action Marine Park



Charity SCO43530

email [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)

31.3.15

Receipts and Payments for Financial Year to 31<sup>st</sup> March 2015

Opening balance 4 887.16

Receipts

Charity shop and Rag Bag	610.50	
Fun day events	1 493.03	
Coffee Mornings	855.77	
Sponsored Tenni-cycle	994.00	
Match funding for Tenni-cycle	994.00	
Donations	1 355.00	
Ceilidh	796.00	
Funding - 4 towns Partnership	10 000.00	
Bank Interest	<u>1.39</u>	<u>17 099.69</u>
		21 986.85

Payments

Noticeboard	50.94	
Painting of Tennis Courts	6 828.00	
Hire of Town Hall	110.00	
Butcher ( Fun Day Expense)	<u>100.00</u>	<u>7 088.94</u>
		14 897.91



Charity SCIO SC043530

email [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)

31.3.16

## Accounts for Financial Year to 31<sup>st</sup> March 2016

Opening balance		£14 897.91
Income	£33 169.53	
Expenditure	<u>£ 45 168.40</u>	
Nett	- £ 11998.87	- <u>£11 998.87</u>
as represented by bank balance on 31 <sup>st</sup> March 2016		<u>£2 899.04</u>

We certify that this is a true statement of the accounts of Action Marine Park AMP

.....  
[Redacted Signature] Chairwoman

.....  
[Redacted Signature] Secretary

.....  
Independent examiner



Charity SCIO SCO43530

email [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)

31.3.16

## Receipts and Payments for Financial Year to 31<sup>st</sup> March 2016

Opening balance 14 897.91

### Receipts

Charity shop and Rag Bag	543.00	
Fun day events	744.17	
Coffee Morning	392.65	
Tennis Club contribution	500.00	
Bingo Evening	1 156.00	
Donations	1 620.24	
Funding - MEFF	13 210.20	
Short term Loan	15 000.00	
Pay Pal	0.01	
Bank Interest	<u>3.26</u>	
		<u>33 169.53</u>
		48 067.44

### Payments

<u>Insurance</u>	<u>111.60</u>	
Almacit		
- New tennis court Fencing	28 365.00	
Repayment of short term loan	15 000.00	
Hire of Town Hall	50.00	
Hire of Bouncy castle	65.00	
Fees	75.65	
Fundraising expenses	481.15	
MMS Almac Historic signs	<u>1 020.00</u>	
		<u>45 168.40</u>
		<u>2 899.04</u>



Charity SCIO SC043530

email [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)

31.3.17

## Receipts and Payments for Financial Year to 31<sup>st</sup> March 2017

Opening balance 2899.04

### Receipts

Fun day events	1 210.99	
Coffee Morning	489.25	
Raffle	238.00	
Hire of Tennis Courts	540.00	
LTC - Gate access Fobs	450.00	
Donations	250.00	
'Strictly' fund donation	6 765.00	
Bank Interest	<u>2.87</u>	<u>9 946.11</u>
		12 845.15

### Payments

Insurance	270.20	
Hire of Town Hall	50.00	
Signcrafts - Banner	216.00	
Portaloos hire	80.00	
Fundraising expenses	142.37	
Security access system	<u>1 459.20</u>	<u>2 217.77</u>
		<u>10 627.38</u>





Charity SCIO SCO43530

email [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)

31.3.17

## Accounts for Financial Year to 31<sup>st</sup> March 2017

Opening balance		£2 899.04
Income	£9 946.11	
Expenditure	<u>£ 2 217.77</u>	
Nett	£ 7 728.34	<u>£7 728.34</u>
as represented by bank balance on 31 <sup>st</sup> March 2017		<u>£10 627.38</u>

We certify that this is a true statement of the accounts of Action Marine Park AMP

.....  
[Redacted Signature] Chairwoman

.....  
[Redacted Signature] Secretary

.....  
Independent examiner



Charity SCIO SCO43530

email [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)

31.3.17

## Notes on Accounts to 31.3.17

### RECEIPTS

LTC Gate Access Fobs this is the sale of gate access fobs to Lossiemouth Tennis Club. The Tennis Club administer Fobs to LTC members for a small fee.

Strictly fund donation this is money received by the 'Lossiemouth does Strictly' fundraising team specifically to be used for the purchase and siting of small childrens play area equipment, that is inclusive of all children of all abilities.

### PAYMENTS

Security Access Sysytem - This is the cost of installation of the gate access system for the Tennis Courts, including the fobs.

AMP Cash flow projection	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>INCOME</b>									
Fund raising events	2260	3460	4750	2839	8705	6500	10000	8000	10000
Donations	100		1355	1620	250	1200	1500	1400	1200
Fund Applications			10994	13210		80000	150000	250000	80000
Loan				15000					
Lease of Tennis Courts				500	540	800	800	1200	1250
Lease of Football Area									1000
Lease of New Pavillion									6000
other					450				
<b>Total</b>	<b>2360</b>	<b>3460</b>	<b>17099</b>	<b>33169</b>	<b>9945</b>	<b>88500</b>	<b>162300</b>	<b>260600</b>	<b>107450</b>
<b>EXPENDITURE</b>									
signage	374	72	51	1020	216	500	300	800	100
hire of hall	80		110	50	50	120	120	80	80
costs for fundraising	105	150	100	622	222	1300	1800	1450	1500
purchase of tables		152						1500	
Re Fencing of Tennis Courts				28365				8000	
Re Painting of Tennis Courts			6828		270	480	480	1600	1650
Insurance									
Repay Loan				15000					
cost to build pavilion								380000	
Equipment for pavillion								8000	2000
Ground maintenance costs						5000	5500	5500	5750
playpark installation						45000			
outdoor gym installation							8000		4000
additional seating						1250	500	500	
Resurface and Fence football area					1459				70000
Tennis Courts security access system						60	65	70	75
maintenance of tennis court access system						4000	6000	8000	11000
part time park attendant									
<b>Total</b>	<b>559</b>	<b>374</b>	<b>7089</b>	<b>45168</b>	<b>2217</b>	<b>57710</b>	<b>22765</b>	<b>415500</b>	<b>96155</b>
<b>Bank Balance at year end</b>	<b>1800</b>	<b>4887</b>	<b>14898</b>	<b>2899</b>	<b>10627</b>	<b>41417</b>	<b>180952</b>	<b>26052</b>	<b>37347</b>

AMP Cash flow projection	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>INCOME</b>									
Fund raising events	2260	3460	4750	2839	8705	6500	10000	8000	10000
Donations	100		1355	1620	250	1200	1500	1400	1200
Fund Applications			10994	13210		80000	150000	250000	80000
Loan				15000					
Lease of Tennis Courts				500	540	800	800	1200	1250
Lease of Football Area									1000
Lease of New Pavillion					450				6000
other									
<b>Total</b>	<b>2360</b>	<b>3460</b>	<b>17099</b>	<b>33169</b>	<b>9945</b>	<b>88500</b>	<b>162300</b>	<b>260600</b>	<b>107450</b>
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signage	374	72	51	1020	216	500	300	800	100
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costs for fundraising	105	150	100	622	222	1300	1800	1450	1500
purchase of tables		152						1500	
Re Fencing of Tennis Courts			6828	28365				8000	
Re Painting of Tennis Courts				111	270	480	480	1600	1650
Insurance				15000					
Repay Loan								380000	
cost to build pavilion								8000	2000
Equipment for pavillion						5000	5500	5500	5750
Additional planting						45000			
playpark installation							8000		4000
outdoor gym installation						1250	500	500	
additional seating									70000
Resurface and Fence football area					1459				
Tennis Courts security access system						60	65	70	75
maintenance of tennis court access system						4000	6000	8000	11000
part time park attendant									
<b>Total</b>	<b>559</b>	<b>374</b>	<b>7089</b>	<b>45168</b>	<b>2217</b>	<b>57710</b>	<b>22765</b>	<b>415500</b>	<b>96155</b>
<b>Bank Balance at year end</b>	<b>1800</b>	<b>4887</b>	<b>14898</b>	<b>2899</b>	<b>10627</b>	<b>41417</b>	<b>180952</b>	<b>26052</b>	<b>37347</b>

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DO NOT SCALE OFF DRAWINGS. SCALE SIZES ARE TO BE CAREFULLY CONFIRMED WITH PRIOR TO COMMENCEMENT OF WORKS. OBTAINING OF MATERIALS, NO WORK TO COMMENCE BEFORE APPROPRIATE APPROVALS ARE GRANTED. CONTRACTORS RESPONSIBILITY TO ENSURE POSSESSION OF APPLICABLE DRAWINGS.



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Client:	ACTION MARINE PARK		
Project:	MARINE PARK PROJECT		
Drawing:	DRAFT TITLE PLAN SITE PLAN		
Date:	2011.12.21		
Drawn By:	DAVID	Checked By:	DAVID
Drawing No:	110169.MPRP.02FEU		



the  
businessplan  
march 2018

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**Action Marine Park SCIO SCO 43530**

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## **Executive Summary**

This three-year business plan 2018-21 has been prepared in support of an application to Moray Council by Action Marine Park (AMP) for a Community Asset Transfer (CAT), at zero cost, of the ownership of the Marine Park and Tennis courts in Lossiemouth. Transfer of the ownership of the asset, rather than transfer under a long-term lease, will enable AMP to pursue funding from sources who insist on asset ownership as part of their investment criteria.

This Business Plan should be read in conjunction with AMP's separate Framework Study by NB Planning and Architecture.

Marine Park, originally known as '*The Big Greenie*' was used by the local community for drying fishing nets. For many decades, and throughout the years of the second World War, the Park was enjoyed by thousands of people. Since the early 1980's the park has, for a variety of reasons, been neglected, with all its facilities effectively removed

Action Marine Park (AMP) came into being in 2011, formed from a small group of local residents who felt passionately about the Marine Park area and who recognised that the park was badly in need of an urgent investment of funds to restore it to its former glory days. *Phase 1* of the work was the refurbishment of the Tennis Courts. In addition to this very successful refurbishment, other AMP successes to date include the introduction of family fun days and walking football to Marine Park.

AMP's mission is '*to regenerate and sustain Marine Park as a community asset for leisure and recreation*'. AMP will ensure that this regeneration upholds the original purposes of the Park and any conditions relating thereto, as set out in the deed of transfer of ownership of the Park from the Laird of Pitgaveny to the Provost and Burgh of Lossiemouth in 1933.

To bring about the regeneration of Marine Park, AMP is implementing an overall business strategy which has a new focus every three years namely.

- Building up Momentum and Capacity (2011 – 2014)
- Delivery of Phase 1 – Refurbishment of the Marine Park Tennis Courts (2014 – 2017)
- Formal CAT Application and Delivery of Phase 2 (2018 – 2021)
- Delivery of Phase 3 - Full Redevelopment and Consolidation (2021 – 2024)

Strong evidence of the need for the regeneration of Marine Park as well as evidence of community support for such work to be carried out is available from the findings of several community consultations carried out during recent years by Lossiemouth Community Council, Lossiemouth Community Development Trust and Action Marine Park. Several major points came to the fore, most notably the lack of any real facilities to attract tourists to Lossiemouth and give them reason to remain longer



when they did arrive. The regeneration of Marine Park would help greatly to address this major issue.

The trustees of AMP believe that the delivery of the AMP project will provide important social, health, environmental and economic benefits to the local community and others. Many of these benefits are very difficult to measure and value in monetary terms, however there is some credible academic work that suggests that for every £1 spent on community sports facilities the return in terms of social and health benefits to the area can be anything up to 8 fold.

Effective organisation and management is an essential requirement for the successful delivery of the AMP project. The legal structure of AMP is that of a Scottish Charitable Institute Organisation (SCIO) – charity number SCO43530. AMP has a constitution which sets out the fundamental principles according to which it is governed.

The core management group of AMP is its Board of Trustees. There are currently 8 trustees, all of whom are local inhabitants of Lossiemouth. In between monthly Board meetings, trustees keep in regular contact through email and text messages. AMP also makes effective use of subgroups formed for specific purposes, e.g. CAT subgroup, football subgroup and the family fun day subgroup. During 2018, a funding and other income generation subgroup and a risk assessment and management subgroup will be set up.

In addition to the resources provided by the AMP trustees themselves, (i.e. knowledge, skills and expertise from professional careers) regular engagement with, and involvement of, the wider community is helping AMP to build the appropriate resource capacity necessary to successfully deliver the project over the longer term. The very successful delivery of Phase 1 of the AMP project – the refurbishment of the tennis courts – provides evidence of the dedication and commitment of the AMP group and evidence which suggests that the other phases of the AMP project can also be successfully delivered.

Provision for succession and continuity of governance and management is another essential requirement for the successful phased delivery of the AMP project and beyond. AMP is always on the lookout to recruit additional new people, especially younger people, to assist with the organisation and management of the project. AMP will use appropriate marketing and communication on an ongoing basis to encourage and persuade local people of all ages and backgrounds to become involved with the work of AMP either as trustees, members or volunteers thereby providing them with an opportunity to play a more active role in the community.

AMP has a financial strategy to help achieve its mission in relation Marine Park. Key elements of this strategy include securing a community asset transfer of the ownership of Marine Park and Tennis Courts at zero cost, an annual program of fundraising events, together with the ongoing development of income generating opportunities underpinned by appropriate marketing and ongoing applications to Grant awarding/funding bodies. Not having to purchase ownership of the asset will allow AMP to use the funds which it has in hand at the date of asset transfer to meet

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the recurrent revenue expenditure costs of the first year of operation post asset transfer and to contribute to the initial phases of regeneration either directly or as match funding.

Marketing and Communication will play a very important role in helping AMP to achieve its objectives. AMP will promote Marine Park and Tennis Courts to the local community of Lossiemouth and the wider community of Moray and beyond in an efficient and effective manner using as far as possible 'free/no cost' promotional channels but also making use of paid for promotion as and when necessary and appropriate. An annual marketing and communications plan will be prepared to underpin the programme of fundraising events/income generation activities. This will help fundraising/income generation targets to be met.

The AMP trustees see risk assessment and management as an ongoing process of assessing and reviewing risks throughout the delivery of the project and making decisions needed to counter risks. This will be carried out as part of a regular review of the project rather than as a separate activity. Arising from discussions about the risks likely to affect the delivery of the AMP project the trustees of AMP have, for the time being, grouped these risks into three main categories, namely, development risks, maintenance risks and resource risks. During 2018 a more formal, structured approach to risk assessment and management will be introduced through the setting up of a Risk Assessment and Management sub-group and the creation of a Risk Register/ Risk Matrix. The risk assessment and management sub- group will feed back to the AMP Board of Trustees.

With the help of appropriate professional advice the trustees of AMP have developed an Equality and Diversity Policy to provide a framework within which AMP will operate to help ensure that continual best practice is achieved in equality and diversity issues.

This business plan and subsequent iterations thereof will be subject to a process of regular monitoring and review to help ensure that AMP achieves its mission *to regenerate and sustain Marine Park as a community asset for leisure and recreation.*

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## **1.0 INTRODUCTION**

This three-year business plan 2018-21 has been prepared in support of an application to Moray Council by Action Marine Park (AMP) for a Community Asset Transfer (CAT), at zero cost, of the ownership of the Marine Park and Tennis courts in Lossiemouth.

Transfer of the ownership of the asset, rather than transfer under a long-term lease, will enable AMP to pursue funding from sources who insist on asset ownership as part of their investment criteria.

AMP is a Scottish Charitable Incorporated Organisation (SCIO), registration number SCO43530.

This Business Plan should be read in conjunction with AMP's separate Framework Study by NB Planning and Architecture.

## 2.0 Background

The Marine Park was originally known as *'The Big Greenie'* and was used by the local community for drying fishing nets. For many decades, and throughout the years of the Second World War, the Park was enjoyed by thousands of people. Since the early 1980's the park has, for a variety of reasons, been neglected, with all its facilities effectively removed.

Action Marine Park (AMP) first came into being in 2011. It was formed from a small group of local residents who felt passionately about the Marine Park area and who recognised that the park was badly in need of an urgent investment of funds to refurbish/redevelop it to its former glory days.

*Phase 1* of the work undertaken by AMP was the refurbishment of the Marine Park Tennis Courts. In 2011, the tennis courts were deemed as being unsafe to play on. In 2013, AMP negotiated an 11 year lease of the Marine Park Tennis Courts with the Moray Council and, by 2014, the tennis courts had been cleaned, repainted and had new posts set in and new nets attached. During 2015, the tennis courts were completely re-fenced with modern ball park fencing and, in 2016, a new security gate system, powered by solar energy was installed. The courts are now very popular with all ages and abilities, and the usage is shared by the local tennis club, the Moray Council, Lossiemouth High School and the general public.

In 2016, AMP set up a new 'Pay to Play' system via the website [www.marineparklossie.org](http://www.marineparklossie.org) so that the tennis courts are available for all to use. However, currently bookings can only be made online and, until there is a more permanent structure or pavilion in the park, it will be difficult to offer an alternative system. Not so many years ago, there was such a pavilion facility and it was supported throughout the playing season by a park attendant and then latterly by university students on summer break. It would be very beneficial to have such a facility again that would allow access for all to the tennis courts and the other outdoor activities that will be included in a redeveloped Marine Park. In-addition to the very successful refurbishment of the tennis courts other AMP successes in Marine Park include the introduction of family fun days and walking football.

### Family Fun Days

Another of AMP's successful achievements is the running of family fun days which have taken place in the park – one in June and one in August – each year since 2011. From attracting relatively small numbers of people in the early days, mainly from Lossiemouth, these family fun days now attract greater numbers with many people now coming from further afield than Lossiemouth.

Family fun days always take place on a Saturday and offer a wide variety of activities including tennis, putting, target golf, footgolf, 5- a- side football, beat-the- goalie, zorbing, mountain bike tracks, bouncy castle , giant jenga as well as refreshments from BBQ, teas/coffees and cake and candy.

Volunteer helpers include sports coaches and assistants with experience and knowledge which helps the activities run continuously and smoothly.

### **Benefits of Family Fun Days**

- Provide the community with an enjoyable Family day out. Providing equipment and activities that all members of the family, regardless of age and ability, can participate in at little to no cost.
- Enable AMP to show people what Marine Park has to offer in relation to outdoor sporting, leisure and recreation opportunities
- Provide an excellent opportunity for AMP to consult with the local community to ensure that developments within the park always reflect the needs and desires of the local population going forward
- Enable AMP trustees/members to network with local people within the context of them becoming more actively involved with the work of AMP
- Make a regular contribution to fundraising with each fun day now generating net income of circa £800

These family fun days are now firmly established events in the calendar of 'What's on in the Summer in Lossiemouth' and are eagerly anticipated by locals and visitors alike in the same way as Seafest, the Lossie Raft race and Logan's Fun day.

### **Walking Football**

Walking football is a core activity in the Scottish Football Association's grassroots football strategy – 'The One National Plan' – which has a vision of 'providing football for life'. AMP is a member of 'Walking Football Scotland' which was set up in 2017 to promote walking football. The Marine Park walking football for seniors group came into being in April 2017. The group met each Tuesday evening – 7 to 8.30 pm – from mid- April until mid- October and has proved to be very popular with men from their mid- 40s to late 70s. Several members of the group have health conditions and were being encouraged by their doctors to take part in this activity because of the positive impact it is could have on their health.

The group comprises of 20+ members who attend weekly sessions as often as they can. Many attend weekly but some can't manage to do this owing to shift patterns at work or due to family commitments. However, the weekly attendance is normally 12+ members which allows for healthy competition between three 4/5 a side teams.

During 2018 the weekly walking football sessions in Marine Park will be held on Wednesday evenings from 7 to 8.30 pm, commencing on Wednesday 18<sup>th</sup> April. Whilst mainly for seniors, all are welcome to attend these sessions as walking football is a good way to get active, have fun and socialise at the same time.

AMP support activities for the local Seafest week providing Free Football and Tennis events. Free tennis sessions are also arranged with the local schools in conjunction with their annual Health week promotion and National activities such as The Great

British Tennis Weekends are supported by AMP and Lossiemouth Tennis Club to all members of the community at no cost.

### **3.0 Vision, Mission and Objectives**

#### **3.1 Vision**

The vision of AMP is to regenerate and maintain Marine Park as a safe and enclosed environment, which will provide a wide range of outdoor sports, leisure and recreation activities that will add value to the lives of the residents of Lossiemouth and the surrounding area.

#### **3.2 Mission**

The mission of AMP is *'to regenerate and sustain Marine Park as a community asset for leisure and recreation'*.

This will be achieved in a phased manner by restoring and extending resources and facilities that existed in the past, and which it is considered would now benefit the community as a whole as well as visitors to the area whilst also catering for the needs of particular groups.

Appropriate new resources and facilities will also be introduced over time as additional funding is secured.

#### **3.3 Objectives**

- To ensure that the regeneration of Marine Park upholds the original purposes of the Park and any conditions relating thereto, as set out in the deed of transfer of ownership of the Park from the Laird of Pitgaveny to the Provost and Burgh of Lossiemouth in 1933
- to encourage different sports clubs and groups to use and help maintain Marine Park as a great community asset
- to reinstate a pavilion with public toilet facilities which can be used by all clubs, groups, and members of the general public whilst using the facilities in Marine Park
- to provide a range of outdoor sporting activities within Marine Park e.g. tennis, putting, football, basketball, netball
- to provide a range of smaller outdoor leisure and recreation activities within Marine Park e.g. swingball, giant jenga, giant draughts and other similar outdoor activities
- to create within Marine Park a smaller playpark which will give primacy to the development of children with disabilities and additional support needs whilst being inclusive of all children
- to introduce a sensory garden which, whilst it will benefit everybody, is considered to be a feature to support the needs of older and less able people

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- to provide a suitable area where primary school children can prepare for cycling proficiency tests
  - to landscape aspects of Marine Park thus leading to environmental improvement
  - to provide appropriate and accessible outdoor seating for people to relax and enjoy the environment of Marine Park.
  - to enjoy Marine Park throughout the year

## **4.0 Strategy**

To bring about the regeneration of Marine Park and Tennis Courts as a sustainable community asset for leisure and recreation, AMP is implementing an overall business strategy which has a new focus every three years as set out in sections 4.1 to 4.4.

### **4.1 Building up Momentum and Capacity (2011 – 2014)**

When the tennis courts were deemed as being unsafe to play on in 2011, there was no longer any facility in Lossiemouth to meet the needs of local people and visitors who wanted to play tennis. This being the case it became obvious that the natural starting point for the regeneration work to begin was the tennis courts. However, before any work could begin the AMP committee had to get the support of the local community and begin building capacity for the work to be carried out.

During this period the original AMP committee, among other things:

- canvassed support for AMP within the local community and persuaded more people to become involved as members of the AMP committee or as volunteers
- planned what work had to be carried out in relation to the refurbishment of the tennis courts
- established how much of this work could be carried out by the AMP committee themselves and by volunteers and how much would have to be carried out by local tradesmen and specialist contractors.
- obtained costings for the work that would have to be carried out
- organised fundraising events to raise money locally to help finance the work
- negotiated an eleven year lease of the Marine Park and Tennis courts with the Moray Council (to help meet criteria for an external funding application)
- made successful applications for external funding
- consulted with the local community to ensure that the subsequent overall regeneration of the park would be a demand driven initiative reflective of the needs and desires of the local population

### **4.2 Delivery of Phase 1 – Refurbishment of the Marine Park Tennis Courts (2014 – 2017)**

The very successful delivery of phase 1 has already been sufficiently summarised in Section 1 of this plan. The complete transformation of the tennis courts and the popularity of their use is evidence of the increasing demand for safe outdoor activities for the whole family in Marine Park – hence the need for the other phases of the AMP project. The reformation of The Lossiemouth Tennis Club, its popularity



and continual growth are a direct result of this improvement. It also provides evidence of the dedication and commitment of the AMP committee and volunteers and indicative evidence that, following the successful delivery of phase 1, the other phases of the AMP project can also be delivered successfully under the management of the trustees with great support from the local community.

#### **4.3 Formal CAT Application and Delivery of Phase 2 (2018 – 2021)**

A formal CAT application was submitted by AMP to Moray Council in March 2018 for transfer of the ownership of Marine Park and Tennis courts to AMP at zero cost.. Once AMP has secured ownership of Marine Park and Tennis Courts it will then be able to pursue funding from sources who insist on asset ownership as part of their investment criteria.

A major part of the work that will be undertaken during phase 2 will be in relation to the reinstatement of a pavilion within Marine Park which can be used by all clubs, groups and members of the general public whilst using the park. The reinstatement of a pavilion within the park is a critical success factor in helping AMP to achieve its mission *to regenerate and sustain Marine Park as a community asset for leisure and recreation.*

Among other things a pavilion will provide:

- changing facilities for those taking part in activities within the park
- temporary shelter for active groups and park visitors
- storage facilities for equipment, etc.
- toilet facilities for those taking part in activities within the park and for those just visiting the park
- a permanent base for AMP to operate from

In addition to the above, a pavilion will also play an important financial role for AMP as an income generating asset. It will provide an opportunity to raise steady revenue on a year on year basis from income generating activities that can be delivered through having a pavilion. Section 9 – Finance - of this business plan gives more information about AMP's income-generating activities

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Much work that will have to be carried out prior to the construction of a pavilion e.g. in relation to planning permission, building warrants, sourcing of funding, etc.

Other work intended to be carried out during phase 2 includes:

- Creation of a sensory garden
- Development of a small children's play area which focuses on the needs of disabled children and those with additional support needs
- Re-establishment of a putting area

#### **4.4 Delivery of Phase 3 - Full Redevelopment and Consolidation (2021 – 2024)**

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The focus during this three year period will be on completing any unfinished work from the previous three year period and also on:

- Resurfacing the current football area to create a multi user games area – for football and other activities
- Provision of outdoor seating
- Introduction of basic outdoor gym items
- Appropriate landscaping

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## **5.0 Community Consultation**

Strong evidence of the need for the regeneration of Marine Park and of community support for such work to be carried out is available from the findings of several community consultations carried out during recent years by Lossiemouth Community Council, Lossiemouth Community Development Trust and Action Marine Park.

Several major points came to the fore, most notably the lack of real facilities to attract tourists to Lossiemouth and give them reason to remain longer when they did arrive. The development of Marine Park would help greatly to address this major issue.

In 2015, surveys informed Lossiemouth Community Development Trusts top five priorities for both short and long term projects until 2020. The development of Marine Park was identified as a long term project which was included in the Lossiemouth Community Development Trust's Community Action Plan 2015 – 2020

Consultation with the local community by MacKenzie Consulting for AMP in June 2016 has shown an urgent need for toilet facilities, more accessible seating, and a play area for children with disabilities. There is also a strong desire for re-establishing a putting green and reinstating the pavilion as well as enhancing the current football area (see separate Framework Report).

## **6.0 Benefits to the Community and Others**

The trustees of AMP believe that the delivery of the AMP project will provide a number of important benefits to the local community and others. An assessment of what these benefits are likely to include has been carried out by the AMP trustees. Important benefits which should arise from this for the community and others are likely to include:

- **Better Use of Community Space**

Regeneration of the park through the phased delivery of the rest of the AMP project will result in much better utilisation of the space in the park for the benefit of the community.

- **Creation of a Better and More Sustainable Environment**

The AMP project provides the community with a great opportunity to improve an important part of the local environment. Through delivery of the project, Marine Park will become a better and more sustainable environment. It will be developed as a safe and enclosed environment which will add value to the lives of the residents of Lossiemouth and surrounding area.

- **Increased Opportunities for Children's Play**

There is also an intention to create a playpark which will give primacy to the development of children with disabilities and additional support needs, e.g. children from the Ladybird Group in Lossiemouth, which supports pre-school children with additional support needs. Whilst other parks may allow disabled access the difference here is that the overall design of this playpark will be based on the needs of those with disability with able-bodied also being able to use.

- **Wider Access to Reduce Disadvantage**

The creation of the children's playpark will be a positive step forward in terms of wider access. As a 'public good' Marine Park has the characteristic that it is non-excludable i.e. one person's consumption does not reduce its availability to others. The regeneration of Marine Park will ensure that this characteristic is retained. This is important in the context of disadvantage in that all groups irrespective of socio-economic background will have access to the park and the facilities which it has to offer.

- **Improved Public Health and Social and Mental Wellbeing**

- (i) Through the Provision of Sport and Recreational Facilities
- (ii) Through a Reduction in Social Isolation

- **Improved Social Cohesion, Social Integration and Active Citizenship**

The very process of the delivery of the AMP project will provide local people of all ages with an opportunity to play a more active role in the Lossiemouth community. It will help people in the community to work together to own and develop a local asset.

- **Help to Prevent Criminal and Antisocial Behaviour**

The fact that the AMP project will be delivered by local people within the local community should help to instil a sense of pride in the final outcome – i.e. a regenerated Marine Park and Tennis Courts – which should help to mitigate against instances of criminal and antisocial behaviour.

- **Good Links to the Actions/Priorities of Relevant Local Plans/Strategies**

Successful delivery of the AMP project will make a significant contribution to the achievement of one of the priority actions in the Lossiemouth Community Development Trust's Community Action Plan 2015 – 2020 i.e. *Development of Marine Park – continue to develop to ensure this is an accessible local facility for all ages.*

This action has strong links to :(i) The Moray Local Development Plan ; (ii) The Moray 2023 Plan – Priority areas 1,2 & 3

### **6.1 Monetary Value of Benefits**

It is very clear from the foregoing that the delivery of the AMP project will provide a number of important benefits to the local community and others. Many of these benefits are very difficult to measure and value in monetary terms however there is some credible academic work (1) that suggests that for every £1 spent on community sports facilities the return in terms of social and health benefits to the area can be up to 8 fold. Given that the likely investment in the delivery of the rest of the AMP project could be in the region of £600K the return on this investment to the local area over time should be considerably in excess of the £56,500 value which the ~~Moray Council placed on Marine Park and Tennis Courts in February 2018.~~ This would represent a very good return for a community asset transfer at zero cost

(1) <https://www.sportengland.org/our-work/partnering-local-government/scenarios/how-does-sport-bring-communities-together>

## **7.0 Organisation and Management**

Effective organisation and management is another essential requirement for the successful delivery of the AMP project. The current organisation and management of AMP comprises of several key elements as set out in sections 7.1 to 7.5 below. Changes will be made to the organisation and management of AMP as and when necessary as the phased delivery of the project progresses.

### **7.1 Legal Structure**

The legal structure of AMP is that of a Scottish Charitable Institute Organisation (SCIO) – charity number SCO43530. AMP has a constitution which has been approved by the Office of the Scottish Charities Regulator (OSCR). This constitution sets out the fundamental principles according to which AMP is governed.

### **7.2 Core Management Group**

The core management group of AMP is its Board of Trustees. There are currently 8 trustees, all of whom are local inhabitants of Lossiemouth and share a passion to refurbish and regenerate life into Marine Park. The Board of Trustees has a chairperson, secretary and treasurer who are all elected at the AGM each year in accordance with the constitution of AMP. Board meetings are normally held monthly with trustees keeping in regular contact through email and text messages in between meetings. Board meetings are also often attended by other members of AMP who do not want to become trustees, but who nevertheless have made a considerable contribution to the delivery of the AMP project to date.

Each of these trustees and members come from a completely different background, which has resulted in them being able to offer a very wide range of knowledge, skills and experience; thereby helping AMP to build the capacity necessary to successfully deliver the AMP project.

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A major strength of the AMP project is the collective knowledge, skills and experience of these trustees and members, which has been acquired over many years in their professional lives through working in a wide range of employment sectors including, sport & leisure, oil & gas, building & construction, child, health & social care, retail, banking, hospitality & tourism, the media and further & higher education.

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Biographical information relating to these trustees and members is provided in Appendix 3

### **7.3 Sub Groups**

Another key element of the organisation and management of AMP is the use of subgroups which are formed for specific purposes and which meet regularly on an as needs basis in between meetings of the Board of Trustees. Current subgroups include:

(i) *The CAT Subgroup* – which is responsible for progressing the CAT application and the supporting business plan.

(ii) *The Football Subgroup* – which is responsible for the organisation of football activities in Marine Park. Recently this subgroup has been making preparations for the restart of weekly sessions of walking football, football sessions for the 2018 AMP Family Fun Days and football sessions as part of AMP's contribution to the week long programme of events for Seafest 2018 which is organised by the Lossiemouth Community Development Trust.

(iii) *The Family Fun Day Subgroup* – which is responsible for planning, organising and co-ordinating all the activities, attractions and stalls for the 2018 Family Fun Days on Saturday 16th June and Saturday 25th August.

The membership of each subgroup normally comprises of three people. Each subgroup reports back to meetings of the Board of Trustees. Using subgroups in this way helps AMP to operate in a more efficient and effective manner. The Board of Trustees is able to function in a more strategic manner leaving the subgroups to focus on the fine operational detail of the purposes for which they have been set up.

It is expected that another two subgroups will be set up during 2018, namely *Funding and Other Income Generation* and *Risk Assessment and Management*.

#### **7.4 Marine Park User Group**

In time, as the delivery of the AMP project progresses on a phased basis and more assets, resources and activities come on stream, a User Group will be set up. Membership of this group will come from the users of the park's resources, activities and assets as well as trustees and members.. This user group will provide a very useful forum to collect, among other things, information and feedback from users about how things are going and how things could be improved for the future. This user group will also become an important mechanism for maintaining and sustaining AMP/Marine Park. Minutes of the meetings of the User Group will appear as a regular agenda item for meetings of the Board of Trustees.

## **8.0 Capacity Building**

In addition to the resources provided to manage and deliver the project through the knowledge, skills and experience of the AMP trustees themselves, the trustees realised from the very start of the project that effective engagement with, and involvement of, the wider community would be essential to ensure that AMP could build the appropriate resource capacity to successfully deliver the project over the longer term. Ways in which this has been achieved to date and which will continue to be used in the future include:

### **(i) The Use of Volunteers**

Volunteers have played an important role in supporting the delivery of the AMP project right from the very start. As the phased delivery of the project gradually unfolds there should be increased opportunities for greater numbers of volunteers to use their knowledge, skills and experience for the benefit of the community through helping to deliver the AMP project. With this in mind, preliminary discussions have taken place with ██████████ the Employability Officer at Moray College UHI, with regard to providing volunteering opportunities for college students. An increasing number of students now have to take a 20 hour unit of study entitled '*Volunteering in the Community*' as part of their course and a short period of volunteering with the AMP project may be of great interest to students who live in Lossiemouth and the surrounding area. It may also be possible to provide volunteering opportunities for some local high school pupils who are studying for the '*Volunteer Friendly Award*' which is part of the responsible citizen element of the Curriculum for Excellence'.

### **(ii) Involvement of the Local Business Community**

The local business community has also played an important role in the delivery of phase 1 of the project. Examples of this include:

- Donations of prizes for fundraising events
- Donations of cakes, biscuits and food for Family Fun Days
- Free loan of a cement mixer and cement to help with work carried out on the tennis courts
- Free use of employees' time during working hours to help clean the surface of the tennis courts
- Development of a website for AMP without charging any fee
- Help with promotion of fundraising events/family fun days

A very generous donation was also made by a retired, self-employed contractor from the oil & gas sector in the form of a large metal storage container to help store sports equipment in Marine Park until such time as a sports pavilion can be built.



To help retain the involvement of the local business community AMP will use appropriate marketing and communication to help persuade local tradesmen to become involved with the regeneration work in the park through donations of time and /or materials. Such involvement could make a significant contribution to cost reduction. Marketing and communication will also be used to help persuade local businesses to consider advertising and /or sponsorship opportunities that may become available through the park. This could make an important contribution to income generation.

### **(iii) Going on Look and Learn Visits**

Always keen to learn from others and to discover more efficient and effective ways of doing things, AMP trustees have made 'Look and Learn' visits to successful community development projects in Nairn, Hopeman and Duffus. The contacts made and the knowledge acquired during these visits will help to inform the planning of the delivery of other phases of the AMP project (see separate Framework Report).

### **(iv) The Use of Professional Expertise**

Following on from these Look and Learn visits, the AMP trustees decided that it would be important to make use of appropriate professional expertise, where necessary, to assist with the phased delivery of the rest of the AMP project. With this in mind, informal and formal liaison has separately taken place with CM Design and NB Planning. External main contractors will be appointed to deliver each of a series of 'mini' capital projects that will be part of the overall transformation of the rest of Marine Park (see separate Framework Report).

### **(v) Membership of Established Community Support Groups and other Groups**

AMP is a member of two established community support groups, namely:

- Third Sector Interface Moray (tsi moray)
- The Scottish Council for Voluntary Organisations (SCVO)

AMP is also a member of :

- ~~The Lossiemouth Business Association (LBA)~~
- The Lossiemouth Community Development Trust (LCDT)- this gives AMP access to the services of the Development Trusts Association Scotland (DTAS)
- The Lossiemouth Community Sports Hub

Membership of these organisations provides AMP with a wide range of excellent networking opportunities, access to advice and support, as well as access to training and development opportunities. Membership of the Lossiemouth Community Development Trust and the Lossiemouth Community Sports Hub also provides AMP with access to the free use of resources – eg – large marquee, gas water boiler, inflatable goals, etc to help support Family Fun Days in Marine Park.

### **(vi) The provision of Training and Development**

AMP will commit to take advantage of training and development opportunities provided by organisations such as tsi Moray and SCVO. These organisations regularly provide short courses to help support people who run charities. Topics covered include:

- Good governance
- Financial planning/management
- Sources of Funding
- How to make successful funding applications
- Recruitment and management of volunteers
- Equality and diversity

### **(vii) Shared Services**

In the medium to long term, it may well be possible to achieve cost efficiencies through working closely with other local community organisations, such as the Lossiemouth Community Development Trust (LCDT) and the Lossiemouth Lighthouse Company within the context of grass cutting, toilet cleaning and general maintenance. An example of such efficiencies could be the joint purchase of a suitable lawnmower to cut the grass which AMP and these other two organisations would be responsible for and the employment of someone on a part-time basis to cut the grass on a regular basis. This person could also be employed to clean the toilets and carry out general maintenance.

### **8.2 Evidence of the Capacity to Deliver**

The delivery of Phase 1 of the AMP project – the refurbishment of the tennis courts – has been hugely successful. In order for this to happen the AMP trustees, among other things, had to plan what work had to be undertaken, decide how much of this work could be carried out by the AMP trustees and volunteers and how much would have to be carried out by specialist contractors and tradesmen, determine the cost of this work, apply for external funding and raise funds locally to finance the work and then arrange for the work to be carried out to the required standard.

The complete transformation of the tennis courts and the popularity of their use is evidence of the increasing demand for safe active outdoor activities for the whole family in Marine Park – hence the need for the other phases of the AMP project. It also provides evidence of the dedication and commitment of the AMP group and evidence that the other phases of the AMP project can also be successfully delivered under the management of the AMP trustees with great support from the local community.

Two of the AMP trustees also have relevant previous experience of delivering another community project<sup>1</sup>.

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<sup>1</sup> They were founder members of the 1806 Stotfield Disaster Memorial Group. To help remember the 200<sup>th</sup> anniversary of the Stotfield fishing disaster this group very successfully raised funds, planned and constructed a granite boat shaped memorial along with a historical panel and seating area. This

### **8.3 Succession and Continuity**

Provision for the succession and continuity of governance and management is another essential requirement for the successful phased delivery of the AMP project.

The project was instigated in 2011 and, over the last five years, three of the original management group have left the project for personal reasons unrelated to the project. However, suitable replacements were quickly found to fill the positions of those who left; thereby enabling the progress of the project to continue with minimum disruption. Since the completion of phase 1 of the project – the refurbishment of the tennis courts – the enthusiasm of all those involved in the delivery of the project is high, with two new trustees and two new members being recruited in recent times.

AMP is always on the lookout to recruit additional new people, especially younger people, to assist with the organisation and management of the project and this may become easier as the delivery of the project progresses and new resources, activities, facilities and assets appear in the park on a phased basis as people will want to associate themselves with a successful development. The current trustees are also pleased that a number of local people who are close to retirement have said that they would like to become more closely involved with the running of AMP once they retire and have more time.

Marketing and communication will also play an important role in helping AMP to recruit new people. AMP's promotional mix is set out in Section 10 of this business plan. Amp will use appropriate marketing and communication on an ongoing basis to encourage and persuade local people of all ages and backgrounds to become involved with the work of AMP either as trustees, members or volunteers thereby providing them with an opportunity to play a more active role in the community. This will help AMP to attract 'new blood' and will contribute to trying to always have the right number of people with an appropriate mix of skills, experience and qualifications as part of AMP. New blood involvement should also help to retain the long term involvement of current AMP trustees, members and volunteers.

Information about AMP together with an invitation for people to become involved with AMP currently appears in:

- Annual 'Marine Park Events Schedule' promotional leaflet
- Quick response (QR) code on this leaflet
- AMP website
- AMP Facebook page
- AMP Quarterly Newsletter

Personal contact with people attending family fun days and other AMP fundraising events has so far proved to be a very effective way of attracting new people as has AMP's membership of Lossiemouth Business Association and AMP's contacts with the local business community and local youth organisations.

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project involved liaising with the local Lairds estate office, local builders, a granite stone company, the Moray Council Planning Department, a graphics company, sign manufacturers and many others.

## **9.0 Finance**

The trustees of AMP have agreed a financial strategy which will help them to enable their vision for the regeneration of Marine Park and the Tennis Courts to be realised. The financial strategy of AMP is made up of several elements as set out in section 9.1 to 9.5.

### **9.1 Securing a community asset transfer of the ownership of Marine Park and Tennis Courts at zero cost**

Securing an asset transfer of the ownership of Marine Park and the Tennis Courts will enable the AMP project to take advantage of a number of significant benefits that come with ownership such as:

- \*Gaining greater control and certainty over the long-term future of Marine Park and Tennis Courts
- \*Enabling longer term planning of the regeneration work that needs to be carried out
- \*Providing AMP with access to additional sources of funding as owners of Marine Park
- \*Better stewardship of assets
- \*Increased community identity, cohesion and confidence.

Securing an asset transfer of ownership at zero cost will help AMP to develop a sustainable business model. By not having to purchase ownership of the asset AMP will be able to use the funds it has in hand at the date of the asset transfer to meet the recurrent revenue expenditure costs that it will incur in the first year of operation post asset transfer and to contribute to the initial phases of regeneration either directly or as match funding.

### **9.2 Securing an agreement with the Moray Council for grass cutting in Marine Park to continue to be done by the Moray Council at nil cost to AMP**

Currently AMP does not have a budget earmarked for grass cutting within Marine Park, neither does it have its own grass cutting machinery/equipment nor a place to store such machinery/equipment and is working on the assumption that the Moray Council will continue with all grass cutting within Marine Park at no cost to AMP for at least three years following the asset transfer. After this period of time it is hoped that if AMP is in a position to do so then it will take on the responsibility and costs of the grass cutting.

### **9.3 An annual program of fundraising events underpinned by appropriate marketing**

AMP's financial year runs from 1st April to 31st March. By 31st December each year the trustees of AMP will agree a program of fundraising events to take place during the next financial year. Events likely to be part of this program will include among

others coffee mornings, ceilidhs, tombola, family fun days, charity auction, charity golf day, sportsman's dinner, race night, quiz night, 'Lossie does Strictly Come Dancing', raffles, et cetera.

Some of these events will be organised by AMP trustees and members with support from volunteers whilst others will be organised and delivered by friends of AMP i.e members of the community who want to raise funds for and but do not wish to be involved with the ongoing organisation and management of AMP. During the last two years good examples of this type of event have been 'Lossie does Strictly Come Dancing' and The Alex Flett Fisher League charity golf competition, with the money raised being ring fenced as funding to help with the development of a small playpark within Marine Park which will give primacy to the development of children with disabilities and additional support needs.

There will also be an AMP presence with a fundraising stall at events organised by other local community organisations such as the Lossiemouth Community Development Trust, the Lossiemouth Millennium Association and Lossiemouth Business Association.

The money raised from events will be used to meet at the recurrent revenue expenditure costs of the second and subsequent years post asset transfer and to contribute to the ongoing regeneration program either directly or in the form of match funding as part of funding applications to grant awarding bodies.

#### **9.4 Ongoing development of income generating opportunities underpinned by appropriate marketing.**

The AMP trustees will repeatedly examine the potential for income generation offered by Marine Park as the regeneration of the park takes place on a phased basis. The successful completion of phase 1 of the AMP project -the refurbishment of the existing tennis courts-has produced an income generating asset in the form of the tennis courts themselves. During the last two years income has been generated for and from the use of the tennis courts by Lossiemouth Tennis Club for coaching and activities, and from the use of the courts by Moray Council for weekly after-school tennis coaching sessions. In June 2016 AMP also set up a 'pay to play' system via its website [www.marineparklossie.org](http://www.marineparklossie.org) to enable members of the public to book and pay for the use of the courts this is a very successful system which is growing in use and contributes to the income generated naturally by usage of the tennis courts. The success of this electronic online access system has been replicated in other areas of Scotland by Tennis Scotland, in conjunction with their own software.

As the regeneration work continues on a phased basis the AMP trustees will work continuously towards using the new resources, assets, facilities and activities creatively to generate income. Many of these new resources, assets, facilities and activities will be available on a pay to play/ pay to use basis thereby enabling them to make a contribution to income generation and the longer term financial stability of the park.

During financial years 2018/19 AMP should begin to receive modest amounts of

income from the walking football and foot golf activities in the park. The building of a new pavilion in the park will be critical to the longer term success of Marine Park and tennis courts. When a new pavilion is built, in addition to its main functions of providing changing facilities for those taking part in activities within the park and the provision of much needed storage facilities, as well as providing a much needed permanent base for AMP to operate from, it will also provide additional income generation opportunities e.g. it will be available for hire by local community groups, especially park user groups, for meetings and activities. Hire of the pavilion to families for children's parties is expected to be very popular, following the model of success in this area by Hopeman Community Association. The pavilion will also be used to hire out equipment for some of the park activities and it could also be used for the sale of refreshments and promotional merchandise e.g. t-shirts sweatshirts pens pencils et cetera. This could be very effective in terms of the promotion of Marine Park as well as contributing to income generation.

In late 2017 AMP made a successful application to the Moray Council for £2500 of developer contribution funding. This money has been used to purchase new goalposts and goal nets for football activities within Marine Park and also a large marquee tent. The marquee will be used by AMP at family fun days in the park and by other park user groups i.e. Lossiemouth Tennis Club and the Walking Football group. It will be made available for other local community groups to use and there may well be opportunities to generate income by hiring the marquee to other individuals and/or organisations. Owning a marquee will also provide AMP with opportunities to broaden the range of fundraising events that it can host in Marine Park.

One of the AMP trustees is a member of the committee of Lossiemouth Business Association (LBA) and many of the members of LBA are supporters of the AMP project. AMP will work closely with LBA to explore ways in which members can use Marine Park to help promote their individual businesses and also to identify sponsorship opportunities that will arise as the regeneration of the park progresses.

Through its marketing and communication activities AMP will also be encouraging people to donate money to help with the regeneration work and/or to consider leaving a legacy to AMP in their Will.

The availability of the resources, assets, facilities and activities within Marine Park will be appropriately marketed and the charges for their use will be such that they should be affordable to all. The combination of affordable charges and effective marketing should lead to the generation of income on a low-cost high-volume basis.

In a similar way to the money raised by fundraising events, the money raised through income generation opportunities will be used to help meet the recurrent revenue expenditure costs of the next financial year and to contribute to the ongoing regeneration program either directly or in the form of match funding as part of funding applications to grant awarding bodies.

Within the context of revenue expenditure the aim of AMP is to have a ring fenced amount in its bank account at the beginning of each financial year which will cover the year's budgeted recurrent revenue expenditure costs and a 20% contingency in

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respect of any unforeseen costs and or any actual costs that turn out to be greater than that budgeted for.

Such is the importance that AMP attaches to fundraising and other income generation activities that during 2018 a new subgroup – *Fundraising and other Income Generation* – will be set up to monitor and review this area of activity.

#### **9.5 Ongoing applications to Grant awarding/funding bodies to enable the regeneration of Marine Park to be carried out on a phased basis.**

The regeneration work will be carried out on a phased basis spread over several years. It will be broken down into a number of capital projects e.g. a new pavilion with toilets, creation of a sensory garden area, introduction of a children's play area which focuses on the needs of children with disabilities and additional support needs, re-establishment of a putting area, et cetera.

These capital projects will be funded through AMP making a large fund applications to appropriate bodies such as Big lottery Scotland, Sport Scotland, Foundation Scotland, Beatrice Forties field, Leader, Robertson Trust, Weir Trust, et cetera and by raising money locally through the annual program of fundraising events income generation opportunities as set out in section 9.3 and 9.4

#### **Additional costs**

The Trustees of AMP are very aware that post asset transfer as the regeneration work begins and continues that there will be very significant capital expenditure costs and increasing recurrent revenue expenditure costs that will have to be met. However the trustees are confident that they can develop and deliver an ongoing program of fundraising events/income generation activities that will provide the finance for the regeneration programme. Additional financial advice and expertise will be sought particularly during the initial years. During 2018 AMP will try to source funding for a part-time development /funding officer to assist with funding applications.

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## **10.0 Marketing and Communication**

### **10.1 The Importance of Marketing and Communication**

Effective marketing and communication will be mission critical in helping AMP to achieve its objectives in relation to the transformation and regeneration of Marine Park. Through a range of planned marketing and communication activities AMP will be able to:

- raise the profile of Marine Park
- promote and publicise the ongoing work of AMP
- persuade local people and those within a reasonable travelling distance of Marine Park to come and use the facilities
- persuade visitors to Moray to come and use the facilities of the park
- encourage people who don't usually take part in physical activities to become more actively involved
- promote a range of annual fundraising events and income generating activities
- encourage and persuade local people of all ages and backgrounds to become involved with the work of AMP either as trustees or volunteers
- promote family fun days at Marine Park.
- promote an AMP presence at other events in the local community
- help to persuade local tradesmen to become involved with regeneration work in the park through donations of time and/ or materials
- help to persuade local businesses to consider sponsorship opportunities that may become available through the Park
- help encourage local people to consider leaving a legacy to AMP in their will
- help to encourage local people to donate money to AMP under a Gift aid scheme

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### **10.2 Promotional Mix**

A concerted effort will be made to promote Marine Park and Tennis Courts to the local community of Lossiemouth and the wider community of Moray and beyond in an efficient and effective manner. Although AMP will try as far as possible to use 'free/no cost' promotional channels it will also make use of paid for promotion as and when necessary and appropriate. The AMP promotional mix will include among other things:

*Internet marketing*



This will be achieved by making regular use of AMPs own website [www.marineparklossie.org](http://www.marineparklossie.org)

This website was developed free of charge by a local business person who owns their own digital communications business. One of the AMP trustees has got the appropriate knowledge and skills to update the website on a regular basis. The website also has an online booking system for hire of the tennis courts on a pay to play basis and over time this will be developed to allow online booking of other pay to play activities in the park.

AMP will also arrange to get information published on a regular basis on other community information websites serving Lossiemouth and/or Moray such as:

- Lossiemouth Community Development Trust – [www.lossietrust.org](http://www.lossietrust.org)
- The Lossie Local – [www.thelossielocal.co.uk](http://www.thelossielocal.co.uk)
- Spotlight on Lossie, Elgin and District – [www.spottlighton.co.uk](http://www.spottlighton.co.uk)
- Inside Moray– [www.insidemoray.com](http://www.insidemoray.com)
- The Forres Focus – [www.forresfocus.co.uk](http://www.forresfocus.co.uk)
- Sport in Moray – [www.sportinmoray.com](http://www.sportinmoray.com)

#### *Social Media*

Over time the use of social media will become increasingly important to help AMP keep in touch with a wide range of people wanting to use Marine Park.

AMP has its own facebook page [www.facebook.com/actionmarinepark](http://www.facebook.com/actionmarinepark) which will be updated regularly.

Use will also be made of the Lossiemouth Tennis Club facebook page , the Moray Sports Hub facebook page and the **Macmillan Move More Moray** facebook page [www.sportinmoray.co.uk/mosh/macmillan-move-more](http://www.sportinmoray.co.uk/mosh/macmillan-move-more)

The Macmillan Move More Moray facebook page will help to promote relevant activities in Marine Park to people who have cancer or who are recovering from cancer. This is a new initiative which has recently been rolled out across Moray.

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#### *Marine Park Blog*

Use of a blog could be a great way for potential customers to get a feel for the Marine Park environment and the Lossiemouth area. The blog could be updated by a volunteer on a weekly basis to showcase topical information such as ongoing developments, events, outdoor sports and leisure activities, competitions, etc. The blog could also feature guest blogs from users of Marine Park thereby giving a real insight into the user experience.

#### *Lossiemouth Community Sports Hub Plasma Screen*

As a member of the Lossiemouth Community Sports Hub, AMP will be able to promote Marine Park through power point presentations on a plasma screen located beside the reception area in Lossiemouth Community Centre. This can be updated

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easily on a regular basis and will help to promote Marine Park and Tennis courts to the many users of the Lossiemouth Community Centre.

#### *Email*

Email will provide an effective means of promoting Marine Park and Tennis Courts to the many clubs and organisations who are members of the Lossiemouth Community Sports Hub and to all of the Moray Council's Active Schools Co-ordinators and Sports Development Officers who work closely with school pupils and staff.. It will also be used to communicate with individuals who have given AMP their email address to enable AMP to keep them up to date with ongoing developments.

#### *Media/ Press Releases*

Regular media/press releases will be sent to the Northern Scot, Press and Journal and the relevant local community newspapers published by the Scottish Provincial Press (SPP) and where appropriate to Moray Firth Radio and Keith Community Radio.

#### *Free Listings/What's on Listings in Local Publications*

Regular use will also be made of the 'free listings/ what's on listings' provided in local publications such as the Lossie Local, Spotlight on Moray, Lifestyle Magazine, etc.

#### *Advertising*

Paid for advertising will be used when necessary and appropriate in local publications such as the Lossie Local, Spotlight on Moray, Lifestyle Magazine and possibly the Knock News. Such advertising is normally accompanied by 'free' editorial.

#### *Promotional Merchandise*

Consideration will be given to the production of a range of promotional merchandise such as T shirts, sweatshirts, pens, pencils, mouse mats, cards etc. This could be helpful in promotional terms and could also contribute to income generation.

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#### *Promotional Literature*

A range of promotional literature such as A3/A4/A5 notices, posters and leaflets will be designed and produced for display in locations such as public libraries, schools, community centres, supermarkets, shops, health centres, the Health Information Point in Dr Gray's Hospital and on external noticeboards within the community..

#### *Events*

Events organised by AMP such as Family Fun Days, Coffee Mornings, Ceilidhs, Tombola Evenings, Race Nights, Family Quiz nights etc , will provide excellent opportunities for the promotion of AMP and Marine Park and Tennis Courts as will an AMP presence at events organised by other local organisations. eg : Switching on of the Xmas lights – organised by the Lossiemouth Millenium Association; Seafest – organised by the Lossiemouth Community Development Trust.

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### *Temporary Roadside Signage/Promotional Banners*

Occasionally, temporary roadside signage on the roads leading into Lossiemouth from Elgin, Hopeman and Lhanbryde will be used as promotional tools. This can be a very effective way to promote fundraising activities and events in the week leading up to such activities and events. Weatherproof rectangular banners affixed to fences and or walls for short periods will also be used in this way as, and when, appropriate.

### *Personal Contact/Networking*

Personal contact with, and networking through, established local community organisations and groups will also be a much used and important marketing and communications tool. AMP is a member of the Lossiemouth Community Development Trust; two of its trustees are regular attenders at meetings of the Lossiemouth Community Sports Hub; whilst other trustees also represent other local groups such as the youth club, the tennis club, the Lossiemouth Business Association, football groups, the Moray Golf Club, the local nursery group and various local church organisations.

### **10.3 Marketing Plan**

By 31<sup>st</sup> December each year, the AMP trustees will agree a marketing and communications plan for at least the next business year starting on the following 1<sup>st</sup> April. This will help to underpin the programme of fundraising events/income generation activities for the next business year as well as help AMP to achieve its other objectives.

## **11.0 Risk Assessment and Management**

The AMP trustees see risk assessment and management as an ongoing process of assessing and reviewing risks throughout the delivery of the project and making decisions needed to counter risks. This will be carried out as part of a regular review of the project rather than as a separate activity as the AMP trustees regard risk assessment and management as being one of the most important aspects of the management the AMP project.

Several of the AMP trustees and volunteer helpers have project management/risk assessment and management experience from their professional lives in a range of sectors including oil & gas, hospitality & tourism, retail, health & social care and further & higher education. This collective experience should prove to be of great benefit to AMP as the phased delivery of the project progresses. However, where appropriate and/or necessary the AMP trustees will seek external professional advice about risk assessment and management.

Arising from discussions about the risks likely to affect the delivery of the AMP project the trustees of AMP have, for the time being, grouped these risks into three main categories, namely (i) development risks (see separate Framework Report); (ii) maintenance risks; and (iii) resource risks (see below).

### **11.1 Maintenance risks**

#### **(i) Repair and Maintenance Works – low risk**

In the medium to longer term, there will be the issue of repair and maintenance works. To help address this issue, the AMP trustees will resource a budget for ongoing 'handyman' works and consideration will be given to accruing a reserve for dealing with larger scale maintenance issues.

#### **(ii) Vandalism and/or Theft—low to medium risk**

In the medium to long term, there may well be a risk of vandalism and/or theft. Whenever new resources, assets, facilities, activities come on stream as the delivery of the project progresses, appropriate measures will be taken to minimise the risk of acts of vandalism and theft and the impact of such acts on the operation of the park. Such measures are likely to include security lighting, security alarms and robust locks and possibly CCTV security cameras – depending on costs. Appropriate insurance against vandalism and theft will also be taken out so that anything requiring repair or replacement can be dealt with quickly. Also, given the location of the houses of the residents adjacent to Marine Park and the goodwill of local residents towards the AMP project, it may well be possible to set up a form of 'neighbourhood watch' to deter prospective perpetrators of vandalism and theft. This could also be a role for the various Marine Park user groups- e.g. tennis, football, etc - that will come into being as the regeneration work is carried out.

## **11.2 Resource risks**

### **(i) Inability to generate income – medium to high risk**

Some of the new resources, assets, facilities, activities will be available on a 'pay to play'/'pay to use' basis, thereby enabling them to make a contribution to income generation and the longer term financial sustainability of the park. However, the level of charges set will be such that they should be affordable to all. The new pavilion will also be available for hire by local groups for meetings and to parents for children's parties. The combination of affordable charges and effective marketing and communication should lead to the generation of income on a low cost/high volume basis

### **(ii) Lack of users – low risk**

This is clearly a long term financial risk related to the user numbers, which can best be addressed through effective marketing and communication and through ensuring that all users of the park have an enjoyable experience that will encourage them to become regular users of the park and to help them persuade other people to come and use the park. It is the collective view of the AMP trustees that if quality resources, assets, facilities, and activities are installed in the park and are appropriately marketed then they will be well used by locals and visitors alike.

### **(ii) Project fatigue – low to medium risk**

The AMP project has been going since 2011 and it will take several more years for the transformation of Marine Park to be completed. Clearly there is a risk of an inability to retain the long term involvement of trustees and volunteer helpers. However, since the completion of phase 1 of the project – the refurbishment of the tennis courts - the enthusiasm of the trustees and volunteer helpers is at an all time high.

The core committee of AMP are all local inhabitants of the town of Lossiemouth and share a passion to refurbish and regenerate life into Marine Park. A support group of members and volunteer helpers are instrumental in co-ordinating and participating in events run by AMP covers all age groups from pre-school to retirement. This large group is further supported and encouraged by the huge support of the local community, which is probably best demonstrated by the massively successful family fun days which have been run regularly in Marine Park in June and August since the start of the project.

AMP is always on the lookout to recruit new blood and this should become easier as the project develops and new resources, activities, facilities and assets appear in the park on a phased basis as people will want to associate themselves with a successful development.

Section 8.3 of this business plan sets out how AMP proposes to deal with succession and continuity.

## **11.3 Future Risk Assessment and Management**

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As the transformation of Marine Park continues on a phased basis and as new resources, facilities, assets and activities become operational, AMP recognises that there will be new and additional risks to consider that do not exist at the present time. This being the case, during 2018, the trustees of AMP will introduce a more formal, structured approach to risk assessment and management which will enable AMP to:

- Anticipate any problems – what could go wrong?
- Assess the threat in terms of the probability of a problem happening and the impact on operations if it did happen
- Consider possible causes – what could make the problem happen?
- Identify preventative action to reduce the chances of the problem happening
- Identify contingent action to reduce the impact if the problem does happen
- Modify the original plan

A more formal, structured approach will best be achieved through the setting up of a Risk Assessment and Management sub-group and the creation of a Risk Register/ Risk Matrix. A suitable format for AMP to use will be a table with columns for:

- Risks identified
- Probability of occurrence
- Impact on project/operation
- Preventive action
- Risk owner/ Risk champion

The risk assessment and management sub- group will feed back to the AMP Board of Trustees

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## **12.0 Equality and Diversity**

With the help of appropriate professional advice the trustees of AMP have developed an Equality and Diversity Policy to provide a framework within which AMP will operate in order to:

- Provide a happy, safe, secure and inclusive environment which will support all children using Marine Park to realise their full potential
- Actively promote equality and diversity by ensuring all children and families are welcome and have equal access to information and opportunities to participate fully in what Marine Park has to offer
- Challenge any racist, sexist, and all other discriminatory behaviour in both children and adults

AMP's Equality and Diversity Policy is set out in Appendix 3 of this business plan

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### **13.0 Monitoring and Review**

The trustees of AMP view this business plan and subsequent iterations thereof as a working document and are committed to a process of regular monitoring and review to help ensure that AMP achieves its mission *to regenerate and sustain Marine Park as a community asset for leisure and recreation*. The process of monitoring and review will be carried out through initial discussion of relevant matters by AMP's subgroups and their subsequent reporting back to the main AMP Board of Trustees for further discussion and agreed action.

OSCR, the Scottish Charity regulator, is the AMP governing body. OSCR requires annual reporting by AMP as a registered SCIO Charity. This includes details of accounts maintained and presented annually, and a review of the aims of the AMP group. Support and guidance from OSCR is always available and an important part of the AMP structure.





## Action Marine Park Equality and Diversity Policy

### **Aims of this policy**

This policy aims to provide a framework within which the group will operate in order to:

- Provide a happy, safe, secure and inclusive environment which will support all children attending to realise their full potential
- Actively promote equality and diversity by ensuring all children and families are welcome and have equal access to information and opportunities to enable them to participate fully in the centre.
- Challenge any racist, sexist and all other discriminatory behaviour in both children and adults

### **Section 1: Admissions**

We aim to be genuinely accessible to all children within the local community regardless of race, gender, status or religion.

We will do this by:

- Advertising the group in the local and wider community, ensuring it is widely known.
- Work within local and national guidelines.
- Being as flexible as possible with respect to attendance so that the needs of individual children and their families are accommodated.
- Welcoming all children who may require additional support as part of the group.

### **Section 2: Activities**

The activities offered in our group will encourage children to participate in a variety of activities and provide opportunities to become aware of and respect a diversity of cultures and religions. We aim to provide an environment that is free from prejudice and discrimination.

We will do this by:

- Ensuring that all children feel valued and good about themselves by being given opportunities to express their thoughts and ideas in a positive way.
- Consider ways of enabling basic communication for all children throughout all activities; seeking advice where necessary.
- Providing equal opportunities and access to the full range of activities available
- Ensuring activities take into account each child's age and stage of development, gender, ethnicity, thoughts, feelings, ideas and home language.
- Celebrating a variety of relevant special events reflecting a range of lifestyles and cultures and taking pride in national and local traditions.
- Always discouraging children, young people and adults from being hurtful and making unkind remarks.
- Wherever possible catering for those designated with a disability or additional needs, taking into account their individual circumstances.

### **Section 3: Resources**

We will ensure that our resources positively and accurately reflect today's society.

We will do this by:

- Purchasing, organising and monitoring the use of equipment and resources to reflect diversity in the immediate and wider society in which we live.
- Involving children in the decision making process regarding resources and plans for the project where possible.
- Displaying positive images of differing races, cultures, gender, religion, social groups and physical disabilities/disabilities, health and circumstances, where possible.

### **Section 4: Food**

We will work in partnership with parents to ensure that the medical, cultural and dietary needs of all children and adults are met and that awareness of differences is appreciated (where it is AMP's responsibility to provide food).

We will do this by:

- Having a range of foods available during events that meet different dietary requirements.

### **Section 5: Valuing Diversity in the family as a whole; communication and information-sharing**

We recognise that the North of Scotland is no longer an area of mono-culture therefore our group will take into account the diverse nature of family make up in today's society including extended families where appropriate. Our group will consider how best to meet the individual needs of users including financial, language, gender and cultural and make efforts to accommodate these when sharing information.

We will do this by:

- Ensuring that all users of the service have information communicated to them in an appropriate way and that there is time made available for families to talk to committee members.
- Encouraging family members to share information about their cultures and background. We will aim to make all parents, carers and the wider family welcome and included in the group.
- To hold open days for users, family, friends and potential users of the group and advertise these meetings accordingly.

### **Section 6: Employment**

We will ensure that our policies relating to employment are fair, clear and consistent.

We will do this by:

- Ensuring that the group has a clear policy for recruitment and selection including that of ex-offenders (Childcare is one of the positions listed under the Exclusions and Exceptions (Scotland) Act 2003 meaning that ex-offenders may be asked to

reveal spent convictions in order to risk assess their suitability for the post) and that the policy is reviewed annually.

- All employee's will hold an up to date PVG.
- Ensuring that posts are widely advertised and that all applicants judged against consistent, clear and fair criteria.
- Ensuring that the post is offered to the person who best meets the criteria subject to references and disclosure checks regardless of age, gender, sexuality, disability, ethnic origin, religion or belief or any other discriminatory criteria.
- Ensuring all employees are aware of the requirement to commit to the group's active promotion of an equality and diversity policy. That all staff behave in a professional manner being consistent, sensitive and fair at all times. Staff must challenge anyone who makes inadvertent racist, sexist or insensitive remarks within the group.
- Ensuring that all employees are issued with details of the organisation's disciplinary and grievance procedures and these will be implemented consistently and fairly.

### **Section 7: Committee Training**

All staff and volunteers will have opportunities to develop their knowledge and skills appropriately.

We will do this by:

- Including training on Equality and Diversity within the staff induction process.
- Keeping committee members informed and updated on relevant new legislation.
- Facilitating attendance at relevant training for committee members who have identified that they wish to improve their own knowledge and expertise in this aspect or who have been identified as having a training need.

### **Section 8: Monitoring and Review of Policy and Practice**

We will monitor and evaluate our practice with regard to equality and fairness by:

- Monitoring the implementation of this policy through careful forward planning, observation of procedures and practice and through observations of the children at play both indoors and out. The committee will have overall responsibility for ensuring that the policy is adhered to consistently across all aspects of project.
- Monitoring the effectiveness of your policy and practice as part of the process of regular review. This should be carried out at the groups AGM.



## **Marine Park**

**A document based on an extended period of consultation including a structured survey to elicit people's views on the re-development of Marine Park, Lossiemouth for the benefit of the community.**

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**Research collated and document drafted by Mackenzie Consulting on behalf of Action Marine Park, June 2016**

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## A resource for the community

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In 1933 Captain James Brander Dunbar passed the ground known as Marine Park to the Town “in consideration of the sum of TWO HUNDRED AND SEVENTY POUNDS FIVE SHILLINGS sterling now paid to me by the PROVOST, MAGISTRATES AND COUNCILLORS of the Burgh of Lossiemouth and Branderburgh incorporated under Act of Parliament as Local authority ...” Apart from specifying the precise boundaries of the area and outlining various other conditions the deed of transfer indicated that the “said piece of ground ... is dedicated and shall be held by the said Town Council and their successors in all time coming for the purpose of a playing field for public recreation for behoof of the inhabitants of the said Burgh and the public generally, and they shall be entitled to lay out the ground in such way as may be necessary for these purposes ...”.

Action on Marine Park is keen to honour this legacy and restore it as a resource for the benefit of all members of the community.

Consultation goes back over a 5 year period and has been linked to a series of events and activities. On a graffiti wall July, 2011 the following view was expressed “what a shameful waste of what was once obviously a fantastic facility – bring it back for adults and children”.

Members of the community were also asked to ‘sign here to support Marine Park’ as well as being asked what they would like to see in the Park – through this time with public support the tennis courts were restored In 2013 tennis coaching sessions were promoted and Lossiemouth Tennis Club was reformed.

In June 2015 feedback was garnered on the community’s priorities for Marine Park and this has informed the most recent survey.

Various letters of support have also been received. In late June and July 2015 representation was received from 38 youngsters asking for provision of posts for 5 a side football.

In March 2013 a Sports Development Officer for Moray Council offered support and observed that “The Marine Park Action Group was set up following requests from the local community to improve facilities at the Park as it has great potential to benefit Lossiemouth and the wider community The Marine-Park Action Group have already organised a range of open days - ... where they offered a range of taster sport sessions for all ages and abilities and they consulted with the local community on the type of activities/facilities they would like developed at the park”.

Subsequently an Active Schools Coordinator noted that “at the moment there are fewer sporting facilities in Lossiemouth compared with many of the other towns in Moray, which can mean there are less opportunities for children in the area to take part in sport and regular physical activity. By improving the facilities at Marine Park ... would help to increase the number and variety of opportunities available. ... From an Active Schools perspective, I can see a number of uses of a new and improved Marine Park.” It is further noted that both Hythehill and St Gerardine’s Primary schools would benefit from facilities at Marine Park.

In April 2013 the North of Scotland Tennis Development Manager suggested “that if the facilities at Marine Park were improved it would enable adults and children of all ages and abilities to play tennis, which would improve community safety, health and wellbeing for the people of Lossiemouth and wider community” It was further suggested that “Moray Sports Development are keen to establish tennis activity programmes during term time and holiday periods for both children and adults if the Park facilities were improved.” This has been achieved.

## A survey to elicit the community’s view

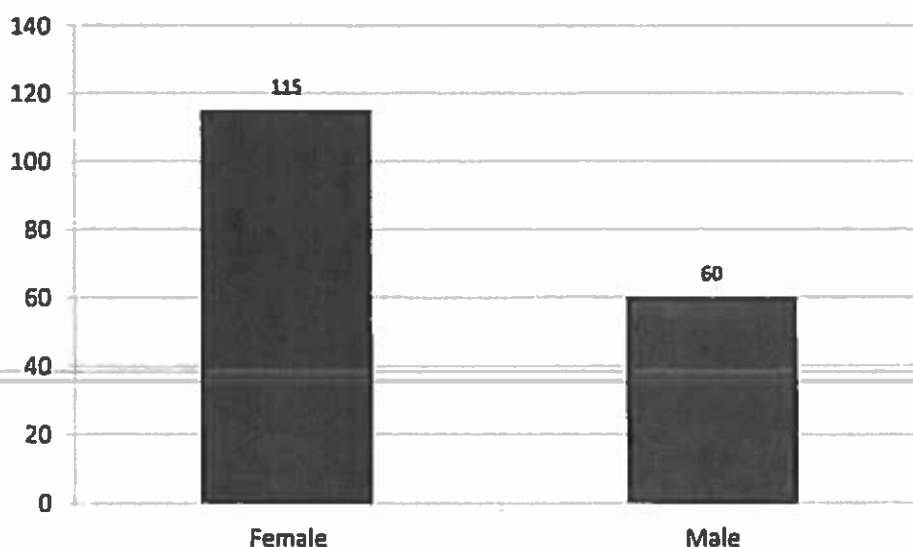
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Whilst widespread support for the redevelopment of Marine had become clear it was considered (following some feedback) that more systematic research could usefully complement previous and less structured consultation. Thus a questionnaire was designed to collect responses from all groups throughout the community. Most of the responses were to a paper based questionnaire but the online research resource Survey Monkey was also used. Data was subsequently collated in an Excel spreadsheet.

Responses were collected between March and the middle of June 2016 using a survey instrument (see Annex 1).

### Gender:

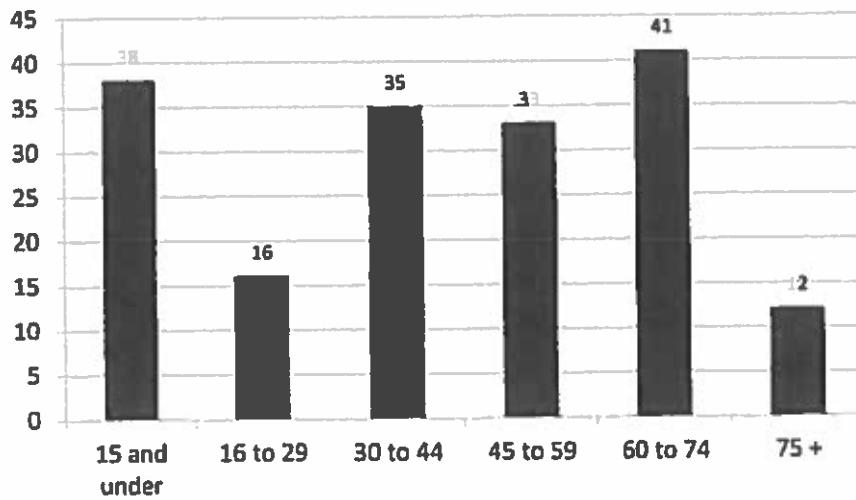
Table 1: Gender of Respondents



Of 176 respondents 115 were Female and 60 Male. One respondent did not specify. Males were under-represented in the sample in terms of their proportion in the Moray population.

**Age group:**

**Table 2: Age Group of Respondents**

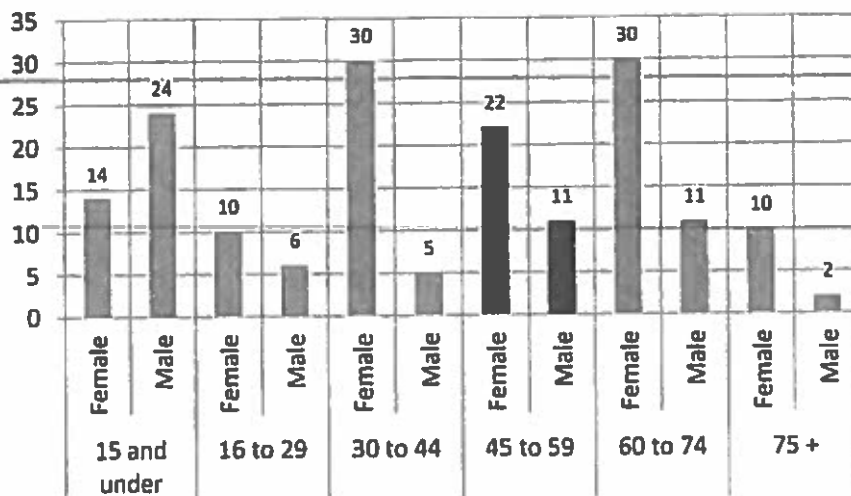


- 1 15 and under
- 2 16 to 29
- 3 30 to 44
- 4 45 to 59
- 5 60 to 74
- 6 75 and over

51% of respondents were 44 and under, which is representative in terms of the age profile for Moray<sup>1</sup> where the percentage is 54.

There is some variation when one sets age against gender with females being the largest proportion in every age group except the 15 and under where males outnumber females.

**Table 2: Age Group of Respondents by Gender**

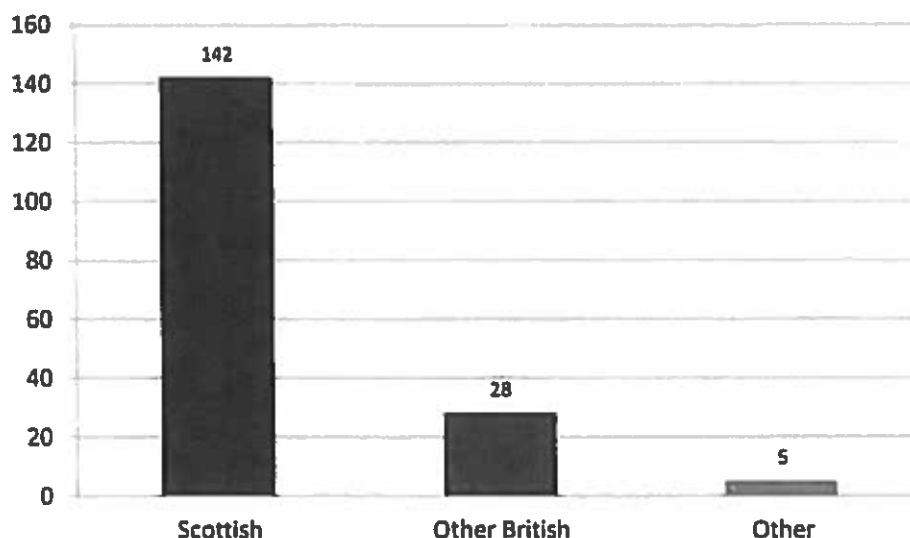


<sup>1</sup> Moray Area Profile, May 2014, Highlands and Islands Enterprise, [www.hie.co.uk](http://www.hie.co.uk)



## Ethnic Background:

**Table 3: Ethnic Background of Respondents**



Of 175 respondents who identified their ethnic background 142 described themselves as Scottish, which amounts to 81% of all those completing this section. Combining Scottish with Other British amounts to 97% of all respondents. Two of those describing themselves as Other British also described themselves as Cornish. Of the five indicating other ethnic background one specified German another Canadian and another Orcadian – the other two did not specify. The proportions above are broadly in line with the population for Moray as a whole.

## Geographical Location

Annex 2 shows the location of all respondents with each red square corresponding to a completed survey. Whilst the highest concentration of responses comes from those in close proximity to Marine Park most of the remainder are resident throughout Lossiemouth – interest in the ‘revival’ of the Park thus extends through the whole town. There were 17 respondents from other locations. The park would be an attraction to visitors to Lossiemouth. 169 (96%) of respondents indicated their location.

## Disability and Mobility

6 % of respondents stated that they had a disability whilst 4 % stated that they had issues with mobility. These limited responses indicated use of walking sticks and some visual impairment. In order to ensure accessibility and more adequate representation for all groups a more focused consultation was undertaken.

In early March a meeting was held with the Ladybird Group<sup>2</sup> to evaluate how Marine Park could be developed to support the children’s specific needs. Subsequently ideas were put forward – these were not intended to be exhaustive but rather to illustrate how the Park could be developed to provide support to the children. These included:

<sup>2</sup> A group supporting the development of pre-school children with additional support needs.

**Nest swing – useful in developing a sense of balance, improved posture, muscle control and coordination.**

**Sunken trampoline – ease of access and no risk of fall from a height. Rebound therapy is used to facilitate movement, promote balance, increase muscle tone and to aid relaxation and sensory integration.**

**Wheelchair swing – allows for a swing experience whilst staying in a wheelchair and can have a powerful impact on the brain’s ability to process and use sensory information.**

**Sensory garden – this can have various components e.g. tactile panels and tubular bells. These types of gardens are popular with and beneficial to both children and adults especially those who have sensory processing issues including autism and other disabilities.**



**Tactile Wall**



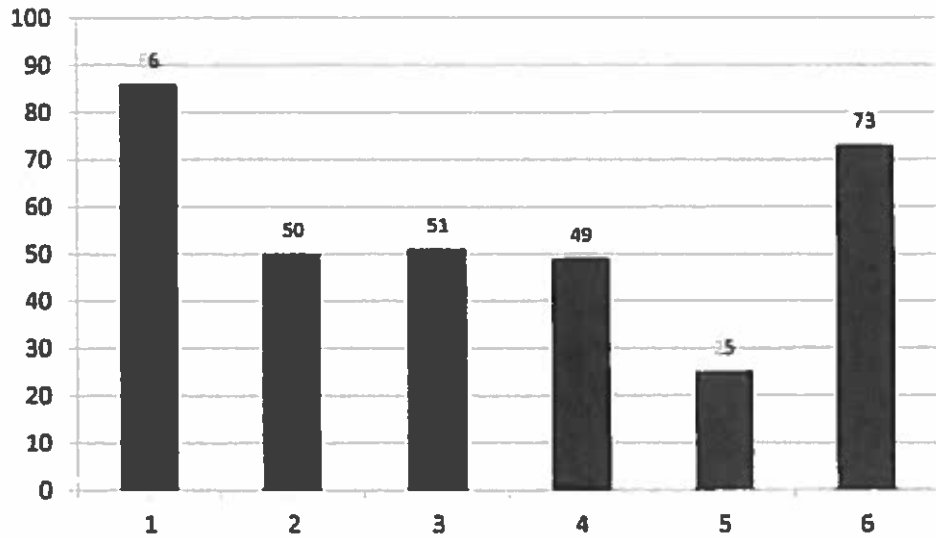
**Sensory Garden Planter**

Most of the above meet the needs of children generally but would also allow the community to assure itself that it was making 'reasonable adjustments' to meet the needs of groups with additional support needs.

Other groups will also benefit. Having access to an enjoyable outdoor space can meet many needs for people with dementia and also those that care for them. A carefully thought out garden can provide exercise and a space for reflection, a different social environment and provide additional stimulation with colours, smells and sounds.

**Marine Park Events**

**Table 4: Attendance at Marine Park events**

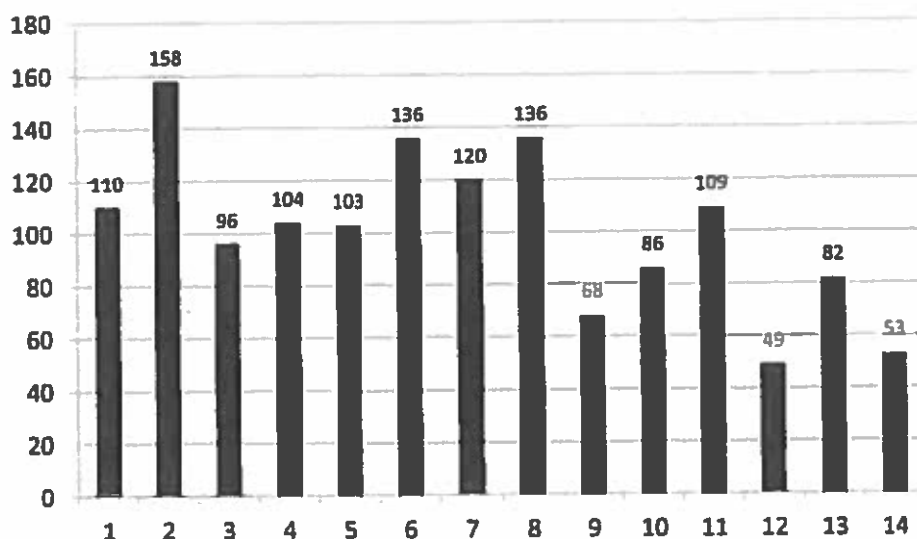


- 1 Open Fun Day in Marine Park
- 2 Tennis Coaching Events
- 3 Open Use of the Tennis Courts
- 4 Coffee Morning in Lossiemouth Town Hall
- 5 Ceilidh in Lossiemouth Town Hall
- 6 Bingo Night at Lossiemouth Football Club

The organisation of this series of events over an extended period provides evidence of the commitment of a core group to the development of Marine Park as a resource for the community and for visitors. Many people attended these events the numbers above merely reflect those who have attended an event and simultaneously or subsequently completed a questionnaire.

## What should be developed/provided in Marine Park?

Table 5: Respondents views on what is needed/desirable



- 1 Pavilion
- 2 Toilets
- 3 Putting
- 4 Crazy Golf
- 5 5 a side Football Pitch
- 6 Children's Play Area
- 7 Accessible Seating
- 8 Picnic Benches
- 9 Outdoor Gym
- 10 Climbing Wall
- 11 Café
- 12 Indoor Tennis Court
- 13 Bicycle Stand
- 14 Archery Area

Respondents were allowed to agree with as many or as few as they wished. 90% agreed that Toilets were needed, a Children's Play area and Picnic Benches were both nominated by 77% of respondents. Least popular were an Indoor Tennis Court and an Archery Area where people were less likely to see the point.

### Other Activities, Facilities or Services

Respondents were also asked to indicate any other facilities or services which they would like to see in Marine Park. There were limited responses including landscaping with disabled access, something to create a sensory experience and sensory area and/or equipment for disabled children and adults, a bicycle lane for children to practise cycling proficiency a skate park and as a venue for team building events for local businesses and for additional coaching for children. One respondent asked

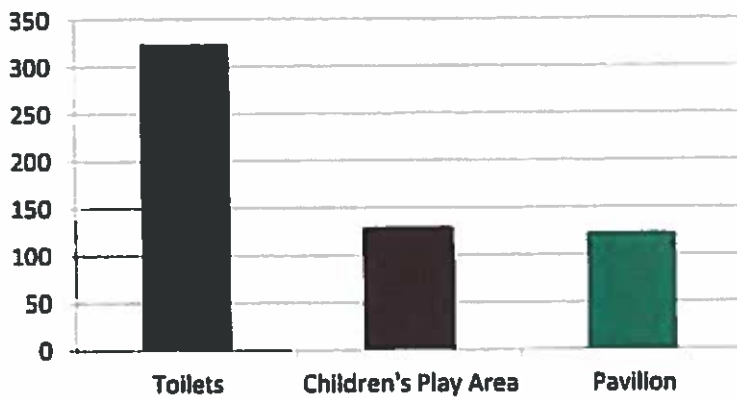
for a walkable path from James Street to Moray Golf Club, which possibly comes under the heading of landscaping of what is undoubtedly an under-developed area. Another wanted security cameras. An indoor gym and bicycle ramps were also mentioned as were Go-Karts.

The relatively limited number of alternative ideas is undoubtedly a function of all the suggestions that respondents were asked to agree with. In order to focus on ideas other than those presented to respondents (ideas, however, which came from previous consultation) other groups with particular needs have been consulted e.g. Ladybird Group (see previous section on Disability and Mobility).

### Priorities

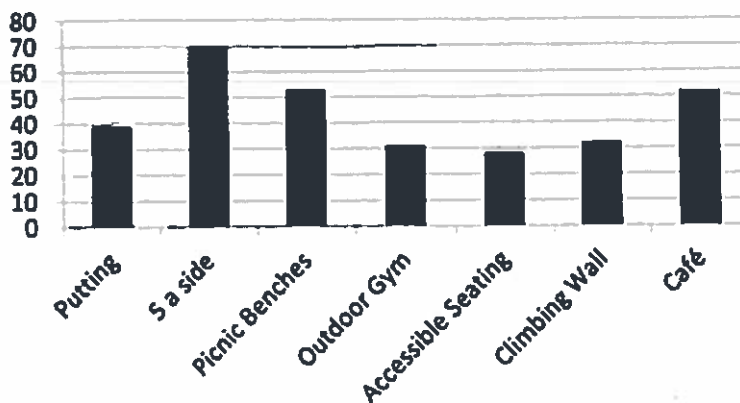
Respondents were also asked to rank their top three priorities – 129 respondents did so. Where a facility or activity was ranked at 1 it was given 5 points, 3 points for 2 and 1 point for 3. On this basis Toilets, Pavillion and a Children’s Play Area were well above the rest.

**Table 6: First ranked priorities**



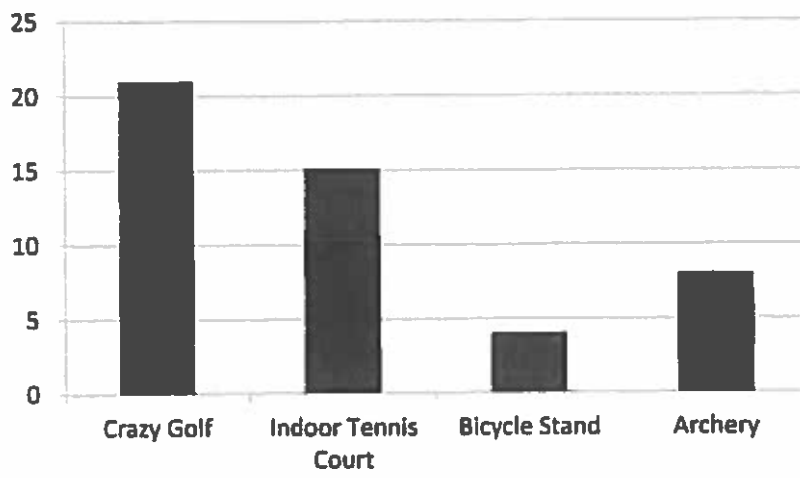
The following facilities/activities whilst somewhat behind the main three attracted significant support.

**Table 7: Second ranked priorities**



Finally, interest in the following facilities was much less strong.

**Table 8: Third ranked priorities**



**Annex 1 Marine Park Survey**



**Marine Park<sup>3</sup> Survey**

A group was formed 4 years ago with a view to restoring Marine Park to its former glory for the benefit of the whole community. So far the tennis courts have been restored and the Lossiemouth Tennis Club re-established.

In this section the questions are intended to ensure that we get a representative sample of views as well as being able to assure ourselves that we have a broad view of people's needs.

A prize draw will be held for those who respond to the survey. Many thanks for your co-operation.

What is your sex? Female   
Male

Which is your age group? 15 and under   
16 to 29   
30 – 44   
45 to 59   
60 to 74   
75 and over

What is your ethnic group? Scottish   
Other British   
Irish   
Polish   
Other   
 If other please describe

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Do you have a disability or disabilities? Yes   
No   
 If 'Yes' please describe e.g. visual impairment

---

Do you have problems with mobility? Yes   
No   
 If 'Yes' please describe e.g. wheelchair user

---

<sup>3</sup> Marine Park sits next to St Gerardine's Road between Stotfield Road and James Street in Lossiemouth

This next section of the survey is intended to ascertain any previous involvement with Marine Park events as well as eliciting your ideas on potential facilities and services that the park could offer

Have you attended any of these Marine Park events in the last 3 years? Please tick all that apply

Open Fun Day in Marine Park	<input type="checkbox"/>
Tennis Coaching events	<input type="checkbox"/>
Open use of the Tennis Courts	<input type="checkbox"/>
Coffee Morning in Lossiemouth Town Hall	<input type="checkbox"/>
Cellidh in Lossiemouth Town Hall	<input type="checkbox"/>

Previous consultation has identified the need and desire for the following in Marine Park. Please tick all of those that you agree with (Column A) and then in Column B prioritise your top three 1, 2, 3.

	A	B
Pavilion	<input type="checkbox"/>	<input type="checkbox"/>
Toilets	<input type="checkbox"/>	<input type="checkbox"/>
Putting	<input type="checkbox"/>	<input type="checkbox"/>
Crazy Golf	<input type="checkbox"/>	<input type="checkbox"/>
5 a side football pitch	<input type="checkbox"/>	<input type="checkbox"/>
Children's play area	<input type="checkbox"/>	<input type="checkbox"/>
Accessible seating	<input type="checkbox"/>	<input type="checkbox"/>
Picnic benches	<input type="checkbox"/>	<input type="checkbox"/>
Outdoor gym	<input type="checkbox"/>	<input type="checkbox"/>
Climbing wall	<input type="checkbox"/>	<input type="checkbox"/>
Café	<input type="checkbox"/>	<input type="checkbox"/>
Indoor tennis court	<input type="checkbox"/>	<input type="checkbox"/>
Bicycle stand	<input type="checkbox"/>	<input type="checkbox"/>
Archery area	<input type="checkbox"/>	<input type="checkbox"/>

Please indicate below any other activities, facilities or services you would like to see in Marine Park

In which street (or other location) do you live?  
What is your post code?

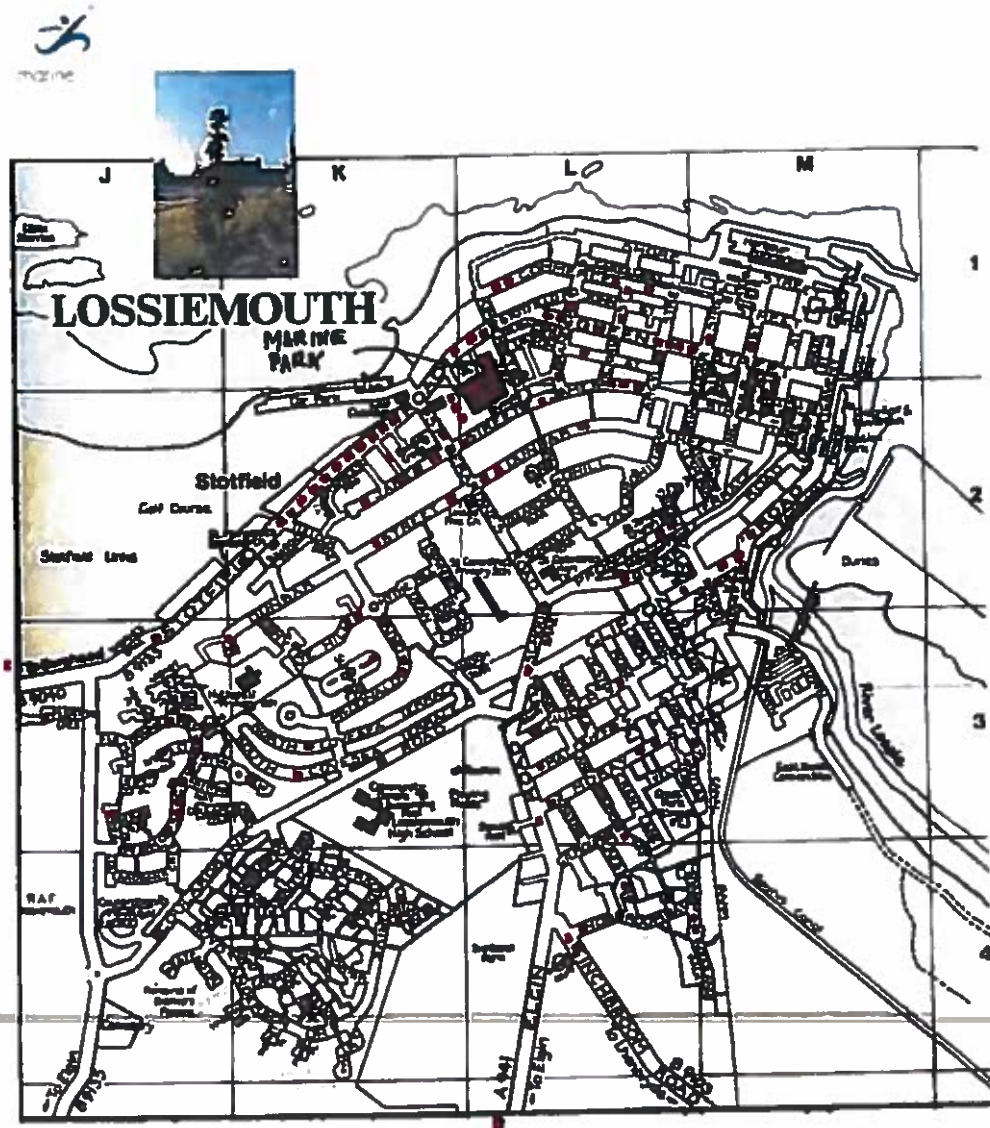
If you would like to be entered into the Prize Draw please indicate your e-mail address and/or your telephone number  
NB Your e-mail address and/or telephone number will not be shared with any other individual or organisation

If you would like to be updated on the development of Marine Park please tick here

If you have any queries about this survey or about Marine Park in general please e-mail [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)



## Annex 2 Marine Park Survey – location of respondents

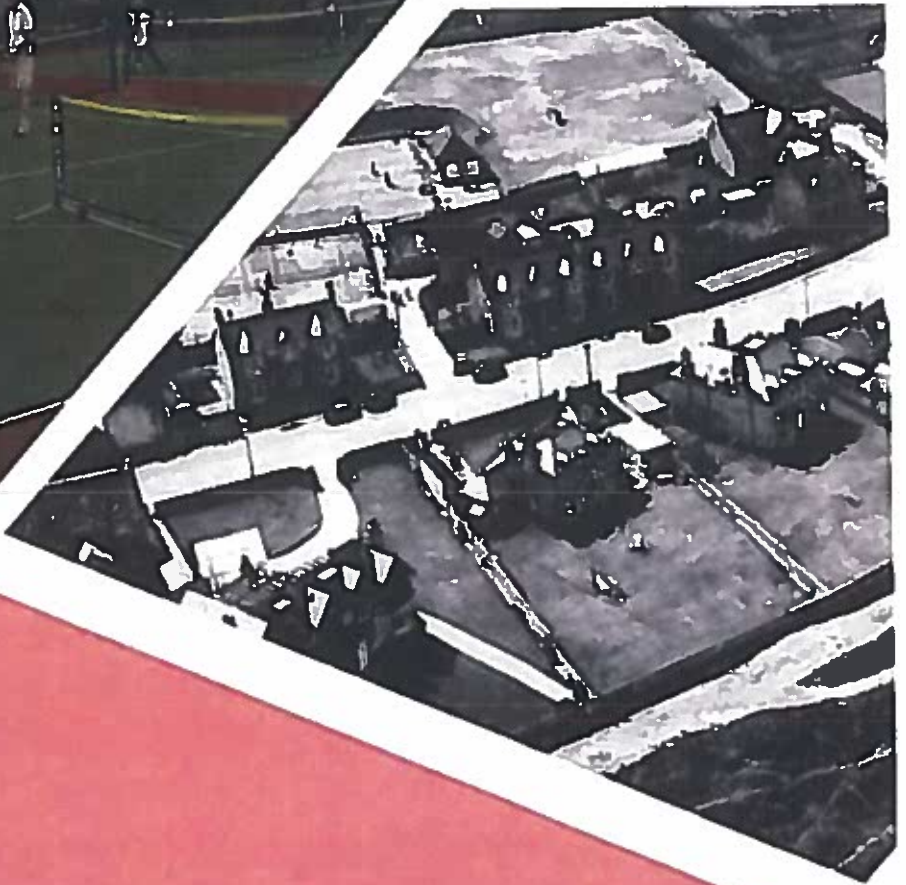


Respondents from other locations:

Elgin (9), Duffus (2), Mosstodloch, Mildenhall, Aberdeen, Hopeman, Longstanton, Easter Covesea



**N|B**  
PLANNING | ARCHITECTURE



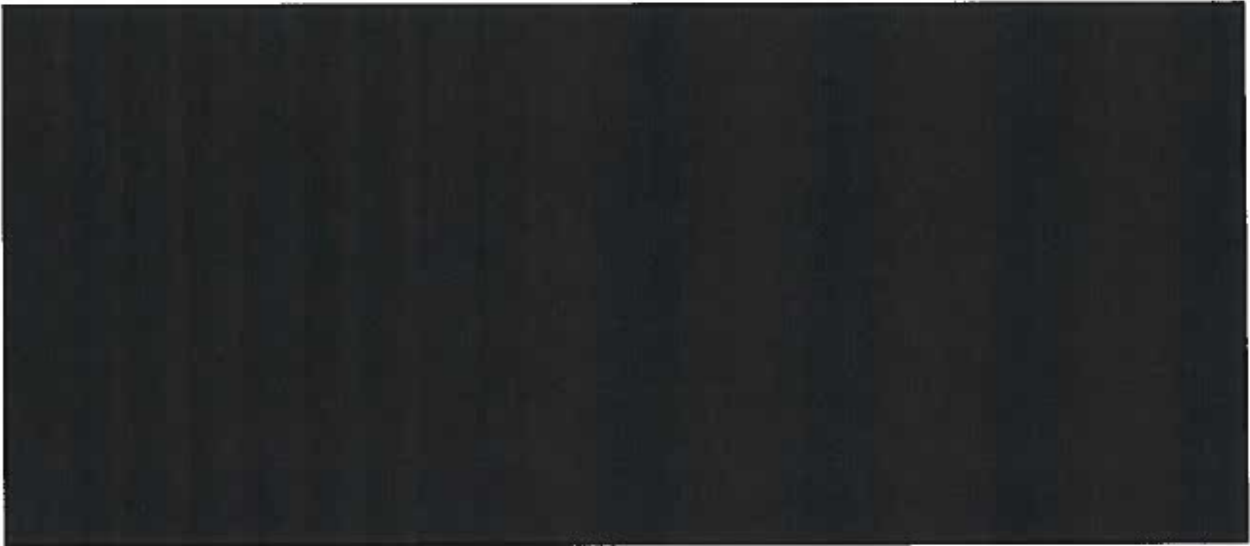
## **Regeneration of Marine Park, Lossiemouth**

A framework study  
for Action Marine Park (AMP)

Spring 2018

# ACKNOWLEDGEMENTS

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The investigation was carried out following the concerted involvement over several years of the Lossiemouth community.



“

*Over the next 10 years, there has to be less reliance on the public sector to directly provide services and more emphasis will be placed on empowering communities to maintain what is important to them.*

”

**MCPD Physical Activity Strategy, 2015**

This report has been compiled by NBPA team members:



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LOSSEMOUTH



# EXECUTIVE SUMMARY

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In 1933, the Laird of Pitgaveny sold an area of open space to the Burgh of Lossiemouth as a 'community amenity for the continued benefit of the local residents and visitors'. For many decades, the area - 'Marine Park' - was enjoyed by thousands of people. The site is currently held in trust by Moray Council, who managed the site throughout the most of the 20th century. Since the early 1980's, the Park has, for a variety of reasons, been neglected, with all its facilities effectively removed. By the end of the century, the Park had become a very underused open space.

Action Marine Park (AMP) was formed out of a small group of local residents with the declared purpose to try and revitalise the amenities and facilities at the Park. From 2011, AMP set about trying to regenerate the Park, and address pressing needs, and Phase 1 work resulted in the refurbishment of the tennis courts. The success of this initial phase is what the AMP group now aims to achieve in other areas of the Park. AMP is now at a stage of wishing to take full control of the Park and has been in discussion with Moray Council regarding Community Asset Transfer (CAT) since 2014. It is AMP's calculated belief that it can reinvest and better manage the Park in the wider interests of the local community.

After visiting others groups of similar nature, and following ongoing consultation with the local community and the Council, AMP compiled local needs and desires and drew up a regeneration design brief. After then exploring various redevelopment options, AMP decided upon a masterplan to redevelop the Park incorporating various new and/or improved facilities : i.e. a 5-a-side football pitch (with multi-use potential); a mini golf zone; a pavilion; a play area; a sensory garden; new car parking, and reserved potential for a third tennis court (to enable competitions).

Since the cost is in the order of £600k , the preferred approach is to flexibly implement a masterplan in several phases over a 3-5 year period, and professional guidance through the statutory permission and project management stages will be needed. There will inevitably be risks involved in taking this forward; principally, attracting external funding in a highly competitive climate, and avoiding volunteer fatigue. There is also the issue of financial sustainability and an examination of annual expenditure against likely income indicates that the initiative will have tight margins.

However, AMP has already proven that it is a credible organisation capable of fundraising and project delivery and it continues to grow in numbers, skills capacity and strength.

A successful project will result in many social, economic, environmental and even cultural benefits. Consequently, the AMP initiative has strong fit with local, regional and national strategies and objectives. If executed to plan, Marine Park could be an exemplar for community-led, inclusive participation in healthy outdoor sport and recreation activity.

# 1.0 INTRODUCTION

---

The purpose of this report is to present a framework for the regeneration of Marine Park, Lossiemouth by community body 'Action Marine Park' (AMP), i.e. subject to a successful community asset transfer from Moray Council.

The report explores the delivery of the Park's regeneration as a phased operation in relation to AMP's key aims and objectives.

This study should be read in conjunction with AMP's Three-Year Business Plan 2018-21.

## 2.0 BACKGROUND

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In order to contextualise the Park's regeneration, it is important to have a brief understanding of its history and recent developments.

### 2.1 HISTORY

Marine Park was formerly known as '*The Big Greenie*' and, with permission of the Laird of Pitgaveny, was used by the local community during the 19<sup>th</sup> century for drying fishing nets. In 1933, the Laird sold the area to the Provost and Burgh of Lossiemouth as a 'community amenity area for the continued benefit of the local residents and visitors'<sup>1</sup> The area was then developed for recreation and re-named 'Marine Park'.

For many decades, and throughout the years of World War II, the Park was enjoyed by thousands of people. Older residents of Lossiemouth still fondly reminisce about the 'great times' spent there, enjoying the large open space within the town-urban fabric and the facilities that it offered to the whole of the local community : the tennis courts - 'where often the over exuberant beginner hit their ball into neighbouring gardens'; the bowling green - 'where the clunk of a shiny black bowl on the smaller white jack encouraged great shouts of joy'; the putting area - 'with its natural land undulations giving rise to some extraordinary putting techniques'; and the giant draughts - 'that were so large and heavy that a wooden pole with a strong metal hook to lift them over each other was needed to make a crowner'.

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<sup>1</sup>That is, "A field for public recreation".

Since the early 1980's, the Park has, for a variety of reasons, been neglected, with all its facilities effectively removed. The Pavilion was removed completely, as its roof was found to contain asbestos.

By the end of the century, the Park, once thriving, had become very underused (although moves to establish football on the 'flat area' had commenced).

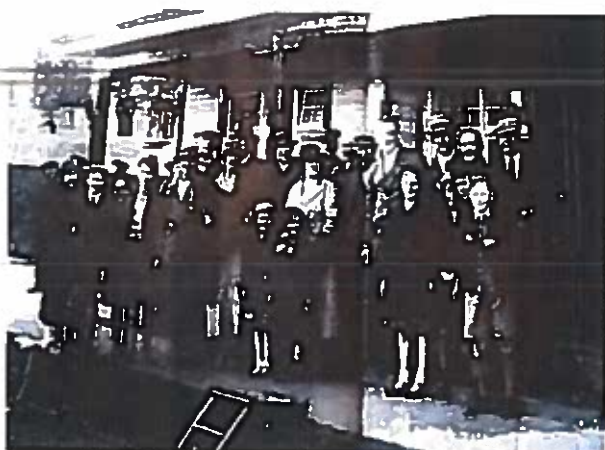
*Historic images courtesy of AMP*



***Black and white aerial view from the north west looking back over the town, with the large rectangular open space of Marine Park centre picture***



***Aerial view from the north looking directly down on Marine Park, clearly showing the old pavilion and bowlers on the green***



***Locals pose in front of the former timber pavilion, whilst others gather in the background further up the site. Note also the former fence controlling access across the James Street entrance route***



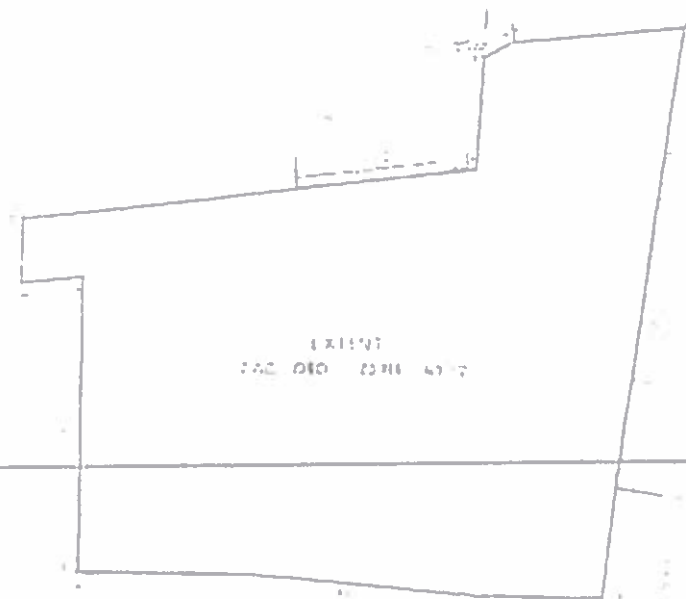
***Marine Park in its halcyon days***

## 2.2 OWNERSHIP

The 2 acre site is currently held in public trust by the local Council, who have managed the site throughout the most of the 20th century. The three access routes into the Park, from the north, south and west sides, are still owned by Pitgaveny Estates<sup>2</sup>, but are shared rights of way with other neighbours.

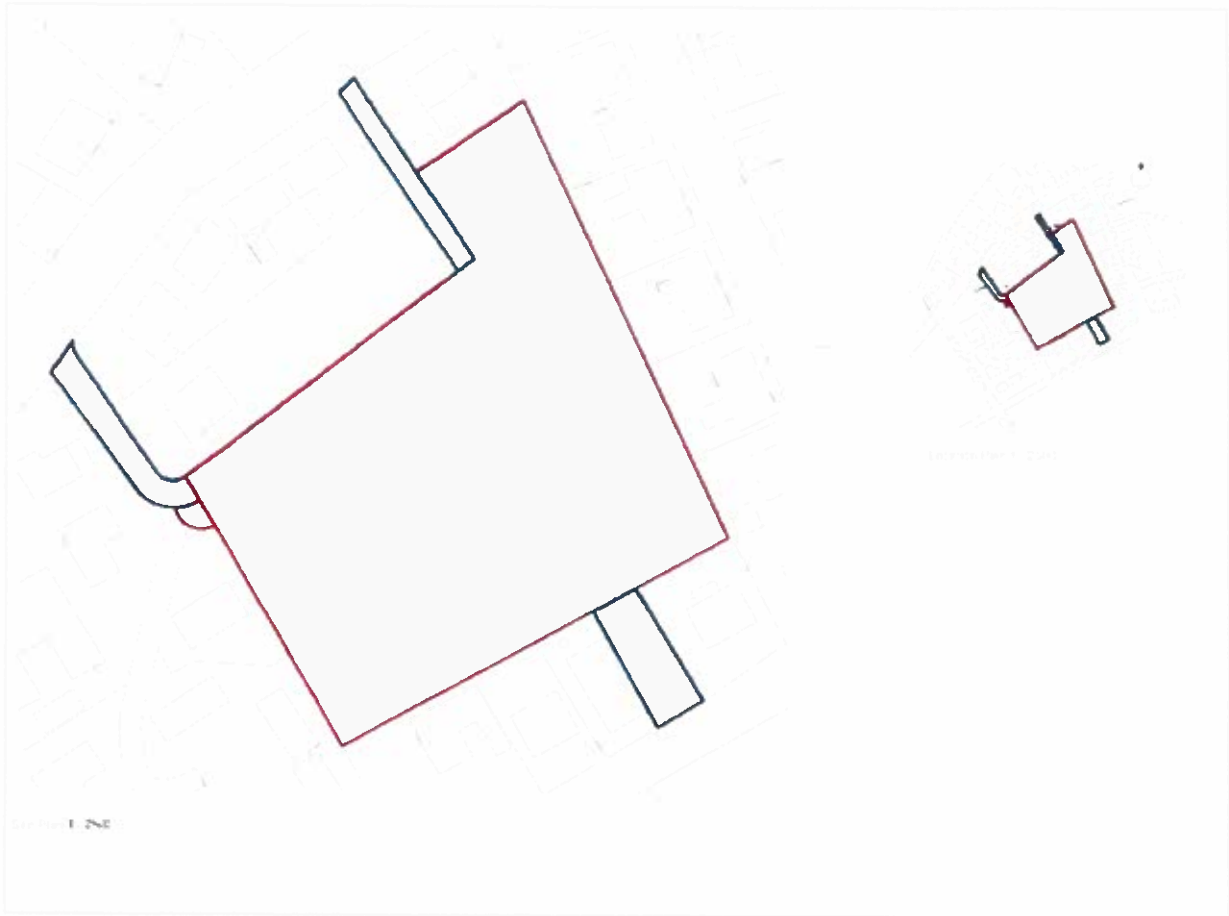
*Residence of Allan referred to in the 1700 charter granted by Captain James Brander Dunbar of Albany and Branderburgh on the 10th March 1700 and the 10th of the Burgh of Lossiemouth and Branderburgh. Given the 10th first day of August 1700. Hence also the 10th 1700*

2000/0000



**Copy of the original 1933 Feu Charter granted by Captain James Brander Dunbar to the Burgh of Lossiemouth and Branderburgh**





***Location of Marine Park and site plan showing the L-shaped park boundary (red) with its three access routes (blue)***

## 2.3 RECENT DEVELOPMENTS

Action Marine Park (AMP) first came into being in 2011<sup>3</sup>. It was formed out of a small group of local residents who felt passionately about the area and who recognised the Park as an underutilised area<sup>4</sup> badly in need of reinvestment. AMP therefore formed with the declared purpose to try and revitalise and refresh the amenities and facilities at the Park. Since AMP is not the owner of the Park, any such revitalisation has to take place with the full co-operation of the Moray Council.

<sup>3</sup>It is assumed that, unless adopted by the Council, Pitgaveny Estate retains responsibility for maintenance of these areas

<sup>3</sup>Action Marine Park (AMP) is a Scottish Charitable Incorporated Organisation (SCIO), registration number SCO43530.

<sup>4</sup>Other than ad hoc use by local children.

## 2.4 PHASE ONE ACTIVITY

True to their word, AMP set about trying to revitalise the Park, and address pressing needs, several years ago. Phase 1 work undertaken by AMP was the refurbishment of the tennis courts. In 2011, these were deemed by Moray Council as being unsafe to play on. In 2013, AMP negotiated an 11-year lease of the courts with the Moray Council and, by 2014, the courts had been cleaned, repainted and had new posts and nets attached. The refurbishment of the tennis courts - which were in a 'terrible state' - was achieved through considerable volunteer effort<sup>5</sup> and was financed by AMP<sup>6</sup> (through fundraising events), by local business donations, and by successful applications for additional grant support from the European Fisheries Fund.

The courts are now very popular with all ages and abilities and the usage is shared by the Lossiemouth Tennis Club<sup>6</sup>, the Moray Council, Lossiemouth High School and the general public<sup>7</sup>. The courts are now a huge asset to the community and to the town and demonstrate clearly the possibilities for other areas within Marine Park.

The work undertaken by AMP has evidenced the potential for community cohesion. The success to date owes much to the bringing together of local people, young and old, in common purpose to work together to regenerate Marine Park. The success of this initial phase in the north-east corner is what the AMP group now aims to achieve in other areas of the Park. The rest of Marine Park is presently an underutilised space offering great potential to accommodate a wide range of outdoor activities. Some of these activities have been casually enjoyed by younger members of the community over many years with little or no support.

Meantime, AMP has also been very active in organising local events, which includes family days<sup>9</sup> and free 'sporting holiday' activities (e.g. tennis, football, putting, basketball<sup>10</sup>) in order to increase awareness and enhance popularity amongst a wide range of the community. This has only been possible through hiring of temporary portaloos and erecting marquee tents. As well as increasing sporting and recreational use of the land, these organised activities have demonstrated tangible social impact, with people of all ages informally networking and interacting and, in doing so, forming new relations.

AMP continues to raise money through its own means and, at the time of writing, is organising a fundraising Race Night. Since AMP currently has no premises of its own, such fundraisers are held elsewhere in the town<sup>11</sup>.

<sup>5</sup>Volunteer ages ranged from pre-school to retirement. Work undertaken by volunteers during Phase 1 included washing the surface of the tennis courts prior to them being repainted; and picking and pointing the walls of the tennis courts prior to new fencing being erected.

<sup>6</sup>Phase 1 of the project could not have been successfully completed without the contribution of volunteers helping with the organisation of event/fun days in advance, then helping during the event/fun day, then helping to tidy up.

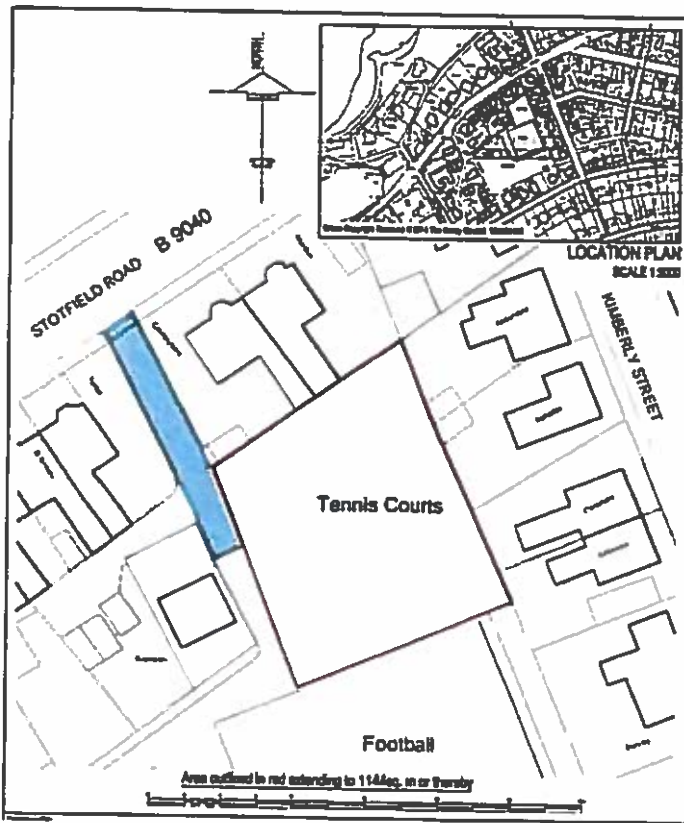
<sup>7</sup>The club was reformed by AMP, but now runs with its own Committee structure.

<sup>8</sup>Since the refurbishment of the tennis courts and the erection of a perimeter fence, this asset has not been subjected to any vandalism whatsoever. This is perhaps evidence of the local community having great respect for all the work that local people have put into the refurbishment.

<sup>9</sup>These occur on Saturdays and offer a variety of activities : e.g. putting, 5-a-side football, beat-the-goalie, target golf, tennis, zorbing, bouncy castle, organised games, BBQ, teas and cakes.

<sup>10</sup>During the summer holidays using temporary equipment.

<sup>11</sup>AMP consciously organises its efforts to support other groups and/or businesses in the town to mutual benefit.



*Location and site plan of the tennis courts showing its access off Stotfield Road in the north-west corner of Marine Park (courtesy of Moray Council).*

## 2.5 CURRENT POSITION

Although some work has successfully taken place in the Park, and associated activities have taken place, the ability of AMP to work co-operatively with the Council to deliver a new vision for the Park, within the context of severe local authority cutbacks, is reaching its limits.

AMP is now at a stage of wishing to take full control of the Park and is currently in discussion with Moray Council regarding Community Asset Transfer (CAT). It is AMP's calculated belief that it can reinvest and better manage the Park in the wider interests of the local community. An 'Expression of Interest' has been lodged and approved to proceed to the next stage. An application by AMP to Moray Council for a CAT, at zero cost, for the ownership of the Marine Park in Lossiemouth has been submitted and, at the time of writing, is under consideration.

Whilst not the principal motivating factor behind the CAT, transfer of the ownership of the asset, rather than transfer under a long-term lease, will enable AMP to pursue resources from funders who insist on asset ownership as part of their investment criteria.

Under the terms of the original deed and the Council's CAT policy, any act of transfer of ownership would require advertisement and public consultation. Any such transfer would have to ensure that the original purposes of the Park (ref 2.1) are upheld.

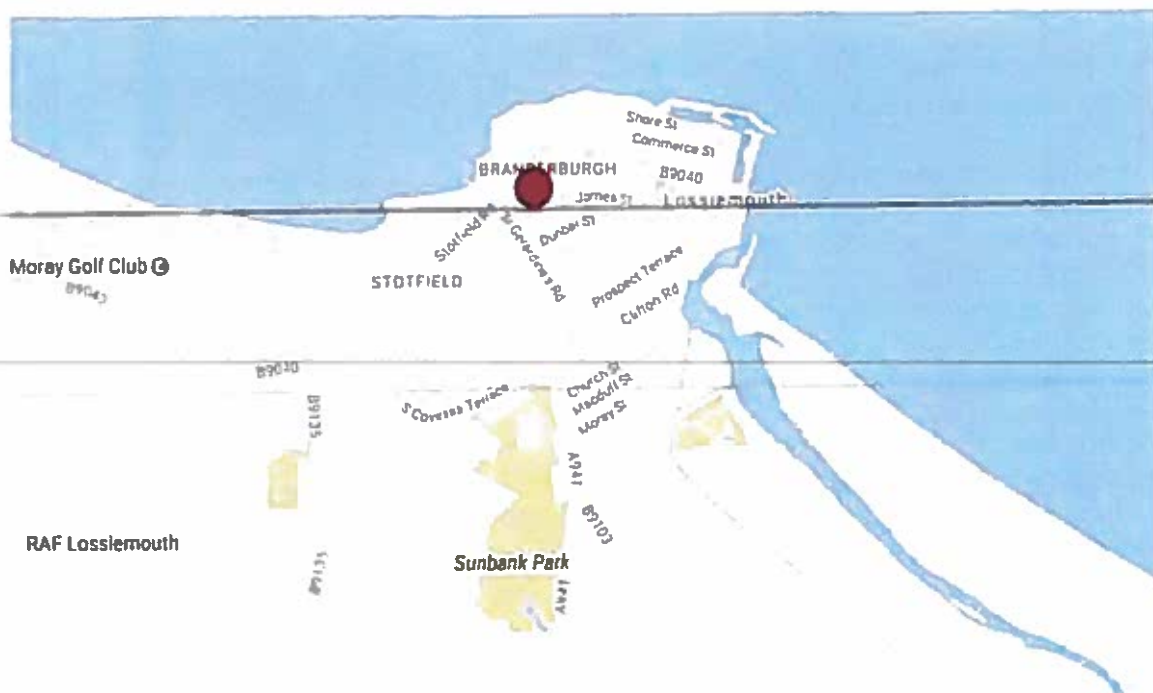
## 3.0 THE PARK

### 3.1 THE SITE

The site is found in the northern section of the town, not far to the west of the main town centre, and immediately south off one of the town's main thoroughfares - Stotfield Road. The c. 0.85 hectare site is mostly a broad rectangle in plan form, laid out along a SW/NE axis, but with a small square piece of land additional to the NE corner (which contains the current tennis courts). The main rectangle of mostly grassed land slopes gradually, yet noticeably, from the SE side to the NW and levels out onto fairly flat ground approx. 2/3 down the site.

The site has 3 main access points : one from the north off Stotfield Road, which is a shared, single but tarred trackway leading to the current tennis courts; a second, also from Stotfield Road, but via the Marine Court cul-de-sac to the west, which is a shared two-way road leading eventually to the Park's tarred service track; and a third, from James Street to the south, which is a grassed piece of ground between two houses at the top of the site.

The site is almost wholly surrounded by residential properties, whose rear gardens mostly back on to the Park, particularly those along James Street to the south, and Kimberley Street to the east; the latter being hard on to the tennis courts and an area presently used for casual football. The perimeter has some intermittent low level planting, which enhances the boundary, but does little by way of screening.



*Map of Lossiemouth showing the position of the site in the north west part of the town*

Source: Google Maps



*Current view looking in from Marine Court. The gentle slope up to James Street is quite apparent, as is the site's enclosure by residential properties.*



*Photo from Marine Court west access showing the former wooden pavilion just prior to its demolition.*



*Current view from the Park's west access point, showing the existing footpath along the north edge. The steel container in the middle of the Park is now a strong feature.*



*Current view looking north down from James Street into the Park. The steel container in the middle is located upon the site of the former pavilion.*

**Plan of the existing site, with the tarred access areas shown in grey.**



## 3.2 THE EXISTING FACILITIES

The most obvious form of facility provision on the site is the tennis courts. During 2015, the tennis courts were completely re-fenced with modern ball park fencing and, in 2016, a new security gate system, powered by solar energy was also installed. The courts are hard against domestic gardens, have no floodlighting, and have been fully accepted by neighbouring residents. Indeed, increased usage of this area by organised groups has enhanced the management and control of the site, with no behavioural issues since arising.

*Photographs showing the tennis facilities improved by AMP and fully operational*



In carrying out Phase 1, AMP helped to re-establish Lossiemouth Tennis Club, who now runs many activities, such as taster sessions, summer camps and coaching sessions. The Moray Council are also now using the courts for afterschool tennis coaching. This has attracted young budding tennis players from the local community who would previously have had to travel out of the town. The courts have also been used by pupils from Lossiemouth High School. In 2016, AMP set up a new 'pay to play' system via the website, so that the tennis courts are available for all to use. However, bookings can only be made online and, until there is a more permanent presence in the Park, AMP believes that it will be difficult to offer an alternative system. Following on from the very successful refurbishment of the tennis courts, there has been an upsurge in participation in tennis among all age groups from pre-school through to retirement.

More recently, AMP has been engaging with local people about the potential for organised football at the Park, and a considerable number of potential users have emerged, including a group interested in the concept of 'walking football'<sup>13</sup>. AMP has become a member of 'Walking Football Scotland' - an organisation which has been set up to help promote the growth of walking football in Scotland. AMP has since loaned out two goalposts and walking football is now an established informal activity in the Park for people of different ages, but is particularly popular with men from their mid-40s to late 70s<sup>14</sup>. A small football pitch has now been informally laid out on flat ground of the former bowling green near the eastern end of the Park next to the garden of neighbouring residence. Due to proximity to domestic property, AMP has been engaging with the users of the Park, especially youths, in order to encourage responsible behaviour.

In addition, AMP has planted some additional shrubbery, secured additional bench seating and bins, and set-up a 'football-golf' trial course.<sup>15</sup>

Other than the tennis courts in the NE corner, and the very recent placement of a steel container near the centre of the Park, the site has little obvious infrastructure. However, a tarred single track still links the western entrance to the position of the former Pavilion (ref. 2.1) and also to the tennis courts. Since the Pavilion was removed only in the late 20th century, it is assumed that the site still has water, electricity, and foul drainage infrastructure below-ground.<sup>16</sup>

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<sup>12</sup> This remote access system has since been copied and adopted by other tennis groups.

<sup>13</sup> Walking football is now a national initiative inspiring an older generation to participate in a slower paced game and ideal for this smaller football area.

<sup>14</sup> Several of the participants have health conditions, such as coronary heart disease, arthritis, dementia, and they are being encouraged by their doctors to take part because of the positive impact it is likely to have on their health.

<sup>15</sup> A cross between the two sports, which involves kicking a ball into hole, rather than using a club.

<sup>16</sup> Atbelt, no longer functioning.



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## 4.0 THE CLIENT BRIEF

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The client group has identified key aims and objectives for this stage and beyond.

### 4.1 KEY AIM

The principal aim is :

*'to regenerate Marine Park to full potential and, in doing so, inspire people in Lossiemouth, whether residing or visiting, young and old, able and less able, to participate in physical activity, sport and recreation, either through organised or ad hoc use'.*

### 4.2 KEY OVERALL OBJECTIVE

The main stated objectives are:

1. maximise the potential of the site
2. create a 'good solution' for a full transfer arrangement
3. meet the key needs of residents and visitors
4. encourage different groups to provide a great community asset
5. be as sustainable as possible
6. maintain flexibility and ability to adapt.

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Other expressed specific requirements are:

1. provide for a range of main outdoor activities
2. provide for a range of smaller outdoor recreational activities
3. provide toilet facilities that can be used by all clubs, groups, and members of the general public
4. create a children's playpark, giving primacy to the development of those with disabilities and support needs
5. introduce a sensory garden, to support the needs of older and less able people
6. provide a suitable area for cycling proficiency tests
7. create landscape aspects, with accessible outdoor seating, leading to environmental improvement.

## 4.3 KEY OUTCOMES

The desired outcomes are :

1. improving health and well-being of users;
2. strengthening the local community and/or local groups;
3. providing volunteering and leadership opportunities;
4. encouraging tourism;
5. promoting active travel;
6. encouraging citizenship and responsible behaviour and social interaction
7. recognising success of participants, where appropriate.

## 5.0 STATUTORY REQUIREMENTS

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If AMP wishes to implement an improvement of the site and/or building, it will have to pursue legal arrangements with Moray Council through the community asset transfer process (ref 2.5). Irrespective of this, in order to realise the redevelopment of the Park, it will likely be necessary for AMP to receive Planning Permission for any Change of Use to land<sup>17</sup> and/or any new structures<sup>18</sup>. If AMP proposes to erect a new building, such as a pavilion, then a Building Warrant from the local authority will also be required before work can commence. In such a case, it will further be necessary for AMP to comply with Construction Design and Management (CDM) Regulations with regard to health and safety.

### 5.1 PLANNING PERMISSION

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A decision on planning approval to redevelop the park and/or erect new structure(s) will be directed by the latest Moray Development Plan (MDP) 2015. Within the MDP settlement of 'Lossiemouth', the Park is deemed to be in an environmentally designated zone (ENV 5) that seeks, under general policy E5, to safeguard and protect the amenity of the open space as a 'sports area'.

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Since Planning Permission can be a complicated process involving a variety of statutory consultees, and also other amenity bodies and/or individuals, the Council encourages early discussion at pre-application stage on all proposals and is willing to engage with developers from the outset. Consequently, a formal Planning Enquiry was made as part of this framework study (See Sect. 6.2 below and Appendix section for further details).

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<sup>17</sup> Continuing to use land exactly as before does not require Planning Permission

<sup>18</sup>That is, depending upon size, scale and purpose. It is noted that AMP gained Planning Permission for siting a metal storage container in the Park in July 2016 (ref 16/00807/APP).

## 5.2 BUILDING WARRANT

New building works, such as a pavilion, will require a Building Warrant before commencing on site. The building regulations were comprehensively reviewed and upgraded in October 2010. Although the Building Warrant stage is further down the line, consultation with the Council Building Standards section took place as part of this framework study (see Sect. 6.2.4 for details).

## 5.3 HEALTH AND SAFETY REGULATIONS

If, say, proceeding with a pavilion, the building is non-residential and, since contract works will likely take more than 30 days, AMP will be required to commission a Health and Safety Plan before works can commence on site, in order to comply with Construction Design and Management (CDM) regulations (2015) – see HSE website for details<sup>19</sup>. The main duty for clients is to make sure that their project is suitably managed, ensuring the health and safety of all who might be affected by the work, including members of the public. This usually involves making sure that sufficient time and resources are allocated and that suitably skilled and experienced duty holders are appointed, as appropriate.

In similar vein, management of the site, such as grass cutting and/or strimming, must be done in accordance with health and safety guidelines in order to protect the operatives and/or members of the public from any harm.

## 5.4 OTHER REGULATIONS

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As well as Health and Safety, there may also be issues regarding other regulations, guidelines, and agency policies. For example, depending upon the final use of the property, it may be necessary to obtain approval from the local Licensing Board, e.g. for consumption of alcohol. If cooking or food sales are involved, then Environmental Health policies and/or Food Hygiene Directives would affect the proposal.

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Although the site does not have a history of flooding, the Moray Flood Team may recommend that a sustainable urban drainage scheme be required for site.

Although the site is on sloping ground, it is not near a watercourse or aquifer, so it is not expected that the proposals will be a concern to the Scottish Environmental Protection Agency (SEPA). However, Scottish Water will need to be contacted regarding a connection to the public water and/or public drainage system.

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<sup>19</sup> [www.hse.gov.uk/construction](http://www.hse.gov.uk/construction)

Since the site had a former pavilion, there is possible need for a land contamination survey, and possible remediation but, given the benign former history (Sect. 2.1) this is thought to be highly unlikely.

The site is not within the setting of a Listed Building, nor in a Conservation Area, so will not likely involve Historic Environment Scotland. The site is not in an archaeological polygon, so is unlikely to concern the Regional Archaeologist, other than the very slight possibility of requiring an archaeological watching brief of any groundbreaking activities.

Since the site has no derelict structures and/or signs of occupation by wild animals, there should not be a need for a bat or badger survey and/or a licence from Scottish Natural Heritage (SNH). Likewise, the managed grass nature of the site is not likely to contain any rare or protected flora species.

Since the site is near an air base, the MoD and National Air Traffic Services should be consulted on any changes to the site that may affect aircraft, but it is not expected that this need will arise.

## 6.0 CONSULTATIONS

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### 6.1 LOCAL COMMUNITY

The strong evidence of community support for the development of Marine Park is available from several community consultations carried out during recent years by several local groups:

#### 6.1.1 LOSSIEMOUTH COMMUNITY COUNCIL

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In late 2013, Lossiemouth Community Council (LCC) initiated plans for all interested organisations, groups and businesses in the town to form a single body to represent and promote plans for residents and tourism. Representatives from over 40 groups and organisations gathered at two community meetings to discuss a wide range of issues affecting the town, with ideas on forming a joint approach towards improving facilities for the benefit of everyone in the community.

Several major points came to the fore; most notably the 'lack of facilities to attract tourists and give them reason to remain longer when they did arrive'. The Community Council has expressed the view that the development of Marine Park would help greatly to address this significant economic issue.

## 6.1.2 LOSSIEMOUTH COMMUNITY DEVELOPMENT TRUST

Lossiemouth Community Development Trust (LCDT) became a registered company in 2014. The Trust identified a list of actions from two community meetings held in 2013 and, in 2015, held a coffee morning and open event, as well as providing an online survey, to ask the community to help prioritise the actions and inform the development of an Action Plan. The Trust's questionnaire used at the event was also distributed to pupils at Lossiemouth High School, as well as being made available online using Survey Monkey.

The results from these surveys informed LCDT's top 5 priorities for both short and long-term projects until 2020. The development of Marine Park was identified as a project of 'long-term' status, and was included in the LCDT Community Action Plan 2015 - 2020 (see Appendix section).

## 6.1.3 ACTION MARINE PARK

In addition to the work carried out by LCC and LCDT, a number of community consultation initiatives have been carried out by Action Marine Park (AMP). Several community information days have been presented at the Town Hall, where young and old have given advice on what they would like to see offered in the park. Consultation with the local community has shown an urgent need for such things as, 'toilet facilities', 'more accessible seating', and a 'play area for children'. There is also a strong desire for 're-establishing a putting green' and 'reinstating the pavilion', as well as 'enhancing the current football area'. A pavilion is deemed vital to support the tennis and football, as well as provide storage, shelter and welfare, and act as a focal point for the site.

The local community continue to be very supportive of the project demonstrating ~~again their wishes to use this positive outdoor space with facilities open to all.~~ As well as support from the above mentioned organisations and individual members of the public and local councillors representing the Heldon & Laich Ward, the project has the support of, Lossiemouth Community Sports Hub, Lossiemouth Business Action, Lossiemouth Millennium Association, St Gerardines Primary School, Hythehill Primary school, Lossiemouth High School, Moray Golf Club, Lossiemouth Tennis club, the local uniformed youth organisations - Boys Brigade, Scouts and Girl Guides - as well as the residents adjacent to Marine Park.

Details of the most recent community consultation carried out by AMP are set out in Appendix section.

## 6.2 MORAY COUNCIL

Since the Council is both current owner of the property and also the Local Authority for the area, consultation took place with several of the Council's Service units.

### 6.2.1 PLANNING

Consultation with local planning officer [REDACTED] (Jan 2018 – ref 18/001814/PE) indicated that the principle of the redevelopment for community and recreational purposes 'could be acceptable'. However, any future application must clearly demonstrate that it complies with the necessary criteria of Development Plan policy.

Various aspects that would require further scrutiny at the future time of Full Application are: transport impact; car parking; detailed design matters; environmental health issues; drainage; any objections/representations raised by neighbours/consultees.

If a pavilion is proposed, it is important that it be 'used for uses relating to the site and is for a community/public use'. It must be 'of an appropriate design' and located sensitively 'so that there are no adverse impacts on neighbouring properties'.

When submitting for Planning Permission, it is anticipated by the Planning Authority that an application will include : a Design Statement <sup>20</sup> a Drainage Impact Assessment<sup>21</sup>; a Noise Impact Assessment<sup>22</sup>; a Light Pollution Assessment<sup>23</sup>; a Public Access Plan<sup>24</sup>. Additionally, the application may have to be screened for an Environmental Impact Assessment<sup>25</sup>.

Developer obligations will not likely be sought towards some public facilities, such as core paths, schools, and health services, but this will be confirmed at the planning application stage.

(See Appendix Section for full details of Preliminary Planning Enquiry response).

<sup>20</sup> Likely submitted by the principal designer.

<sup>21</sup> Likely done by an engineer, including SUDS (<http://www.susdrain.org>) and depending upon the amount of hard surfacing.

<sup>22</sup> Likely done by a specialist engineer.

<sup>23</sup> As above, subject to floodlighting and/or path lighting.

<sup>24</sup> Likely submitted by the principal designer.

<sup>25</sup> This should be done at an early stage.

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## 6.2.2 TRANSPORTATION

The Transportation unit has pointed out that, if the proposals intensify use, then provision of parking within the site (including cycle parking) may be sought. This would most likely be accessed via the opening up of the present pedestrian access off Marine Court to vehicular traffic. Access to the parking area would not be suitable from the existing Stotfield Road access. As a guide, Moray Council Parking Standards state 'Pitches (Football/Hockey) 4.54 per 100m<sup>2</sup> or 10 spaces per pitch (whichever is the greater)'. This implies that a new car parking layout will be required within Marine Park as part of the overall plan.

## 6.2.3 ENVIRONMENTAL HEALTH

The Environmental Health section has not been specific in its response, but has confirmed that, depending on the details of the final proposals, issues to be considered may include noise and/or light pollution, water supply and disposal, air quality, food hygiene, and/or land contamination.

## 6.2.4 BUILDING STANDARDS

Consultation with Building Standards Duty Officer (Dec 2017) resulted in a generally positive response to concept proposals. It was confirmed that any new building must fully comply with current Building Standards, including matters relating access, safety, environment, and space standards, with the likelihood that a new community pavilion must fall under a 'single management regime'. If such a pavilion is to have designated changing rooms, then it will require shower facilities. If it is to be open for public use, then it requires disabled parking within 40m travel of its entrance.

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## 6.2.5 LANDSCAPE SERVICES

The Council's Landscape Services unit, which is currently responsible for managing the site, agree that the Park is 'crying out for redevelopment' and applaud AMP for 'transforming the tennis courts' and 'making tennis a success'. The unit, however, points out that any future maintenance of the site should be done by 'properly trained and qualified operatives and not just enthusiastic volunteers'. The unit also draws attention to knowledge of some ongoing 'neighbourhood unrest' with footballs ending up in gardens – the pitch is currently at the east end and hard against neighbours' walls – and then youths 'not being entirely diplomatic' when retrieving.

Aware of this issue, AMP has deliberately scaled back its encouragement of youth football for the time-being and is currently working with the various parties to find a satisfactory resolution.<sup>26</sup>

## 6.2.6 LEISURE SERVICES

Although being responsible for promoting sport, leisure and recreation through its adopted strategy for Moray (see Appendix section), the Leisure Services unit acknowledges that, due to cutbacks, there has been no investment at Marine Park for many years. However, within the strategy, there is mention of the Council supporting groups to take self-responsibility of their facilities.

In specific reference to tennis, the unit acknowledges that the Marine Park group now is an active participant in the Moray Tennis Forum and is well connected with the Regional Development Officer for Tennis Scotland.

In relation to football, the unit points out that Marine Park area is 'not conducive to a full sized football pitch', although the concept of walking football is fully supported. Walking football is a core activity of the Scottish Football Association's grassroots football strategy- 'The One National Plan'- which has a vision of providing football for life.

# 7.0 FACTFINDING

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Before deciding upon its preferred approach to redeveloping Marine Park, AMP has prudently chosen to research the 'dos and don'ts' through the experiences of others.

## 7.1 VISITS TO OTHER FACILITIES

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Since AMP can clearly learn from other successful community sports and recreation facility ventures in the area, contact was made with representatives of other similar groups that have all gone through modernisation processes: namely, Duffus, Hopeman, Elgin, and Nairn.

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<sup>26</sup> This includes trying out temporary and/or moveable fencing.



### 7.1.1 DUFFUS HALL

Duffus Village Hall is an example of a small rural village hall in the Laich of Moray, being completely rebuilt by the local community after the old timber structure burned down in 1997. A public meeting following the fire determined a consensus that the insurance money be used to rebuilt a new, fit-for-purpose hall utilising Lottery Millennium Project match funding. A Steering Group was established, and it identified former uses to continue with, as well as new uses to foster within a new building. The new hall was built in 2000. Since it sits within extensive community-owned grounds, it has a generous car parking area, an enclosed garden, and a playing field. The hall generates income through : (i) regular rent (mainly from childcare and club groups, including outdoor football), (ii) ad hoc rent (e.g. overnight stays), (iii) hourly or event lets (e.g. weddings, parties, seminars) and (iv) self-run events (e.g. Hogmanay, Burns Suppers, Gala Days, etc.). Marketing is mainly done through adverts, website and newspaper articles. The hall has a caretaker/cleaner and a bookings secretary - on flexible hours at minimum wage - as well as a 'small but excellent' volunteer committee. The Committee addresses repairs on a D.I.Y. basis, and has a long-term investment account for more significant maintenance issues.

Specific design features of note are : (i) doors attractively opening out into field; (ii) shutters over windows providing security and heat conservation; (iii) high internal ceiling for ball sports lets; (iv) good internal storage; (v) plenty tables and chairs ; (vi) small meeting room; (vii) underfloor heating.

### 7.1.2 HOPEMAN PARK HALL

Hopeman Community Association (HCA), which was formed in 1975, meets every month and works for the benefit of local residents. It has taken responsibility for maintaining and administrating the 1929 Hopeman Memorial Hall, which is now well used for a variety of functions. HCA has also taken responsibility for an area of ground adjacent to the east beach, known as Cameron Park. This is currently used for football, skateboarding, and Scout and Guide activities, as well as Primary School events.

Specific noteworthy design features of the hall are: (i) insufficient daylighting; (ii) poor kitchen ergonomics; (iii) changing rooms, not ideally, used for parties ; (iv) geothermal heating not yet fully connected; (v) good external access to large storage area.

### 7.1.3 NAIRN SPORTS CENTRE

Nairn Sports Club is a charitable organisation with a voluntary management committee<sup>29</sup>, but with paid staff. The sports centre is open 7 days per week from 0530 until 2300 (but only staffed from 0900 until 2100) and is available to both subscribing members and

<sup>29</sup> Which includes reps of all user groups

'pay-as-you-go' visitors. The centre has a well-used sports hall<sup>30</sup> (for badminton, indoor football, fitness classes etc), 2 squash courts, 4 floodlit tennis courts, and a sports injury clinic.

Specific noteworthy design features are : (i) centre building has been successfully adapted, e.g. squash courts added; (ii) insufficient changing space and toilet provision; (iii) kitchen too small for functions.

#### 7.1.4 ELGIN YOUTH CAFE

Established by the Elgin Youth Development Group in 1998 with a vision of 'providing a safe haven and personal development opportunities for young people from all social, cultural, and ethnic backgrounds in the local area', the Elgin Youth Cafe (EYC) has developed its facilities considerably over the past decade. EYC opened in 2001 after two years of planning and fundraising and went from strength to strength. Seen as an example of best practice by the Prince's Trust, it now provides a range of activities and projects, including a youth cafe open 4 nights per week, after school clubs, various training courses, outdoor education activities, issue-based sessions, and community projects. Account managed by HIE Moray since 2009, EYC secured a one year lease for the adjoining building in 2012 and, after recruiting a graduate social enterprise project manager through the HIE Talent Scotland programme in 2013, produced a viability plan and business case that led to EYC becoming Moray's first successful community asset transfer of a Council building. This has allowed EYC to expand its range of activities, such as cooking, fitness and health promotions, as well as offer facilities to other groups and provide outside catering. As a result, EYC delivers a multitude of benefits to the wider community, as well as making the company more financially sustainable. EYC is currently looking to expand into its south courtyard and, meanwhile, ODTG has entered into early consultation with EYC regarding the potential of shared biomass heating system - further exploration will take place to ensure the decisions made are viable and sustainable in the long term. EYC is substantially funded (c.80%) by grant making Trusts and organisations, and has won several local and regional Third Sector and volunteering awards.

Specific noteworthy design features of EYC are: (i) main room with ability to divide using sliding wall system; (ii) high ceiling with high levels of natural light; (iii) well laid out, accessible toilets.

#### 7.1.5 ELGIN WALKING FOOTBALL

A 'look and learn' visit to a walking football session in Elgin, organised by the Moray Council, took place in spring 2017. The session provided AMP with a good understanding of the rules and guidelines applicable to indoor walking football sessions and how to structure a walking football session to enable participants to get maximum benefit. Walking football is clearly a good way to get active, have fun and socialise at the same time. Participants can meet new people, avoid becoming isolated, interact with individuals and small groups, as well as improve heart rate and blood pressure, muscle strength, weight ratio, and general mobility. As a result of the visit, one member concluded, 'this is a must activity for Marine Park!'

## 7.2 GENERAL LEARNING POINTS

Visits to the above mentioned facilities have been particularly useful in consideration any future pavilion reinstatement at Marine Park. Also of significant merit is the deeper understanding of how the respective providers operate and maintain their facilities. The emerging themes and/or key lessons learnt from contact with these other providers are:

- Community buy-in is essential to the sustainability of a locally-run facility
  - Having a 'Business Plan' in place can be very beneficial in helping a Management Committee to operate efficiently and with focus
  - The choice of heating system is important, especially since the rising cost of carbon-based fuel is a major financial concern. Renewable energy sources should be considered, as well as maximising energy conservation measures
  - It is sometimes all too easy to underprovide for storage
  - Since uses and user groups change with time, there is a need for community buildings to be as flexible and adaptable as possible.
  - New buildings meet modern requirements, but come with high expectations, and sources and levels of external funding are increasingly tight.
  - Phasing project implementation, and sourcing various external funding packages, can assist the realisation of projects with vision and aspiration.
  - Community buildings can be more successfully sustained if they are run with income generation in mind. Independent facilities require earning their keep, so Committees require keeping fully abreast of community needs, and maintaining high bookings-levels charged out appropriately.
- 
- Community buildings, such as pavilions and halls, all seem to require a main space, a lesser space/meeting room, a kitchen (with direct relationship to main hall), toilets, cloakroom, storage for table and chairs; car parking; waste disposal/service area.
  - Such ventures seem to rely significantly on a small number of dedicated, and skilful, volunteer Committee members. Depending upon income generated, various tasks and roles can rightly receive remuneration either through payment or honoraria.

Whilst other facilities in the Moray area have, of course, their own local circumstances to deal with, AMP can continue learn from their various experiences, both in terms of its physical premises and daily operations.

## 8.0 OPTIONS APPRAISAL

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In order to appraise the best way forward, it is important to consider the range of options available and agree a preferred approach. Due to the extent and scope of this commission, the design detail in the various options is basic, but is sufficient enough to enable early stage discussion and a subsequent appraisal leading to the next stage(s) of development.

### 8.1 OPTIONS AVAILABLE

This section outlines some of the options that are available for consideration. They illustrate the key approaches that could be taken with a community takeover of the site: i.e. status quo; partial redevelopment; full development.

#### 8.1.1 STATUS QUO

It is a reasonable option for AMP to take on the property and continue with the status quo, i.e. two high quality tennis courts and an open park for casual football and other ad hoc activities.

The advantages of this option include: no requirement for building permissions, building contracts or capital investment; free and flexible use of open space; capable of being managed by volunteers; preservation of site made more certain; potential for future adaptation.

The disadvantages include: underexploited site; lack of income<sup>31</sup>; maintenance liability; long-term future uses uncertain; continued 'gap' in town's sport and recreation provision; potential frustration and disappointment in community achievement process; lack of permanent storage; failure to capture current momentum

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#### 8.1.2 PARTIAL REDEVELOPMENT

It is reasonable and, indeed, quite practical for AMP to take over the site and only partially, or incrementally, redevelop the site. For example, it could plant the perimeter of the site, create a play area, lay down some seating, and/or establish a foot-golf course. A limited redevelopment could just operate without a new pavilion and continue using the existing steel container.

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<sup>31</sup> That is, unless profits are made from running local events

The advantages of this option include: added value to site facilities and improved use of site; obvious outcome(s) to community efforts and reward for active citizenship; improved quality of facilities; mix use of open space; capable of being managed by volunteers; minimise equipment requiring storage; no requirement for building permissions, building contracts or capital investment; preservation of site made more certain; flexible uses of areas retained; potential for future adaptation.

The disadvantages include: lack of focal point; lack of welfare for users; lack of quality storage; risk of temporary container becoming a permanent feature; areas of site underexploited; limited income generation; maintenance liability; long-term future uses uncertain.

### 8.1.3 FULL REDEVELOPMENT

Based upon community needs and aspirations (ref Sect 6.1) and the learning points from visits to other facilities in the area (ref Sect. 7.0), the full redevelopment of the site could incorporate the following:

#### (a) Tennis courts

As outlined earlier, Marine Park already contains 2 fenced off tennis courts in the north-east corner of the Park. In order to build upon current success and retain the potential to have tennis competitions with other towns, AMP would like to maintain flexible use of the eastern end of the former bowling green area to possibly create a third tennis court at some point in the future. Without a third court, there is limited use for competitions with other clubs or hosting competitive events, due to the unacceptable waiting time between games<sup>32</sup>.

#### (b) 5-a-side football pitch

A full redevelopment of the site would include a 5-a-side football pitch that, all well as being a level and safe facility for local players of various ages and standards, is suitable for 'mini-league' competitive matches against teams from elsewhere.

The dimensions of such a five-side-football pitch are 25-50m long by 16.5-35m wide, excluding an adequate perimeter area c. 2-5m for players to safely run off the designated pitch and also excluding any spectator viewing areas. Ideally, the pitch should be large and flexible enough to cater for two games occurring at the same time, e.g. during open days; competitions with other towns. Since it will be a large area of level ground, the pitch will also likely be used for other purposes e.g. erecting temporary event items, such as marquees, bouncy castles etc. In order to contain the football, a fence could be erected, but this will have to be weighed up against the potential conflict of maintaining site flexibility.

<sup>32</sup> Refer to Tennis Scotland standards and recommendations

### (c) Sensory garden

A sensory garden is considered to be a feature that will particularly support the needs of older people, such as in the nearby Whinnybank Nursing Home, although it will have undoubted environmental appeal to people of all ages and abilities. At particular times of the day and season, a sensory garden will be place of respite within an otherwise urban environment. As well as various scented plant species, a sensory garden can have various components such as tactile panels, tubular bells, running water, and coloured patterns. A sensory garden also provides opportunity for siting educational and/or interpretation panels, as well as local arts and crafts input. It is understood that a garden of this type will require management and maintenance.

### (d) Mini-golf

Almost certainly taking place on the southern upper level of the site, this will likely be low intensity 'foot golf' or putting (no swinging). The introduction of foot golf – kicking a ball into a target hole - to the park on a trial basis will give people the chance to try out a new activity. It is recognised that foot golf, putting and/or crazy golf in this area will need some form of site management and storage of equipment.

### (e) Children's play area

A carefully designed, eco-friendly playpark will give primacy to the development of children with disabilities and additional support needs - e.g. children from the nearby Ladybird Group in Lossiemouth, which supports pre-school children with additional support needs. As an example, a wheelchair swing will allow for a swing experience whilst staying in a wheelchair and can have a powerful impact on the brain's ability to process and use sensory information. Whilst other parks may allow disabled access the difference here is that the overall design of this playpark will be based on the needs of those with disability with able-bodied also being able to use. This chimes with wider access in that often children with disabilities are denied access to facilities which the able-bodied access on a routine basis. Moreover, a 2017 pilot study by the NHBC Foundation found that 'child-friendly developments make communities better for all'<sup>33</sup>.

### (f) Soft and hard landscaping

The opportunity will be taken to enhance the site to the distinct benefit of the users and the local residents. The perimeter will be planted with a strategic mix of native shrubs and small trees in order to provide an element of sight and sound screening, without eroding the natural surveillance around the Park. Soft landscaping will also be integrated into the sensory garden, playpark and mini golf areas, whilst the new football pitch area will have grassed stepped seating created on the south side. Meanwhile, hard landscaping will be introduced to improve the current footway through the site and create the new car parking area, complete with disabled parking bays. Additional wheel-friendly paths will informally wind their way around the site and cross link the various activities with the three entrance/exit routes for the Park.

<sup>33</sup> See <https://www.nhbcfoundation.org/publication/making-spaces-for-play-on-new-suburban-and-town-developments/>

### **(g) Park furniture**

Throughout the Park, various pieces of 'furniture' will be selectively and strategically introduced. This includes bins, entrance and route signage, bench seating, artwork, outdoor fit gym items, control bollards, low level lighting, bike racks, and waste bins. Depending upon emerging security and safety issues within the Park, there may be the need for erecting entrance gates, as they were previously<sup>34</sup>.

### **(h) Access and car parking**

In order to prevent parking in the neighbouring streets and also make the Park easily accessible to those with limited mobility, the proposals for the redeveloped Park may have to include a new parking area with designated disabled bays, all to Moray Council Roads Standards. If required, this new facility could include access for servicing and maintaining the site. The existing tarred path will likely remain and, as well as providing access across the northern end of the site, could be safely used by learner cyclists.

### **(i) Pavilion**

The current metal container on site is 'bursting at the seams' and offers no shelter or welfare. Some equipment<sup>35</sup> for the Park is currently even being stored in AMP members' houses, and needs to be transported to and from the Park. A pavilion building is deemed crucial to the site in terms of providing a long-term solution for : (a) equipment storage; (b) toilet facilities; (c) site management base; and (d) focal point. A pavilion building would also provide the opportunity of space to rent and, thus, generate income.

Accommodation required in a pavilion includes : a multi-purpose room (suitable for coffee mornings, kids parties, fitness/yoga/dance class, indoor games, meeting place for Jog Scotland Lossiemouth, local BALL group etc); a small meeting room (for 4-6 people); a small kitchen facility (with servery hatch); 1 male, 1 female, and 1 unisex accessible toilet; male and female locker room for 3-4 people ( no showers); an equipment store; a general cupboard (e.g. for tables and chairs etc); a cleaner's cupboard; a plant cupboard. This all suggests a single-storey building with a footprint of c.150-170-sq.m.

Desirable features include : viewing windows/doors out to sports areas; window shutters; solar thermal panels for hot water; geothermal heat for UFH; solar pv with battery storage; high ceiling storage for large equipment (e.g. football goals, basketball stands etc); ground level access for grass cutting machinery; ability to expand (e.g. squash court); ability to include spot lighting and/or CCTV security. (Note: it is not AMP's intention to floodlight any of the sporting zones within the Park).

<sup>34</sup> For example, to either prevent unauthorised access at night or prevent unintentional toddler egress during the day. The remains of the gate from Stotfield Road is still visible on site.

<sup>35</sup> For example, goal posts and tent equipment.

The advantages of this full option include: full use of site and potential realised; gap filled in town's sports and recreation provision; provision of permanent storage and welfare facilities for users; building as a focal point and as a community hub at the heart of the Park; current momentum harnessed and community vision and aspiration fully realised; preservation of site made certain; potential to better manage and control site and also generate income.

The disadvantages include: need for building permissions and building contracts; requirement for major capital investment; need to re-service the site; need for management regime involving volunteers; significant maintenance liability.

Note: since Lossiemouth already has a vibrant bowling club not far elsewhere, it is not AMP's intentions to reinstate the former bowling green (ref. 2.1).



**This option shows a five-a-side football pitch to the east (too close to residents?) and a large pavilion on its former site (but not close to parking). It also shows a new parking area, a play area, a sensory garden, and a mini-golf/putting area**



**This option shows a smaller five-a-side (with its goals away from residential gardens) and a large pavilion (close to tennis and football, but distant from parking and off the former serviced area)**





**This option shows a third tennis court; a large south facing pavilion (too close to residents?); a repositioned five-a-side football pitch with tiered embankment seating; and new car park to the extreme west.**



**This option shows a small pavilion on the west side of a repositioned five-a-side football pitch**



**This option shows a small pavilion on the north side of a repositioned five-a-side football pitch**



**This option shows a small pavilion on the south side of a repositioned five-a-side football pitch (well away from residents, but too close to change in ground levels?)**

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## 8.2 PREFERRED APPROACH

The various options have been presented to the AMP Project Sub-Group and, thereafter, to the full AMP Committee. Following very careful consideration of users, neighbours, and project volunteers, AMP's preferred approach is to deliver a scheme that meets all of the immediate needs and desires of the local community, but still permits considerable flexibility for the Park uses to change and/or adapt over the years ahead.

Since the disadvantages of the status quo outweigh the advantages, it is not recommended that AMP take over the site and then does nothing with it.

Partial redevelopment would be a worthwhile outcome for AMP and would justify the significant effort involved, but would fall short of the community vision and would not conclude the modern inclusive, multi-use site envisaged that will benefit a wide range of locals and visitors alike.

Since the full redevelopment scheme is ambitious, and Marine Park requires remaining operational throughout to maintain user momentum and generate income, implementation of the plan in phases (see 9.2 and 9.4) is the favoured route. Notwithstanding the need for retaining flexibility in the use of the Park, the following key items are earmarked for implementation in order of deliverable priority:

1. Establishment of a main football area<sup>36</sup>
2. Creation of new children's play area<sup>37</sup>
3. Building of a new pavilion, with toilet provision<sup>38</sup>
4. Formation of a new sensory garden
5. Soft and hard landscaping (including mini-golf area(s))
6. Outdoor furniture (including artwork and gym items).
7. Creation of a third tennis court<sup>39</sup> (i.e. subject to identified need).

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<sup>36</sup> Sited on the former bowling green area (and possibly including some fencing and/or some spectator viewing).

<sup>37</sup> Disabled friendly (ref. 8 i.3 e)

<sup>38</sup> Including disability access. The favoured position is in the centre of the Park.

<sup>39</sup> Including fencing.

## Preferred option

Plan of site showing AMP's agreed defined zones of activity in the Park. The exact details of each of these zones will be respectively decided upon in future phases as the initiative progresses.



In order to carry out a full, or even partial redevelopment of the site, AMP's preference is a Community Asset Transfer of the ownership of Marine Park and Tennis Courts without charge. Transfer of the ownership of the asset, rather than transfer under a long-term lease, will enable AMP to pursue funding from sources who insist on asset ownership as part of their investment criteria. A CAT at zero cost will enable AMP to continue with the delivery of the other phases of the preferred masterplan. Under the terms of the Community Empowerment Act and the Moray Council's CAT policy, it is a community's prerogative to request the terms of a CAT. In this respect, AMP has considered the pros and cons of full transfer, as well as intermediate lease solutions.

## 9.0 IMPLICATIONS

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Whilst reaching a decision on how best to redevelop Marine Park, AMP also needs to be factoring in issues relating to the financial and project management implications, as well as the risks involved.

### 9.1 FINANCIAL CONSIDERATIONS

The financial considerations of the preferred solution must concern the costs of operating, as well as the set-up capital costs.

#### (i) Capital costs

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The capital costs refer to the initial outlay to create the preferred option, i.e. land (if any) and construction costs, plus associated development fees, and any necessary loose items.

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An indication of the costs involved in pursuing AMP's preferred option (8.2) is illustrated in Table 1.

Table 1 : Summary of capital costs

Item	Estimate (nearest £1k)	VAT @20%	Total	Comments
Acquisition	0 <sup>40</sup>	0	0	Assuming CAT at nil value
<b>Development</b>				
Professional fees	30 (Architect ; Q.S.; Engineer; CDM Advisor; Energy, noise and lighting specialists; )	6	36	Assuming pavilion included @7% of contract cost Poss further need for specialists if required by statutory agencies
Statutory fees			3	Planning and Warrant
<b>Sub-total</b>	<b>30</b>	<b>6</b>	<b>39</b>	
<b>Construction works</b>				
Parking facilities	35	0	35	Required for disabled access etc.
Pavilion	340	0 <sup>41</sup>	340	Assuming area of 170 sq m
Football pitch	20	0	20	5-a-side standard
Sensory garden	25	0	25	Include element of retaining wall
Accessible footpaths	20	0	20	Required for disabled access
Children's play area	20	4	24	With proprietary equipment <sup>42</sup>
Signage	5	1	6	At entrances and within site
Furniture	25	5	30	E.g. seats, bins, fit gym, artwork
Landscaping	12	0	12	Planting etc
Renewables	10	0.5	10.5	Solar roof panels
<b>Sub-total</b>			<b>522.5</b>	
<b>Utilities</b>				
Water	5	1	6	Liaison with SW required
Electricity	3	0.6	3.6	Liaison with Hydro required
Telecom	2	0.4	2.4	Liaison with BT required
Waste water	3	0.6	3.6	Liaison with SW required
<b>Sub-total</b>			<b>15.6</b>	
<b>Loose items</b>				
Plant-gear	7	1.4	8.4	E.g. grass cutting
Tools	1	0.2	1.2	General maintenance items
Kitchen items	2	0.4	2.4	Microwave, fridge, dishwasher etc
Cleaning equipment	1	0.2	1.2	Mop, bucket, hoover etc
Furniture	3	0.6	3.6	Tables and chairs
Safety equipment	2	0.4	2.4	Fire prevention and first aid
Office items	3	0.6	3.6	Computer, photocopier, stationery
Sports items	15	5	18	Racquets, putters, nets, balls etc
<b>Sub-total</b>			<b>40.8</b>	
Contingency				@5%
Inflation				@2.5%

<sup>40</sup>AMP is seeking to get approval for an asset transfer of ownership at zero cost to avoid starting off with a deficit

<sup>41</sup>New works are VAT zero-rated.

<sup>42</sup>Noted that donations to 'restricted funds' have already been made towards this purpose.

As can be seen from Table 1, the total predicted cost of creating the preferred overall redevelopment of the Park is :

Purchase **£0k**<sup>43</sup>; Development Costs c.**£40k**<sup>44</sup>; Construction works c.**£525k**<sup>45</sup> (+ 5% contingency and 2.5% inflation costs); Utilities c.**£15k**<sup>46</sup>; and Loose items c.**£41k**<sup>47</sup>.

Since it will be a sizeable financial challenge to fundraise the overall amount, it is recommended that the project be considered in discrete phases (see below 9.2 and 9.4).

(see also separate Business Plan for additional information).

## (ii) Sources of funding

When weighing up a preferred option for redevelopment of the Park, sources of funding need to be considered in terms of deliverability. Quite clearly, the more aspirational the project's scale and vision, the costlier it likely becomes; in which case, external funding becomes more critical to success. Fortunately, the work of AMP has received a positive response and funding support has previously been received from the EU Fisheries Fund, the Moray Towns Partnership, BP, Diageo, the Co-op, and various local benefactors. This proves that (i) the Marine Park redevelopment project is attractive to a range of funders; (ii) the project meets external funding criteria; and (iii) AMP is capable of drawing down outside funding.

Moving forward, a funding 'package' will likely be the only mechanism for achieving the main aim, probably compartmentalised in discrete phases, and this will entail continuing to apply to a range of funders and benefactors, as well as the need for some more local community fundraising, e.g. up to 5% of project cost.

Judging by the nature of the aim and options presented, the project is likely to appeal the likes of SportScotland and Tennis Scotland. During the summer of 2016, Tennis Scotland visited Marine Park and was so impressed with AMP in the refurbishing of the tennis courts and with the progress of Lossiemouth Tennis Club that they expressed intentions, where appropriate, to support the further development of tennis in Marine Park.

On account of the project's tourism potential, aspects of the initiative may suit the criteria of Highland and Islands Enterprise (HIE) and the EU LEADER programme.

<sup>43</sup>This assumes a successful CAT at no cost to AMP (although there may be some minor legal costs).

<sup>44</sup>This assumes the need for professional input. The final fee percentage will depend upon the actual level of services required.

<sup>45</sup>Construction works assumes the need to re-establish a permanent pavilion. New construction works are currently VAT zero-rated, whereas works to existing buildings are VAT at 20% (renewables at 5%). No allowance, at this stage, has been made for a third tennis court.

<sup>46</sup>Note : these are only budgetary figures and AMP will be required to engage directly with the respective Utility Providers in order to receive firm quotations for any reconnections and/or new provisions.

<sup>47</sup>Loose Items will be subject to AMP's own specification and would not be part of a formal building contract.

Several funders, such as the Big Lottery, Private Trusts or Wind Farm Benefit Fund distributors<sup>48</sup>, will likely recognise the more direct community and/or social and health benefits (see Sect. 10 below).

Either way, AMP should recognise that the contemporary climate for external funding is extremely competitive and that only the strongest cases specifically addressing funder criteria stand any real hope of success.

Meanwhile, the current Moray Development Plan indicates that 'developer obligations<sup>49</sup> may be sought towards facilities such as sports and leisure' in the town, so AMP could be eligible to benefit from the provision of specific development mitigation.

### **(iii) Revenue costs**

AMP will, no doubt, aspire to operate in a business-like fashion in order to ensure financial sustainability (see separate Business Plan). Identifying overheads is important towards starting off on the right financial footing. An asset transfer of ownership at no cost (ref 9.1.(i)) will allow AMP to use its current balance to meet the costs it will incur in the first year of operation (see separate Business Plan for account info).

Should a takeover of the site proceed, there are certain ongoing costs that AMP will incur, which are generally unavoidable and not greatly within the organisation's control. Those will likely include public liability and assets insurance, electricity, telephone(s), servicing, heating, landscape management, health and safety, audit and rates.

Due to the nature of the project aim, it is unlikely that AMP will require permanent paid staff until such time as a pavilion is complete, but some contract work may be necessary and/or some volunteers, such as cleaners or administrators, may merit an appropriate honorarium.

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<sup>48</sup>For example, the Moray Firth Beatrice Wind Farm Community Fund.

<sup>49</sup>Developer obligations, which are often met in the form of financial contributions, are designed to try and ensure that the impacts of development upon local infrastructure are suitably mitigated.

*Table 2 : Summary of anticipated annual overheads*

Item	Overhead (£)	Comments
Heating and electricity <sup>50</sup>	2000	Assuming pavillion built
Telecom	400	Assuming pavillion built
Rates/water	1100	Assuming pavillion built
Insurance	1600	Assuming pavillion built
Servicing	400	Assuming pavillion built
Cleaning	2500	Assuming p/t cleaner
Grounds maintenance	5500	Assuming qualified contract workers
Repairs and maintenance <sup>51</sup>	300	Low in early years, but likely to rise
Training	250	E.g. role of Trustees
Fundraising	1500	Based on current outlay
Marketing and promotion	350	Assuming done by volunteers
Sundries/miscellany	250	
Professional	600	E.g. audit, legal
Contingency	500	
<b>Sub-total</b>	<b>17,250</b>	

The figures above are based on figures and experiences of other similar buildings/ventures in the area, along with AMP forecasting

The above table indicates that AMP's annual overheads after the redevelopment of the site may be in the region of c.£17.25k p.a. However, AMP has aspirations to have a p/t park keeper costing between £4k to £11k.<sup>52</sup>This being the case, annual overheads will be in the range of c.£21-£28k.

#### (iv) Income sources

AMP is well aware of the importance of income generation, and the potential for this must be at the forefront of any final decision-making and project commitment. Along with the need to sustain local volunteer interest, the relationship between the initiative's ongoing expenditure and income is vital to the long-term success of the project. Consequently, AMP must consider every potential opportunity for generating income. Fortunately, AMP has so far built up a credible record of local fundraising by holding regular fundraising events, such as cellidhs, coffee mornings, quiz nights, and tombolas and, in 2017, AMP had a current bank balance of c.£10k(see separate Business Plan). That is, depending upon the hours of engagement.

<sup>50</sup> This excludes paying for any parking or footpath 'street lighting'

<sup>51</sup> This figure, will of course, vary from year to year, and should be re/at vely small in the early years of redevelopment.

<sup>52</sup>That is, depending upon the hours of engagement.



Most of the new resources, assets, facilities, and activities will be available on a 'pay to use' basis, thereby enabling income generation<sup>53</sup> and a summary of the potential income is presented below.

*Table 3 : Summary of anticipated annual income (2020)*

Item	Income	Comment
Tennis	1000	54
Football	1000	55
Local fundraising	7000	56
Donations	1500	
Pavillion use <sup>57</sup>	6000	E.g. private parties/classes; group meetings
<b>Sub-total</b>	<b>16500</b>	

The above table indicates that, with successful implementation of its vision and subsequent creative marketing, management and letting of its assets, along with continued support from local benefactors, AMP could expect to accrue an annual income of between c.£ 15-20k.<sup>58</sup>

(see separate Business Plan)

#### (v) Profit and loss

The above summaries of income and expenditure identify that, subject to the forecasts having sufficient accuracy, AMP should just be able to sustain the initiative successfully, i.e. unless it overstretches itself through commitment to paid staff. Clearly if AMP want to employ someone to manage the Park, even on a p/t basis, then very careful business planning is required<sup>59</sup>.

In terms of overheads, the building of a pavillion has major implication, in that it will require management, heating and lighting, regular maintenance and servicing, insurance and security, and so on. On the other hand, the pavillion is deemed critical by AMP to the successful operation of the Park (ref. 8.2) and, once built, a pavillion will provide facilities that could, in themselves, result in income generation (ref. 9.1. (iv)). Meanwhile, AMP is a not-for-profit organisation, so any positive balance at the end of each year will be used to sustain the Park in accordance with its constitution.

<sup>53</sup> In the community spirit of the initiative, and in relation to AMP's aims and objectives, the level of charges set will be such that they should be affordable to all.

<sup>54</sup> Past figures and AMP forecasts have varied from £800 to £1250.

<sup>55</sup> Based on AMP forecasting.

<sup>56</sup> Past effort has varied between £6k to £10k.

<sup>57</sup> Based on AMP's own forecasting.

<sup>58</sup> The main fluctuation being the ability to keep attracting donations.

<sup>59</sup> Rather than risk entering into long-term deficit through contractual commitment, AMP should explore avenues of how best to engage the services of a park-keeper.

In terms of overheads, the building of a pavilion has major implication, in that it will require management, heating and lighting, regular maintenance and servicing, insurance and security, and so on. On the other hand, the pavilion is deemed critical by AMP to the successful operation of the Park (ref. 8.2) and, once built, a pavilion will provide facilities that could, in themselves, result in income generation (ref. 9.1. (iv)). Meanwhile, AMP is a not-for-profit organisation, so any positive balance at the end of each year will be used to sustain the Park in accordance with its constitution.

## 9.1 PROJECT MANAGEMENT

All of the AMP committee members devote a substantial amount of their own time and efforts to fulfil the aim of the group for the benefit of the community of Lossiemouth and the wider area. The Phase 1 refurbishment and upgrading of Marine Park tennis courts is testament to the dedication and commitment of the growing AMP group.

One of the strengths of the AMP is the quality of its Board and membership. AMP comprises of various people from the local community who are knowledgeable, well-connected, and driven to succeed. This will be important, especially when it comes to pursuing a Community Asset Transfer and then external funding applications<sup>60</sup>.

This collective knowledge, skills and experience embraces, among other things, resource management – (physical, human & financial)), project management, risk assessment and management, marketing & communications, quality management, quality improvement, equality & diversity and sourcing and managing external funding.

(See Business Plan for full biographies)

AMP currently effectively operates 3 sub-groups : (i) football; (ii) events; and (iii) CAT development, all of which report back to the main Board group on a regular basis (see separate Business Plan for details).

<sup>60</sup>Possibly with the help of a p/t development officer.

<sup>61</sup> At the most recent AGM, an additional two new Trustees, with media, sales, and plumbing/heating skills, were identified to augment the current group.

The regeneration of Marine Park will likely be implemented on a phased basis over several years (ref. 8.2 and see 9.4)). These can be broken down into a number of discrete capital projects (ref. 8.2 and 9.1). However, in order to take the preferred option through to fruition, AMP will likely appoint a Contract Administrator from within the professional project design team and/or employ a Project Manager<sup>62</sup> to see the initiative through to fruition.

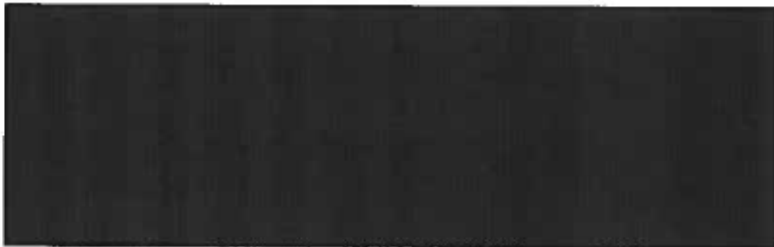
Yet, simply redeveloping the Park, and providing renewed facilities, does not create a successful, community-run sports and recreational hub. The project's development, from its set-up to a fully-fledged sustainable venture, will require a carefully handled transition period. Since it is currently dependent upon enthusiastic volunteers, who may run the real risk of 'burn-out' (see 9.3 below), AMP should consider external funding for the appointment of a part-time support and development officer<sup>63</sup>.

Although in its infant stages, AMP needs to acknowledge that the project will also require marketing and promotion, both during its earliest times of commencement and also as an ongoing necessity (see separate Business Plan).

Furthermore, early consideration needs to be given to the day-to-day management of the project and whether any or all of the operations will involve voluntary, paid staff, or task contracted workers.

Finally, AMP also needs to consider the need for ongoing monitoring and evaluation processes at various stages of the project.

AMP can be contacted at:



Website [www.marineparklossie.org](http://www.marineparklossie.org)  
Facebook [www.facebook.com/ActionMarinePark](https://www.facebook.com/ActionMarinePark)

<sup>62</sup>Possibly with the help of a p/t development officer.  
<sup>63</sup>E.g., on a 16 hour p.w. basis.

## 9.3 RISKS

Although still at an early stage, AMP should seriously contemplate the risks involved before proceeding much further.

For example:

**(i) The Council may not approve a CAT application.** However, given that the site is more of a liability than an asset and, under the conditions of the 1930s transfer (ref. 2.1) cannot be used for significantly alternative uses, it is not likely that the CAT will be rejected

- low to medium risk

**(ii) The Planning Authority may not approve a planning application.** However, there is a very high level of support for the AMP project throughout the Lossiemouth community, so an application may result in few, if any, objections. Throughout Phase One refurbishment within Marine Park (ref. 2.5), regular discussions were held with the residents adjacent to Marine Park. To date, the residents adjacent to Marine Park have been enthusiastic in their support for the project. Only one resident has made a complaint – in relation to footballs hitting trees/bushes at the bottom of his garden (ref 6.2.5). This risk will be addressed through the way in which a football area is created within Marine Park as part of its transformation (ref. 8.2). Throughout the ongoing delivery of the project, the AMP Trustees will continue to liaise and communicate on a regular basis with the residents adjacent to Marine Park, so that any issues raised can be dealt with at a very early point in time before they reach the stage of becoming grounds for objections. However, it may well be the case that other agencies or stakeholders raise objections that AMP will have to address. To help mitigate this risk, pre-application discussions will take place with staff from the Moray Council Planning Department. This has already begun as part of this Framework Study and the feedback of the Local Planning Authority is, in principle, highly positive (ref 6.2.1 and Appendix sect)

- low to medium risk

**(iii) The Council may not approve a Building Warrant.** However, since this is primarily a technical matter (ref. 6.2.4) this should be surmountable (even if it results in additional cost)

- low risk

**(iv) External funding might not be fully achieved.** The AMP Trustees are very aware that in the present economic climate the market for external funding is extremely competitive. Failure to achieve the quantum of funding required from external funding organisations/grant awarding bodies, or any delay in achieving funding, could significantly increase the time that it will take to

complete the delivery of the project. Before any application for funding is prepared and submitted, discussions should take place with the funding body to confirm that an AMP application is one that it could seriously consider supporting and to clarify the current funding criteria that any such application would have to meet. This pre-application work should help to inform the preparation and submission of a strong case(s) that addresses the funder criteria. Tennis Scotland has already indicated that it would very likely consider an application for funding in relation to a pavilion. Several of the AMP Trustees and volunteer helpers have previous experience of successfully applying for funding to external funding organisations/grant awarding bodies, which should prove to be of great benefit to AMP over the next few years. Nevertheless, achieving the necessary external funding will be an uphill struggle for AMP requiring considerable skill and determination

- high risk

**(v) The building process is likely to be difficult at some stage.** Following on from 'Look and Learn' visits to successful community development projects in Nairn, Hopeman and Duffus (see Sect 5.0), the AMP Trustees decided that external main contractors will be appointed to deliver each 'mini' capital project (ref. 9.2). In accordance with the CDM Regulations (ref 5.3) AMP will appoint suitably qualified professionals to advise, project manage and deliver the various aspects of the overall project. Such professionals will liaise with/report to a nominated AMP Trustee on a regular basis

- low to medium risk

**(vi) The post contract maintenance period may be onerous.** Failure to obtain any necessary completion approval from the Moray Council would result in delays in making the new asset available for public use. To help reduce this risk, the main contractor/project manager will have to ensure that all work carried out is in accordance with the terms and conditions of planning permission and other warrants. Defects may well arise during the course of the first year following the completion of any work carried out, which would involve the contractor having to return and remedy. Provision for this will have to be agreed with contractors before the commencement of any work and included in writing in signed contracts. However, if properly set up by suitably qualified professionals, this issue should be readily dealt with

- low risk

**(vii) The initiative is not run on a financially stable footing.** Judging by the financial predictions above (9.1) the project will have narrow margins of profit and loss, even without the appointment of a site manager. Consequently, if not careful, AMP could find itself operating unhealthily at a loss year on year. This, however, can be mitigated against by assiduous book-keeping, prudent business planning and regular monitoring

- medium to high risk

**(viii) The effort the project requires may result in volunteer fatigue.** If the project falters and/or drags on as a result of meeting a series of difficult obstacles, then volunteer enthusiasm will inevitably wane. Also, if the project depends upon the resolution, determination and time of only a limited few people, then there is real danger of individuals 'buckling' under the 'weight' of responsibility. Moreover, volunteer effort towards the project will be influenced by personal circumstances, most of which may be outside the control of AMP. Consequently, AMP will require an operational strategy in place that (a) spreads the 'load' across as many Trustees and/or Members as possible; (b) identifies the right people for the right task at the right time; (c) continually seeks out 'new blood', as part of an agreed succession plan

- medium to high risk

(Note : see separate Business Plan for assessment of the longer term financial risks)

## 9.4 PROJECT TIMELINE

Although it is uncertain how long the processes of acquisition, planning, building warrant, securing external funding will take, it is worthwhile setting an indicative timeline for the delivery of the capital works as presented below:

*Table 4 : Indicative timeline*

Month/year	Task	Responsibility
<b>Aug 2018</b>	Acquisition	AMP/Council
<b>Sept</b>	Outline application	AMP/agent
<b>Oct</b>	Project costing	AMP/Project Manager
<b>Nov</b>	Capital funding applications	AMP/Dev Officer
<b>Feb 2019</b>	Phase 2 – football pitch and perimeter planting	AMP/Project Manager
<b>March</b>	Project costing	AMP/Project Manager
<b>April</b>	Full planning application - pavilion	AMP/agent
<b>May</b>	Capital funding applications	AMP/Dev Officer
<b>June</b>	Phase 3 – play area	AMP/Project Manager
<b>July</b>	Building warrant application	AMP/agent
<b>Aug</b>	Project costing	AMP/Project Manager
<b>Sept</b>	Capital funding applications	AMP/Dev Officer
<b>Feb 2020</b>	Phase 4 – pavilion and car parking	AMP/Project Manager
<b>March</b>	Project costing	AMP/Project Manager
<b>April</b>	Capital funding applications	AMP/Dev Officer
<b>Aug</b>	Phase 5 – sensory garden	AMP/Project Manager
<b>Oct</b>	Capital funding applications	AMP/Dev Officer
<b>Feb 2021</b>	Phase 6 – putting, fencing, artwork, interpretation	AMP/Project Manager

The above table shows the overall project spread realistically over a three-year period. The project may not, of course, necessarily follow this timetable, depending upon the respective responses from users<sup>64</sup>, neighbours, the local authority, and funders. Nevertheless, in terms of planning ahead, a projected timeframe with key milestones is a useful aid to project management.

## 9.5 NEXT STEPS

A formal approach to the Moray Council for consideration of a Community Asset Transfer has been made. Recent law makes it easier for communities in Scotland to take over land or buildings that are currently in public ownership. The asset transfer section of the Community Empowerment Act (Scotland) 2015 allows community-led organisations to request to buy, lease or use any land or buildings belonging to local councils, Scottish Ministers, and a range of other public bodies<sup>65</sup> (see Sect. 11.0 and Appendix section). Requests must be agreed unless there are reasonable grounds for refusal. However, applicants must show how they will use the land to benefit the community, and Moray Council usefully offers guidance and support to communities on how to make strong, successful bids. If approved, the Council and the AMP would then enter into a legal agreement.

Future steps in the process would necessarily involve a Planning Application - which will involve a further stage of statutory consultation - soon followed by a Building Warrant application and a Health and Safety Plan (ref Sect. 5.0).

In order to speed up the development process and save initial outlay, there is some merit in submitting a full planning application for the site, but specifically reserving the matter of any pavilion building, i.e. other than its location 'in principle'<sup>66</sup>. This would allow the various land use changes, such as the football pitch and play park, to advance without necessarily being held up by the building design process. Detailed permission for the pavilion can later be applied for once taken through the design and development stage. Alternatively, planning permissions will have to be acquired for each step of the site's redevelopment.

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Subject to permissions being granted for the various works (ref. 5.1 and 5.2) and sufficient funding being sourced (ref. 9.1), contract works would be appropriately tendered and assessed and a principal contractor appointed. In compliance with the CDM regulations (5.4), the contract works would be administered and certified by those professionally qualified to do so.

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<sup>64</sup>See <http://www.gov.scot/Topics/People/engage/AssetTransfer>

<sup>66</sup>This matter can be further discussed with the Local Planning Authority in due course.

## 10.0 PROJECT BENEFITS

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The redevelopment of Marine Park for sport, recreation, and community gatherings would bring demonstrable benefits to Lossiemouth. Firstly, it would be an opportunity to address the negative issue of an underused space for social, sporting and health-related activities in the town centre. Secondly, it would also provide a recreational, tourist facility that is strategically located in the town between the principal shops, the harbour area, the golf course, and the RAF base. Thirdly, there is the potential to enhance the environment of an open area that is surrounded by residential buildings.

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*"The value of sport and recreation to the UK economy is enormous".*  
SRA, 2016

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Further benefits include:

- (i) **Economic** – since Lossiemouth can usually draw hundreds of people most weekends, the project has potential to cater for visitors, will augment Lossiemouth’s tourist appeal, and add to the pool of outdoor attractions along the Moray coast. Rather than duplicate existing facilities, the Park’s offerings, such as organised events, taster sessions, and equipment hire, will dovetail with the nearby recreational facilities (e.g. 18-hole golf and caravanning) and provide additional reason to visit and stay in the town of Lossiemouth. It will also provide some p/t employment opportunities, such as janitorial and cleaning, plus seasonal work. As referred to in the MCPP’s Physical Activity Strategy, a facility such as a regenerated Marine Park can help to make Lossiemouth and Moray a ‘great place to live, work, play and visit’.
- (ii) **Social** – the project is a main item within the Lossiemouth Community Action Plan, so its success will have considerable implications for local confidence and self-belief, as well as improving social cohesion and active citizenship. The very process of the project has potential to enhance local morale and provide further evidence of its ability to tackle major challenges<sup>67</sup>. In addition, the project would fit with the local schools ‘Curriculum for Excellence’ programme<sup>68</sup>, since the site has a distinct offering, particularly relating to social skills and personal learning development. An introduction to sporting activities in Marine Park at an early age will help young people to develop natural sporting talent, aptitude, ability, and skill. Participation in sport and competition will also help them to develop confidence and ambition and the interaction with a wide range of age groups. The project, by acting as a venue for health activities such as a base for the local BALL (Be Active Lifelong) group or organised jogging and health walks, also offers considerable opportunity for tackling obesity and general health improvement. The proposed sensory garden will be beneficial to children and adults, especially those who have sensory processing issues, including autism

<sup>67</sup>Previously, the town has successfully tackled the challenges of threat of closure of the RAF base, the sale of the historic lighthouse, and the breaching of the harbour wall.

<sup>68</sup>The site is in near proximity to St Gerardine’s Primary School, Hythehill Primary School, and Lossiemouth High School.



and other disabilities. It also has great potential for bringing townspeople together in common purpose to provide and maintain a new facility, or to share local knowledge and information. By bringing a wide range of people together, the project offers considerable opportunity for inter-generational and mixed-ability activity and interaction, with further potential to enhance tolerance and respect, social skills, group or individual confidence, and community cohesion, as well as reducing isolation<sup>69</sup> and anti-social behaviour.

**(iii) Environmental** – the redevelopment and management of the site by local community members should ensure ongoing commitment to high standards of environmental commitment and, on the basis of successful ventures elsewhere, a community takeover of the site should give rise to an increased 'buy-in' towards having pride in it. Therefore, the quality of the local environment is likely to be safeguarded to best ability. Improving the site itself, with the addition of new facilities, new accessible surfaces and mixed planting, as well as a new management regime, will enhance the aesthetic atmosphere, increase local biodiversity, and improve general quality of life. The project is also an ongoing opportunity to be raising awareness and, indeed, leading by example, in environmental responsibility and reducing CO2 emissions by promoting renewable energy, non-motorised travel, the use of natural and/or low embodied energy items, and high levels of recycling.

**(iv) Cultural** – the town of Lossiemouth has very strong historical, visual, functional and emotional connections with the site that would be retained, to a large extent, through community ownership. The creation of a community and recreational hub, of whatever scale, would further strengthen that historical bond. As well as providing opportunity to enhance contemporary culture within the town centre, a new facility will also have the potential to celebrate the town's historical connections with the sea, the harbour, the railway, and RAF, e.g. through the use of art, interpretation, signage, advertising, event branding etc.

A project, therefore, to take community ownership of Lossiemouth's Marine Park has multi-faceted benefits, both for the very local community and the wider region.

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*"Sport and recreation provides social value in its direct benefits of boosting productivity, individual and community development, as well as reducing the burden of ill health on society".*

**Sport and Recreation Alliance, 2015**

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<sup>69</sup>Unfortunately, one of the features of life in the 21st century is social isolation. A regenerated Marine Park could play an important role in addressing social isolation for all groups.

## 11.0 STRATEGIC FIT

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*"We see a Scotland where sport is a way of life, where sport is at the heart of Scottish society, and has a positive impact on you and your community".*  
**SportScotland, 2015**

Strategic policy documents at both the Scottish and regional levels provide a strong and supportive context for AMP's Marine Park project. At the national level, the proposed project plan would take forward most aspects of the Scottish Government's 16 national outcomes, as well as 6 outcomes for Active Scotland (see Appendix for details). Therefore, albeit in a small way, the proposed Marine Park project at Lossiemouth would contribute towards the overall aim of 'making Scotland a better place to live and a more prosperous and successful country'. The Government also seeks 'strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others', which is a distinct feature of the Marine Park initiative. Key national indicators that are relevant to the AMP project include : (i) improving neighbourhoods; (ii) providing access to local greenspace; (iii) increasing people's use of the outdoors; as well as those relating to (iv) child well-being; and (v) health improvement.

Also at the national level, SportScotland's Corporate Plan promotes 'raising the bar', offering both 'participation and performance,' and the concept of delivering local community sports 'hubs'. All of these objectives are relevant to the Marine Park project, in that AMP will operate and manage the park as hub site that promotes wide participation, yet fosters performance, where appropriate . In doing so, and where particularly appropriate to certain individuals in the community, AMP will play a positive role in Health Scotland's Physical Activity Pathway and support individuals to be regularly active.

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*"Being active regularly can help prevent or manage  
over 20 of the most common chronic medical conditions".*  
**Health Scotland, 2013**

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<sup>3</sup> Especially in tennis

The Christie Commission Report (2011), which reviewed the delivery of public services in Scotland, identified the need for local authorities to 'prioritise prevention' and urged public sector organisations to work together, and with local communities, towards improving services and facilities. The Community Empowerment Act (2015) expresses the Government's desire for community-based organisations to take control over publicly-owned buildings and/or land, either by buying or renting, where they can be put to better use for local people<sup>71</sup>. AMP's initiative at Marine Park can exemplify such national objectives.

At the regional level, Moray 2026 is the overarching plan for Moray's Community Planning partners. The current 5 priority areas are: (i) growing a diverse and sustainable economy; (ii) healthier citizens; (iii) ambitious and confident young people; (iv) adults living healthier, sustainable independent lives; (v) safer communities. Judging by AMP's proposals and ambition, the Marine Park initiative can contribute towards all of these, albeit in a modest way.

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*“Community leaders believe that fundamental changes need to be delivered to ensure that Moray is a great place to live in 2026, and are determined to do all they can to target public funds towards the areas that will support change and maintain the high quality of life already enjoyed by many of Moray's communities”*  
**Moray 2026**

”

The Moray Tourism Strategy<sup>72</sup> (2014) identifies the importance of tourism in the Laich of Moray and urges a collaborative approach to tourism provision in order to grow the volume and value of tourism in the area. The current Moray Development Plan (MDP) (2015) states the strategic objective for Lossiemouth to 'take full advantage of the town's tourism potential'. The MDP also identifies the site at Marine Park as 'making a positive contribution in terms of environment and amenity' and it is a further objective that 'natural areas which contribute to the town's character are retained and enhanced'.

Meanwhile, the Moray Sports and Physical Activity Strategy<sup>73</sup> (2017) aims to 'inspire people in Moray, residing or visiting, young and old, able and less able, to participate in physical activity/sport', with its key outcomes focused upon: (i) improving health and well-being<sup>74</sup>; (ii) strengthening communities; (iii) providing volunteering and leadership opportunities; (iv) encouraging tourism; (v) promoting active travel; (vi) recognising success. As referred to earlier (Sect. 4.0) AMP's vision for Marine Park holds similar aspirations. Effective promotion of the range of sport and recreational facilities available in the Park should help to encourage people who do not usually take part in physical activities to become more actively involved.

<sup>71</sup>Asset transfer legislation came into force in early 2017.

<sup>72</sup>Developed as a sub-strategy to the Moray Economic Strategy.

<sup>73</sup>It is noted that the Moray Sports and Recreation strategy dovetails with various other Council strategies and plans: viz; Outdoor Access Strategy; Early Years Strategy; CLD Plan 2015; Moray Children and Young People's Services Plan 2013-16.

<sup>74</sup>The various sport and recreational facilities that will be available in the park e.g. tennis, 5 a side football, walking football for seniors, cycling (for children from pre-school to P 7), foot golf and so on, will militate against sedentary lifestyles.

The Community Safety and Anti-social Behaviour Strategy for Moray (2016) acknowledges that 'strong communities are able to contribute towards tackling community safety issues and their causes' and initiatives, such as AMP, 'provide the local networks that support individuals to take responsibility for their own, and others, safety and well-being'.

AMP's vision for Marine Park also fits firmly at local level with the town's own strategy. The Lossiemouth Community Development Trust's 2014 Action Plan (see Appendix for details) identifies the 'development of Marine Park as an accessible local facility for all ages' as priority for the town.

In summary, it is clear from the above that AMP's proposals for redeveloping Marine Park as an inclusive venue for sport, recreation and community events has a strong, multi-faceted strategic fit with national, regional and local policy objectives.

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*"Our health, education, and economy will thrive through greater participation and involvement by our communities"*  
**MCCP Physical Activity Strategy 2015**

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## 12.0 CONCLUSION

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Marine Park Lossiemouth has a long history of community recreational activity (ref 2.1) but, in the context of diminishing public sector funds, has received almost no investment in recent decades from the local Council (ref. 2.1, 2.2, and 6.2) and has become quite run down. However, in the past few years, the local community has responded vibrantly and attempted its resurrection. Action Marine Park (AMP) has successfully carried out an initial phase of upgrading the north-west part of the site (ref. 3.2). This work has indicated the ability of a local group to implement and maintain a high quality sporting facility on site; which has had distinct, positive outcomes since its completion (ref. 2.4).

With strong backing from the local community (ref. 6.1), AMP's desire now is to pursue a Community Asset Transfer from the Moray Council, and then complete an ambitious, yet realistic redevelopment of the whole site. Due to the topography of the Park, the positioning of underground services, and past and current uses, the options for the masterplan layout are relatively limited. However, AMP's vision is clear (ref. 8.2) : a 5-a-side football pitch (suitable for mini-competitions and 'walking football'); a sensory garden; a children's playpark (suitable for those with disabilities); a putting and/or 'foot-golf' area; an outdoor gym; wheel-friendly footpaths; a pavilion (providing meeting space as well as toilets and equipment storage); and reserved space for a third tennis court (suitable of competitions with other areas). As a result, Marine Park could be an exemplar for community-led, inclusive participation in outdoor activity.

In order to successfully attract the external funding required and deliver the masterplan confidently and carefully, AMP understands that this is most likely done in several distinct phases over a 3-5 year period (ref. 9.4). Such an initiative will need professional guidance through the statutory permission and project management stages.

The development and realisation of this masterplan will carry some high risks, especially relating to securing external funding and avoiding volunteer fatigue. ~~Although Lossiemouth is not in an area of multiple deprivation, the strategic case~~ for economic diversification towards tourism and recreation, and the obvious health and social aspects (ref. 10.0 and 11.0), all add weight to any bid for external funding, but competition for funds is so strong that several skilful and determined applications will have to be made in order to achieve a full funding package. Also, the effort to undertake and sustain this initiative through local volunteers should not be underestimated, so there will be an essential need for AMP to train and protect its members from overload and ensure a succession of personnel occupying various roles of responsibility.

Meanwhile, this Framework Study demonstrates that the financial margins for sustaining the Park year after year may indeed be tight (ref. 9.1), so AMP will require strong and continual focus upon its 3-year business planning process and achieving the desired financial outcomes.

A successful Marine Park project, however, will result in many benefits for Lossiemouth (ref. 10.0) which will include, amongst others : finding renewed purpose for an underused site; the provision of new and inclusive sporting,

recreational and/or community facilities; the exploitation of the town's high quality natural environment and tourism 'pull'; bringing a wide range of people together of all abilities; encouraging inter-generational interaction; lifting community morale; and rewarding active citizenship.

As a result, the Marine Park initiative has a strong and rounded fit with local, regional and national strategies (ref. 11.0).

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As a result, the Marine Park initiative has a strong and rounded fit with local, regional and national strategies (ref. 11.0).

## 12.1 RECOMMENDATIONS

It is recommended that AMP:

1. Continues to pursue a community asset transfer resolution at no cost to AMP (note: this would require serious review were the Council to seek any financial compensation for the land transfer).
2. Secures the rights and clarifies the management and maintenance arrangements of the Park's three access routes.
3. Begins liaison with prospective external funders and/or makes Stage One Application enquiries to relevant bodies.
4. Considers the appointment of a p/t development officer.
5. Notes the statutory permissions required prior to project implementation.
6. Seeks professional advice on implementing aspects of the Park, e.g. infrastructure, pavilion, landscaping.
7. Carries on visiting other sites and networking with other relevant third sector organisations.
8. Continues to engage with the local community at all levels.
9. Encourages the various user groups to take corporate responsibility for the running of the Park.
10. Establishes a Trustee Sub-Group to focus solely upon the Park's financial sustainability.

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[www.sportandrecreation.org](http://www.sportandrecreation.org)  
[www.sportscotland.org.uk](http://www.sportscotland.org.uk)  
[www.undiscoveredscotland.com](http://www.undiscoveredscotland.com)  
[www.visitscotland.com](http://www.visitscotland.com)

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# **APPENDICES**

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## **APPENDIX 1**

**Copy of Preliminary Planning Enquiry**

## **APPENDIX 2**

**Lossiemouth Community Development Trust  
Action Plan 2014-17**

## **APPENDIX 3**

**AMP Community Consultation extract**

## **APPENDIX 4**

**Public Sector Strategy extracts**





**PRE-APPLICATION ADVICE  
RESPONSE FOR LOCAL DEVELOPMENT PROPOSAL**

**The Moray Council  
Po Box 6760  
Elgin  
Moray  
IV30 9BX**

**Telephone: 03001234561 Fax: 01343 563169**

**RESPONSE FROM DEVELOPMENT MANAGEMENT**

<b>1. Reference No</b>
17/01814/PE

<b>2. Site Description and Address</b>
Redevelop land for new recreational and community purposes at Marine Park Marine Court Lossiemouth Moray

<b>3. Planning History</b>			
Is there any relevant planning history?			
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
<b>Reference No.</b>	<b>Description</b>		
16/00807/APP	Erect a metal storage container at Marine Park Marine Court Lossiemouth Moray		
	<b>Decision</b>	Permitted	<b>Date of Decision</b>

<b>4. Planning Policy</b>
<u>Moray Local Plan (Adopted 2015)</u>
PP1: Sustainable Economic Growth PP2: Climate Change PP3: Placemaking E5: Open Spaces Lossiemouth ENV5: Sports Areas EP9: Contaminated Land EP10: Foul Drainage EP13: MoD Safeguarding Areas EP8: Pollution T2: Provision of Access T5: Parking Standards IMP1: Developer Requirements T7: Safe & Promo Walk, Cycling & Equest

### Material Considerations

Scottish Planning Policy and Guidance

Scottish Planning Policy (June 2014)

Circulars

Planning Advice Notes

(see update publication list) - <http://www.scotland.gov.uk/Topics/Built-Environment/planning/Roles/Scottish-Government/Guidance>

### **Further Information**

Copies of our local plans and supplementary planning guidance documents can be found at:

[www.moray.gov.uk](http://www.moray.gov.uk)

Copies of the Scottish Government's national planning policies and guidance can be found at:

<http://www.scotland.gov.uk/planning>

### **5. Site Constraints**

Constraint	Name
ASG Area	Lossiemouth High School
Community Council	Lossiemouth
LDP 2015 Settlement	Lossiemouth
LDP 2015 Settlement Designations	ENV5
RAF Lossiemouth Noise	63dBA

### **6. Siting and Design**

The proposal falls to be assessed against the siting and design requirements as contained within policies E5 Open Spaces, IMP1: Developer Requirements, T7 Safeguarding and Promoting Walking, Cycling and Equestrian Networks and EP8 Pollution of the Moray Local Development Plan 2015 (see-full text attached and web link below).

The proposal site takes in Marine Park which forms one of the ENV5 Sports Area open space designations in Lossiemouth, identified within the Moray Local Development Plan (MLDP) 2015 as an area which contributes to the environment and amenity of the town. Public access rights also exist across the site.

Governing policy E5 Open Spaces of the MLDP states that development which causes the loss of, or adversely affects designated open spaces will be refused unless

- 1) it is for public use that outweighs the value of the open space or is ancillary to the principle use and will enhance sport and recreation;
- 2) is sited and designed to minimise adverse impacts on the recreational, amenity and biodiversity value of the site;
- 3) there is an excess of the type of ENV designation within easy access to the wider

area and loss of the open space will not negatively impact upon the overall quality and quantity of open space provision or

4) Alternative provision or equal or greater benefit will be made available and is easily accessible for users of the developed space.

Policy IMP1 Developer Requirements requires new development to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area and to comply with set criterion (as detailed within the policy). This includes the requirement for development to be appropriate to the surrounding area in terms of scale, density and character.

Policy T7 Safeguarding and Promotion of Walking, Cycling and Equestrian Networks promotes the improvement of walking, cycling etc. through provision of access routes within site layouts and seeks to protect existing access rights.

Policy EP8 Pollution seeks to ensure that new development does not give rise to unacceptable pollution impacts i.e. water, noise, air or light which could adversely affect the environment or local amenity, and where potentially identified submission of appropriate assessments to demonstrate that the pollution can be appropriately mitigated.

The Development Plans Section has been consulted on the proposal and has provided the following comments:

*The proposal lacks sufficient detail, however, the description states that the proposal is to redevelop the open space for recreational and community purposes, which includes the erection of a single storey pavilion. The principle of the redevelopment of this space for community and recreational purposes could be acceptable as it would benefit Lossiemouth. However, any future application must clearly demonstrate that it complies with the necessary criteria of Policy E5. No detail regarding what the proposed facilities are and where they would be located has been provided so it is difficult to comment further.*

*It is important that any pavilion is used for uses relating to the site and is for a community/public use. It must be of an appropriate design and located sensitively so that there are no adverse impacts on neighbouring properties.*

In terms of policy T7 requirements any proposed layout would need to include provision of paths/routes across the site to safeguard and maintain existing access rights across the site. Without further details we are unable to comment further at this stage. The Moray Access Manager would be consulted on any submitted proposal.

As required under policy EP8, any application would also need to demonstrate compatibility with the surrounding area and neighbouring housing which surrounds the site. Again without full details of the sporting and other activities, hours of operation and flood lighting (if proposed) it is difficult to comment further in this regard, other than to highlight the requirement for submission of noise and light impact assessments where such impacts are identified. In this regard the Environmental Health Section has been consulted on your proposal but has yet to provide comments.

The above comments are given without prejudice to any formal determination and are subject to the above policy requirements being met and satisfactory conclusion

of consultation and neighbour notification procedures.

## **7. Access and Parking**

Policies T2, T5 and IMP1 require new development proposals to provide safe entry and exit for all road users at access junctions and parking facilities in accordance with Roads Standards. Further guidance/contact details can be found at [http://www.moray.gov.uk/moray\\_standard/page\\_65633.html](http://www.moray.gov.uk/moray_standard/page_65633.html)

The Transportation Section has been consulted on the proposal and has commented as follows:

*Transportation has no objections in principle to the proposed redevelopment however any required measures (such as parking provision) would require to be assessed based on actual proposals. Essentially if the proposals are 'like for like' to what is presently/has previously been provided then Transportation would have no objections.*

*However if the proposals are considered as an intensification of use of the existing use then Transportation may seek the provision of parking within the site (including cycle parking). This would most likely be accessed via the opening up of the present pedestrian access off Marine Court to vehicular traffic. There already appears to be a large surfaced area suitable for parking provision located to the west of the bowling green on the lower level. Access to the parking area would not be suitable from the existing Stotfield Road access.*

*It would be likely that the highest demand for parking would be via the football/hockey pitch(es) and therefore if additional parking is required it would be most likely be for this particular element rather than for tennis or putting etc.*

*Therefore as a guide, in terms of parking provision Moray Council Parking Standards are the following:*

*Pitches (Football/Hockey) 4.54 per 100m<sup>2</sup> or 10 spaces per pitch (whichever is the greater)*

*As highlighted previously any additional parking requirement would be based on detailed proposals, which would enable Transportation to assess the likely impact of any intensification of use on the neighbouring streets and junctions, but at this early stage Transportation is unable to confirm whether additional parking would or would not be required*

More information on servicing, access and parking can be found at:

[http://www.moray.gov.uk/moray\\_standard/page\\_65633.html](http://www.moray.gov.uk/moray_standard/page_65633.html)

## **8. Drainage and Water**

Details of foul drainage and water supply information should be submitted as part of any application to inform assessment against policies EP10 Foul Drainage and IMP1 Developer Requirements.

Contact Scottish Water for guidance on connections to the public water/drainage network:  
0845 601 8855

You can find more information on SUDS at: <http://www.susdrain.org/>

You can view SEPA's small-scale development and other guidance here:  
<http://www.sepa.org.uk/planning.aspx>

## 9. Flood Risk

The Council's Flood Risk Management Section has been consulted on your enquiry and has commented as follows:

The site has no existing risks to fluvial, coastal or surface water flooding. Detailed drainage designs and assessments may be required dependant on development levels.

You can view SEPA's flood risk map here at:  
<http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

## 10. Listed Buildings, Conservation Areas and the Historic Environment

N/A

Check if your building, or any building close by, is/are listed or falls within an historic designation at:

<http://data.historic-scotland.gov.uk/pls/htmldb/f?p=2200:10:0>

General advise on development affecting historic designations can be found at:  
<http://www.historic-scotland.gov.uk/heritage.htm>

General Advise on Archaeology can be found at:  
<http://www.historic-scotland.gov.uk/archaeology>

## 11. Protected Species, Habitats and Natural Heritage

N/A

More information on Scotland's protected species and areas can be found at:

<http://www.snh.gov.uk/protecting-scotlands-nature/protected-species>

<http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas>

## 12. Developer Obligations

M:/development management/pre-application objections/pre-application advice form

As from 14 October 2016, the Council has adopted Supplementary Guidance on developer obligations as a material consideration in the determination of planning applications. Your proposal will be subject to assessment for developer obligations. Should you wish to proceed with your proposal you should contact the Council Developer Obligations Unit at [DeveloperObligations@moray.gov.uk](mailto:DeveloperObligations@moray.gov.uk) to ascertain the likely obligations that will be sought and their anticipated level (Appendix 2 and Section 6 of the Supplementary Guidance refers).

### 13. Other Material Considerations

In all cases assessment will be required in relation to possible contaminated land issues. Where investigations are required to be undertaken by the applicant, the Council's Contaminated Land Team will advise accordingly.

To avoid possible delays prior to submitting any formal planning application informal I would recommend that you contact the Council's Contaminated Land Team who will advise on any relevant issues. A plan clearly showing the location of the proposed site is required. Initial contact may be made by telephoning 01343 563162, faxing 01343 563483 or emailing contaminated.land@moray.gov.uk

### 14. Consultees for any future Application

The following will likely be consulted on any application submitted for this proposal. You may wish to contact consultees for additional pre-application advice prior to the formal submission of an application. Please note that on occasion it may be necessary to involve consultees who are not listed below as a formal application progresses.

#### Internal Consultees (The Moray Council)

Access Officer

Development Plan Policy

Contaminated Land

Environmental Health

Roads

Others

#### External consultees

Scottish Water

### 15. Additional Information Required for any future Application

Based on the information provided, you are advised to submit the following additional information with any future application for formal permission. If you choose not to follow our advice and do not submit one or more of the documents, then you should provide a clear justification for doing so.

Design Statement

Drainage Impact Assessment (including SUDs) dependent on level of development

and hard surfacing.
Noise Impact Assessment (dependent on level of development and nature of proposal)
Light pollution assessment (where flood lighting is proposed)
Public Access Plan

**16. Environmental Impact Assessment**

Where the proposal appears to fall within a category that requires formal EIA Insert justification for EIA screening, plus information/guidance how to make a separate written request for a Screening opinion.

**17. Other Consents Required**

You are advised that the following consent(s) will be required for the proposed development:

Planning Permission		Advertisement Consent	
Listed Building Consent		Conservation Area Consent	

**18. Case officer and Contact Details**

[Redacted]

**Making a Formal Application**

Planning Applications can be made using the online application and appeal service or you can download forms, which should be completed and returned to this office, together with plans specified, drawn to scale, and appropriate fee, both are available at [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk)

Please note that when you submit an application, information about the application will appear on the Council's planning register and will be published on the Council's website at <http://public.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data M:/development management/pre-application objections/pre-application advice form



Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

### **Disclaimer**

While we make every effort to ensure that the pre-application advice is accurate and comprehensive as possible, any advice given by officers in response to a pre-application advice request does not constitute a formal decision of The Moray Council as Planning Authority and, whilst it may be a material consideration, cannot be held to bind us in terms of the validation or determination of a subsequent statutory application.

In particular, any advice provided under this service constitutes the professional opinion of the officer(s) concerned and is based on the information provided by the applicant and the planning policies and site constraints prevailing at the time. While every effort will be made to identify all relevant policies and all issues material to the proposal, pre-application advice issued by us in relation to local developments will not normally include input from external organisations or consultees, such as SEPA or SNH, or from local residents, neighbours or community groups.

Such input during the assessment of any formal application may raise new issues or areas of concern and therefore the ultimate determination of any future statutory application could differ from the conclusions reached in this preliminary assessment. We will, however, endeavour to highlight any consultees, external bodies or parties that may be involved in any future application so that applicants can make contact themselves to discuss their proposals.

There may be other consents that are required before you implement this consent from either this council or other bodies but these are not covered by this advice.

## Policies

### **Primary Policy PP1: Sustainable Economic Growth**

The Local Development Plan identifies employment land designations to support requirements identified in the Moray Economic Strategy. Development proposals which support the Strategy and will contribute towards the delivery of sustainable economic growth and the transition of Moray towards a low carbon economy will be supported where the quality of the natural and built environment is safeguarded and the relevant policies and site requirements are met.

### ***Moray Local Development Plan 2015 - Material Consideration***

### **Primary Policy PP2: Climate Change**

In order to contribute to reducing greenhouse gas emissions, developments of 10 or more houses and buildings in excess of 500 sq m should address the following:

- Be in sustainable locations that make efficient use of land and infrastructure
- Optimise accessibility to active travel options and public transport
- Create quality open spaces, landscaped areas and green wedges that are well connected
- Utilise sustainable construction techniques and materials and encourage energy efficiency through the orientation and design of buildings
- Where practical, install low and zero carbon generating technologies
- Prevent further development that would be at risk of flooding or coastal erosion
- Where practical, meet heat and energy requirements through decentralised and local renewable or low carbon sources of heat and power
- Minimise disturbance to carbon rich soils and, in cases where it is agreed that trees can be felled, to incorporate compensatory tree planting.

Proposals must be supported by a Sustainability Statement that sets out how the above objectives have been addressed within the development. This policy is supported by supplementary guidance on climate change.

### **Primary Policy PP3: Placemaking**

All residential and commercial (business, industrial and retail) developments must incorporate the key principles of Designing Streets, Creating Places and the Council's supplementary guidance on Urban Design.

Developments should;

- create places with character, identity and a sense of arrival

- create safe and pleasant places, which have been designed to reduce the fear of crime and anti social behaviour
- be well connected, walkable neighbourhoods which are easy to move around and designed to encourage social interaction and healthier lifestyles
- include buildings and open spaces of high standards of design which incorporate sustainable design and construction principles
- have streets which are designed to consider pedestrians first and motor vehicles last and minimise the visual impact of parked cars on the street scene.
- ensure buildings front onto streets with public fronts and private backs and have clearly defined public and private space
- maintain and enhance the natural landscape features and distinctive character of the area and provide new green spaces which connect to green and blue networks and promote biodiversity
- The Council will work with developers and local communities to prepare masterplans, key design principles and other site specific planning guidance as indicated in the settlement designations.

## **Policy E5: Open Spaces**

### **Safeguarding Open Spaces**

Development which would cause the loss of, or adversely impact on, areas identified under the ENV designation in settlement statements and the amenity land designation in rural groupings will be refused unless;

- The proposal is for a public use that clearly outweighs the value of the open space or the proposed development is ancillary to the principal use and will enhance use of the site for sport and recreation; and
  - The development is sited and designed to minimise adverse impacts on the recreational, amenity and biodiversity value of the site; and
- 
- There is a clear excess of the type of ENV designation within easy access in the wider area and loss of the open space will not negatively impact upon the overall quality and quantity of open space provision, or
  - Alternative provision of equal or greater benefit will be made available and is easily accessible for users of the developed space.

### **Provision of new Open Spaces**

#### **Quantity**

New green spaces should be provided to the following standards;

- Residential sites less than 10 units - landscaping to be determined under the terms of policies PP3 and IMP1 to integrate the new development.

- Residential sites 10-50 units and new industrial sites- minimum 15% open space
- Residential sites 51-200 units- minimum 20% open space
- Residential sites 201 units and above and Business Parks- minimum 30% open space including allotments, formal parks and playspaces within residential sites.

### **Quality**

New green spaces should be;

- Overlooked by buildings with active frontages
- Well positioned, multi functional and easily accessible
- Well connected to adjacent green and blue corridors, public transport and neighbourhood facilities
- Safe, inclusive and welcoming
- Well maintained and performing an identified function
- Support the principles of Placemaking policy PP3.

### **Allotments**

Proposals for allotments on existing open spaces will be supported where they do not adversely affect the primary function of the space or undermine the amenity value of the area and where a specific locational requirement has been identified by the Council. Consideration will include related aspects such as access and car parking and not just the allotment area itself.

### **ENV5: Sports Areas**

Hythehill Primary School, Lossiemouth High School, Marine Park, Sunbank East/Inchbroom Road, Bowling green, St Gerardines Road, St Gerardines's Primary School. Policy E5 applies.

### **Policy EP9: Contaminated Land**

Development proposals on potentially contaminated land will be approved provided that:

- a) The applicant can demonstrate through site investigations and risk assessment, that the site is in a condition suitable for the proposed development and is not causing significant pollution of the environment; and
- b) Where necessary, effective remediation measures are agreed to ensure the site is made suitable for the new use and to ensure appropriate disposal and/or treatment of any hazardous material.

The Council recommends early contact with the Environmental Health Section, which can

advise what level of information will need to be supplied.

### **Policy EP10: Foul Drainage**

All development within or close to settlements (as defined in the Local Development Plan) of more than 2,000 population equivalent will require to connect to the public sewerage system unless connection to the public sewer is not permitted due to lack of capacity. In such circumstances, temporary provision of private sewerage systems may be allowed provided Scottish Water has confirmed investment to address this constraint has been specifically allocated within its current Quality Standards Investment Programme and the following requirements apply:

- Systems shall not have an adverse impact on the water environment;
- Systems must be designed and built to a standard which will allow adoption by Scottish Water.
- Systems must be designed such that they can be easily connected to a public sewer in the future. Typically this will mean providing a drainage line up to a likely point of connection.

All development within or close to settlements (as identified in the Local Development Plan) of less than 2000 population equivalent will require to connect to public sewerage system except where a compelling case is made otherwise. Factors to be considered in such a case will include size of the proposed development, whether the development would jeopardise delivery of public sewerage infrastructure and existing drainage problems within the area. Where a compelling case is made, a private system may be acceptable provided it does not pose or add risk of detrimental effect, including cumulative, to the natural and built environment, surrounding uses or amenity of the general area. Consultation with Scottish Environment Protection Agency will be undertaken in these cases.

Where a private system is deemed to be acceptable (within settlements as above or small scale development in the countryside) a discharge to land (either full soakaway or raised mound soakaway) compatible with Technical Handbooks (which sets out guidance on how proposals may meet the Building (Scotland) Regulations 2004) should be explored prior to considering a discharge to surface waters.

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### **Policy EP13: Ministry of Defence-Safeguarding Areas**

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Certain categories of development within particular distances from MoD airfields at Lossiemouth and Kinloss require to be subject of consultation with Defence Infrastructure Organisation. This applies to a wide range of development proposals which could have implications for the operation of the airfields and includes aspects such as height of buildings; use of reflective surfaces; refuse tips; nature reserves (and other proposals which might attract birds);

Full details of the consultation zones and development types are held by Moray Council. The outer boundaries of the zones are shown on the Proposals Map.

### **Policy EP8: Pollution**

Planning applications for developments that may cause significant pollution in terms of noise (including RAF aircraft noise), air, water and light emissions will only be approved

where a detailed assessment report on the levels, character and transmission of the potential pollution is provided by the applicant. The assessment should also demonstrate how the pollution can be appropriately mitigated. Where the Council applies conditions to the consent to deal with pollution matters these may include subsequent independent monitoring of pollution levels.

## **Policy T2: Provision of Access**

The Council will require that new development proposals are designed to provide the highest level of access for end users including residents, visitors, and deliveries appropriate to the type of development and location. Development must meet the following criteria:

- Proposals must maximise connections and routes for pedestrian and cyclists, including links to active travel and core path routes, to reduce travel demands and provide a safe and realistic choice of access.
- Provide access to public transport services and bus stop infrastructure where appropriate.
- Provide appropriate vehicle connections to the development, including appropriate number and type of junctions.
- Provide safe entry and exit from the development for all road users including ensuring appropriate visibility for vehicles at junctions and bends.
- Provide appropriate mitigation/modification to existing transport networks where required to address the impacts of new development on the safety and efficiency of the transport network. This may include but would not be limited to, the following measures, passing places, road widening, junction enhancement, bus stop infrastructure and drainage infrastructure. A number of potential road improvements have been identified in association with the development of sites the most significant of these have been shown on the Settlement Map as TSPs.
- Proposals must avoid or mitigate against any unacceptable adverse landscape or environmental impacts.

Developers should give consideration to aspirational core paths (under Policy 2 of the Core Paths Plan) and active travel audits when preparing proposals.

New development proposals should enhance permeability and connectivity, and ensure that opportunities for sustainable and active travel are protected and improved.

The practicality of use of public transport in more remote rural areas will be taken into account however applicants should consider innovative solutions for access to public transport.

When considered appropriate by the planning authority developers will be asked to submit a Transport Assessment and Travel Plan.

Significant travel generating proposals will only be supported where:

- Direct links to walking and cycling networks are available;

- Access to public transport networks would involve walking no more than 400m;
- It would not have a detrimental effect on the capacity of the strategic road and/or rail network; and
- A Transport Assessment identifies satisfactory mechanisms for meeting sustainable transport requirements and no detrimental impact to the performance of the overall network.

Access proposals that have a significant adverse impact on the surrounding landscape and environment that cannot be mitigated will be refused.

#### **Policy T5: Parking Standards**

Proposals for development must conform with the Council's current policy on parking standards.

#### **Policy IMP1: Developer Requirements**

New development will require to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area. It should comply with the following criteria

- a) The scale, density and character must be appropriate to the surrounding area.
  - b) The development must be integrated into the surrounding landscape
  - c) Road, cycling, footpath and public transport must be provided at a level appropriate to the development. Core paths; long distance footpaths; national cycle routes must not be adversely affected.
  - d) Acceptable water and drainage provision must be made, including the use of sustainable urban drainage systems (SUDS) for dealing with surface water.
  - e) Where of an appropriate scale, developments should demonstrate how they will incorporate renewable energy systems, and sustainable design and construction. Supplementary Guidance will be produced to expand upon some of these criteria.
  - f) Make provision for additional areas of open space within developments.
- 
- g) Details of arrangements for the long term maintenance of landscape areas and amenity open spaces must be provided along with Planning applications.
  - h) Conservation and where possible enhancement of natural and built environmental resources must be achieved, including details of any impacts arising from the disturbance of carbon rich soil.
  - i) Avoid areas at risk of flooding, and where necessary carry out flood management measures.
  - j) Address any potential risk of pollution including ground water contamination in accordance with recognised pollution prevention and control measures.
  - k) Address and sufficiently mitigate any contaminated land issues

l) Does not sterilise significant workable reserves of minerals or prime quality agricultural land.

m) Make acceptable arrangements for waste management.

### **Policy T7: Safeguarding & Promotion of Walking, Cycling, & Equestrian Networks**

The Council will promote the improvement of the walking, cycling, and equestrian networks within Moray. Priority will be given to the paths network including Core Paths and the wider Moray Paths Network. There are several long distance routes that cross Moray including the Speyside Way, Dava Way, Moray Coastal Trail and Aberdeen to Inverness National Cycle Route.

Development proposals that would have an unacceptable impact on access rights, core paths, rights of way, long distance routes and other access routes that cannot be adequately mitigated will not be permitted. Where a proposal will affect any of these, proposals must:

- incorporate the route within the site layout and the routes amenity value must be maintained or enhanced; or
- provide alternative access that is no less attractive and is safe and convenient for the public to use.



## APPENDIX 2

### Lossiemouth Community Development Trust Action Plan 2014-17

**Extract from p.16.**

**Action - 'Development of Marine Park'**

***What needs to be done?*** - Continue to develop to ensure this is an accessible local facility for all ages.

***Who needs to be involved?*** - Action Marine Park committee and members; The Moray Council; interested members of the community.

***Linked Policies and Strategies*** - Moray Tourism Development Plan - tourism potential, maintain the areas of built and natural environment which contribute to the character of the town : Moray 2023 Plan - Priority areas 1, 2 and 3.



## **Marine Park**

**A document based on an extended period of consultation including a structured survey to elicit people's views on the re-development of Marine Park, Lossiemouth for the benefit of the community.**

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**Research collated and document drafted by Mackenzie Consulting on behalf of Action Marine Park, June 2016**

## **A resource for the community**

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In 1933 Captain James Brander Dunbar passed the ground known as Marine Park to the Town "in consideration of the sum of TWO HUNDRED AND SEVENTY POUNDS FIVE SHILLINGS sterling now paid to me by the PROVOST, MAGISTRATES AND COUNCILLORS of the Burgh of Lossiemouth and Branderburgh incorporated under Act of Parliament as Local authority ..." Apart from specifying the precise boundaries of the area and outlining various other conditions the deed of transfer indicated that the "said piece of ground ... is dedicated and shall be held by the said Town Council and their successors in all time coming for the purpose of a playing field for public recreation for behoof of the inhabitants of the said Burgh and the public generally, and they shall be entitled to lay out the ground in such way as may be necessary for these purposes ...".

Action on Marine Park is keen to honour this legacy and restore it as a resource for the benefit of all members of the community.

Consultation goes back over a 5 year period and has been linked to a series of events and activities. On a graffiti wall July, 2011 the following view was expressed "what a shameful waste of what was once obviously a fantastic facility – bring it back for adults and children".

Members of the community were also asked to 'sign here to support Marine Park' as well as being asked what they would like to see in the Park – through this time with public support the tennis courts were restored in 2013 tennis coaching sessions were promoted and Lossiemouth Tennis Club was reformed.

In June 2015 feedback was garnered on the community's priorities for Marine Park and this has informed the most recent survey.

Various letters of support have also been received. In late June and July 2015 representation was received from 38 youngsters asking for provision of posts for 5 a side football.

In March 2013 a Sports Development Officer for Moray Council offered support and observed that "The Marine Park Action Group was set up following requests from the local community to improve facilities at the Park as it has great potential to benefit Lossiemouth and the wider community The Marine Park Action Group have already organised a range of open days ... where they offered a range of taster sport sessions for all ages and abilities and they consulted with the local community on the type of activities/facilities they would like developed at the park".

Subsequently an Active Schools Coordinator noted that "at the moment there are fewer sporting facilities in Lossiemouth compared with many of the other towns in Moray, which can mean there are less opportunities for children in the area to take part in sport and regular physical activity. By improving the facilities at Marine Park ... would help to increase the number and variety of opportunities available. ... From an Active Schools perspective, I can see a number of uses of a new and improved Marine Park." It is further noted that both Hythehill and St Gerardine's Primary schools would benefit from facilities at Marine Park.

In April 2013 the North of Scotland Tennis Development Manager suggested “that if the facilities at Marine Park were improved it would enable adults and children of all ages and abilities to play tennis, which would improve community safety, health and wellbeing for the people of Lossiemouth and wider community” It was further suggested that “Moray Sports Development are keen to establish tennis activity programmes during term time and holiday periods for both children and adults if the Park facilities were improved.” This has been achieved.

## A survey to elicit the community’s view

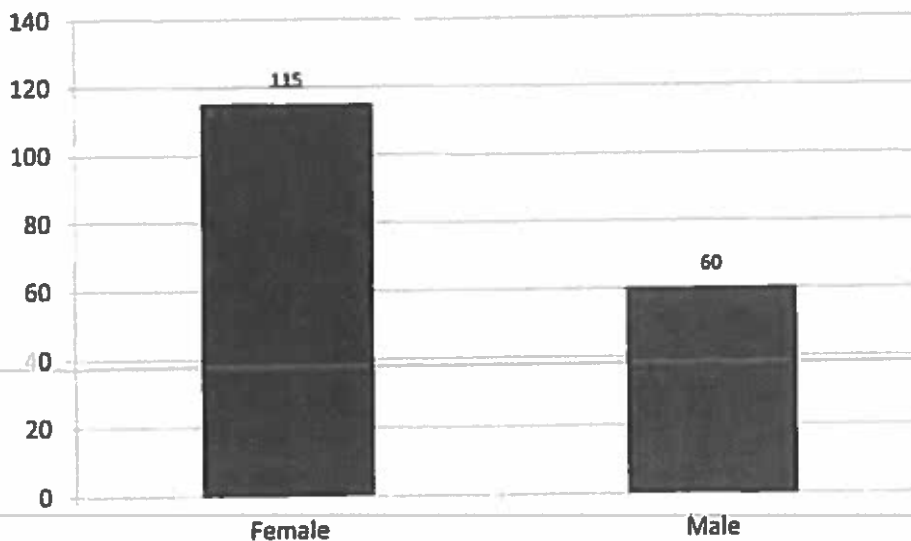
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Whilst widespread support for the redevelopment of Marine had become clear it was considered (following some feedback) that more systematic research could usefully complement previous and less structured consultation. Thus a questionnaire was designed to collect responses from all groups throughout the community. Most of the responses were to a paper based questionnaire but the online research resource Survey Monkey was also used. Data was subsequently collated in an Excel spreadsheet.

Responses were collected between March and the middle of June 2016 using a survey instrument (see Annex 1).

**Gender:**

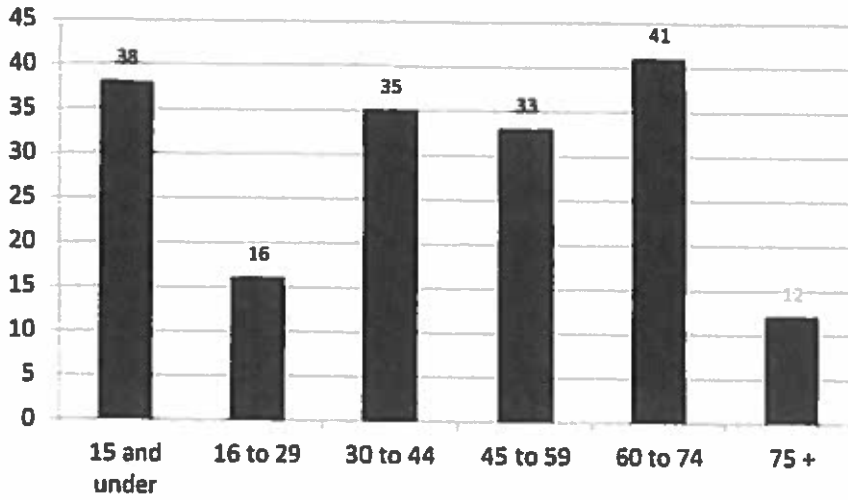
**Table 1: Gender of Respondents**



Of 176 respondents 115 were Female and 60 Male. One respondent did not specify. Males were under-represented in the sample in terms of their proportion in the Moray population.

**Age group:**

**Table 2: Age Group of Respondents**

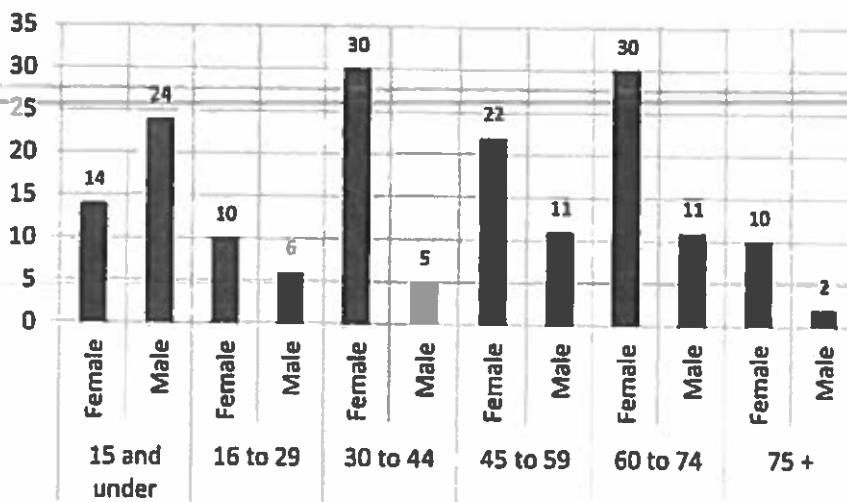


- 1 15 and under
- 2 16 to 29
- 3 30 to 44
- 4 45 to 59
- 5 60 to 74
- 6 75 and over

51% of respondents were 44 and under, which is representative in terms of the age profile for Moray<sup>1</sup> where the percentage is 54.

There is some variation when one sets age against gender with females being the largest proportion in every age group except the 15 and under where males outnumber females.

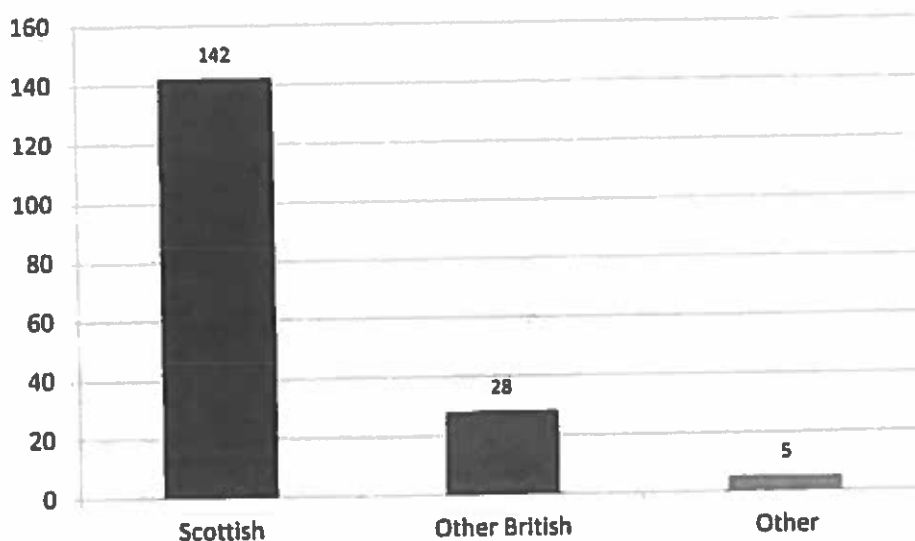
**Table 2: Age Group of Respondents by Gender**



<sup>1</sup> Moray Area Profile, May 2014, Highlands and Islands Enterprise, [www.hie.co.uk](http://www.hie.co.uk)

## Ethnic Background:

Table 3: Ethnic Background of Respondents



Of 175 respondents who identified their ethnic background 142 described themselves as Scottish, which amounts to 81% of all those completing this section. Combining Scottish with Other British amounts to 97% of all respondents. Two of those describing themselves as Other British also described themselves as Cornish. Of the five indicating other ethnic background one specified German another Canadian and another Orcadian – the other two did not specify. The proportions above are broadly in line with the population for Moray as a whole.

## Geographical Location

Annex 2 shows the location of all respondents with each red square corresponding to a completed survey. Whilst the highest concentration of responses comes from those in close proximity to Marine Park most of the remainder are resident throughout Lossiemouth – interest in the 'revival' of the Park thus extends through the whole town. There were 17 respondents from other locations. The park would be an attraction to visitors to Lossiemouth. 169 (96%) of respondents indicated their location.

## Disability and Mobility

6% of respondents stated that they had a disability whilst 4 % stated that they had issues with mobility. These limited responses indicated use of walking sticks and some visual impairment. In order to ensure accessibility and more adequate representation for all groups a more focused consultation was undertaken.

In early March a meeting was held with the Ladybird Group<sup>2</sup> to evaluate how Marine Park could be developed to support the children's specific needs. Subsequently ideas were put forward – these were not intended to be exhaustive but rather to illustrate how the Park could be developed to provide support to the children. These included:

<sup>2</sup> A group supporting the development of pre-school children with additional support needs.

**Nest swing – useful in developing a sense of balance, improved posture, muscle control and coordination.**

**Sunken trampoline – ease of access and no risk of fall from a height. Rebound therapy is used to facilitate movement, promote balance, increase muscle tone and to aid relaxation and sensory integration.**

**Wheelchair swing – allows for a swing experience whilst staying in a wheelchair and can have a powerful impact on the brain’s ability to process and use sensory information.**

**Sensory garden – this can have various components e.g. tactile panels and tubular bells. These types of gardens are popular with and beneficial to both children and adults especially those who have sensory processing issues including autism and other disabilities.**



**Tactile.Wall**



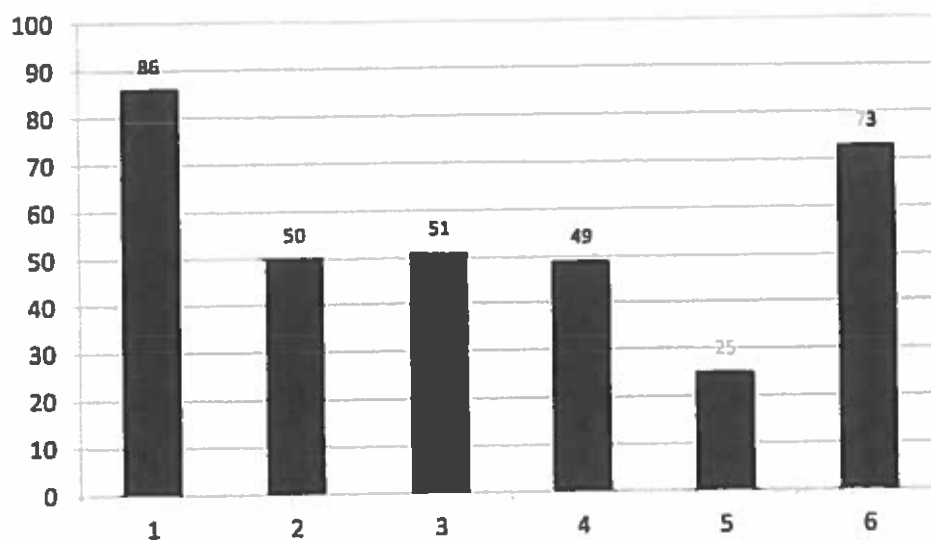
**Sensory Garden Planter**

Most of the above meet the needs of children generally but would also allow the community to assure itself that it was making 'reasonable adjustments' to meet the needs of groups with additional support needs.

Other groups will also benefit. Having access to an enjoyable outdoor space can meet many needs for people with dementia and also those that care for them. A carefully thought out garden can provide exercise and a space for reflection, a different social environment and provide additional stimulation with colours, smells and sounds.

### Marine Park Events

Table 4: Attendance at Marine Park events



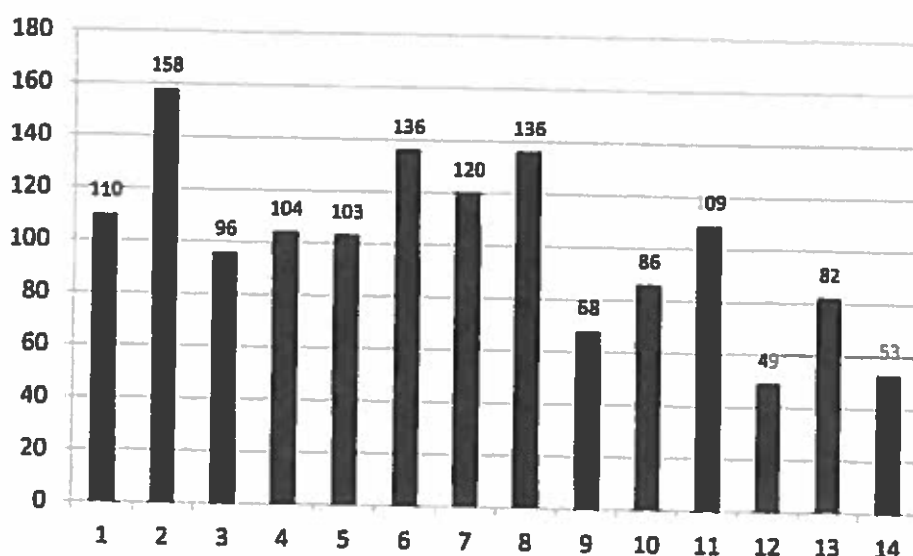
- 1 Open Fun Day in Marine Park
- 2 Tennis Coaching Events
- 3 Open Use of the Tennis Courts
- 4 Coffee Morning in Lossiemouth Town Hall
- 5 Ceilidh in Lossiemouth Town Hall
- 6 Bingo Night at Lossiemouth Football Club

The organisation of this series of events over an extended period provides evidence of the commitment of a core group to the development of Marine Park as a resource for the community and for visitors. Many people attended these events the numbers above merely reflect those who have attended an event and simultaneously or subsequently completed a questionnaire.



## What should be developed/provided in Marine Park?

Table 5: Respondents views on what is needed/desirable



- 1 Pavilion
- 2 Toilets
- 3 Putting
- 4 Crazy Golf
- 5 5 a side Football Pitch
- 6 Children's Play Area
- 7 Accessible Seating
- 8 Picnic Benches
- 9 Outdoor Gym
- 10 Climbing Wall
- 11 Café
- 12 Indoor Tennis Court
- 13 Bicycle Stand
- 14 Archery Area

Respondents were allowed to agree with as many or as few as they wished. 90% agreed that Toilets were needed, a Children's Play area and Picnic Benches were both nominated by 77% of respondents. Least popular were an Indoor Tennis Court and an Archery Area where people were less likely to see the point.

### Other Activities, Facilities or Services

Respondents were also asked to indicate any other facilities or services which they would like to see in Marine Park. There were limited responses including landscaping with disabled access, something to create a sensory experience and sensory area and/or equipment for disabled children and adults, a bicycle lane for children to practise cycling proficiency a skate park and as a venue for team building events for local businesses and for additional coaching for children. One respondent asked

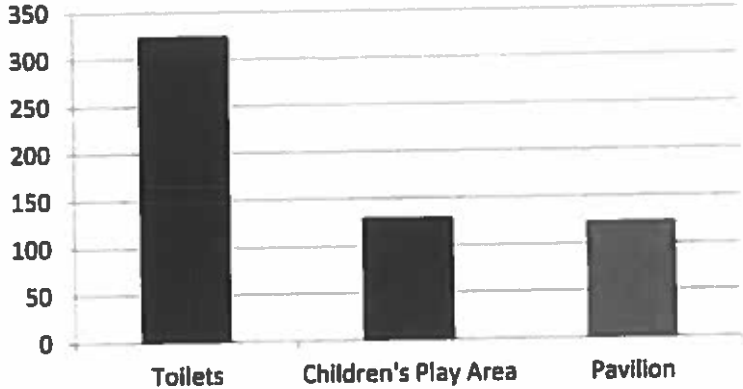
for a walkable path from James Street to Moray Golf Club, which possibly comes under the heading of landscaping of what is undoubtedly an under-developed area. Another wanted security cameras. An indoor gym and bicycle ramps were also mentioned as were Go-Karts.

The relatively limited number of alternative ideas is undoubtedly a function of all the suggestions that respondents were asked to agree with. In order to focus on ideas other than those presented to respondents (ideas, however, which came from previous consultation) other groups with particular needs have been consulted e.g. Ladybird Group (see previous section on Disability and Mobility).

**Priorities**

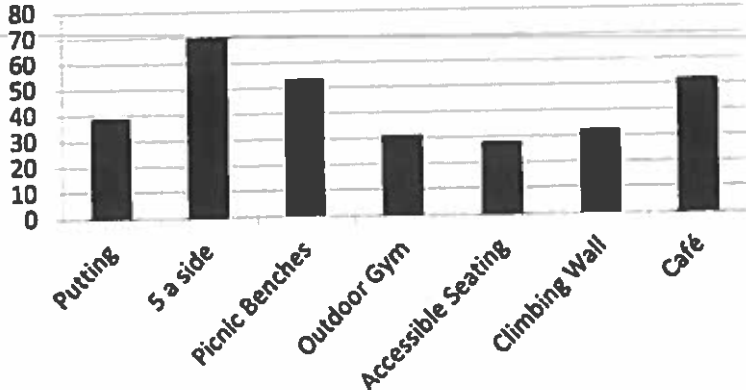
Respondents were also asked to rank their top three priorities – 129 respondents did so. Where a facility or activity was ranked at 1 it was given 5 points, 3 points for 2 and 1 point for 3. On this basis Toilets, Pavilion and a Children’s Play Area were well above the rest.

**Table 6: First ranked priorities**



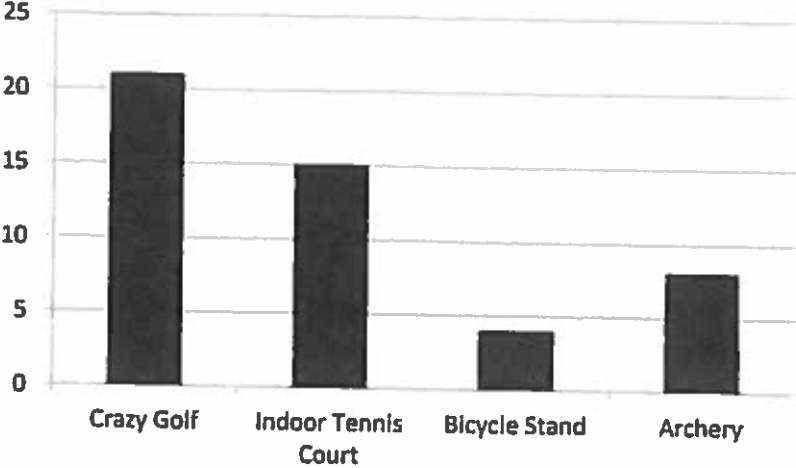
The following facilities/activities whilst somewhat behind the main three attracted significant support.

**Table 7: Second ranked priorities**



Finally, interest in the following facilities was much less strong.

**Table 8: Third ranked priorities**



**Annex 1 Marine Park Survey**



**Marine Park<sup>3</sup> Survey**

A group was formed 4 years ago with a view to restoring Marine Park to its former glory for the benefit of the whole community. So far the tennis courts have been restored and the Lossiemouth Tennis Club re-established.

In this section the questions are intended to ensure that we get a representative sample of views as well as being able to assure ourselves that we have a broad view of people's needs.

A prize draw will be held for those who respond to the survey. Many thanks for your co-operation.

What is your sex? Female   
Male

Which is your age group? 15 and under   
16 to 29   
30 – 44   
45 to 59   
60 to 74   
75 and over

What is your ethnic group? Scottish   
Other British   
Irish   
Polish   
Other   
 If other please describe

Do you have a disability or disabilities? Yes   
No   
 If 'Yes' please describe e.g. visual impairment

Do you have problems with mobility? Yes   
No   
 If 'Yes' please describe e.g. wheelchair user

<sup>3</sup> Marine Park sits next to St Gerardine's Road between Stotfield Road and James Street in Lossiemouth

This next section of the survey is intended to ascertain any previous involvement with Marine Park events as well as eliciting your ideas on potential facilities and services that the park could offer

Have you attended any of these Marine Park events in the last 3 years? Please tick all that apply

Open Fun Day in Marine Park	
Tennis Coaching events	
Open use of the Tennis Courts	
Coffee Morning in Lossiemouth Town Hall	
Ceilidh in Lossiemouth Town Hall	

Previous consultation has identified the need and desire for the following in Marine Park. Please tick all of those that you agree with (Column A) and then in Column B prioritise your top three 1, 2, 3.

	A	B
Pavilion		
Toilets		
Putting		
Crazy Golf		
5 a side football pitch		
Children's play area		
Accessible seating		
Picnic benches		
Outdoor gym		
Climbing wall		
Café		
Indoor tennis court		
Bicycle stand		
Archery area		

Please indicate below any other activities, facilities or services you would like to see in Marine Park

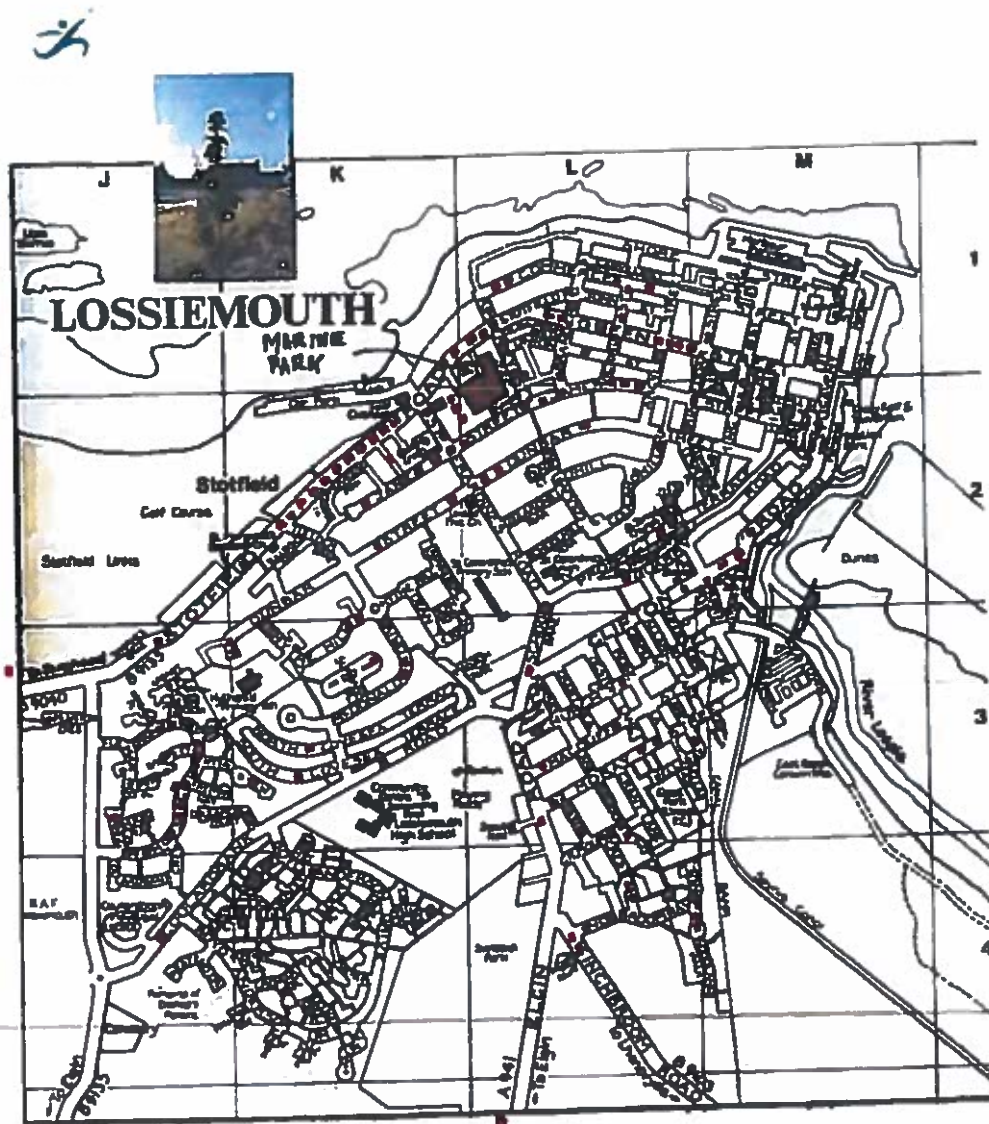
In which street (or other location) do you live?  
What is your post code?

If you would like to be entered into the Prize Draw please indicate your e-mail address and/or your telephone number  
NB Your e-mail address and/or telephone number will not be shared with any other individual or organisation

If you would like to be updated on the development of Marine Park please tick here

If you have any queries about this survey or about Marine Park in general please e-mail [actionmarinepark@live.co.uk](mailto:actionmarinepark@live.co.uk)

## Annex 2 Marine Park Survey – location of respondents



Respondents from other locations:

Elgin (9), Duffus (2), Mosstodloch, Mildenhall, Aberdeen, Hopeman, Longstanton, Easter Covesea

# APPENDIX 4

## Public Sector Strategy extracts

### **Government National Outcomes (2015 edn.)**

Sixteen national outcomes describe what the Government wants to achieve over the next 10 years. They help to sharpen the focus of government, enable our priorities to be clearly understood and provide a clear structure for delivery.

All of the following are relevant to this particular project:

- Scotland as a most attractive place to do business
- Better employment opportunities for our people
- Better educated, more skilled, more successful
- Young people are successful learners and responsible citizens
- Best start in life and ready to succeed
- Living longer, healthier lives
- Tackling inequalities in society
- Improving life chances for young people at risk
- Living safer from crime, disorder and danger.
- Well-designed sustainable places with access to amenities and services
- Supportive communities where people take responsibility for their own actions
- Value and enjoyment of the built and natural environment
- A strong, fair and inclusive identity
- Reduction of local and global environmental impact
- Maintaining independence in older age
- High quality public services responsive to local people's needs

### **Government Economic Strategy 2015**

This document promotes a holistic approach to sustainable economic growth and cites 3 strategic priorities relevant to this project:

- Investing in our people, infrastructure, and assets
- Fostering a culture of innovation
- Promoting inclusive growth

### **Christie Report on Future delivery of Public Services**

Priorities identified are:

- Recognising that effective services must be designed with and for people and communities - not delivered 'top down' for administrative convenience
- Maximising scarce resources by utilising all available resources from the public, private and third sectors, individuals, groups and communities
- Working closely with individuals and communities to understand their needs, maximise talents and resources, support self reliance, and build resilience
- Concentrating the efforts of all services on delivering integrated services that deliver results

- Prioritising preventative measures to reduce demand and lessen inequalities
- Identifying and targeting the underlying causes of inter-generational deprivation and low aspiration
- Tightening oversight and accountability of public services, introducing consistent data-gathering and performance comparators, to improve services
- Driving continuing reform across all public services based on outcomes, improved performance and cost reduction
- Implementing better long-term strategic planning, including greater transparency around major budget decisions like universal entitlements

### **Community Empowerment (Scotland) Bill, 2014**

This Bill sets out a plan for empowering all the people of Scotland to create a more successful country by making the most of all the talents of the nation's people.

Relevant to this particular project is the Government's desire for community-based organisations to take control over publicly owned buildings or land, either by buying or renting, where they can be put to better use for local people.

### **Active Scotland**

Focus upon 6 national outcomes:

- Enabling the inactive to be more active
- Enable the active to stay active
- Development of physical confidence from the earliest age
- Improvement of activity infrastructure
- Support for well-being and resilience in communities
- Improvement of opportunities to participate and progress

### **Sport Scotland Corporate Plan 2015-19**

Focuses upon 5 priority areas

- People – quality people working together
- Places – access to a network of quality places
- Profile – awareness of a range of sporting opportunities
- Participation – opportunity to be, and stay, involved in sport
- Progression – opportunity to develop

Identifies 3 areas for improvement: (i) people development; (ii) equalities and inclusion; (iii) collaboration.

### **Moray 2026 – A Plan for the Future**

The 5 priority areas for the Community Planning Partnership are:

- A growing, diverse and sustainable economy – this is our top priority at the heart of the future success of Moray. It covers business, employment, infrastructure, public services and the third sector developing sustainable communities.
- Healthier Citizens - the main areas identified for improvement are: to reduce incidence of obesity, reduce the number of smokers and reduce alcohol dependency, and improve mental health and well-being.
- Ambitious and confident young people - the focus under this heading is to improve the life chances of children by supporting them and their families at the earliest possible stages and as required thereafter giving all children in Moray the best possible opportunities to achieve their potential.



- Adults living healthier, sustainable independent lives safeguarded from harm - the main areas identified are: a) Reshaping the support available for older people to ensure their needs are met to sustain active lives in the community; and b) Reduce the number of households in fuel poverty.
- Safer communities - whilst recognising that Moray is a safe place to live, we need to do more to protect those most vulnerable and at risk and be proactive to ensure that communities feel safer in the years ahead.

There is plenty of research evidence to demonstrate that sport and recreation activities, such as this project, can make people wealthier, healthier, safer and stronger (source: SRA, 'Reconomics' report, 2014).

### **Moray Economic Strategy 2013**

This document was initially compiled in order to reposition Moray's economy in the context of RAF base closures. The strategy seeks to deliver this repositioning through people, business, infrastructure, community, and identity.

Overarching goals are : creating sustainable economic growth; achieving a stable population; building viable and improved public services; creating strong and confident communities.

Relevant strategy strands to this particular project are:

- high-profile, high-value tourism
- broadening economic contribution of education
- developing Moray's cultural, heritage and arts assets
- reinvigorating Moray's retail, leisure and civic sectors

The strategy identifies enabling actions, such as ease of doing business; business support; infrastructure; accessibility; building and sustaining community and business confidence.

### **Community Safety and Anti-social behaviour strategy for Moray 2013-16**

A shared strategy by Moray's key public sector agencies working towards improved community safety. The Antisocial Behaviour (Scotland) Act 2004 places a statutory obligation on the public sector to implement the range of antisocial behaviour measures and continue joint working as necessary to tackle such behaviour. The partners in Moray seek to reduce incidents of rowdy behaviour, nuisance neighbour and/or noise complaints, and environmental damage.

### **Moray Social Enterprise Strategy, 2013**

Four strategic objectives, with clear relevance to this project:

- Create an environment within which social enterprises can flourish
- Raise awareness of social enterprises in Moray
- Increase the strength and capacity of social enterprises
- Increase Moray's economic, environmental, and social well-being through social enterprise

### **Moray Cultural Strategy 2014**

Articulates the vision, values and recommendations needed to build a strong creative sector in Moray. Relevant objectives include:

- Recognise positive impact of creativity for everyone
- Encourage ways to encounter creativity
- Empowering communities to sustain local activities
- Developing tools to connect and communicate
- Growing quality activities
- Making effective use of our built and natural environment

### **Moray Single Outcome Agreement 2017**

This agreement unites Moray's public sector agencies towards achieving common goals in the spirit of best value and joined-up services.

Overarching aims are:

- A growing and diverse economy
- Healthier Citizens
- More Confident Young People
- Sustainable, Independent lives
- More prosperity and fairness
- Safer communities

### **MCPP, Moray Community Plan, 2015**

Relevant local outcomes:

- 2 – early intervention for young people and opportunities for vulnerable people
- 3 – more opportunities for people to become better educated, skilled and successful.
- 5 – improve the healthy development of young children and their families
- 6 – develop support models for older people within their communities.
- 10 – access to services in Moray near where people live will improve.
- 11 – strong, resilient and supportive communities, where people take responsibility.
- 12 – local people encouraged and assisted to protect and improve the environment.
- 13 – the many cultures of communities of interest and geographical communities which give the area's distinct and inclusive identity will be supported and fostered.
- 14 – energy usage/carbon emissions will reduce.

### **MCPP, Physical Activity, Sport and Recreation Strategy, 2017**

**Aim :** to inspire people in Moray, residing or visiting, young and old, able and less able, to participate in physical activity/sport

**Objectives :** promote collaborative working across private, public and voluntary sectors; encourage people to reach their full potential and put Moray on the map; rehabilitate people suffering from a medical condition.

**Outcomes :** (i) improving health and well-being; (ii) strengthening communities; (iii) providing volunteering and leadership opportunities; (iv) encouraging tourism; (v) promoting active travel; (vi) recognising success.

### **MCPP, Social Inclusion Strategy, 2015**

**Priorities –** (i) tackling deprivation (ii) supporting young people (iii) reducing health inequalities (iv) making full potential of those not yet in the labour market (v) all people in Moray able to influence decisions and participate actively.

### **Moray Council Corporate Plan 2015-17**

**Focus is** contributing towards the delivery of Moray 2023, especially in the five priority areas of sustainable economic development; ambitious and confident children and young people; healthier citizens; sustainable independent lives; and safer communities.

**Promotes 6 core values of :** ambition, listening, respect, fairness, accountability, and sustainability.

### **Moray and Speyside Tourism Strategy 2014-17**

Currently expressed as 5 key objectives:

- market Moray as key visitor destination
- grow the volume and value of tourism
- ~~grow the skills within a collaborative approach to tourism~~
- collaborate with neighbours
- grow digital tourism

### **HIE, Moray, Strategic Priorities, 2017**

**General priorities:**

- supporting businesses and social enterprises to realise their aspirations
- developing growth sectors
- creating conditions for a competitive, low-carbon region
- strengthening communities

**Main aim –** strategy for the diversification of the economy of Moray via 'Moray 2023'



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